



OREGON ADMINISTRATIVE RULES OREGON DEPARTMENT OF FISH AND WILDLIFE

1 **635-001-0050**

2 **License Refunds**

3 Consistent with the authority to make refunds prescribed in ORS 293.445(2), the Department will issue a refund
4 of moneys received in excess of the amount legally due:

- 5 (1) If the Department determines a person has made an overpayment of more than \$5; or
6 (2) Upon written request from a person who made an overpayment, or the person's legal representative, if the
7 request is submitted to the Department within three years of the date that the Department received the overpayment.
8 (3) License and tag refunds will be granted upon request only to a person furnishing satisfactory evidence to the
9 Department that:
- 10 (a) More licenses or tags than necessary have been acquired;
11 (b) A higher fee than set by statute was paid for;
12 (c) A license agency made an error; or
13 (d) Death of a tag holder occurs before the opening of the season for which the tag was issued; only the tag fee
14 shall be refunded. For the purpose of this rule the person in possession of the deceased's tag or shall be presumed
15 to be entitled to the refund.
- 16 (4) Where seasons have closed that affect a large number of license buyers and where other similar
17 opportunities are not available, the Director may authorize a license refund for monies received by the state, which,
18 in equity and good conscience, it is not entitled to.

19
20 Stat. Auth.: ORS 293.445

21 Stats. Implemented: ORS 293.445

22
23 **635-001-0055**

24 **License Exchanges**

- 25 (1) A license may be exchanged for a combination hunting and fishing license, a senior combination license or a
26 Sports Pac.
27 (2) The Department will refund (in full or in part) the license fee to a customer who has purchased a full price
28 license if the Department determines that at the time of purchase, the licensee was qualified for one of the
29 following free or reduced-price licenses:
- 30 (a) Senior license;
31 (b) Pioneer license; or
32 (c) Disabled Veterans license.
- 33 (3) Exchanges must occur within 90 days of the purchase of the original license.
34 (4) Exchanges and refunds must be done in person at a Department Field Office or at the Department's Salem
35 Headquarters; exchanges or refunds may also be requested by mail order by contacting the Department's Salem
36 Headquarters.
- 37 (a) To request an exchange or refund under this rule, a person must provide the Department with the original
38 license being returned, along with any controlled hunt applications, tags and permits issued under that license;



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- 39 ~~(b) All mail order requests for exchanges or refunds must also include:~~
40 ~~(A) A completed license application;~~
41 ~~(B) A letter requesting a refund or exchange (specifying the type of license being requested); and~~
42 ~~(5) Full payment of the new license is due at the time of exchange, plus shipping and handling charges for mail~~
43 ~~order requests.~~
44 ~~(6) License refunds will be mailed to the licensee after a replacement license has been issued.~~
45 ~~(7) Refunds will be mailed to the customer within six to eight weeks.~~
46 ~~(8) Agent fees are non-refundable.~~

47
48 Stat. Auth.: ORS 293.445

49 Stats. Implemented: ORS 293.445

50

51 **635-001-0060**

52 **Tribal I.D. in Lieu of Licenses**

53 ~~In accordance with ORS 497.170, tribal identification cards may be issued in lieu of Department-issued free~~
54 ~~hunting and fishing licenses for Columbia River Treaty Tribe members.~~

55

56 Stat. Auth.: ORS 497

57 Stats. Implemented: ORS 497

58

59 **635-010-0000**

60 **Purpose**

61 **(1) The purpose of these rules is to define and describe key elements of licensing for the Department of Fish**
62 **and Wildlife.**

63 **(2) In addition to these rules, rules defining the process to determine license availability, controlled hunt**
64 **processes, landowner, guide and special hunt processes, including associated license fees and process are**
65 **contained in additional divisions of OAR 635.**

66 **(3) Proof of license, permit, stamp, tag or other document issued by the Department for recreational use is**
67 **sufficient to establish compliance with the requirement to carry said documents and have in possession at**
68 **the time of hunting or angling. Proof of license or other privilege issued by the Department can be either**
69 **electronic or in hard copy for purposes of establishing compliance with the requirement to carry said**
70 **documents and have them in possession at the time of hunting or angling. Any documents in possession,**
71 **either electronic or in hard copy, must be accessible immediately upon request by department staff or law**
72 **enforcement.**

73

74 **Stat. Auth.: ORS 496, ORS 497 & 498**

75 **Stats. Implemented: ORS 496, ORS 497 & 498**



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76

77 **635-010-0004**

78 **Definitions**

79 For the purpose of OAR 635 and its divisions as it relates to licensing, unless otherwise further defined
80 in a specific division:

81 (1) “Attest” or “Attestation” means to declare or certify formally that listed conditions have been met,
82 applicable documentation exists and is able to be furnished upon request.

83 (2) [(4)] "Commission" means the Oregon Fish and Wildlife Commission.

84 (3) [(2)] "Department" means the Oregon Department of Fish and Wildlife.

85 (4) “Electronic Licensing System” (ELS) means the system utilized by the Department for the purpose of
86 selling licenses, permits and related products. The ELS system is available at agent locations and directly to
87 customers.

