

OFFICE OF THE SECRETARY OF STATE

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILED

12/31/2024 12:14 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Traffic Offenses Used in Habitual Offender, Driver Improvement, CMV Serious Offenses and Hardship Permit Programs

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/21/2025 5:00 PM

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.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group 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 the 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.

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NEED FOR THE RULE(S)

The Oregon Department of Transportation, Driver and Motor Vehicle Services Division (DMV) proposes to update Oregon Administrative Rule (OAR) 735-064-0220 to revise the list of offenses in Table 1 and Table 2, and update the stated effective date in the revised tables. DMV needs to update the tables to align with Oregon laws, American Association of Motor Vehicle Administrators (AAMVA) standards and federal regulations. ORS 802.200 permits DMV to determine by rule which driver related convictions and judgements will be recorded on a person's driving record. DMV proposes to amend conviction Table 1, attached to OAR 735-064-0220, to add one offense: ORS 811.168 (Fender Height Violation). DMV proposes to amend conviction Table 1 and Table 2 to remove offenses: 1) that are issued to an owner of a vehicle or a passenger and not to the operator of the vehicle; 2) convictions that are equipment related but does not have a direct impact to safely operating the vehicle; and 3) convictions that the courts are not required to send to DMV. DMV proposes to amend Table 1 and Table 2 to focus on: 1) convictions that involve the operation of a motor vehicle on highways; 2) convictions that do not result in a mandatory sanction of driving privileges; and 3) offenses that do not jeopardize public safety on roads and highways open to the public.

The traffic offenses provided in the tables are reviewed for purposes of the following DMV administrative programs:

- The Habitual Offender Program under ORS 809.600(2);
- The Provisional Driver Improvement Program and Adult Driver Improvement Program, under ORS 809.480 and OAR Chapter 735, division 72;
- Serious traffic offenses connected to a fatal accident, under ORS 809.525 and OAR 735-063-0360, which may result in the suspension of commercial driving privileges; and
- Revocation of a hardship permit, pursuant to ORS 807.240, and OAR 735-064-0100 and 735-064-0110.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The DMV is updating the list of offenses in OAR 735-064-0220, Tables 1 and 2, to align with Oregon laws, AAMVA Standards and federal regulations. As a result of this rulemaking, a person's driving privileges may be suspended or revoked if the person is convicted of one or more of the offenses listed in the tables. DMV notes that drivers of color may be disproportionately stopped and cited for a traffic offense in comparison to white drivers. DMV's proposed rulemaking may positively affect racial equity by eliminating some convictions from Tables 1 and 2, and focusing the consequences of convictions for traffic offenses on offenses 1) related to a driver's operation of a motor vehicle, 2) directly impacting safety, or 3) must be provided to DMV by a court.

FISCAL AND ECONOMIC IMPACT:

See statements below.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) Public – Some people may have their driving privileges suspended or revoked due to DMV adding the offense of fender height violation to the list of offenses. However, other people will not face suspension or revocation because DMV is removing certain offenses from the list. For example, DMV is removing ORS 815.250, Operation without proper exhaust system, ORS 821.070, Failure to title a snowmobile, and ORS 821.120, Failure to display snowmobile registration numbers. DMV is unable to determine how many additional individuals will be affected, as this depends on the types of convictions they receive, which is beyond DMV's ability to estimate. Additionally, DMV cannot estimate the fiscal impact on individuals, as the effect will vary depending on a person's driving record.

There is no projected cost of compliance to large businesses. However, large businesses may be negatively affected if they employ a driver who receives a suspension or revocation due to an accumulation of convictions for offenses listed Table 1 or 2 and the person is required to operate a commercial motor vehicle for their job. DMV is not authorized to issue a hardship permit for purposes of operating a commercial motor vehicle.

There are no fiscal impacts to DMV or other units of government.

(2) There is no projected cost of compliance to small businesses. However, small businesses may be negatively affected if they employ a driver who receives a suspension or revocation due to an accumulation of convictions for offenses contained Table 1 or 2 and the person is required to operate a commercial motor vehicle for their job. ORS 807.240(8)(c) prohibits DMV from issuing a hardship permit for purposes of operating a commercial motor vehicle.

(2)(a) DMV is unable to estimate the number of small businesses that employ commercial motor vehicle drivers who may receive a suspension or revocation.

(2)(b) There are no expected reporting, recordkeeping and administrative activities or costs required to comply with the rule.

(2)(c) DMV does not believe there will be any cost of professional services, equipment supplies, labor or increased administration required to comply with the rule.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

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

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

DMV is aligning the list of offenses in OAR 735-064-0220, Table 1 and 2, with Oregon laws, AAMVA standards and federal regulations.

AMEND: 735-064-0220

RULE SUMMARY: DMV proposes to update this rule to revise the list of offenses in Table 1 and Table 2, and update the stated effective date in the revised tables.

