

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	
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Rules Coordinator	Address		Telephone

RULE CAPTION

Describes Circumstances Under Which DMV will Provide a Receipt Notice of Sale or Transfer of a Vehicle

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

November 23, 2009	1:00 pm	Transportation Building, Room 122 355 Capitol Street NE, Salem OR	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: 735-020-0080

REPEAL:

ORS 184.616, 184.619, 803.112, 803.113, 803.117 and chapter 579, Oregon Laws 2009	None
Stat. Auth.	Other Authority
ORS 803.112, 803.113, 803.117 and chapter 579, Oregon Laws 2009	
Stats. Implemented	

RULE SUMMARY

This rulemaking is needed to implement legislation enacted by the 2009 Legislative Assembly:

Chapter 551, Oregon Laws 2009 amends ORS 803.113 and 803.117, respectively. As amended, ORS 803.113 gives DMV rulemaking authority to specify when it will issue a receipt that notice of transfer of an interest in a vehicle has been submitted to DMV. DMV proposes to amend OAR 735-020-0080 to specify when a receipt will be issued.

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.

November 23, 2009

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.

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 735-020-0080 (Notice of Transfer of Interest in a Vehicle)

Rule Caption: Describes Circumstances Under Which DMV will Provide a Receipt Notice of Sale or Transfer of a Vehicle

Statutory Authority: ORS 184.616, 184.619, 803.112, 803.113, 803.117 and chapter 579, Oregon Laws 2009

Other Authority: None

Statutes Implemented: ORS 803.112, 803.113, 803.117 and chapter 579, Oregon Laws 2009

Need for the Rule(s): This rulemaking is needed to implement legislation enacted by the 2009 Legislative Assembly:

Chapter 551, Oregon Laws 2009 amends ORS 803.113 and 803.117, respectively. As amended, ORS 803.113 gives DMV rulemaking authority to specify when it will issue a receipt that notice of transfer of an interest in a vehicle has been submitted to DMV. DMV proposes to amend OAR 735-020-0080 to specify when a receipt will be issued.

Documents Relied Upon and where they are available: Chapter 579, Oregon Laws 2009:

<http://www.leg.state.or.us/O9reg/measpdf/hb3100.dir/hb3151.en.pdf>

Fiscal and Economic Impact, including Statement of Cost of Compliance: DMV currently issues a receipt if a customer requests one. Consequently, DMV expects little if any fiscal impact on the agency. The adoption of this rule has no known fiscal or economic impact on state agencies, units of local government, or members of the public, or businesses, including small businesses.

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): As stated above, DMV issues receipts of notification upon customer request. DMV expects little if any fiscal impact on the agency. There is no fiscal or economic impact to state or local government agencies or businesses, including small businesses except as set forth above. There is no fiscal or economic impact to the general public.

2. Cost of compliance effect on small business (ORS 183.336): None

How were small businesses involved in the development of this rule? Small businesses were not involved in the development of these rules because changes do not affect small businesses.

Administrative Rule Advisory Committee consulted?: An Administrative Rule Advisory Committee was not consulted. A legislative amendment to ORS 803.113 authorized rulemaking. DMV is implementing this statutory amendment by amending OAR 735-020-0080 to set forth its current practices. No advisory committee input was required.

Authorized Signer

Lauri Kunze

Printed name

Date