

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 Rule(s) adopted on [Upon Filing] by the
Date prior to or same as filing date

Department of Consumer and Business Services, Building Codes Division 918
Agency and Division Administrative Rules Chapter Number

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to become effective [Upon filing]. Rulemaking Notice was published in the [September 2009] Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Clarifies the administration and conditions for use of the electronic permitting system.

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)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

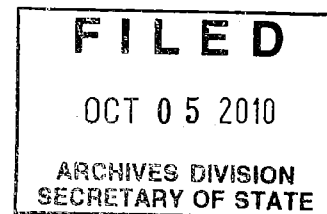
ADOPT: 918-050-085~~05~~ 10/12 NY

AMEND:

REPEAL:

RENUMBER:

AMEND & RENUMBER:



Stat. Auth.: ORS 455.095 & 455.097

Other Auth.:

Stats. Implemented: ORS 455.095, 455.097, 455.125, & 455.129

RULE SUMMARY

The rule clarifies the administration of the statewide electronic permitting (ePermitting) system. It sets forth the responsibilities of contractors using the system and clarifies that misuse of the system can potentially subject the contractor to sanctions. Possible sanctions include: losing the ability to use the ePermitting system, civil penalties, and suspension or revocation of individual licenses.

Authorized Signer

Patrick Allen

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 the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

ARC 930-2005

BCD 15-2010

918-050-0850/5

Administration of Electronic Permitting

(1) As used in this rule, unless context requires otherwise:

(a) "Electronic permitting" means the Oregon eBuildingPermits system implemented under ORS 455.095.

(b) "Contractor" means a person holding a Construction Contractors Board license and, if applicable, a contractor license issued by the division.

(c) "Department" means the Department of Consumer and Business Services.

(d) "Division" means the Building Codes Division of the Department of Consumer and Business Services.

(e) "In good standing" means a person currently licensed as a contractor who has no outstanding penalties due and owing to the division, the department, the Construction Contractors Board, or any other state for violations of construction standards, permitting requirements, or any construction related licensing or certification standards.

(f) "Public User" means a person who accesses the electronic permitting system through the internet and has either created an account to apply for permits through the system or uses the system to search for information.

(g) "State Portal" means the public access portion of the electronic permitting system.

(2) The following persons are eligible to utilize the state portal to access the electronic permitting system:

(a) Contractors in good standing;

(b) Persons designated by a contractor in good standing; and

(c) Public users.

(3)(a) Where the division finds a contractor, public user, or any other person has provided inaccurate, false, or misleading information when using the state portal, including but not limited to information regarding appropriate licenses, certifications, or plan review, the division may prohibit the registered public user, designated person, or contractor from using the state portal for a length of time to be determined by the division; and

(b) In addition to prohibiting use of the state portal, the division may take any additional action it considers appropriate, including civil penalties, and suspension, revocation, conditioning, or denial of division licenses, or take any actions as allowed under any provision of ORS 455.125, 455.127, or 455.129.

(4) Contractors sanctioned under any provision of ORS 455.125, 455.127, or 455.129 may be prohibited from using the state portal for a period of time to be determined by the division.

Stat. Auth.: ORS 455.095 & 455.097

Stats. Implemented: ORS 455.095, 455.097, 455.125, & 455.129

Hist.: New