

735-016-0030

Domicile -- Establishing Intent to Remain or Return

(1) In order to be domiciled in Oregon, a person whose place of abode is in Oregon must intend to remain in this state or if absent from the state must intend to return to it.

(2) DMV may require proof that the person intends to remain in Oregon. Acceptable proof, under this section, includes, but is not limited to:

(a) Ownership of the person's residence in Oregon, or a lease or rental agreement of 12 months or more in duration;

(b) Permanent employment in Oregon;

(c) A true copy of the Oregon income tax return filed with the Oregon Department of Revenue for the previous tax year, showing the person is a permanent or part-year Oregon resident. For purposes of this subsection, the proof must:

(A) Include a certification by the person that the original return was filed; and

(B) Show the person was an Oregon resident at the end of the tax year if the person was a part-year Oregon resident; or

(d) Payment of residence tuition fees at institutions of higher education in Oregon.

(3) A person who is absent from Oregon but claims to be domiciled in this state may be required to provide proof to DMV that shows the person intends to return to Oregon. Acceptable proof, under this section, must show:

(a) The person has continuously maintained an Oregon residence while absent from Oregon;

(b) The person owns a residence in Oregon;

(c) The person is temporarily residing outside of Oregon (e.g., payment of non-resident tuition while attending a school outside of Oregon, temporary transfer of employment to another state or country, temporary care of a family member out of state). The person may be required to show they have maintained ties with Oregon, including but not limited to voter registration or maintenance of an Oregon bank account;

(d) The person is a member of the United States Armed Forces, or the member's spouse, partner in a domestic partnership, or a dependent who resides with the member, who lists Oregon residence in his or her military records; or

(e) The person filed an Oregon income tax return with the Oregon Department of Revenue for the previous tax year that shows the person is a permanent or part-year Oregon resident. Acceptable proof under this subsection must:

(A) Be a true copy of the Oregon income tax return filed with the Oregon Department of Revenue and must include a certification by the person that the original return was filed; and

(B) Show the person was an Oregon resident at the end of the tax year if the person was a part-year Oregon resident.

(4) A person who claims to reside at the address of a service provider in Oregon, as defined in OAR 735-010-0008, for purposes of vehicle registration, driver licensing or obtaining an identification card must provide proof as described in section (2) or (3) of this rule.

Stat. Auth.: ORS 184.616, 184.619, 803.350, 803.370, 807.050, 807.062 and 821.080, Sec. 3, Ch. 99, OL 2007
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 and 826.033

735-016-0070

Proof of Residency or Domicile

(1) DMV will accept the following 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:

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

(b) A true copy of the Oregon income tax return filed with the Oregon Department of Revenue for the previous tax year, showing the person is a permanent or part-year Oregon resident. For purposes of this subsection, the proof must:

(A) Include a certification by the person that the original return was filed with the Oregon Department of Revenue; and

(B) Show the person was an Oregon resident at the end of the tax year if the person was a part-year Oregon resident.

(2) If a person who resides in Oregon is not able to meet the requirements of section (1) of this rule, the person must provide DMV a certification of residency or domicile for an Oregon driver license, driver permit, identification card or vehicle registration. In addition, the person must provide at least two other forms of proof that the person is a resident of or domiciled in Oregon. Acceptable proof, under this section, includes but is not limited to:

(a) Property tax record(s), 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, dated within the last 60 days, from a relief agency or shelter that the person receives services in Oregon;

(e) Fuel receipts, motel receipts, or other documents that show the person has lived in Oregon for at least six of the last 12 months.

(f) Documents that show 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) Any document that shows the person has received public assistance from an agency of the State of Oregon within the last year; or

(h) An Oregon voter registration card.

(3) If a person is domiciled in Oregon but is not currently residing in Oregon is not able to meet the requirements of section (1) or (2) of this rule, the person must complete a certification of residency or domicile for Oregon driver license, driver permit, identification card or vehicle registration. Additionally, the person must provide proof that the person intends to return to Oregon as provided 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 copies of service records, fuel receipts, garage receipts or other documents that show the vehicle(s) is currently 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 that show a vehicle has been left in Oregon; or

(d) Dispatch, delivery, maintenance, tax records, or other documentation that show the business' vehicles are currently housed or dispatched from a location in Oregon or are currently operating in Oregon.

Stat. Auth.: ORS 184.616, 184.619, 802.010, 803.350, 803.370, 807.050, 807.062 and 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 and 826.033