

TRAFFIC NEWSLETTER

DMV Administrator's Office □ 1905 Lana Avenue NE □ Salem, Oregon 97314

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UPDATE

Oregon's Provisional Driver Improvement Program Restriction Effective May 1, 2013

[Oregon Administrative Rule 735-072-0023](#) establishes the Provisional Driver Improvement Program for drivers under 18 years of age as authorized under [ORS 809.480](#).

DMV will restrict the driving privileges for 90 days of any provisional driver who has:

- Two driver improvement violations; or
- Two preventable accidents; or
- A combination of violations and accidents that total two occurrences.

The restriction is for 90 days and allows driving only to and from the place of employment or for employment purposes with no passengers, except the provisional driver's parent, stepparent or guardian.

NEW

Effective May 1, 2013, a driver restricted under the Provisional Driver Improvement Program may request a review of driving privileges by submitting an application to DMV.

Previously, a driver could request an interview and meet with a DMV employee. The meeting frequently resulted in expanding driving privileges for limited purposes as needed. The interview is no longer available.

A driver may now apply for an expansion of driving privileges by completing an application and submitting proof that a proactive measure meant to improve skills and safe driving has been completed. The person must clearly state the purpose and reason expanded driving privileges are needed.



Examples of a proactive measure are completion of a driver improvement, driver safety or defensive driving course; completion of a professional driver lesson; more driving time with a parent or legal guardian; or another action preapproved by DMV. If the application is approved, a new restriction letter will be issued for the driver to carry at all times while driving.

DMV will suspend the driving privileges or right to apply for driving privileges of any provisional driver who has:

- Three driver improvement violations; or
- Three preventable accidents; or
- A combination of violations and accidents resulting in a total of three occurrences.

If you have any questions, please contact Mary Grosso at DMV at (503) 945-5520 or at Mary.L.Grosso@ODOT.State.Or.Us.

[Richardson v. ODOT](#), 253 Or App 456 (2012)
Failure to Comply (FTC) Suspensions ([ORS 809.210, 809.416](#))



The Court of Appeals has affirmed a Circuit Court ruling concluding that the statutory authority of DMV limits an FTC suspension to a maximum of 10 years. Due to this ruling and DMV's analysis of the ruling, DMV will no longer suspend for FTC if:

- The person has previously been suspended for the statutory maximum period for the same conviction.
- DMV processed a court notice of compliance on a previous FTC suspension for the same conviction. **The court has only one opportunity to suspend.**

DMV is not conducting a mass cancellation of suspensions affected by the *Richardson* ruling at this time. However, if a customer contacts DMV regarding driving privileges, DMV may update FTC suspensions to indicate compliance and/or reinstatement if we are able to determine that a suspension is impacted by the *Richardson* ruling or DMV's analysis of the ruling. *Complied* or *reinstated* suspensions show on the person's driver record.

At this time, DMV is not applying the ruling or our analysis of the ruling to suspensions for *Failure to Appear* on a citation for traffic offenses ([ORS 809.220](#)).

For questions regarding DMV processing changes,
please call the DMV Driver Suspensions Unit at (503) 945-5037.

For questions regarding this Court of Appeals decision,
please call DMV Driver Programs at (503) 945-5090.

**Help Someone Retire From Driving
Through a Physician Referral
The QDID (Quit Driving ID)**

Have you identified persons who are no longer safe to drive and you would like to help them hang up the keys? DMV now has an easy process for physicians to help drivers "retire" from driving. Step-by-step instructions for physicians on how to help their patients who are no longer safe to drive can be found at [OregonDMV.com](#):

- Click on *Medical Professionals* tab (on the right side of your screen); and then
- Click on *Helping Your Patients Retire From Driving*.



Under the [Helping Your Patients Retire From Driving](#) link, you will find instructions on how physicians can help a patient turn in his/her license and obtain an identification card. In the past, customers checked a box on the [Surrender of Driving Privileges](#) form admitting they were "no longer competent" to drive. We have removed the "no longer competent" language, and now customers acknowledge that they are no longer able to safely operate a motor vehicle. A patient *may* qualify for a no-fee "quit driving" ID card that is good until the expiration date of the driver license s/he surrenders. Thereafter, the ID card can be renewed for a fee.

This process will also allow a patient who is medically unable to travel obtain the Quit Driving ID card by mail.

For more information, visit [OregonDMV.com](#) and click on the links listed above or contact Lisa Wallig, Gerontologist, DMV Medical Programs Coordinator at (503) 945-5295.

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