CHANGES TO RULE:

735-064-0220

Traffic Offenses Used in Habitual Offender, Driver Improvement, CMV Serious Offenses and Hardship Driver Permit Programs ¶¶

(1) A conviction for an offense listed in Table 1 or Table 2 of this rule ~~counts toward~~ is a conviction for purposes of:¶¶

(a) The Habitual Offender Program pursuant to ORS 809.600(2);¶¶

(b) The Provisional Driver Improvement Program and Adult Driver Improvement Program ~~outlined in Oregon Administrative Rule chapter 735, division 72;~~¶¶

(c) ~~Motor vehicle traffic control offenses connected to a fatal accident as described in OAR 735-063-0360 that can lead to a suspension of commercial driving privileges~~ authorized by ORS 809.480 and described in OAR 735, division 72;¶¶

(c) Suspending the commercial driving privileges of a person under ORS 809.525 and OAR 735-063-0360 for committing a serious traffic offense, if the person violated a motor vehicle traffic control law and the offense is connected to a fatal accident; and¶¶

(d) Revocation of a hardship permit pursuant to ~~ORS 807.240, and~~ OAR 735-064-0100 and 735-064-0110.¶¶

(2) Table 1 (effective date ~~July 6~~ March 17, 2020) lists the offenses and the citation to ~~the Oregon statute, or~~ and any related administrative rule and federal regulation, for Oregon offenses used in the programs identified in section (1) of this rule. [Table 1 attached]¶¶

(3) Offenses from other states are posted to driver records using an AAMVA ~~net~~ Code Dictionary (ACD) code. Table 2 (effective date ~~July 6~~ March 17, 2020) identifies the ACD code that appears on the driver record, a description of the ACD code offense and the ~~ORS reference covering an equivalent~~ citation to the Oregon statute, and any related administrative rule and federal regulation, describing a similar offense ~~for~~ in Oregon. [Table 2 attached]¶¶

[ED. NOTE: To view attachments referenced in rule text, click here for PDF copy.]

Statutory/Other Authority: ORS 184.619, 802.010, 809.480, 809.535, 809.605

Statutes/Other Implemented: ORS 807.240, 809.480, 809.535, 809.600(2), 809.605

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

Table 1 (Effective March 17, 2025):

Lists the offenses and the citation to Oregon statute, administrative rule or federal regulation, for Oregon offenses used in the programs identified in OAR 735-064-0220.

OFFENSE	OREGON STATUTE
ACTING AS A VEHICLE TRANSPORTER WITHOUT A CERTIFICATE	822.300
CARELESS DRIVING	811.135
CARRYING DOG ON EXTERNAL PART OF VEHICLE	811.200
CARRYING MINOR ON EXTERNAL PART OF VEHICLE	811.205
CROSSING CENTER LINE ON TWO-WAY, FOUR-LANE ROAD	811.310
DANGEROUS LEFT TURN	811.350
DANGEROUS OPERATION AROUND LIVESTOCK	811.510
DANGEROUS MOVEMENT OF STOPPED, STANDING OR PARKED VEHICLE	811.565
DEPRIVING MOTORCYCLE OR MOPED OF FULL LANE	811.385
DISRUPTING A FUNERAL PROCESSION	811.810
DRIVING A MOTOR VEHICLE WHILE USING A MOBILE ELECTRONIC DEVICE	811.507
DRIVING ON HIGHWAY DIVIDER	811.430
DRIVING ON LEFT ON CURVE OR GRADE OR AT INTERSECTION OR RAIL CROSSING	811.305
DRIVING OR ALLOWING OPERATION OF A VEHICLE WITHOUT BRAKES THAT MEET REQUIREMENT	815.130
DRIVING THROUGH SAFETY ZONE	811.030
DRIVING WRONG WAY AROUND TRAFFIC ISLAND	811.330
DWS/DWR DRIVING WHILE SUSPENDED OR REVOKED - VIOLATION	811.175
EMPLOYING OR PROVIDING A VEHICLE TO AN UNQUALIFIED DRIVER	807.610
ENDANGERING A MOTORCYCLE PASSENGER	814.280
EXCEEDING MAXIMUM HOURS OF SERVICE	ORS 825.990, OAR 740-100-0010, 49 CFR 395.3
EXCEEDING THE MAXIMUM SPEED FOR A FUNERAL PROCESSION	811.806
FAILING TO OBEY POLICE OFFICER	811.535

