

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rules(s) adopted on November 14, 2007 by the  
Date prior to or same as filing date.

Oregon Transportation Commission, Oregon Department of Transportation  
Agency and Division

735

Administrative Rules Chapter Number

Lauri Salsbury 355 Capitol St. NE, Rm. 29, Salem, OR 97301  
Rules Coordinator Address

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to become effective

January 1, 2008

Date upon filing or later

Rulemaking Notice was published in the

October 2007

Month and Year

*Oregon Bulletin.\*\**

**RULE CAPTION**

Requirement for Ignition Interlock Device Following a DUII Suspension and on a Hardship/Probationary Permit

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

List each rule number separately, 000-000-0000.

**ADOPT:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**AMEND:** OAR 735-064-0070 and 735-070-0080

**REPEAL:**

**RENUMBER:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**AMEND & RENUMBER:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 184.616, 184.619, 802.010, 807.240, 807.270 and 813.602

Stats. Auth.

Other Authority

ORS 807.240, 807.270 and 813.602

Stats. Implemented

**RULE SUMMARY**

Chapter 655, Oregon Laws 2007 (HB 2774) amends ORS 813.602 to extend the length of time a person convicted of driving under the influence of intoxicants (DUII) must install and use an approved ignition interlock device (IID). The current requirement for an IID is six months, but with these amendments, effective January 1, 2008, the IID must be installed and used at the end of the suspension for one year for a first DUII conviction and two years for a second or subsequent DUII conviction. Further changes clarify that a person who fails to install an IID at the end of the DUII suspension but does install an IID during the year or two-year suspension for failure to install, does not need a hardship permit as they will have met the requirement for reinstatement. Naturopathic doctor was added to the list of medical professionals who may provide a written, signed statement that a person is unable to use an IID due to a medical condition. This change is being made for consistency with other DMV rules and processes. Other changes were made to make the terminology consistent with OAR Chapter 735, Division 118 which describes approved ignition interlock devices.

\_\_\_\_\_  
Authorized Signer

Tom McClellan  
Printed Name

\_\_\_\_\_  
Date

\* With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

\*\* The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.