

Oregon Suspension/Revocation/Cancellation Guide

If eligible for a hardship permit, "Yes" will be noted in the "HARDSHIP?" column along with the wait time a person must serve before DMV can issue a permit. Wait times begin on the suspension effective date or incarceration release date.

Implied Consent (IC) (ORS 813.100)

TYPE	LENGTH	HARDSHIP?
Breath/ Blood/ Urine Test Refusal	1 year	Yes (90 days)
Breath/ Blood/ Urine Test Refusal – Increased	3 years	Yes (3 years)
BAC Failure	90 days	Yes (30 days)
BAC Failure – Increased	1 year	Yes (1 year)
Urine Test Refusal (Consecutive suspension)	1 years	Yes (180 days)
Urine Test Refusal – Increased (Consecutive suspension)	3 years	Yes (3 years)

- Suspension lengths are increased if any of the following occurred in Oregon or any other jurisdiction within 5 years prior to current arrest: DUI conviction; participation in a diversion or similar alcohol or drug program; or a suspension of driving privileges under the Implied Consent Law. (ORS 813.430)
- A suspension for refusing to take a urine test shall be consecutive to any other suspension imposed under the Motorist Implied Consent law and the wait time for a hardship permit shall double. (ORS 813.132)
- A court may impose a fine of \$650 if the person refuses to submit to a breath or urine test. This is separate from any other court fine resulting from the DUI arrest. (ORS 813.095)

A person may be suspended for the same offense under the IC laws and the DUI laws. IC actions are DMV administrative suspensions separate from any suspension or revocation imposed by a court on the DUI conviction for the same offense.

- Any wait time served on a DUI/IC suspension resulting from the same offense will be credited to the wait time for the corresponding DUI/IC suspension.

DUI

(ORS 813.010)

CONVICTION	ORDERED BY	TYPE	LENGTH	HARDSHIP?
DUII - 1st Conviction ORS 813.400, 809.428	Court or DMV Form 735-6116	Suspension	1 year	* Yes
2nd w/ in 5 yrs ORS 813.400, 809.428	Court or DMV Form 735-6116	Suspension	3 years	Yes (90 days)
3rd or Felony DUII ORS 813.400(2), 809.235	Court Form 735-6116	Revocation	** Permanent	No
DUII by Controlled Substance or Inhalant ORS 809.265 <i>This suspension is in addition to the (1 or 3 year) suspension or permanent revocation noted above for the DUII conviction.</i>	Court Form 735-6115C	Suspension	6 months	No

* There is a 30 day wait time if the person has been convicted of a separate traffic crime within the previous year.
** Person may petition the court to restore driving privileges after minimum 10 years from the revocation effective date.

CRIMINAL CONVICTIONS

CONVICTION	ORDERED BY	TYPE	LENGTH	HARDSHIP?
Aggravated Driving While Suspended or Revoked (DWS/ DWR) ORS 163.196, 809.409(2)	Court or DMV Form 735-6116	Revocation	Not < 10 years	No
Assault Resulting from the Operation of a Motor Vehicle				
First Degree ORS 163.185, 809.235(1)(a)	Court Form 735-6116	Revocation	Permanent	No
Second Degree ORS 163.175, 809.411(10)(b)	Court or DMV Form 735-6116	Suspension	Not < 8 yrs	Yes (4 years)
Third Degree ORS 163.165, 809.411(10)(c)	Court or DMV Form 735-6116	Suspension	Not < 5 yrs	Yes (2 years)
Fourth Degree ORS 163.160, 809.411(10)(d)	Court or DMV Form 735-6116	Suspension	Not < 1 year	Yes (6 months)
Attempt to Elude Police ORS 811.540, 809.411(5)	Court or DMV Form 735-6116	Suspension	Schedule 1	Yes
Criminal Mischief Resulting from Op of MV ORS 164.345, 164.354, 164.365, 809.411(2)	Court or DMV Form 735-6116	Suspension	Schedule 1	Yes
Criminal Trespass II w/ MV ORS 164.245, 809.411(8)	Court or DMV Form 735-6116	Suspension	6 months	Yes
DWS/ DWR (Felony) ORS 809.409(5), 811.182	Court or DMV Form 735-6116	Revocation	1 year	No
DUII ORS 813.010	See DUII section above			

CRIMINAL CONVICTIONS (Continued from page 1)

