

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Oregon Department of Transportation, Driver and Motor Vehicle Services Division		735	
Agency and Division		Administrative Rules Chapter Number	
Lauri Kunze	355 Capitol St. NE, Rm. 29, Salem OR 97301	lauri.g.kunze@odot.state.or.us	(503) 986-3171
Rules Coordinator	Address		Telephone

RULE CAPTION

Establishes Eligibility Requirements and Procedures for the Issuance of Veterans' Recognition Registration Plates

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

May 21, 2008	1:30 pm	355 Capitol St NE, Room 122, Salem OR 97301	David Eyerly
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

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

AMEND: 735-040-0040, 735-040-0080, 735-040-0090 and 735-040-0100

REPEAL: 735-040-0050

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, 803.535, 805.105, 805.200 and Chapter 99 Oregon Laws 2007	None
Stat. Auth.	Other Authority
ORS 803.415, 803.420, 803.530, 803.535, 805.105, 805.200 and Chapter 99 Oregon Laws 2007	
Stats. Implemented	

RULE SUMMARY

ORS 805.105 requires DMV to establish: (1) General qualifications for veterans' groups that wish to become eligible for veterans' recognition registration plates; (2) When DMV may cease to issue veterans' recognition registration plates; (3) What constitutes proof of veteran status for the issuance of veterans' recognition registration plates, and (4) What constitutes proof that a person is a surviving family member of a person killed in action during an armed conflict while serving in the Armed Forces of the United States in order to qualify for special veterans' recognition registration plates that include a gold star decal and the words "Gold Star Family." These law changes require DMV to amend its special group registration plate rules to conform to the law changes.

Text of proposed and recently adopted ODOT rules can be found at web site <http://www.oregon.gov/ODOT/CS/RULES/>.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

May 21, 2008

Last Day for Public Comment
Last day to submit written comments to the Rules Coordinator

Signature

Lauri Kunze

Printed name

Date

* 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.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Transportation, Driver and Motor Vehicle Services Division

735

Agency and Division

Administrative Rules Chapter Number

In the Matter of the Amendment of OAR 735-040-0040, 735-040-0080, 735-040-0090 and 735-040-0100, and the Repeal of 735-040-0050 Relating to Veterans' Recognition Registration Plates

Rule Caption: Establishes Eligibility Requirements and Procedures for the Issuance of Veterans' Recognition Registration Plates

Statutory Authority: ORS 184.616, 184.619, 802.010, 803.535, 805.105, 805.200 and Chapter 99 Oregon Laws 2007

Other Authority: None

Statutes Implemented: ORS 803.415, 803.420, 803.530, 803.535, 805.105, 805.200 and Chapter 99 Oregon Laws 2007

Need for the Rule(s): This rulemaking is needed to implement legislation enacted by the 2007 Legislative Assembly. Chapter 564, Oregon Laws 2007, codified as ORS 805.105, removed statutory language pertaining to group registration plates issued to benefit qualified veterans organizations and created new language directing DMV to establish a program for the issuance of veterans' recognition registration plates. Part of that directive requires DMV to adopt rules to establish: (1) General qualifications for veterans' groups that wish to become eligible for veterans' recognition registration plates; (2) When DMV may cease to issue veterans' recognition registration plates; (3) What constitutes proof of veteran status for the issuance of veterans' recognition registration plates, and (4) What constitutes proof that a person is a surviving family member of a person killed in action during an armed conflict while serving in the Armed Forces of the United States in order to qualify for special veterans' recognition registration plates that include a gold star decal and the words "Gold Star Family." These law changes require DMV to amend its special group registration plate rules to conform to the law changes.

In addition to the amendments described above, OAR 735-040-0090 is further amended to clarify that a "partner in a domestic partnership" is a "surviving family member" eligible to receive Gold Star Family registration plates pursuant to Chapter 99, Oregon Laws 2007. Finally, OAR 735-040-0050 is repealed because the qualifications for veteran's recognition plates are already established under amended OAR 735-040-0080.

DMV filed temporary rules to become effective January 1, 2008 because there was not sufficient time to complete the permanent rulemaking process to coincide with the effective date of Chapter 564, Oregon Laws 2007. DMV now intends to permanently amend those rules. Other non-substantive changes are made for purposes of clarity and readability.

Documents Relied Upon and where they are available: Chapter 99, and ORS 805.105 (Chapter 564 Oregon Laws 2007). To request a copy of the document, please contact David Eyerly at 503-945-5243. Alternatively, the document is available electronically at: <http://www.leg.state.or.us>

Fiscal and Economic Impact, including Statement of Cost of Compliance: This rule change has no known financial impact, beyond the impact of the legislation, on other agencies or business, including small business, or members of the public.

Projected reporting, recordkeeping and other administrative activities required for compliance: None.

Equipment, supplies, labor and administration required: None.

How were small businesses involved in the development of this rule? The proposed rulemaking implements legislation enacted by the 2007 Legislative Assembly and has no impact on small businesses. For that reason, small businesses were not involved in this rulemaking.

Administrative Rule Advisory Committee consulted?: No

If not, why?: An advisory committee was not needed. DMV is amending its rules to conform to the law changes.

Authorized Signer

Lauri Kunze

Printed name

Date