

DIVISION 008

DEPARTMENT OF FISH AND WILDLIFE LANDS

635-008-0151

Procedures for Issuance and Enforcement of Parking Permits for Department Wildlife Areas

The Oregon Department of Fish and Wildlife hereby adopts the following procedures relating to issuance and enforcement of parking permits for certain vehicles in Department Wildlife Area parking areas:

(1) Parking is permitted only in designated parking areas. A parking permit is required at all times for all fee parking areas.

(2) Fee parking areas are designated by the following signs:

(a) "Entering ODFW Wildlife Area -- Parking Permit Required Beyond This Point";

(b) "Parking allowed only in designated areas -- ODFW Wildlife Area Parking Permit Required".

(3) There are two separate permits: an annual permit and a daily permit.

(4) The fee for parking permits is \$5.00 (plus \$2.00 agent fee) for permits issued on a daily basis or \$20.00 (plus \$2.00 agent fee) for permits issued on an annual basis beginning each January 1. Beginning with 2012 licenses, any hunting license (including Combination and Sports Pac), [~~and/or purchase of the Habitat Conservation Stamp~~] will include a free annual parking permit.

(5) Permits are issued by selected local agents, Department offices that sell licenses and the Department's Online License Sales website to a party upon payment and may be transferred from vehicle to vehicle.

(6) The permits must be visible from outside the vehicle and be displayed in the front or rear window of the vehicle.

(7) No parking permits will be required for those vehicles which are owned or operated by government agencies. Notwithstanding paragraph (5), the Department reserves the right to issue free administrative parking permits for private vehicles used by volunteers while participating in official Department-related activities. Parking permits will not be required for individuals arriving in private vehicles to address fire, health or safety emergencies.

(8)(a) A person who operates or parks a motor-propelled vehicle in violation of restrictions established and posted under OAR 635-008-0146 through 635-008-0151 commits an offense punishable as provided in ORS 496.992;

(b) The procedure for a peace officer (or other person authorized to enforce the wildlife laws) to follow upon finding a non government vehicle parked in a designated fee parking area without a permit shall consist of the issuance of a citation which shall be either delivered to the defendant or placed in a conspicuous place upon the vehicle in the violation.

1 (c) A person who is the registered owner of an unattended motor-propelled vehicle parked in violation of the
2 restrictions established and posted under OAR 635-008-0146 through 635-008-0151 shall be presumed to have
3 violated OAR 635-008-0151(8)(a). It is an affirmative defense to a prosecution of the registered owner of a vehicle
4 under subsection (8)(a) of this section that the use was not authorized by the owner, either expressly or by
5 implication [or the owner was not present when the vehicle was parked.]
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7 Stat. Auth: ORS 496.012, 496.138, 496.146 & 497.071
8 Stats. Implementation: ORS 496.012, 496.138, 496.146 & 497.071
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11 **DIVISION 095**
12 **HABITAT CONSERVATION STAMP**
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14 **635-095-0100**

15 **Purpose**

16 The purpose of these rules is to describe the procedures and necessary accompanying information for
17 submission[ting] of artwork for the H[h]abitat C[e]onservation S[s]tamps art competition, [the criteria
18 for] selection of the winning entry, [the] obligations of the winning artists, and sales provisions pursuant
19 to ORS Chapter 496.

20 Stat. Auth.: ORS 496.012, 496.138; HB 2127 (2011) (Oregon Laws 2011, Chapter 50)
21 Stats. Implemented: ORS 496; HB 2127 (2011) (Oregon Laws 2011, Chapter 50)
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23 **635-095-0105**

24 **Submission of Artwork: Requirements**

25 (1) Applicants shall submit artwork for the H[h]abitat C[e]onservation S[s]tamp art competition to
26 the Department headquarters office (4034 Fairview Industrial Drive SE, Salem, OR 97302) by 5:00
27 p.m. on the [following deadline dates:]

28 [(a) For 2013, the habitat conservation stamp deadline is Friday, August 31, 2012. All subsequent
29 years the habitat conservation stamp deadline is the] last Friday of [the month of] August, of the
30 preceding year.;

31 (2) H[h]abitat C[e]onservation S[s]tamp artwork shall feature at least one Strategy Species in a
32 respective Strategy Habitat. Strategy Species and Strategy Habitats are identified in the 2006 Oregon
33 Conservation Strategy. Artist depictions must be identifiable as a Strategy Species or will be
34 disqualified from the competition.