CONVICTION		ORDERED BY	TYPE	LENGTH	HARDSHIP?
Failure to Perform Duties of a Driver – Injury/Serious Injury/ Fatal ORS 811.705, 809.409(3)		Court or DMV Form 735-6116	Revocation	Injury→ 1 yr Serious-not< 3 yrs Fatal-not< 5 yrs	No
Failure to Perform Duties of a Driver– Property Damage ORS 811.700, 809.411(4)		Court or DMV Form 735-6116	Suspension	Schedule 1	Yes
False Affidavit to DOT re: registration/ operation MV laws ORS 809.409(4)		Court or DMV Form 735-6116	Revocation	1 year	No
False App for DL or ID ORS 807.430, 807.530, 809.310(3)(a)		Court or DMV Form 735-6116	Suspension /Cancel	1 year	No
False Info to Police Officer Enforcing MV Laws ORS 807.620, 809.310(3)(h)		Court or DMV Form 735-6116	Suspension /Cancel	1 year	No
False Swearing to Receive DL ORS 807.520, 809.310(3)(b)		Court or DMV Form 735-6116	Suspension /Cancel	1 year	No
Fleeing Police Officer ORS 811.540, 809.411(5)		Court or DMV Form 735-6116	Suspension	Schedule 1	Yes
Hit and Run		See Failure to Perform Duties of a Driver			
HOMICIDE	Aggravated Vehicular Homicide ORS 163.149, 809.235(1)(a)	Court Form 735-6116	Revocation	Permanent	No
	Criminally Negligent Homicide Resulting from Op of MV ORS 163.145, 809.235(1)(a)	Court Form 735-6116	Revocation	Permanent	No
	Manslaughter 1 st or 2 nd Degree Resulting from OP of MV ORS 163.118, 163.125, 809.235(1)(a)	Court Form 735-6116	Revocation	Permanent	No
	Murder (any Degree) w/ MV used as a dangerous weapon ORS 809.235(1)(a)	Court Form 735-6116	Revocation	Permanent	No
	ALL - Vehicular Homicide, Murder resulting from Op of a MV, Aggravated DWS or DWR, Assault I, Criminally Negligent Homicide or Manslaughter ORS 809.409(2)	DMV	Revocation	Not< 10 yrs	No
Menacing Resulting from Operation of MV ORS 163.190, 809.411(2)		Court or DMV Form 735-6116	Suspension	Schedule 1	Yes
Minor in Possession by Misrepresentation of Age ORS 471.430(5), ORS 809.280(8)		Court Form 735-6115D	Suspension	Not > 1 yr	Yes
Misrepresentation of Age to Purchase/ Consume Alcohol ORS 165.805(3), ORS 809.280(8)		Court Form 735-6115D	Suspension	Not > 1 yr	Yes
Permit Misuse of DL or ID ORS 807.430, 807.590, 809.310(3)(d)		Court or DMV Form 735-6116	Suspension	1 year	No
Reckless Driving ORS 811.140, 809.411(3)		Court or DMV Form 735-6116	Suspension	Schedule 1	Yes
Reckless Endangering Resulting from Op of MV ORS 163.195, 809.411(2)		Court or DMV Form 735-6116	Suspension	Schedule 1	Yes
Reckless Endangerment of Highway Workers ORS 811.231, 809.411(6)		Court or DMV Form 735-6116	Suspension	Schedule 1	Yes
Perjury to DOT re: laws on registration/ operation of MV ORS 809.409(4)		Court or DMV Form 735-6116	Revocation	1 year	No
Theft (1 st , 2 nd or 3 rd Degree) of Gasoline ORS 164.043, 164.045, 164.055, 809.411(7)		Court Form 735-6116	Suspension	6 months	Yes
Transfer of Docs for the Purpose of Misrepresentation ORS 807.510, 809.310(3)(g)		Court or DMV Form 735-6116	Suspension /Cancel	1 year	No
Unlawfully Producing ID/ DL/ Permits, Etc. ORS 807.500, 809.310(3)(f)		Court or DMV Form 735-6116	Suspension /Cancel	1 year	No
Using DL or ID of Another ORS 807.430, 807.600, 809.310(3)(e)		Court or DMV Form 735-6116	Suspension	1 year	No
Using Invalid DL or ID ORS 807.430, 807.580, 809.310(3)(c)		Court or DMV Form 735-6116	Suspension	1 year	No
Unlawful Use of MV (Felony) ORS 809.409(5)		Court or DMV Form 735-6116	Revocation	1 year	No
Vehicular Assault of Bicyclist/ Pedestrian ORS 811.060, 809.411(10)(d)		Court or DMV Form 735-6116	Suspension	Not< 1 year	Yes (6 months)
OTHER	Any Offense Involving manufacturing, possession or delivery of controlled substance ORS 809.265	Court Form 735-6115C	Suspension	6 months	No
	Any Felony w/ Material Element Involving Op of Motor Vehicle ORS 809.409(5)	Court or DMV Form 735-6116	Revocation	1 year	No
	Guilty Except for Insanity of Traffic Offense and Committed to PSRB ORS 809.419(6)	Court or DMV Form 735-6116	Suspension	Until Eligible ORS 807.090	No