88 (5) “License” means the authorization to hunt or fish, which can be documented electronically or in hard
89 copy. A license also authorizes harvest of some species, with other species requiring additional
90 authorizations prior to harvest.

91 (6) [(3)] "Licensing Document" means any license, tag, validation, permit, raffle ticket, application or contribution sold
92 by the Oregon Department of Fish and Wildlife.

93 (7) [(4)] "License Agent" means any individual, partnership or corporation approved by the Department for the sale of
94 its documents.

95 [(5) "Mail Order Application" means a request for documents on the form provided in the big game, angling or
96 bird regulations, or a hand written request for documents.]

97 (8) “ODFW ID Number” means the number assigned by the Department’s Electronic Licensing System to a
98 Department customer.

99 (9) “Privilege” means a license, tag, permit or other authorization to hunt, fish or otherwise engage with
100 wildlife that is issued by the Oregon Department of Fish and Wildlife for recreational use.

101 (10) [(6)] “Uniformed Services” means Army, Navy, Air Force, Marine Corps and Coast Guard, or their reserve
102 components; the National Guard or Oregon National Guard, commissioned corps of the National Oceanic and
103 Atmospheric Administration, and the Public Health Service of the United States Department of Health and Human
104 Services detailed with the Army or Navy.

105

106 Stat. Auth.: ORS 496 & ORS 497

107 Stats. Implemented: ORS 496 & ORS 497

108

109 **635-010-0006**

110 **Eligibility; Application Requirements**

111 (1) ~~Any person in retail sales within the State of Oregon may apply to become a license agent for the~~
112 ~~Department. Out of State license agents may only sell the Prepaid Daily Angling licenses.~~

113 (2) ~~An applicant for appointment as a license agent must comply with the following requirements:~~



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- 114 (a) An individual must be at least 18 years of age;
- 115 (b) Not be engaged exclusively in selling licensing documents;
- 116 (c) Not have been convicted of a violation of any wildlife related laws;
- 117 (3) Selection of agents will be dependent on available point of sale licensing equipment. Criteria used in selection
118 of license agents from a list of applicants will include the following: the need for agents in a particular geographic
119 area, business hours, convenient and accessible location for customers, and predicted sales volume.
- 120 (4) Each agent must sign an Agreement prepared by the Department setting forth the terms and conditions under
121 which the agent will sell licensing documents.
- 122 (5) The Department may terminate or suspend the Agreement with a license agent on the following grounds:
- 123 (a) The agent has three non-sufficient electronic fund transfers during any 12-month period;
- 124 (b) The agent fails to make good any non-sufficient electronic funds transfer issued to the Department within five
125 days of the notice of failure to transfer;
- 126 (c) The agent fails to follow any procedures specified by the Department for issuing documents;
- 127 (d) The agent fails to comply with the terms of the agent agreement or fails to maintain the eligibility
128 requirements.
- 129 (e) The Department discovers any fraud or deception in the application of the license agent.
- 130 (6) The Department will provide 14 days written notice to the agent of its intent to terminate or suspend the
131 Agreement, unless the Department determines that the agent's conduct creates an emergency or a public risk. In that
132 case, the Department may terminate the Agreement immediately consistent with the Administrative Procedures Act.
133
- 134 Stat. Auth.: ORS 496, ORS 497 & ORS 498
- 135 Stats. Implemented: ORS 496, ORS 497 & ORS 498
- 136
- 137 **635-010-0007**
- 138 **Computerized Licensing System Agents**
- 139 [(1) All agents must use the Department's computerized licensing system for issuing documents, except for issuing
140 Prepaid Daily Angling Licenses.
- 141 (2) All Agents must issue documents according to the "Point of Sale License Agent User Manual" provided by the
142 Department.
- 143 (3) Agents may retain a fee of \$1.00 for regular licensing documents and \$2.50 for a sportsman's license. Exception:
144 Agents may retain a fee of \$7.50 for each nonresident annual hunting license, nonresident annual deer tag,
145 nonresident annual elk tag, nonresident annual black bear tag, nonresident annual mountain goat tag, nonresident
146 annual mountain sheep tag and nonresident annual antelope tag. Agents may not charge or accept any additional
147 service or processing fees. Agents must deposit in the bank account identified in the Agreement all other monies
148 collected from the sale of licensing documents.
- 149 (4) For the purposes of this rule, the Department may determine Agents having more than one location and owned
150 by a single entity are one agent.]
- 151



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152 Stat. Auth.: ORS 497.022

153 Stats. Implemented: ORS 497.022

154

155 **635-010-0008**

156 **Electronic Licensing Systems**

157 **(1) The Oregon Department of Fish and Wildlife shall establish by rule system(s) for licensing, which shall**
158 **serve as the system(s) of record. All hard (paper) copies of licenses or other privileges are considered**
159 **courtesy copies. The system(s) shall include, at a minimum:**

160 **(a) The form and content of applications for licensing for each type of license and related privileges;**

