

735-062-0310

Definitions

The following definitions apply to OAR 735-062-0300 through 735-062-0380:

(1) “Bioptic telescopic lens” means an optical system used to magnify distant objects by including a small telescope that is mounted in or above a spectacle lens in a manner to allow an unobstructed view of the horizontal visual field through a person’s normal distance corrective lens;

(2) “DMV” means the Driver and Motor Vehicle Services Division of the Oregon Department of Transportation;

(3) “Daylight hours” means the period of time from sunrise to sunset but does not include periods where adverse weather or other conditions significantly reduce visibility on the roadway;

(4) “Educational facility” includes any public school district, education service district, community college district, any facility for the deaf operated under ORS 346.010, the Hillcrest School of Oregon, MacLaren School for Boys, tribal schools, state and federal schools, public agencies, and any parochial, private-or home-school facility meeting the requirements of OAR 581-045-0535 and ORS 345.505.

(5) “Limited vision condition” means visual acuity in the better eye with best lens correction that is no better than 20/80 and no worse than 20/200.

(6) “Rehabilitation training program” means a program designed to train a person with a limited vision condition to use a bioptic telescopic lens while operating a motor vehicle.

(7) “Rehabilitation training specialist” or “specialist” means a person certified by the Department of Transportation to provide a rehabilitation training program;

(8) “Report of Limited Vision Examination” (DMV Form Number 735-24A) means a certification completed by a licensed vision specialist (ophthalmologist or optometrist) that a person with a limited vision condition meets the requirements under ORS 807.359.

(9) “Special limited vision condition learner’s permit” means a permit issued by the department to a person with a limited vision condition that allows the person to enroll in a rehabilitation training program; and

(10) “TSD” means the Oregon Department of Transportation, Transportation Safety Division.

Stat. Auth.: ORS 184.616, ORS 184.619, 807.368

Stats. Implemented: ORS 807.355, 807.359, 807.363, 807.368, Sec. 8, Ch. 588, OL 2007

735-062-0385

A Person with a Limited Vision Condition Must Qualify Every Two Years

(1) Beginning two years from the date of issuance and at least every two years thereafter, a person issued a license under ORS 807.363 must:

(a) Be examined by a licensed vision specialist and submit a Report of Limited Vision Examination form showing the person meets the vision requirements under ORS 807.359. If the person’s driving privileges are not restricted to daylight driving only, the Report of Limited Vision Examination form must include the nighttime driving vision specialist certification; and

(b) Successfully pass a drive test as described in OAR 735-062-0070. The person must wear a bioptic telescopic lens device during the test.

(2) Approximately 90 days before it is due, DMV will send the person a requirement letter and Report of Limited Vision Examination form. The Report of Limited Vision Examination

form must be completed by the person's licensed vision specialist and returned to DMV no later than the return date on the requirement letter.

(3) Approximately 60 days before the date by which the person must successfully pass a drive test, DMV will send a requirement letter. The person must successfully pass a drive test by the completion date on the requirement letter.

(4) DMV will cancel the person's driving privileges if:

(a) The Report of Limited Vision Examination form is not completed and returned to DMV by the return date set forth in the requirement letter described in section (2) of this rule;

(b) The person does not successfully pass a drive test by the completion date set forth in the requirement letter described in section (3) of this rule; or

(c) The person fails to qualify for driving privileges as set forth in section (1) of this rule.

(5) If the person's driving privileges are not restricted to daylight driving only, DMV will issue a driver license with a daylight driving only restriction if the Report of Limited Vision Examination report submitted pursuant to section (1)(a) of this rule does not include the nighttime driving vision specialist certification.

(6) The two-year time period set forth in this rule is calculated as follows:

(a) A Report of Limited Vision Examination must be received by DMV no later than two years from the date the most recently submitted report was signed by the licensed vision specialist; and

(b) The person must successfully pass a drive test no later than two years from the date the person most recently passed the drive test.

Stat. Auth.: ORS 184.616, 184.619 and 802.010

Stats. Implemented: ORS 807.363 and 809.310(1)