JUVENILE

CAUSE	ORDERED BY	TYPE	LENGTH	HARDSHIP?
Any Offense Involving (ORS 809.260): <ul style="list-style-type: none"> Alcohol - Possession, Use or Abuse (13-20 years of age) Controlled Substance - Unlawful Possession, Manufacture, or Distribution (13-17 years of age) Possession of Weapon in a Public Building or School (13-17 years of age) <p>The suspension remains in effect for: (809.280(6))</p> <ul style="list-style-type: none"> 1 year or until the juvenile turns 17 years old, whichever is longer, if it is the juvenile's 1st order 1 year or until the juvenile turns 18 years old, whichever is longer, if it is the juvenile's 2nd or subsequent order <p>Note: If the person is 18-20 years of age, suspension is for 1 year because the "until 17" or "until 18" options do not apply</p> <p>On all above actions, the court may reinstate privileges after 90 days (180 days if controlled substance offense) for 1st conviction; 1 yr on 2nd or subsequent conviction (ORS 809.260)</p>	Court Form 735-6115A	Suspension	See below	Eligible for either Hardship Permit or Emergency Driver Permit
Failure to Appear on MIP (alcohol or marijuana) ORS 809.280, 419C.472, 475B.260	Court Form 735-6115	Suspension	Not > 10 yrs	No
MIP by Misrepresentation of Age (alcohol or marijuana) ORS 471.430(5), ORS 809.280(8), 475B.260	Court Form 735-6115A	Suspension	Not > 1 year	Yes
Misrepresentation of Age to Purchase/ Consume Alcohol ORS 165.805(3), ORS 809.280(8)	Court Form 735-6115D	Suspension	Not > 1 year	Yes
Withdrawal from School ORS 339.257, 809.423(3)	School District Form 735-7186	Suspension	Until enrolled or 18 yrs old	No
Withdrawal of Parent/ Guardian License Approval ORS 809.320	DMV	Cancellation	Until re-approved or 18 yrs old	No
School Administration Suspension ORS 339.254, 809.423(1)	School District Form 735-7186A	Suspension	Not > 1 yr or Until 21 yrs old	Yes
Tobacco Purchase/ Possession by Misrep of Age (2 nd or subsequent offense) ORS 167.401, 809.423(2)	Court Form 735-6115	Suspension	Not > 1 year	Yes

DMV DRIVER IMPROVEMENT PROGRAMS

CAUSE		TYPE	LENGTH	HARDSHIP?
Adult Driver Improvement Program: ORS 809.480, OAR 735-072-0027	Three convictions, three accidents, or a combination that totals three, in an 18-month period.	Restriction	30 days	No
	Four convictions, or four accidents, or a combination that totals four, in a 24-month period.	Suspension	30 days	Yes
Provisional (under 18 yrs) Driver Improvement Program: ORS 809.480, OAR 735-072-0023	Two convictions, two accidents, or a combination that totals two.	Restriction	90 days	No
	Three convictions, or three accidents, or a combination that totals three.	Suspension	Six months	Yes
	A conviction for a traffic crime, such as DUII, Reckless driving, etc.	Suspension	One year	Yes
Habitual Incompetent, Reckless, or Criminally Negligent Driver/ Serious Violation of MV Laws ORS 809.421(1)		Suspension	Indefinite	
Habitual Offender Program: ORS 809.600, 809.610, 809.640, 809.650(2)	Two convictions or a combination that totals two, within a 5-year period for DUII; Criminal DWS/DWR; Reckless driving; Failure to perform duties of a driver; Flee/Attempt to elude; Vehicular homicide; Aggravated DWS/DWR, Murder, Manslaughter, Negligent homicide, Assault, Reckless endangering, Menacing or Criminal mischief resulting from operation of a MV.	Restriction	---	No
	Nineteen convictions within a five-year period.	Restriction	---	No

DMV DRIVER IMPROVEMENT PROGRAMS (Continued from page 3)

CAUSE		TYPE	LENGTH	HARDSHIP?
Habitual Offender (continued)	Three convictions or a combination that totals three, within a 5-year period for DUII; Criminal DWS/DWR; Reckless driving; Failure to perform duties of a driver; Flee/Attempt to elude; Vehicular homicide; or Murder, manslaughter, negligent homicide, assault, reckless endangering, menacing or criminal mischief resulting from operation of a MV.	Revocation	Not < 5 yrs	No, but may be eligible for a Probationary Permit
	Twenty convictions within a five-year period.	Revocation	Not < 5 yrs	No, but may be eligible for a Probationary Permit