FAILURE OF A MOTORCYCLE OPERATOR TO WEAR MOTORCYCLE HELMET	814.269
FAILURE OF DRIVER ENTERING ROADWAY TO YIELD RIGHT OF WAY	811.280
FAILURE OF DRIVER TO OBTAIN MEDICAL CERTIFICATION	ORS 825.990, OAR 740-100-0010, 49 CFR 391.41
FAILURE OF DRIVER TO RECORD DUTY STATUS	ORS 825.990, OAR 740-100-0010, 49 CFR 395.8
FAILURE OF OPERATOR OF CMV TO SLOW/CHECK THAT TRACKS CLEAR OF APPROACHING TRAIN	811.462
FAILURE OF OPERATOR TO PROPERLY USE SAFETY BELTS	811.210(1)(a)
FAILURE OF SLOW DRIVER TO DRIVE ON RIGHT	811.315
FAILURE OF SLOWER DRIVER TO YIELD TO OVERTAKING VEHICLE	811.425
FAILURE OF MERGING DRIVER TO YIELD RIGHT OF WAY	811.285
FAILURE TO ATTEND VEHICLE TRANSPORTING HAZARDOUS MATERIALS	ORS 825.990, OAR 740-110-0010, 49 CFR 397.5
FAILURE TO CARRY EMERGENCY EQUIPMENT	ORS 825.990, OAR 740-100-0010, 49 CFR 395
FAILURE TO CARRY/PRESENT CDL TO POLICE OFFICER	807.570
FAILURE TO CARRY/PRESENT LICENSE TO POLICE OFFICER	807.570
FAILURE TO DISPLAY LIGHTED HEADLIGHTS ON MOTORCYCLE/MOPED	814.320
FAILURE TO DRIVE ON RIGHT	811.295
FAILURE TO DRIVE ON RIGHT OF APPROACHING VEHICLE	811.300
FAILURE TO DRIVE TO RIGHT ON DIVIDED HIGHWAY	811.320
FAILURE TO DRIVE WITHIN LANE	811.370
FAILURE TO FOLLOW RAIL CROSSING PROCEDURES FOR HIGH-RISK VEHICLES	811.460
FAILURE TO HAVE WINDSHIELD WIPERS; FAILURE TO MEET WINDSHIELD WIPER REQUIREMENTS	815.215
FAILURE TO KEEP CAMPER, TRAILER OR TRUCK IN RIGHT LANE	811.325
FAILURE TO MAINTAIN A SAFE DISTANCE FROM A MOTOR VEHICLE	811.147
FAILURE TO OBEY ONE-WAY DESIGNATION	811.270
FAILURE TO OBEY TRAFFIC CONTROL DEVICE	811.265
FAILURE TO OBEY TRAFFIC CONTROL DEVICE; USE HIGH OCCUPANCY VEHICLE LANE	810.140, 811.265
FAILURE TO OBEY TRAFFIC PATROL MEMBER	811.015

FAILURE TO PERFORM DUTIES OF DRIVER WHEN ANIMAL IS INJURED	811.710
FAILURE TO POST WARNINGS FOR A DISABLED VEHICLE	811.530
FAILURE TO PROPERLY USE CHILD PASSENGER SAFETY SYSTEM, SAFETY BELTS, OR SAFETY HARNESS	811.210
FAILURE TO REMOVE A MOTOR VEHICLE FROM A ROADWAY	811.717
FAILURE TO SIGNAL WITH LIGHTS WHEN REQUIRED	811.405
FAILURE TO STOP AND REMAIN STOPPED FOR A PEDESTRIAN IN A CROSSWALK	811.028
FAILURE TO STOP AND REMAIN STOPPED FOR BLIND PEDESTRIAN	811.035
FAILURE TO STOP FOR A PEDESTRIAN PROCEEDING UNDER A TRAFFIC CONTROL DEVICE	811.028
FAILURE TO STOP FOR A PEDESTRIAN WHEN MAKING A TURN AT A STOP LIGHT	811.028
FAILURE TO STOP FOR BUS SAFETY LIGHTS	811.155
FAILURE TO STOP FOR PASSENGER LOADING OF PUBLIC TRANSIT VEHICLE	811.165
FAILURE TO STOP FOR RAILROAD SIGNAL	811.455
FAILURE TO STOP WHEN EMERGING FROM ALLEY, DRIVEWAY OR BUILDING	811.505
FAILURE TO USE APPROPRIATE SIGNAL FOR AN EXIT FROM A ROUNDABOUT	811.400
FAILURE TO USE APPROPRIATE SIGNAL FOR TURN, LANE CHANGE OR STOP	811.400
FAILURE TO USE SPECIAL LEFT TURN LANE	811.345
FAILURE TO USE VEHICLE TRACTION TIRES OR TRACTION DEVICES	815.140
FAILURE TO YIELD RIGHT OF WAY AT AN UNCONTROLLED T INTERSECTION	811.277
FAILURE TO YIELD RIGHT OF WAY AT UNCONTROLLED INTERSECTION	811.275
FAILURE TO YIELD RIGHT OF WAY TO BICYCLIST ON A SIDEWALK	811.055
FAILURE TO YIELD RIGHT OF WAY WITHIN A ROUNDABOUT	811.292
FAILURE TO YIELD THE RIGHT OF WAY TO A FUNERAL PROCESSION	811.802
FAILURE TO YIELD THE RIGHT OF WAY TO A HIGHWAY WORKER WHO IS A PEDESTRIAN	811.233
FAILURE TO YIELD THE RIGHT OF WAY TO A TRANSIT BUS	811.167
FAILURE TO YIELD TO A TRAFFIC PATROL MEMBER	811.017
FAILURE TO YIELD TO EMERGENCY VEHICLE OR AMBULANCE	811.145
FAILURE TO YIELD TO PEDESTRIAN ON SIDEWALK	811.025

