

**183.405 Agency review of rules.** (1) Not later than five years after adopting a rule, an agency shall review the rule for the purpose of determining:

- (a) Whether the rule has had the intended effect;
  - (b) Whether the anticipated fiscal impact of the rule was underestimated or overestimated;
  - (c) Whether subsequent changes in the law require that the rule be repealed or amended; and
  - (d) Whether there is continued need for the rule.
- (2) An agency shall utilize available information in complying with the requirements of subsection (1) of this section.
- (3) If an agency appoints an advisory committee pursuant to ORS 183.333 for consideration of a rule subject to the requirements of this section, the agency shall provide the advisory committee with a report on a review of the rule conducted under this section.
- (4) The provisions of this section do not apply to the amendment or repeal of a rule.
  - (5) The provisions of this section do not apply to:
    - (a) Rules adopted to implement court orders or the settlement of civil proceedings;
    - (b) Rules that adopt federal laws or rules by reference;
    - (c) Rules adopted to implement legislatively approved fee changes; or
    - (d) Rules adopted to correct errors or omissions. [2005 c.807 §3]

**Note:** 183.405 was added to and made a part of 183.325 to 183.410 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.