

Secretary of State
NOTICE OF PROPOSED RULEMAKING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Transportation, Highway Division

734

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

Chains or traction tires

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

RULEMAKING ACTION

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

AMEND: OAR 734-017-0005

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, and 815.045

Stat. Auth.

None

Other Authority

ORS 815.045, 815.140, and 815.165

Stats. Implemented

RULE SUMMARY

HB 2567 of the 2007 regular session amended ORS 814.045 to include retractable studded tires as a traction tire. These rule amendments reflect this modification.

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

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

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.

June 23, 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, Highway Division
Agency and Division

734
Administrative Rules Chapter Number

In the Matter of the Amendment of OAR 734-017-0005

Rule Caption: Chains or Traction Tires

Statutory Authority: ORS 184.616, 184.619, and 815.045

Other Authority: None

Statutes Implemented: ORS 815.045, 815.140, and 815.165

Need for the Rule(s): HB 2567 of the 2007 regular session amended ORS 814.045 to include retractable studded tires as a traction tire. These rule amendments reflect this modification.

Documents Relied Upon and where they are available:

Fiscal and Economic Impact, including Statement of Cost of Compliance: The proposed rule changes allow for use of retractable studded tires as an option for motorists rather than using another type of traction tire; therefore no adverse economic impact is anticipated. A draft of the rule was sent to several groups representing small businesses. There were no comments submitted identifying any adverse economic impact.

How were small businesses involved in the development of this rule? A notice of this proposed amendment was sent to groups representing small businesses; no input was received.

Administrative Rule Advisory Committee consulted?: No

If not, why?: An outside advisory committee was not created specifically for the drafting of this rule. The proposed amendments simply bring the rules into compliance with recent law changes.

Authorized Signer

Lauri Kunze
Printed name

Date