35 (3) Image size of [E]ach entry shall measure 13 inches by 18 inches (horizontal or vertical) and shall
36 be in any full color medium.

1 (4) No photographs, sculptures, fabric art, computer-generated or computer-enhanced art, or
2 carvings will be accepted.

3 (5) The artwork shall be the artist's original creation [~~and not computer-generated or computer-~~
4 ~~enhanced~~] . A direct copy of another person's artwork or photograph is not acceptable.

5 (6) The artwork shall be unsigned by the artist, [~~and shall not have been used in production or~~
6 ~~entered into any other state habitat stamp competition, including Oregon.~~] Any [artwork] signed artwork
7 [by the artist] will [~~not be accepted and will be returned to the artist without being judged~~] be
8 disqualified.

9 (7) Artwork used in production or entered into any state or federal stamp competition,
10 including Oregon, will be disqualified.

11 (8) The artwork shall be completely dry. The Department is not responsible for damage to any
12 artwork submitted wet or uncured.

13 (89) The entry shall be mounted and/or matted (white only), but it shall not be framed or under glass.

14 (10) All entries must be submitted in sturdy reusable containers. Artwork will be returned to
15 the artist in the same packaging as originally submitted. The Department will not be liable for loss
16 or damage during shipment to or from the Department's office.

17 (11) It is the responsibility of each entrant to obtain adequate property insurance coverage for
18 their contest submission. The Department assumes no liability for damage, loss, or theft of any
19 entry.

20 (912) Artists may submit more than one entry meeting the requirements herein.

21 (130) Each artist shall submit with his or her entry or entries a brief biographical description that
22 includes the artist's background, experience, and previous artistic accomplishments. The Department
23 reserves the right to use this information for publicity should the work be selected.

24 (141) Department employees are not eligible to participate in the contest.

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26 Stat. Auth.: ORS 496.012, 496.138; HB 2127 (2011) (Oregon Laws 2011, Chapter 50)
27 Stats. Implemented: ORS 496; HB 2127 (2011) (Oregon Laws 2011, Chapter 50)
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1 635-095-0125

2 **Other Provisions**

3 (1) The fee for the Habitat Conservation Stamp is **\$18.00** [~~38.00~~] (plus \$2.00 agent fee) [~~and~~
4 ~~includes a free annual ODFW Wildlife Area Parking Permit.~~]

5 (2) Sale of Habitat Conservation Stamps by the Department shall end at the close of business
6 on December 31, of the respective year. Stamps with numbers corresponding with the prints signed by
7 the artist and the Governor will be retained. -These stamps will only be distributed with the sale of the
8 corresponding print. -Excess stamps shall be shredded after auditing of sales takes place.

9 (3) The Department shall award [~~three~~] **one** thousand dollars (\$31,000) to the artist whose entry is
10 selected for the Habitat Conservation Stamp.

11 (4) The winning entry shall become the exclusive property of the Department.

12 (5) The Department shall retain all reproduction rights [~~and may review proposals~~] for limited edition
13 prints **or other promotional materials.** [~~posters, or other related art products.~~]

14 (6) The artist shall sign, at no charge, up to two hundred fifty (250) habitat conservation prints for
15 sale by the Department. **The monetary prize will be awarded after the artist has signed the prints.**

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17 Stat. Auth.: ORS 496.012, 496.138; HB 2127 (2011) (Oregon Laws 2011, Chapter 50)

18 Stats. Implemented: ORS 496; HB 2127 (2011) (Oregon Laws 2011, Chapter 50)