

REINSTATEMENT OF DRIVING PRIVILEGES
under ORS 809.235(2)(a)
CHECKLIST

File in county where driving privileges were revoked [ORS 809.235(2) (a)]
Don't file earlier than 10 years from release or sentencing [ORS 809.235(2)(a)(A-C)].

State the nature of the offense [ORS 809.235(3)(a)].

State the degree of violence involved in the offense (if any violence was involved in the offense) or None, if there was no violence [ORS 809.235(3)(b)].

Describe other criminal and relevant non-criminal behavior both before and after the conviction that resulted in the revocation [ORS 809.235(3)(c)].

Recommendation of parole officer (according to ORS 809.235(3)(d), this recommendation shall be based in part on a psychological evaluation ordered by the court to determine whether the person is presently a threat to the safety of the public).

Describe any other relevant factors [ORS 809.235(3)(e)].

Present evidence of rehabilitation [ORS 809.235(4)(a)].

Present evidence that Petitioner does not pose a threat to the safety of the public [ORS 809.235(4)(b)].

Present proof that appropriate alcohol or drug treatment program was successfully completed [ORS 809.235(4)(c)].

Complete court paperwork with your name as the petitioner and the current local district attorney's name as the name of the elected district attorney.

Pay the circuit court filing fee of \$281.00 [ORS 21.135(1), (2)(g)](Payable to State of Oregon).

All paperwork filed with the court needs to be served on the district attorney.

The following fees are to be paid to the DMV:

- Reinstatement fee (\$75.00) [ORS 809.390(7)], Knowledge test fee (\$5.00). Drive test fee (\$9.00), and replacement fee (\$60.00). NOTE: confirm fees with the DMV.
- Obtain SR-22 insurance certificate.

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON
2 FOR THE COUNTY OF LANE

3 In the Matter of the Restoration of)
4 Oregon Driving Privileges of:)

Case No. _____

5 _____,
6 Petitioner.)

v.)

PETITION FOR AN ORDER TO
RESTORE DRIVING PRIVILEGES
PURSUANT TO ORS 809.235(2)(a)

7 _____)
8 (name of elected District Attorney))
9 the District Attorney of Lane County)

10 Respondent.)

11
12 The Petitioner hereby seeks an Order of this Court restoring his/her Oregon Driving
13 Privileges pursuant to ORS 809.235(2)(a). Petitioner alleges the following circumstances exist
14 as of the date of this Petition:

15 1.

16 Ten (10) years have elapsed since the Petitioner was: (CHOOSE ONE)

17 “released on parole or post-prison supervision for the crime for which the Petitioner’s
18 driving privileges were revoked and any other crimes arising out of the same criminal
19 episode”

20 “sentenced to probation for the crime for which the Petitioner’s driving privileges were
21 revoked”

22 “revoked from probation for the crime for which the Petitioner’s driving privileges were
23 revoked”
24
25

1 “sentenced for the crime for which the Petitioner’s driving privileges were revoked, and
2 the Petitioner was not imprisoned, sentenced to probation or placed on probation for the
3 crime for which the Petitioner’s driving privileges were revoked”.

4 2.

5 The Petitioner has not been convicted of any criminal offense involving a motor vehicle
6 since the one which resulted in the driving privilege revocation that is the basis of this Petition.

7 3.

8 The details of the crime for which Petitioner’s driving privileges were revoked (and any
9 other crime(s) arising out of the same criminal episode) are:

10 NAME OF CRIME(S): _____

11 CASE NUMBER(S): _____

12 DATE OF CONVICTION(S): _____

13 DATE OF SENTENCING: _____

14 DATE OF PRISON RELEASE: _____

15 DATE PROBATION REVOKED: _____

16 4.

17 Information relevant to the factors in ORS 809.235(3) follows:

18 NATURE OF OFFENSE: _____

19 DEGREE OF VIOLENCE: _____

20 RELEVANT CRIMINAL & NONCRIMINAL BEHAVIOR BEFORE & AFTER

21 THE CONVICTION: _____

22 _____

23 (i.e. What was your life like before the conviction? After? What efforts had you
24 made to attain sobriety before? After? Did you have a criminal history before?)

24 EVIDENCE OF REHABILITATION: _____

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5.

The Petitioner has completed an alcohol or drug treatment program in a facility approved by the Director of the Oregon Health Authority or a similar program in another jurisdiction, and the Certificate of Completion is attached to this Petition as Exhibit A.

6.

This Petition will be served on the Respondent as required by law promptly after filing.

NOW THEREFORE, the Petitioner prays:

1. (If applicable:) That the Court to Order Petitioner’s Parole Officer to obtain a psychological evaluation to determine whether the Petitioner is presently a threat to the safety of the public, so that the Parole Officer can make an informed decision about whether to recommend Petitioner’s restoration of driving privileges to the Court.
2. (If applicable:) That the Court schedule a hearing to receive evidence on the Petitioner’s rehabilitation, and to determine whether the Court will order restoration of the Petitioner’s driving privileges under ORS 809.235(2)(a).
3. That the Court issue an Order requiring that the Oregon Division of Motor Vehicles restore the Petitioner’s driving privileges upon Petitioner’s compliance with the necessary future responsibility filings.

Dated this ____ day of _____, 20__.

(signature of petitioner)

(address of petitioner)

(city) (State) (zip code)

(telephone number of petitioner)

(email address of petitioner)

1
2
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON
4 FOR THE COUNTY OF LANE

5 In the Matter of the Restoration of)
6 Oregon Driving Privileges of:)
7 _____,)
8 Petitioner.)
9 v.)
10 _____)
11 (Name of Elected District Attorney),)
12 the District Attorney of Lane County)
13)

Case No. _____

ORDER TO RESTORE DRIVING
PRIVILEGES PURSUANT TO
ORS 809.235(2)(a)

Respondent.

14
15 This Court held the hearing required under ORS 809.235(3) on _____, and
16 found the necessary pre-requisites to restoration of driving privileges have been established by
17 clear and convincing evidence,

18 NOW THEREFORE, THE COURT HEREBY ORDERS that _____ Oregon
19 Driving Privileges shall be restored by the Oregon Division of Motor Vehicles pursuant to ORS
20 809.235(2)(a), upon Petitioner's compliance with the necessary future responsibility filings.

21 The details of the crime for which Petitioner's driving privileges were revoked (and any
22 other crime(s) arising out of the same criminal episode) are:

23 NAME OF CRIME(S): _____

24 CASE NUMBER(S): _____

25 DATE OF CONVICTION(S): _____

1 DATE OF SENTENCING: _____

2 DATE OF PRISON RELEASE: _____

3 DATE PROBATION REVOKED: _____

4

5 IT IS SO ORDERED.

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Certificate of Readiness per UTCR 5.100

12

This order is ready for signature because it is submitted ex parte as allowed by statute.

13

14

Submitted by:

15

16

(signature of petitioner)

17

18

(address of petitioner)

19

20

(city) (State) (zip code)

21

22

23

(telephone number of petitioner)

24

25

(email address of petitioner)