

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 February 18, 2009 by the
Date prior to or same as filing date.

Oregon Department of Transportation, Driver and Motor Vehicle Services Division 735
Agency and Division Administrative Rules Chapter Number

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to become effective upon filing Rulemaking Notice was published in the January 2009 Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Medical Standards for Drivers of Commercial Motor Vehicles

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: 735-063-0000

AMEND: 735-063-0055, 735-063-0060, 735-063-0065, 735-063-0070, 735-063-0075

REPEAL: 735-063-0050

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, 807.040, 807.100, 807.340, 809.419 Title 49, CFR Sections 391.41 through 391.49
Stats. Auth. Other Authority

ORS 807.040, 807.100, 807.340, 809.419
Stats. Implemented

RULE SUMMARY

There are federal standards for issuing a commercial driver license (CDL), including medical standards, that a person must meet to qualify for a CDL. ODOT may issue a waiver of physical disqualification to a driver who does not meet all federal physical qualification standards required for a driver of a commercial motor vehicle (CMV). The waiver allows the driver to operate a CMV in Oregon for intrastate commerce. These rules establish the medical standards for a driver of a CMV, the medical certificate that is acceptable in Oregon, and the procedures for acceptance of a medical certificate. The rules also establish when DMV will issue, deny or revoke a waiver of physical disqualification to a person who does not meet all the physical requirements to drive a CMV.

OAR 735-063-0000 provides definitions to make these rules easier to read and understand. The amendments to 735-063-0055 and 735-063-0065 incorporate the new definitions. Other changes are made to clarify language. DMV amended 735-063-0070 and 735-063-0075 regarding the Oregon Waiver of Physical Disqualification to more clearly outline the application and issuance process, the conditions and restrictions of holding a waiver, and when a waiver may be denied or revoked. DMV is also deleting language concerning financial sanctions that are no longer applicable. OAR 735-063-0050 is repealed because it simply repeats the statutory requirements of ORS 807.100.

Thomas L. McClellan
Authorized Signer 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.