

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

**FILED**  
5-15-15 9:27 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Oregon Department of Aviation  
Agency and Division

738

Administrative Rules Chapter Number

Lauri Kunze

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Rules Coordinator

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**RULE CAPTION**

Department of Aviation adoption of DOJ Model Rules of Procedure for Public Contracting and Procurement

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:**

738-001-0006

**REPEAL:**

738-001-0025, 738-001-0030

**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 835.035, 835.112

**Other Authority:**

None

**Statutes Implemented:**

ORS 279A.050

**RULE SUMMARY**

The Department of Aviation is updating and streamlining its public contracting and procurement rules by adopting the DOJ model rules of procedure in OAR 137, divisions 46 through 49 in their entirety and repealing 738-001-0025 and 738-001-0030 because their provisions are now incorporated into 738-001-0006.

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.

06-22-2015 Close of Business	Lauri Kunze	lauri.g.kunze@odot.state.or.us
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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Department of Aviation adoption of DOJ Model Rules of Procedure for Public Contracting and Procurement

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 738-001-0006 and the repeal of 738-001-0025 and 738-001-0030

**Statutory Authority:**

ORS 835.035, 835.112

**Other Authority:**

None

**Statutes Implemented:**

ORS 279A.050

**Need for the Rule(s):**

The Department of Aviation needs to bring some of its rules up to date. The agency is updating and streamlining its public contracting and procurement rules by adopting the DOJ model rules of procedure in OAR 137, divisions 46 through 49 in their entirety and repealing 738-001-0025 and 738-001-0030 because their provisions are now incorporated into 738-001-0006.

**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?**

Small businesses were not involved in the development of this rule because it has no impact on small business.

**Administrative Rule Advisory Committee consulted?:No**

**If not, why?:**

This rulemaking is housekeeping in nature; an Advisory Committee was not needed.

06-22-2015 Close of Business  
Last Day (m/d/yyyy) and Time  
for public comment

Lauri Kunze  
Printed Name

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Email Address