NON-CRIMINAL CAUSES

CAUSE		ORDERED BY	TYPE	LENGTH	HARDSHIP?
Accident – Cause or Contribute to Death by Operating a MV – DMV Determined Immediate Endangerment ORS 809.417(3)(c)		DMV	Suspension	1 year	No
Accident – Cause or Contribute to Death by Operating a MV ORS 809.417(3)(a)		DMV	Suspension	1 year	Yes
Accident Report – Fail to File ORS 809.417(1)		DMV	Suspension	Not > 5 yrs	Yes
Careless Driving w/ Serious Injury/ Death to Vulnerable User ORS 811.135, 809.280(13)		Court Form 735-6115D	Suspension	1 year	Yes
Driver Improvement Course –Court Order to Complete ORS 809.270		Court Form 735-6115B	Suspension	Not > 5 yrs	Yes
Failure to Appear for Major or Other Traffic Offense ORS 809.220, ORS 809.280(4)		Court Form 735-6115	Suspension	Not > 10 yrs	No
Failure to Install Ignition Interlock ORS 813.602(7)		DMV	Suspension	Not > 5 yrs	Yes
Failure to Make Future Responsibility Filing ORS 809.415(3)		DMV	Suspension	Not > 3 yrs	No
Failure to Obtain Medical Clearance ORS 809.419(2), 807.070, 807.090		DMV	Suspension	Indefinite	No
Failure to Pay Child Support ORS 25.750, 25.780		DOJ or DA	Suspension	Indefinite	No
Failure to Pay Traffic Offense Fine ORS 809.210		Court Form 735-6115	Suspension	Not > 20 yrs	No
Failure to Appear or Satisfactorily Complete Required Exam ORS 809.419(1)		DMV	Suspension	Indefinite	No
False Certification of Financial Responsibility ORS 809.415(2)		DMV	Suspension	Not > 3 yrs	No
Hospital Notice of Mental Condition ORS 809.419(5), 807.700		DMV	Suspension	Indefinite	No
Incompetence to Drive MV Because of Mental/ Physical Condition ORS 809.419(3)		DMV	Suspension	Indefinite	No
Motor Vehicle Registration – Court Order ORS 809.010 (Suspension only impacts vehicle registration – not driving privileges)		Court Form 735-6128	Vehicle Suspension	Up to 120 days	No
Tampering of Ignition Interlock Device ORS 813.602(7)		DMV	Suspension	Not > 5 yrs	Yes
Uninsured Accident ORS 809.417(2)		DMV	Suspension	1 year	Yes
Unsettled Judgment ORS 809.415(1)		Court Form 735-6702	Suspension	Not > 7 yrs	Yes
Violation of Driving Restrictions ORS 809.421(3)		DMV	Suspension	Not > 1 yr	No
Incompetence to Operate Motorcycle ORS 809.419(4)		DMV	Revocation	Indefinite	No
Speeding: ORS 811.109(4)(5), 809.280(11)(12)	Speeding over 30 mph and has a previous speeding conviction within 12 months.	Court Form 735-6115C	Suspension	Up to 30 days	Yes
	Speeding over 100 mph.	Court Form 735-6115C	Suspension	30-90 days	Yes

COMMERCIAL DRIVER LICENSE (CDL) / COMMERCIAL MOTOR VEHICLE (CMV)

- DMV can NOT issue a Hardship Permit for commercial driving privileges
- Other than Implied Consent, DMV provides the notice for all suspensions of CDL/ CMV privileges