FAILURE TO YIELD TO RIDER ON BICYCLE LANE	811.050
FAILURE TO MAINTAIN SEAT BELTS IN WORKING ORDER	811.225
FAILURE TO MARK END OF LOAD WITH LIGHT OR FLAG WHEN REQUIRED	815.275
FENDER HEIGHT VIOLATION	811.168
FOLLOWING TOO CLOSELY	811.485
HAVING PASSENGER IN TRAILER	811.195
ILLEGAL OPERATION OF EMERGENCY VEHICLE OR AMBULANCE	820.320
ILLEGAL USE OF DEALER VEHICLE FOR HIRE	822.045(1)(f)
ILLEGAL BACKING	811.480
ILLEGAL U-TURN	811.365
IMPEDING TRAFFIC	811.130
IMPROPER OPENING OR LEAVING OPEN A VEHICLE DOOR	811.490
IMPROPER TURN AT STOP LIGHT	811.360
IMPROPER USE OF CENTER LANE ON THREE-LANE ROAD	811.380
IMPROPER USE OF DEALER PLATES	822.045(1)(g)
IMPROPERLY EXECUTED LEFT TURN	811.340
IMPROPERLY EXECUTED RIGHT TURN	811.355
IMPROPERLY SECURING A LOAD	ORS 825.990, OAR 740-100-0010, 49 CFR 393.100- 393.136
IMPROPER MOVEMENT OF HEAVY EQUIPMENT ACROSS RAIL CROSSING	811.470
INTERFERENCE WITH EMERGENCY VEHICLE OR AMBULANCE	811.150
INTERFERENCE WITH LIGHT RAIL, STREETCAR, TROLLEY OPERATION	811.160
MINOR OPERATING A PUBLIC PASSENGER VEHICLE	820.200
MINOR OPERATING A SCHOOL VEHICLE	820.190
MISUSE OF A SPECIAL LEFT TURN LANE	811.346
MOPED OR MOTORCYCLE OPERATION MORE THAN TWO ABREAST	814.250
MOTORCYCLIST CLINGING TO ANOTHER VEHICLE	814.220
MOTORCYCLE OR MOPED UNLAWFUL PASSING IN A LANE WITH A VEHICLE	814.240
NO REARVIEW MIRROR, DEFECTIVE REARVIEW MIRROR	815.235
OBSTRUCTING CROSS TRAFFIC	811.290
OBSTRUCTING RAIL CROSSING – DRIVING ONTO CROSSING WHEN SPACE ON OTHER SIDE NOT SUFFICIENT TO ACCOMMODATE VEHICLE	811.475(1)(a)
OBSTRUCTING RAIL CROSSING – FAILURE OF CMV TO	811.475(1)(b)

NEGOTIATE BECAUSE OF INSUFFICIENT UNDERCARRIAGE CLEARANCE	
OBSTRUCTION OF VEHICLE WINDOWS	815.220
OPERATING A MOTORCYCLE WITHOUT THE PROPER ENDORSEMENT	807.010(1)
OPERATING A VEHICLE IN VIOLATION OF LICENSE RESTRICTIONS	807.010(2)
OPERATING A VEHICLE WITHOUT DRIVING PRIVILEGES	807.010(1)
OPERATING A VEHICLE WITH OBSTRUCTING PASSENGER	811.190
OPERATING AS A CARRIER WITHOUT CERTIFICATE OR PERMIT FROM DEPT. OF TRANSPORTATION	825.100
OPERATING CMV WITH NO CDL LICENSE	807.010(1)
OPERATING UNSAFE VEHICLE	815.020
OPERATING VEHICLE THAT IS LOADED OR EQUIPPED TO OBSTRUCT DRIVER	815.270
OPERATING VEHICLE WITH ILLEGAL WINDOW TINTING	815.222(2)
OPERATION OF A VEHICLE THAT VIOLATES STATE EQUIPMENT ADMINISTRATIVE RULES	815.100
OPERATION OF A VEHICLE WITHOUT APPROVED MATERIALS IN WINDOWS	815.210
OPERATION OF A MOPED ON A SIDEWALK OR BICYCLE TRAIL	814.210
OPERATION OF A MOTOR VEHICLE ON A BICYCLE TRAIL	811.435
OPERATION OF A MOTOR VEHICLE WITH DEFECTIVE EQUIPMENT	ORS 825.990, OAR 740-100-0060
OPERATION OF LOW-SPEED VEHICLE IN PROHIBITED AREA	820.220
OPERATION OF VEHICLE WITH NONSTANDARD LIGHTING EQUIPMENT	816.300
OPERATION OF VEHICLE WITHOUT PROPER FENDERS OR MUDGUARDS	815.185
OPERATION OF VEHICLE WITHOUT REQUIRED LIGHTING EQUIPMENT	816.330
PASSING IN NO PASSING ZONE	811.420
PASSING STOPPED VEHICLE AT CROSSWALK	811.020
PERMITTING UNLAWFUL OPERATION OF A VEHICLE	811.255
RECKLESS ENDANGERMENT OF HIGHWAY WORKERS BY DRIVING IN WORK ZONE IN A MANNER THAT ENDANGERS PERSON OR PROPERTY	811.231
REFUSING TO OBEY FLAGGER IN A HIGHWAY WORK ZONE	811.232
SMOKING, AEROSOLIZING OR VAPORIZING IN A MOTOR VEHICLE	811.193
SOLICITING ANOTHER TO BLOW INTO IGNITION INTERLOCK DEVICE	813.610
SPEED RACING ON HIGHWAY	811.125

