

735-070-0170

Civil Penalty Schedule for Violation of an Out-of-Service Order or Notice

(1) The Driver and Motor Vehicle Services Division (DMV) of the Department of Transportation shall impose the civil penalty required by ORS 813.052, on the operation of the commercial motor vehicle in accordance with the following schedule:

(a) \$1100 upon DMV's receipt of the first notice indicating the person has violated an out-of-service order or notice; and

(b) \$2750 upon DMV's receipt of a notification that the person has violated a second or subsequent out-of-service order or notice.

(2) The person incurring the civil penalty has a right to a contested case hearing in accordance with ORS 183.090. However, the amount of the civil penalty is not an issue at the hearing, and the hearing officer presiding at the contested case hearing shall not adjust the amount of the civil penalty.

Stat. Auth.: ORS 184.616, 184.619, 802.010 & 813.052

Stats. Implemented: 813.052