CAUSE		TYPE	LENGTH
Implied Consent: While operating a commercial motor vehicle (> .04% BAC) ORS 813.410(2), 809.510	Breath/ Blood/ Urine Test Refusal	Suspension	3 years
	Breath/ Blood/ Urine Test Refusal – Transporting Hazardous Material	Suspension	5 years
	Breath/ Blood/ Urine Test Refusal – Increased	Suspension	Lifetime
	BAC Failure	Suspension	1 year
	BAC Failure – Transporting Hazardous Material	Suspension	3 years
	BAC Failure – Increased	Suspension	Lifetime
DUII: While operating a commercial motor vehicle. ORS 809.510, 809.520	1st conviction	Suspension	1 year
	1st conviction – Transporting Hazardous Material	Suspension	3 years
	2nd or subsequent conviction	Suspension	Lifetime
Driving CMV While Suspended/ Revoked for CMV Violations ORS 809.510(1)(c)		Suspension	1 year
Driving CMV While Suspended/ Revoked for CMV Violations – Transporting Hazardous Material ORS 809.510(2)		Suspension	3 years
Failure to File a Tax Return or Pay a Tax ORS 305.385		Suspension	Indefinite
Failure to Pay Child Support ORS 25.750, 25.780		Suspension	Indefinite
Failure to Perform Duties of a Driver ORS 809.510(1)(a), 811.700, 811.705		Suspension	1 year
Failure to Perform Duties of a Driver – Transporting Hazardous Material ORS 809.510(2), 811.700, 811.705		Suspension	3 years
Felony Involving Op of MV ORS 809.510(1)(b)		Suspension	1 year
Felony Involving Op of MV – Transporting Hazardous Material ORS 809.510(2)		Suspension	3 years
Hit & Run – Injury/ Property ORS 809.510(1)		See Failure to Perform Duties above	
Imminent Hazard ORS 809.515(2)		Suspension	Not> 1 year
Murder/ Manslaughter/ Criminally Negligent Homicide or Assault Conviction while in a CMV – ORS 809.510(1)(d)		Suspension	1 year
Murder/ Manslaughter/ Criminally Negligent Homicide or Assault Conviction while in a CMV – Hazardous Material – ORS 809.510(2)		Suspension	3 years
Out-of-Service Order Violation ORS 809.530(1), 809.530(3)		Suspension	180 days or 3 years
Out-of-Service Order Violation – Transporting Hazardous Material ORS 809.530(2), 809.530(4)		Suspension	1 year or 5 years
Railroad Related Violation ORS 809.535, 811.455, 811.460, 811.475, 811.462		Suspension	60 days, 120 days or 1 year
Serious Traffic Violation Two or three convictions within a 3-year period ORS 809.525, OAR 735-063-0130		Suspension	2→60 days 3→120 days
Use of Commercial MV in felony involving Manufacture/ Distribution of Controlled Substance ORS 809.520(1)		Suspension	Lifetime
Violation of Posted Weight Limits ORS 809.120(1)		Suspension	Not> 90 days
Two or more below circumstances in any combination (ORS 809.520(2)): <ul style="list-style-type: none"> • DUII Conviction in MV or CMV • Implied Consent Breath Test Refusal in MV or CMV • Implied Consent Suspension (> .04% in CMV) • Failure to Perform Duties of a Driver in MV or CMV • Felony Conviction in MV or CMV • DWS/ DWR Conviction in MV while suspended or revoked for CMV Violation • Murder/ Manslaughter/ Criminally Negligent Homicide/ Aggravated Driving While Suspended or Revoked, or Assault Conviction while in CMV 		Suspension	Lifetime

MISCELLANEOUS INFORMATION

Incarceration

Other than Habitual Offender, any suspension or revocation "Length" noted with "not<" indicates the time length is established by the persons release from incarceration.

- If the sentencing did **not** include incarceration, the sanction time length is as noted above from the beginning date of the revocation or suspension.
- If the sentencing included incarceration, the sanction time length is as noted above from the date the person is released from incarceration for all crimes arising out of the same criminal episode.

Non-Resident / No Current Driving Privileges

A court may suspend or revoke the driving privileges of any nonresident for any cause for which the driving privileges of a resident of this state may be suspended or revoked. ORS 809.230

If a person is not currently licensed or the person's privileges expire within the suspension period, DMV or the Court shall suspend or revoke the person's right to apply for driving privileges to operate motor vehicles in this state. ORS 809.360

Out-of-Jurisdiction

DMV may suspend Oregon driving privileges and/or commercial driving privileges if the driver is suspended or revoked out-of-state or based on an out-of-state conviction. ORS 809.400, 809.510(6)

Suspension Schedule (ORS 809.428)

	Schedule I	Schedule II
1 st Offense	90 days	1 year
2 nd Offense	1 year	3 years
3 rd or subsequent w/in 5 years	3 years	3 years

Court Possession of License (ORS 809.240 and 809.275)

A court shall take immediate possession of any license or driver permit held by a defendant upon ordering a suspension or revocation under:

ORS 165.805	ORS 809.240	ORS 809.409	ORS 811.135
ORS 471.430	ORS 809.260	ORS 809.411	ORS 813.400
ORS 809.120	ORS 809.265	ORS 809.413	ORS 813.403
ORS 809.235	ORS 809.270	ORS 811.109	

Hardship Wait Times

Oregon Revised Statutes 807.252 and 813.520