

Secretary of State
NOTICE OF PROPOSED RULEMAKING*
A Statement of Need and Fiscal Impact accompanies this form

FILED
2-11-16 2:05 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Department of Transportation, Driver and Motor Vehicle Services Division
Agency and Division

735
Administrative Rules Chapter Number

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Rules Coordinator

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Address

RULE CAPTION

Definition of Mother and Father for Purpose of Signing Application for Driving Privileges for Child

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

RULEMAKING ACTION

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

ADOPT:

AMEND:

735-062-0007

REPEAL:

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

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 184.616, 184.619, 802.010, 807.021, 807.040, 807.050, 807.060, 807.120, 809.310, 807.050

Other Authority:

None

Statutes Implemented:

ORS 807.021, 807.040, 807.060, 807.066, 807.130

RULE SUMMARY

ORS 807.060 requires that an application for driving privileges for a person under 18 years of age, unless the applicant is an emancipated minor, must be signed by the applicant's mother, father or legal guardian. OAR 735-062-0007 currently defines mother, father and legal guardian for purposes of ORS 807.060. DMV recently decided that the definition of mother and father should be revised to specify that a mother or father does not include a person whose parental rights have been terminated.

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 negative economic impact of the rule on business.

<u>03-21-2016 Close of Business</u>	<u>Lauri Kunze</u>	<u>lauri.g.kunze@odot.state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

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Definition of Mother and Father for Purpose of Signing Application for Driving Privileges for Child

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

In the Matter of:

the amendment of 735-062-0007

Statutory Authority:

ORS 184.616, 184.619, 802.010, 807.021, 807.040, 807.050, 807.060, 807.120, 809.310, 807.050

Other Authority:

None

Statutes Implemented:

ORS 807.021, 807.040, 807.060, 807.066, 807.130

Need for the Rule(s):

ORS 807.060 requires that an application for driving privileges for a person under 18 years of age, unless the applicant is an emancipated minor, must be signed by the applicant's mother, father or legal guardian. OAR 735-062-0007 currently defines mother, father and legal guardian for purposes of ORS 807.060. DMV recently decided that the definition of mother and father should be revised to specify that a mother or father does not include a person whose parental rights have been terminated.

Documents Relied Upon, and where they are available:

None

Fiscal and Economic Impact:

None

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

None

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

None

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

None

c. Equipment, supplies, labor and increased administration required for compliance:

None

How were small businesses involved in the development of this rule?

DMV sent draft rules to 14 organizations representing small businesses. No responses were received.

Administrative Rule Advisory Committee consulted?:No

If not, why?:

This rulemaking is not a change in policy or a new regulation but rather a clarification. Therefore no assistance was needed from a rule advisory committee.

03-21-2016 Close of Business
Last Day (m/d/yyyy) and Time

Lauri Kunze
Printed Name

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Email Address

for public comment

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