

Text to be added in **bold**  
Text to be deleted in *[italics]*

735-016-0070

Proof of Residency or Domicile

(1) **DMV will accept** *[T]* the following *[shall be accepted]* as proof of residency or domicile to obtain or renew a driver license, driver permit, identification card or to register or renew a vehicle in Oregon. *This is in addition to proof of residence address requirements as established in OAR 735-062-0030*:

(a) A residence address in Oregon where the applicant physically resides which is not a hotel, motel, campground or recreational vehicle park and is not the address of a service provider as defined in OAR 735-010-0008; or

(b) An Oregon Income Tax Return, filed for the previous year. *[It]* **The tax return** must include a certification by the applicant that the *[Oregon Income Tax Return]* **return** is a true photocopy of the original **that was** *[and that the original has been]* filed with the State of Oregon, Department of Revenue. **An Oregon Tax Return for a Nonresident (Form 40N) is not proof of residency or domicile.**

(2) If an individual residing in Oregon is not able to meet the requirements of section (1) of this rule, a certification of residency or domicile for Oregon driver license, driver permit, identification card or vehicle registration, is required, along with two or more forms of proof of the person's residency or domicile. Acceptable proof includes but is not limited to:

(a) A property tax record, utility bills, rent receipts, a lease or rental agreement or other document that shows that the individual resides in Oregon;

(b) Enrollment records or other documentation that the person is attending an educational institution maintained by public funds and pays resident tuition fees;

(c) Motel, hotel, campground or recreational park receipts showing that the person currently resides in Oregon and has remained in Oregon for six consecutive months;

(d) A statement from a relief agency or shelter that the person receives services in Oregon;

(e) Fuel receipts, motel receipts, or other documents showing that the person has lived in multiple states (more than two) during the past 12 months, and in Oregon for at least six of the last 12 months, as evidence that the person who has no residence address, does not primarily reside in some other state;

(f) Documents showing that the person has a current bank account at a bank or credit union in Oregon and that the account has been open for 60 days or more;

(g) A document showing receipt of public assistance from an agency of the State of Oregon; or

(h) An Oregon voter registration card.

(3) If an individual who does not currently reside in this state but is domiciled in Oregon is not able to meet the requirements of section (1) or (2) of this rule, a certification of residency or domicile for Oregon driver license, driver permit, identification card or vehicle registration, must be completed. The person must provide proof showing intent to return to Oregon as set forth in OAR 735-016-0030(3).

(4) Examples of documentation a business entity may be required to submit in relation to Oregon vehicle registration include but are not limited to:

(a) Property tax records, utility bills, rent receipts, lease agreements or similar documents which show the business entity is currently the occupant of an office or warehouse facility in Oregon along with a copy of service records, fuel receipts, garage receipts or other documents that show the vehicle(s) is being operated in Oregon;

(b) A permit number or other information that shows the person or business holds a permit or other authority issued under ORS Chapter 825 for intrastate transportation;

(c) Storage receipts, repair bills or similar documents which show a vehicle has been left in Oregon; or

(d) Dispatch, deliver, maintenance, tax records, or other documentation that show the vehicles are being housed or dispatched from a location within Oregon or are otherwise being operated in Oregon.

Stat. Auth.: ORS 184.616, 184.619, 802.010, 803.350, 803.370, 807.050, 807.062 & 821.080

Stats. Implemented: ORS 802.500, 802.520, 803.200, 803.300, 803.325, 803.350, 803.355, 803.360, 803.370, 807.010, 807.040, 807.045, 807.050, 807.062, 807.400, 821.080 & 826.033

735-062-0320

Special Limited Vision Condition Learner's Permit

(1) DMV will issue a special limited vision condition learner's permit when:

(a) An applicant has submitted a report from a licensed vision specialist certifying that the person meets the visual standards set forth in [*Section 3, Chapter 277, Oregon Laws 2003*] **ORS 807.359**, has been fitted with a bioptic telescopic lens mounted on or above a carrier lens, and would be aided by using a bioptic telescopic lens when operating a motor vehicle;

(b) An applicant submits proof to DMV that the person has been accepted and has enrolled in a rehabilitation training program with a specialist certified by DMV to train persons with a limited vision condition using a bioptic telescopic lens to drive;

(c) An applicant has passed the knowledge test required under ORS 807.070(2); and

(d) An applicant pays a \$13 fee, as required by ORS 807.370[(27)].