TOW VEHICLE OPERATOR FAILURE TO REMOVE INJURIOUS SUBSTANCE	822.225
UNLAWFUL COASTING ON DOWNGRADE	811.495
UNLAWFUL INTERFERENCE WITH A TRAFFIC CONTROL DEVICE OR RAILROAD SIGN	810.240
UNLAWFUL OPERATION OF MOTORCYCLE OR MOPED	814.200
UNLAWFUL OR UNSIGNALLED CHANGE OF LANE	811.375
UNLAWFUL OR UNSIGNALLED TURN	811.335
UNLAWFUL STOP OR DECELERATION	811.500
UNLAWFUL USE OF IMAGE DISPLAY DEVICE	815.240
UNLAWFUL USE OF LIGHTS TO SIGNAL FOR PASSING	811.390
UNLAWFUL USE OF OR FAILURE TO USE LIGHTS	811.520
UNLAWFUL USE OF VEHICLE TELEVISION EQUIPMENT	815.240
UNLAWFULLY CARRYING A PASSENGER ON A MOPED	814.330
UNLAWFULLY CARRYING A PASSENGER ON A MOTORCYCLE	814.325
UNSAFE PASSING OF A PERSON OPERATING A BICYCLE	811.065
UNSAFE PASSING ON LEFT	811.410
UNSAFE PASSING ON RIGHT	811.415
UNSAFE SCHOOL VEHICLE OPERATION	820.180
USE OF MARIJUANA WHILE DRIVING	811.481
USE OF PROHIBITED LIGHTING EQUIPMENT	816.360
USE OF THROUGHWAY WHEN PROHIBITED	811.445
VIOLATING A SPEED LIMIT – DESIGNATED OR POSTED	811.111
VIOLATION OF BASIC SPEED RULE	811.100
VIOLATION OF LICENSE RESTRICTIONS – DRIVING GOLF CART ON ROAD/STREET WITH A SPEED DESIGNATION GREATER THAN 25 MPH	807.010(2), 807.210(6)
VIOLATION OF MINIMUM CLEARANCE REQUIREMENTS FOR PASSENGER VEHICLES	815.245
VIOLATION OF OPEN CONTAINER LAW	811.170
VIOLATION OF POSTED PARKING RESTRICTIONS ON STATE HIGHWAYS	811.575
VIOLATION OF POSTED TRUCK ROUTES	811.450
VIOLATION OF PROVISIONAL LICENSE CURFEW RESTRICTIONS	807.010(2)
VIOLATION OF PROVISIONAL LICENSE PASSENGER RESTRICTION IN THE SECOND SIX MONTHS	807.010(2)
VIOLATION OF PROVISIONAL LICENSE PASSENGER RESTRICTIONS IN FIRST SIX MONTHS	807.010(2)
VIOLATION OF SLOW-MOVING VEHICLE EMBLEM REQUIREMENTS	815.115
VIOLATION OF SPEED FOR TRUCKS AND PASSENGER	811.111(1)(b)

TRANSPORT VEHICLES	
VIOLATION OF SPEED LIMIT IN SCHOOL ZONE	811.111(1)(e)
VIOLATION OF SPEED LIMIT IN URBAN AREA	811.111(1)(d)
VIOLATION OF SPEED LIMIT ON OCEAN SHORE	811.111(1)(c)
VIOLATION OF VEHICLE SOUND EQUIPMENT REQUIREMENTS	815.230(1)

Table 2 (Effective March 17, 2025):

Identifies the AAMVA Code Dictionary (ACD) code that appears on the driver record, a description of the ACD code offense and the [Oregon statute\(s\)](#) describing a similar offense in Oregon, along with any related administrative rule or federal regulation, for use in the programs identified in OAR 735-064-0220.

ACD CODE	DESCRIPTION	OREGON STATUTES
A26	DRINKING ALCOHOL WHILE OPERATING A VEHICLE	811.170(1)(a)
A31	ILLEGAL POSSESSION OF ALCOHOL	811.170(1)(b)
A35	POSSESSION OF OPEN ALCOHOL CONTAINER	811.170(1)(c)
B20	DRIVING WHILE LICENSE WITHDRAWN	807.010(1)
B21	DRIVING WHILE LICENSE BARRED	807.010(1)
B22	DRIVING WHILE LICENSE CANCELLED	807.010(1)
B23	DRIVING WHILE LICENSE DENIED	807.010(1)
B24	DRIVING WHILE LICENSE DISQUALIFIED	807.010(1)
B25	DRIVING WHILE LICENSE REVOKED – VIOLATION	811.175
B26	DRIVING WHILE SUSPENDED - VIOLATION	811.175
B51	EXPIRED OR NO DRIVER LICENSE (DL, CDL, IP)	807.010(1)
B56	DRIVING A CMV WITHOUT OBTAINING A CDL	807.010(1)
B57	DRIVING A CMV WITHOUT A CDL IN THE DRIVER'S POSSESSION	807.570
B65	FAILED TO HAVE MEDICAL CERTIFICATION/DISABILITY INFORMATION	ORS 825.990, OAR 740-100-0010, 49 CFR 391.41
B91	IMPROPER CLASSIFICATION OR ENDORSEMENT ON DRIVER LICENSE (DL, CDL, IP)	807.010(1)
D27	VIOLATE LIMITED LICENSE CONDITIONS	807.010(2)
D29	VIOLATE RESTRICTIONS OF DRIVER LICENSE (DL, CDL, IP)	807.010(2)

