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PERMANENT ADMINISTRATIVE ORDER

DMV 29-2024

CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

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FILING CAPTION: Driver Education Completion Cards and Drive Test Waiver

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RULES:

735-062-0080, 735-062-0140

AMEND: 735-062-0080

RULE TITLE: Waiving Drive Test Portion of Driver License Examination

NOTICE FILED DATE: 08/29/2024

RULE SUMMARY: DMV amended this rule to include the new method DMV will use to determine if an applicant passed a driver education course and qualifies for a Class C noncommercial drive test waiver.

RULE TEXT:

(1) DMV will waive the actual demonstration of an applicant's ability to drive a Class C vehicle required by ORS 807.070(3) if all of the following apply:

(a) The applicant surrenders to DMV a driver license issued to the applicant by another state, the District of Columbia, a United States Territory, a Canadian Province or a jurisdiction with whom DMV has a reciprocity agreement and the driver license has not been expired for more than one year or, if the person's driver license issued by a jurisdiction listed above, has been lost or stolen, the applicant submits a letter of clearance, as required in OAR 735-062-0007.

(b) The surrendered, lost or stolen license authorizes the driving of a vehicle other than a moped or motorcycle.

(c) The surrendered, lost or stolen license includes no restrictions other than a single restriction or a combination of restrictions comparable to restrictions imposed on an Oregon driver license.

(d) The applicant has no physical disabilities or impairments which may necessitate any restrictions other than:

(A) "With corrective lenses";

(B) "Outside or side-view mirror(s)"; or

(C) The restriction(s) imposed on the applicant's surrendered, lost or stolen driver license issued by another jurisdiction.

(e) The applicant has no mental or physical condition or impairment that causes DMV to reasonably believe the applicant's condition or impairment affects the applicant's ability to operate a motor vehicle without endangering the safety of persons or property.

(2) In addition to section (1) of this rule, DMV will waive the actual demonstration of an applicant's ability to drive a

Class C non-commercial vehicle required by ORS 807.070(3) if:

- (a) The applicant passes a traffic safety education course approved by the Transportation Safety Office under ORS 336.802;
- (b) The drive test administered during the traffic safety education course meets or exceeds the requirements of a Class C non-commercial drive test conducted by DMV; and
- (c) Either of the following occurs:
 - (A) The applicant provides a Driver Education Certificate of Completion card, as described in OAR 735-062-0140, that was issued on or before October 13, 2024, and within two years prior to the submission of an application for a Class C non-commercial driver license; or
 - (B) At the time of submission of an application for a Class C noncommercial driver license, an electronic driver education completion notation, as described in OAR 737-015-0020(18), is on the applicant's driver record with a notation of a passing score and a date of completion demonstrating the student completed the course within the two previous years.
- (3) DMV will waive the actual demonstration of an applicant's ability to operate a motorcycle if:
 - (a) The applicant surrenders to DMV a motorcycle-endorsed driver license issued to the applicant by another state, the District of Columbia, a United States Territory, a Canadian Province, a jurisdiction with whom DMV has a reciprocity agreement, or submits a clearance letter as provided for in subsection (1)(a) of this rule; and
 - (b) The applicant meets the qualifications in subsections (1)(c), (d) and (e) of this rule.
- (4) In addition to section (3) of this rule, DMV will waive the actual demonstration of an applicant's ability to operate a motorcycle if:
 - (a) The applicant passes a motorcycle skills test given during a motorcycle rider education course established by the Transportation Safety Office under ORS 802.320; or
 - (b) The applicant meets the qualifications in OAR 735-062-0078(1)(b).
- (5) Evidence of passing the motorcycle skills test identified in section (4) of this rule is as described in OAR 735-062-0140.
- (6) DMV will waive the actual demonstration of an applicant's ability to operate a motorcycle if the applicant applies for a restricted motorcycle endorsement that only authorizes the person to operate a motorcycle with more than two wheels and has successfully completed the motorcycle knowledge test as required in OAR 735-062-0040.
- (7) DMV may not waive the actual demonstration of an applicant's ability to operate a motor vehicle if the applicant has not met all requirements described in OAR chapter 735, divisions 74 or 76, including but not limited to an applicant who is:
 - (a) A returning Oregon resident who was previously subject to requirements under OAR chapter 735, divisions 74 or 76, who did not complete all requirements prior to being issued a license in another jurisdiction; or
 - (b) An individual reported to DMV under OAR chapter 735, divisions 74 or 76, while a resident of another jurisdiction and has not met the requirements established by DMV as a result of receiving the report.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 190.485, 802.010, 807.070, 807.072, 807.080, 807.170

STATUTES/OTHER IMPLEMENTED: ORS 190.485, 807.070, 807.072, 807.080, 807.170

AMEND: 735-062-0140

RULE TITLE: Proof of Completion of a Traffic Safety Education or Motorcycle Education Course

NOTICE FILED DATE: 08/29/2024

RULE SUMMARY: DMV amended this rule to include the new method DMV will use to determine if an applicant passed a driver education course and qualifies for a Class C noncommercial drive test waiver.

RULE TEXT:

(1) For purposes of waiving the Class C drive test, DMV will accept either of the following:

- (a) A Driver Education Certificate of Completion card issued on or before October 13, 2024, by a traffic safety education course approved by the Transportation Safety Office. The Driver Education Certificate of Completion card must be in the format designed and approved by the Transportation Safety Office and issued within two years prior to the submission of an application for a Class C non-commercial driver license; or
- (b) An electronic driver education completion notation, as described in OAR 737-015-0020(18), that includes a notation of a passing score on the applicant's driver record and a date of completion demonstrating the student completed the course within the two previous years.

(2) For purposes of issuing a motorcycle endorsement, DMV will only accept a course completion card or electronic course completion information from a motorcycle rider education course established under ORS 802.320 or from an approved motorcycle rider education course listed in OAR 735-062-0078.

(3) DMV will accept a course completion card as proof of completion of a motorcycle rider education course until July 6, 2022. The card must include, at a minimum:

- (a) The applicant's name;
- (b) The name of the course completed;
- (c) The date of the course;
- (d) Where the course was taken;
- (e) The signature of the instructor; and
- (f) The instructor's certification number.

(4) DMV will accept a course completion card as proof of completion of a motorcycle rider education course from providers outside of this state. The card must include, at a minimum:

- (a) The applicant's name;
- (b) The name of the course completed;
- (c) The date of the course;
- (d) Where the course was taken; and
- (e) The signature of the instructor.

(5) As of July 6, 2020, DMV accepts proof of an applicant's completion of a motorcycle rider education course from an approved motorcycle rider education course provider established under ORS 802.320 through DMV's website. The approved motorcycle rider education course provider must comply with provisions set forth in OAR 735-018-0020.

(6) An applicant must apply for and be issued a motorcycle endorsement within two years from the date of course completion, unless a shorter validity timeframe is listed on the course completion card provided by the applicant. When a shorter validity timeframe is provided on the course completion card, the applicant must apply for and be issued a motorcycle endorsement within the timeframe provided on the course completion card.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.010, 802.012, 807.175

STATUTES/OTHER IMPLEMENTED: ORS 802.012, 807.170, 807.175