(2) The special limited vision condition learner's permit will:

(a) Be valid for six months;

(b) Be in the form of a letter rather than a laminated card with picture;

(c) Specify that the applicant may only drive when accompanied by the specialist(s) named on the permit;

(d) Include the following restrictions:

(A) Driving during daylight hours only; and

(B) The person must wear a bioptic telescopic lens device while driving.

(e) Be mailed to the rehabilitation training program with which the applicant has enrolled.

(3) If a person discontinues the required training or fails to make satisfactory progress toward a Certificate of Competency, the specialist must notify DMV immediately with a recommendation to terminate or extend the person's training program.

(4) If the specialist's recommendation is to terminate the applicant's training program or the applicant withdraws from the program, DMV will cancel the special limited vision condition learner's permit issued to the applicant. If the permit is cancelled, the applicant must reapply for a new permit and satisfy all the requirements set forth in section (1) of this rule. Knowledge test scores remain valid for two years.

(5) If the specialist's recommendation is to extend the applicant's training program, DMV will re-issue a special limited vision condition learner's permit for an additional six-month period if the applicant provides proof of continued enrollment in a rehabilitation training program, as set forth in subsection (1)(b) of this rule, and pays a \$13 fee.

(6) A copy of the special limited condition learner's permit must be kept in the applicant's file at the school offering the rehabilitation training program.

Stat. Auth.: ORS 184.616, 184.619, 802.010, 807.350 & 807.368

Stat. Implemented: ORS 807.355 – 807.368

735-064-0020

#### Who Can Apply for a Hardship or Probationary Permit

(1) Any Oregon resident whose driving privileges are suspended may apply for a hardship permit unless the person's driving privileges are revoked for any reason or suspended under:

(a) ORS 25.780 for failure to pay child support because ORS 807.250(3) does not allow the issuance of a hardship permit;

(b) ORS 809.260 for court denial of juvenile driving privileges because a person suspended for this reason is eligible for an emergency driver permit per ORS 807.220(4);

(c) ORS 809.280(10) for a controlled substance conviction because ORS 807.250(2) does not allow the issuance of a hardship permit;

(d) ORS 809.419(1) for failure to appear for or pass required tests because ORS 813.520 provides that no hardship permit may be issued if a person has a mental or physical condition that makes the person unsafe to drive a motor vehicle;

(e) ORS 809.419(2) for failure to obtain a required medical clearance because ORS 813.520 provides that no hardship permit may be issued if a person has a mental or physical condition that makes the person unsafe to drive a motor vehicle;

(f) ORS 809.419(3) for a mental or physical condition because ORS 813.520 provides that no hardship permit may be issued if a person has a mental or physical condition that makes the person unsafe to drive a motor vehicle;

(g) ORS 809.421(1) for habitual incompetence, recklessness or criminal negligence or committing a serious violation of the motor vehicle laws because ORS 809.421(1)(b) states this suspension is subject to any conditions the department determines necessary. The department has determined that a person suspended under this subsection shall not be issued a hardship permit;

(h) ORS 809.419(5) upon notification by the superintendent of a hospital because ORS 813.520 provides that no hardship permit may be issued if a person has a mental or physical condition that makes the person unsafe to drive a motor vehicle;

(i) ORS 809.419(6) when a person charged with a traffic offense has been found guilty except for insanity because ORS 813.520 provides that no hardship permit may be issued if a person has a mental or physical condition that makes the person unsafe to drive a motor vehicle;

(j) ORS 813.400 and 813.403, and the person fails to install or use an IID in a vehicle(s) the person intends to operate, because under ORS 813.602(1)(a) an IID must be installed before the person is eligible for a hardship permit;

(k) ORS 809.280(5) or 809.416(1) for failure to appear in court, because ORS 807.250(4) does not allow the issuance of a hardship permit; [*or*]

(l) ORS 809.416(2) for failure to pay a fine or obey a court order, because ORS 807.250(4) does not allow the issuance of a hardship permit; **or**

**(m) ORS 809.310(3) or 809.411(9) for committing a fraudulent or unlawful act in applying for or the use of a driver license, driver permit or identification card.**

(2) DMV will not issue a hardship permit that authorizes a person to operate a commercial motor vehicle because ORS 807.240(2) does not allow the issuance of a hardship permit to drive a commercial motor vehicle.