D70	DRIVER'S VIEW OBSTRUCTED	811.190, 814.130, 815.270
D72	INABILITY TO CONTROL VEHICLE	811.135
D74	OPERATING A MOTOR VEHICLE IMPROPERLY BECAUSE OF DROWSINESS	811.135
D75	OPERATING A MOTOR VEHICLE IMPROPERLY DUE TO PHYSICAL OR MENTAL DISABILITY	811.135
E01	OPERATING WITHOUT EQUIPMENT AS REQUIRED BY LAW	ORS 815.185, 815.215, 815.235, 825.990, OAR 740-100-0010, 49 CFR 393.95, 49 CFR 392.22
E02	OPERATING WITHOUT BRAKES AS REQUIRED BY LAW	815.130
E05	OPERATING WITHOUT LIGHTS AS REQUIRED BY LAW	816.330
E31	DEFECTIVE BRAKES	815.130
E34	DEFECTIVE LIGHTS	816.300, 816.330
E50	FAILURE TO USE EQUIPMENT AS REQUIRED	815.115
E54	FAILURE TO USE HEADLIGHT DIMMER AS REQUIRED	811.515(6), 811.520
E55	FAILURE TO USE LIGHTS AS REQUIRED	811.515(1), 811.520, 814.320
E57	FAILURE TO USE SNOW TIRES OR CHAINS AS REQUIRED	815.140
E70	EQUIPMENT USED IMPROPERLY OR OBSTRUCTED	815.210, 815.245, 815.225, 815.230
F02	CHILD OR YOUTH RESTRAINT NOT USED PROPERLY AS REQUIRED	811.210
F04	SEAT BELT NOT USED PROPERLY AS REQUIRED	811.210(1)
F05	CARRYING UNSECURED PASSENGERS IN OPEN AREA OF VEHICLE	811.195, 811.205
F06	IMPROPER OPERATION OF OR RIDING ON A MOTORCYCLE	814.200
F03	MOTORCYCLE SAFETY EQUIPMENT NOT USED PROPERLY AS REQUIRED	814.260, 814.269, 814.280
F34	STOPPING, STANDING OR PARKING: OBSTRUCTING OR IMPEDING TRAFFIC	811.130, 811.290
F66	OPERATING UNSAFE VEHICLE – NO SPECIFIED COMPONENT	815.020
M02	FAILURE TO OBEY BARRIER	811.320, 811.430
M03	FAILURE TO OBEY CONSTRUCTION OR MAINTENANCE ZONE MARKERS	811.231

M04	FAILURE TO OBEY FLAGGER	811.232
M05	FAILURE TO OBEY LANE MARKINGS OR SIGNAL	811.030, 811.265, 811.310, 811.345, 811.346, 811.370, 811.380, 811.420
M08	FAILURE TO OBEY POLICE OR PEACE OFFICER	811.535
M09	FAILURE TO OBEY RAILROAD CROSSING RESTRICTIONS	811.455, 811.460, 811.470, 811.475
M10	FAILURE TO OBEY RAILROAD GATES, SIGNS OR SIGNALS OR ENFORCEMENT OFFICIAL AT RAILROAD CROSSING	811.455
M11	FAILURE TO OBEY RESTRICTED LANE	811.345, 811.346, 811.380
M12	FAILURE TO OBEY SAFETY ZONE	811.030
M13	FAILURE TO OBEY SCHOOL CROSSING GUARD	811.015
M14	FAILURE TO OBEY SIGN OR TRAFFIC CONTROL DEVICE	811.265, 811.270
M15	FAILURE TO OBEY STOP SIGN	811.265
M16	FAILURE TO OBEY TRAFFIC SIGNAL OR LIGHT	811.265
M17	FAILURE TO OBEY TRAFFIC SIGN	811.265, 811.270
M18	FAILURE TO OBEY WARNING LIGHT OR FLASHER	811.265
M19	FAILURE TO OBEY YIELD SIGN	811.265
M20	FAILURE TO SLOW DOWN AND CHECK FOR APPROACHING TRAIN	811.462
M21	FOR DRIVERS NOT ALWAYS REQUIRED TO STOP - FAILURE TO STOP BEFORE REACHING TRACKS AT A RAILROAD CROSSING WHEN THE TRACKS ARE NOT CLEAR	811.455
M22	FOR DRIVERS ALWAYS REQUIRED TO STOP -FAILURE TO STOP AS REQUIRED BEFORE DRIVING ONTO RAILROAD CROSSING	811.460
M23	FAILURE TO STOP FOR RAILROAD SIGNAL OBSTRUCTING RAIL CROSSING	811.455, 811.475
M24	FAILING TO NEGOTIATE A RAILROAD CROSSING BECAUSE OF INSUFFICIENT	811.475(1)(b)

