

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rules(s) adopted on December 21, 2011 by the
Date prior to or same as filing date.

Oregon Department of Transportation, Motor Carrier Transportation Division
Agency and Division

740

Administrative Rules Chapter Number

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to become effective January 1, 2012 Rulemaking Notice was published in the November 2011 *Oregon Bulletin.***
Date upon filing or later Month and Year

RULE CAPTION

Revision of rule governing the Maximum Fine Schedule

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

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

ADOPT:

AMEND: 740-100-0100

REPEAL:

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

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

ORS 184.616, 184.619 & 823.011

Stats. Auth.

None

Other Authority

ORS 153.012, 153.015, 153.018, 825.252, 825.990

Stats. Implemented

RULE SUMMARY

This rule adopts the Maximum Fine Schedule published by the Commercial Vehicle Safety Alliance (CVSA) and describes the calculation used to determine foundation fine amounts. House Bill 2712 established one presumptive fine for each class of violation and eliminated the confusing way fines have historically been calculated to determine a foundation amount.

The amendments implement HB 2712. Effective January 1, 2012, there will not be a separate unitary assessment for the Oregon Department of Revenue or county assessment; in addition, the offense surcharge will be eliminated. The assessment amounts will now be included in the presumptive fine. Minimum and maximum fines were specified for each class of traffic violation. The amendment will assign the Groups from the CVSA Maximum Fine Schedule to be equal to the Class categories from the presumptive class traffic violations. To remain revenue neutral and to simplify the fine schedule, the amendment takes the approach of assigning the Maximum Fine Schedule Groups to be equal to the presumptive traffic violation Class.

Authorized Signer Gregg L. Dal Ponte
Printed Name

Date

* With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

** The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.