(3) Any Oregon resident whose driving privileges are revoked as an habitual traffic offender may apply for a probationary permit unless the person's driving privileges are also revoked for any reason other than being an habitual traffic offender or are also suspended for any of the reasons listed in section (1) of this rule. DMV will not issue a probationary permit that authorizes a person to operate a commercial motor vehicle because ORS 807.270(4) does not allow the issuance of a probationary permit to drive a commercial motor vehicle.

Stat. Auth.: ORS 184.616, 184.619, 802.010 807.240, 807.252 & ORS 807.270

Stats. Implemented: ORS 807.062, 807.240, 807.250, 807.270, 809.265, 809.380, 809.390, 809.419, 809.421, 813.500 & 813.602

735-080-0060

[*Identification Cards Without Photograph*] **Parking Identification Card**

(1) An applicant for an individual disabled parking permit who does not have a driver license, driver permit, or identification card and is unable to go to a DMV office to be photographed, must obtain [*an identification card without a photograph*] **a parking identification card**. The applicant must submit the following to DMV:

(a) An application for [*an identification card without a photograph*] **a parking identification card** that includes the applicant's name, residence address, date of birth, height, weight, and signature. It must also include a statement from a licensed physician that because of the applicant's medical or physical condition, it is impractical or harmful for the applicant to appear at a DMV office to be photographed; and

(b) The fee for issuance of [*an identification card*] **a parking identification card** under ORS 807.410(1).

(2) The applicant must mail the application, fee and statement from a physician to DMV, Driver Issuance Unit, 1905 Lana Avenue NE, Salem, Oregon 97314.

(3) [*An*] **A parking** identification card issued under this rule expires on the applicant's birthday, in the eighth calendar year after the year of issuance or on the date it is no longer medically impractical or harmful to the applicant to appear at a DMV office to be photographed for an identification card, whichever is earlier.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 811.603

Stats. Implemented: ORS 811.603 & OL 2008, Ch 1

735-080-0070

Replacement/Renewal of **a Parking** Identification Card[*s Without Photograph*]

(1) DMV may replace [*an*] **a parking** identification card [*without a photograph*] if the card is lost, mutilated or destroyed. Replacement of a disabled parking identification card is subject to the following:

(a) If a statement from a licensed physician is on file with DMV, the person must submit an application for replacement and the replacement fee under ORS 807.410 to DMV, but does not need to submit a statement from a licensed physician;

(b) If a statement from a licensed physician is not on file with DMV, the person must apply for [*an*] **a parking** identification card [*without a photograph*] as [*set forth*] **provided** in OAR 735-080-0060(1) and (2);

(c) An applicant for a replacement **parking** identification card [*without a photograph*] must certify that the original **parking** identification card [*without a photograph*] has been lost or destroyed; and

(d) The replacement **parking** identification card [*without a photograph*] will have the same expiration date as the **parking** identification card [*without a photograph*] it replaces.

(2) DMV may renew a [*disabled*] parking identification card [*without a photograph*] upon expiration or within one year after the expiration date if the person is also renewing the disabled person parking permit. To renew, an applicant must submit the following to DMV:

(a) A renewal application containing the applicant's name, residence address, date of birth, height, weight, signature and a signed statement from the applicant that it is still medically impractical or harmful for the applicant to appear at a DMV office to be photographed.

(b) The renewal fee under [*OAR 735-062-0095(4)*] **ORS 807.410**; and

(c) Proof of residence address as described in OAR 735-062-0030 if the residence address of the applicant has changed since issuance of the most recent **parking** identification card [*without a photograph*].

(3) A renewed **parking** identification card expires [*four*] **eight** years from the expiration date on the immediately preceding identification card or on the date it is no longer medically impractical or harmful to the applicant to appear at a DMV office to be photographed for an identification card, whichever is earlier.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 811.603

Stats. Implemented: ORS 811.603 & OL 2008, Ch 1