	UNDERCARRIAGE CLEARANCE	
M25	FAILURE TO STOP – BASIC RULE AT UNSIGNED INTERSECTION OR WHEN ENTERING ROADWAY FROM PRIVATE DRIVEWAY, ALLEY, ETC.	811.275-811.285, 811.505
M30	FOLLOWING IMPROPERLY	811.485
M31	FAILURE TO LEAVE SUFFICIENT DISTANCE FOR OVERTAKING BY OTHER VEHICLES	811.147, 811.485
M32	FOLLOWING EMERGENCY VEHICLE UNLAWFULLY	811.150
M33	FOLLOWING FIRE EQUIPMENT UNLAWFULLY	811.150
M34	FOLLOWING TOO CLOSELY	811.485
M40	IMPROPER LANE OR LOCATION	811.295, 811.300, 811.305, 811.310, 811.315, 811.320, 811.325, 811.330, 811.370, 811.375, 811.380
M41	FAILURE TO KEEP IN PROPER LANE	811.370
M42	IMPROPER OR ERRATIC (UNSAFE) LANE CHANGES	811.375
M43	RAN OFF ROAD	811.135, 811.370
M44	IMPROPER LANE OR LOCATION - CROSSOVER	811.305, 811.310
M45	IMPROPER LANE OR LOCATION - CROSSWALK	811.290
M46	IMPROPER LANE OR LOCATION – ENTRANCE/EXIT RAMP OR WAY	811.285
M47	IMPROPER LANE OR LOCATION – IN BICYCLE LANE	811.435
M48	IMPROPER LANE OR LOCATION – IN OCCUPIED LANE	811.385, 814.240
M49	IMPROPER LANE OR LOCATION – IN HOV OR RESTRICTED LANE	811.265
M51	IMPROPER LANE OR LOCATION -MEDIAN	811.430
M55	IMPROPER LANE OR LOCATION – ON RAIL OR STREETCAR TRACKS	811.160, 811.475
M56	IMPROPER LANE OR LOCATION – ON FIRE HOSE	811.150

M57	IMPROPER LANE OR LOCATION – ONCOMING TRAFFIC LANE	811.295, 811.300, 811.310
M58	IMPROPER LANE OR LOCATION – ROAD SHOULDER, DITCH OR SIDEWALK	811.370, 811.415
M60	IMPROPER LANE OR LOCATION – SLOWER VEHICLE LANE	811.315, 811.325
M61	IMPROPER LANE OR LOCATION – STRADDLING CENTER LINE(S)	811.310, 811.370
M62	IMPROPER LANE OR LOCATION – TRAVELING IN TURN (OR CENTER) LANE	811.380
M70	IMPROPER PASSING	811.410-811.420
M71	PASSING IN VIOLATION OF POSTED SIGN OR PAVEMENT MARKING	811.420
M72	PASSING IN VIOLATION OF OPPOSITE DIRECTIONS RESTRICTION	811.410, 811.420
M73	PASSING ON WRONG SIDE	811.410-811.415
M74	PASSING ON HILL OR CURVE	811.305, 811.410, 811.420
M75	PASSING SCHOOL BUS DISPLAYING WARNING NOT TO PASS	811.155
M76	PASSING WHERE PROHIBITED	811.420
M77	PASSING WITH INSUFFICIENT DISTANCE OR VISIBILITY	811.305, 811.410, 811.415
M80	INATTENTIVE/DISTRACTED CARELESS OR NEGLIGENT DRIVING	811.135
M81	CARELESS DRIVING	811.135
M82	INATTENTIVE/DISTRACTED DRIVING	811.135
M83	NEGLIGENT DRIVING	811.135
M85	TEXTING WHILE DRIVING	811.507
M86	USING A HAND-HELD MOBILE TELEPHONE WHILE DRIVING	811.507
N01	FAILURE TO YIELD RIGHT OF WAY	811.028, 811.025, 811.035, 811.050, 811.145, 811.167, 811.275-811.285, 811.292, 811.425
N02	FAILURE TO YIELD RIGHT OF WAY TO ANIMAL RIDER OR ANIMAL DRAWN VEHICLE	811.510
N03	FAILURE TO YIELD RIGHT OF WAY TO CYCLIST	811.050
N04	FAILURE TO YIELD TO AN EMERGENCY VEHICLE OR AMBULANCE	811.145, 811.150

	INTERFERENCE WITH AN EMERGENCY VEHICLE OR AMBULANCE	
N05	FAILURE TO YIELD RIGHT OF WAY TO FUNERAL PROCESSION DISRUPTING FUNERAL PROCESSION	811.802, 811.810
N06	FAILURE TO YIELD RIGHT OF WAY TO OTHER VEHICLE	811.167, 811.275-811.285, 811.425, 811.280
N07	FAILURE TO YIELD RIGHT OF WAY TO OVERTAKING VEHICLE	811.425
N08	FAILURE TO YIELD RIGHT OF WAY TO PEDESTRIAN (INCLUDES HANDICAPPED OR BLIND)	811.025, 811.028, 811.035
N09	FAILURE TO YIELD RIGHT OF WAY TO SCHOOL BUS	811.155
N20	FAILURE TO YIELD RIGHT OF WAY AT CROSSWALK	811.028, 811.035
N21	FAILURE TO YIELD RIGHT OF WAY AT ROTARY/ ROUNDABOUT/ CIRCULAR INTERSECTION	811.292
N22	FAILURE TO YIELD RIGHT OF WAY AT STOP SIGN	811.035, 811.265
N23	FAILURE TO YIELD RIGHT OF WAY AT TRAFFIC SIGN	811.035, 811.265
N24	FAILURE TO YIELD RIGHT OF WAY AT TRAFFIC SIGNAL	811.028, 811.035, 811.265
N25	FAILURE TO YIELD RIGHT OF WAY AT UNSIGNED INTERSECTION	811.275
N26	FAILURE TO YIELD RIGHT OF WAY AT YIELD SIGN	811.265
N30	FAILURE TO YIELD RIGHT OF WAY WHEN WARNING DISPLAYED ON OTHER VEHICLE	811.145, 811.155, 811.167
N31	FAILURE TO YIELD RIGHT OF WAY WHEN TURNING	811.028, 811.350
N40	FAILURE TO USE OR IMPROPER SIGNAL	811.390, 811.400, 811.405, 811.500
N42	FAILURE TO SIGNAL INTENTION TO PASS	811.400
N43	FAILURE TO SIGNAL LANE CHANGE OR TURN	811.335, 811.400
N44	GIVING WRONG SIGNAL	811.335, 811.400
N50	IMPROPER TURN	811.335-811.365
N51	IMPROPER METHOD OF TURNING	811.340, 811.355
N52	IMPROPER POSITION FOR TURNING	811.340, 811.345, 811.355

N53	MAKING IMPROPER LEFT TURN	811.340, 811.350, 811.360
N54	MAKING IMPROPER RIGHT TURN	811.355, 811.360
N55	MAKING IMPROPER TURN AROUND (NOT U-TURN)	811.335
N56	MAKING IMPROPER U-TURN	811.365
N60	DRIVING WRONG WAY	811.270, 811.330
N61	DRIVING WRONG WAY AT ROTARY/ ROUNDAABOUT/ CIRCULAR INTERSECTION	811.330
N62	DRIVING WRONG WAY ON DIVIDED HIGHWAY	811.270, 811.295, 811.310, 811.320
N63	DRIVING WRONG WAY ON ONE-WAY STREET OR ROAD	811.270
N70	DRIVING ON WRONG SIDE	811.295, 811.310
N71	DRIVING ON WRONG SIDE OF DIVIDED HIGHWAY	811.295, 811.310, 811.320
N72	DRIVING ON WRONG SIDE OF UNDIVIDED STREET OR ROAD	811.295, 811.300
N80	COASTING (OPERATING WITH GEARS DISENGAGED)	811.495
N82	IMPROPER BACKING	811.480
N83	IMPROPER START FROM A PARKED POSITION	811.565
N84	UNSAFE OPERATION	811.135
S01	01-05 > SPEED LIMIT	811.100, 811.111
S06	06-10 > SPEED LIMIT	811.100, 811.111
S14	11-14 > SPEED LIMIT	811.100, 811.111
S15	SPEEDING 15 MPH OR MORE ABOVE SPEED LIMIT	811.100, 811.111
S16	16-20 > SPEED LIMIT	811.100, 811.111
S21	21-25 > SPEED LIMIT	811.100, 811.111
S26	26-30 > SPEED LIMIT	811.100, 811.111
S31	31-35 > SPEED LIMIT	811.100, 811.111

S36	36-40 > SPEED LIMIT	811.100, 811.111
S41	41+ > SPEED LIMIT	811.100, 811.111
S51	01-10 > SPEED LIMIT	811.100, 811.111
S71	21-30 > SPEED LIMIT	811.100, 811.111
S81	31-40 > SPEED LIMIT	811.100, 811.111
S91	41+ > SPEED LIMIT	811.100, 811.111
S92	SPEEDING – SPEED LIMIT AND ACTUAL SPEED	811.100, 811.111
	VIOLATING SPEED IN SCHOOL ZONE (Speed detail)	811.111(1)(e)
S93	SPEEDING	811.100, 811.111
S94	PRIMA FACIE SPEED VIOLATION OR DRIVING TOO FAST FOR CONDITIONS	811.100
S95	SPEED CONTEST (RACING) ON ROAD OPEN TO TRAFFIC	811.125
S96	SPEED LESS THAN MINIMUM	811.130
S 97	OPERATING AT ERRATIC OR SUDDENLY CHANGING SPEEDS	811.135
U21	ILLEGAL OPERATION OF EMERGENCY VEHICLE	820.320