161 **(b) Schedules and procedures for issuing licenses;**

162 **(c) The term of a license and related privileges;**

163 **(d) Applicable fees and payment methods;**

164 **(e) The species authorized;**

165 **(f) The geographic area, if applicable;**

166 **(g) Information related to point or reward systems;**

167 **(h) Controlled hunt related information and draw functionality;**

168 **(i) Information related to commercial requirements, as applicable.**

169 **(2) All licensees and agents are responsible to maintain accurate information with the Department, including**
170 **a current mailing address, street address and email address.**

171 **(3) The Department is not required by law to send notification or correspondence by regular mail to a**
172 **licensee, license applicant or Agent and may send notification or correspondence to the provided email**
173 **address. Failure by a licensee, applicant or Agent to receive notification or correspondence provided via**
174 **email does not relieve the person or company of the responsibility to maintain a current and complete profile**
175 **with the Department. The Department's primary and preferred method of notification and correspondence is**
176 **to the email address provided in the applicable profile.**

177 **(4) All agents must use the Department's computerized licensing system for issuing documents, except for**
178 **issuing Prepaid Daily licenses and permits.**

179 **(5) All agents must issue documents according to the contract and instructions provided by the Department.**

180 **(6) For the purposes of this rule, the Department may determine agents having more than one location and**
181 **owned by a single entity are one agent.**

182

183 **Stat. Auth.: ORS 496 & ORS 497**

184 **Stats. Implemented: ORS 496 & ORS 497**

185

186 **635-010-0009**

187 **Document Pricing**



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188 Statutory document pricing and Agent fees are listed in ORS 497.022 and 497.061. Fees established by
189 rule can be found in OAR 635-008, 635-043, 635-046, 635-047, 635-060, 635-067 and 635-090 as well in
190 regulation publications.

191

192 Stat. Auth.: ORS 497.022 and 497.061

193 Stats. Implemented: ORS 497.022 and 497.061

194

195 **635-010-0010**

196 **Types of Documents Sold by Agent**

197 [~~The Department will determine what licensing documents each agent may sell on behalf of the Department.~~]

198

199 Stat. Auth.: ORS 496 & ORS 497

200 Stats. Implemented: ORS 496 & ORS 497

201

202 **635-010-0012**

203 **Service Fees**

204 (1) The Department will charge shipping and handling fee of \$2.00 per session whenever a person makes a
205 purchase that requires the Department or its Agent or Contractor to provide item(s) via fax or mail order.

206 This fee is in addition to all other document costs Exception: For landowner preference and related
207 documents, the fee is as referenced in Division 635-075.

208 (2) The Department will charge a shipping and handling fee of \$2.00 per transaction whenever a person
209 makes a purchase that requires the Department or its Agent or Contractor to provide item(s) via mail.

210 (3) This fee may also be required for transactions or documentation updates in the Department's Electronic
211 Licensing Systems that are handled by the Department at the request of a person who could otherwise
212 complete the transaction or update without Department handling.

213 (4) This fee will be charged for reprinting of hard copy hunting and angling tags issued by the Department,
214 when handled by the Department or its agent.

215

Stat. Auth.: ORS 496 & 497

216 Stats. Implemented: ORS 496 & 497

217

218 **635-010-0015**

219 **Issuing Documents**

220 (1) Licensing documents may be obtained online through the Department's Electronic Licensing Systems,
221 through the Department or its agents. Unless otherwise indicated in specific Department-issued

222 instructions, the Department will not issue any privilege until it receives the required fee through an

223 acceptable payment method. [~~by mail, FAX or Internet. A legible copy of the mail order application form printed in~~
224 ~~the Oregon Big Game, Game Bird, and Sport Fishing Regulations or a copy of that form may be mailed or Faxed to~~



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225 the Oregon Department of Fish and Wildlife, Licensing Section, 4034 Fairview Industrial Drive SE, Salem, OR 97302.
226 License documents may be obtained from the Internet from the ODFW website (<http://www.dfw.state.or.us/>).

227 (a) Requests for mail-ordered documents must be postmarked on or before any deadlines established for issuing
228 such documents;

229 (b) The Department may require additional information if necessary to complete the ordered documents;

230 (c) The Department will not issue any document until it receives the required fee by check, money order, or a
231 valid debit or credit card authorization.]

232 (2)[(a)] With the exceptions noted in **sections (3) and (4) below**, [paragraph (d) below,] a resident is one who has
233 physically dwelled in Oregon continuously for the six months prior to applying for a license. Temporary absences
234 from Oregon during that time period do not defeat a person's residency so long as such absences were not for the
235 purpose of establishing residency outside Oregon. This is the legal standard for purchasing a resident license.

236 **(a)[(b)]** To implement the legal standard, the applicant must **attest at the time residency information is**
237 **provided to the Department:** [sign this certification for all but resident senior citizen licenses: "I, the undersigned,]
238 hereby **attest** [certify] and declare that the information provided [to obtain this license/ tag] is true **and that I can**
239 **provide evidence to support this information upon request."**

240 [To acquire an Oregon resident license/tag I certify that I have resided continuously within Oregon no less than
241 six months immediately prior to applying for this license/tag. I have resided in Oregon for _____ Years
242 _____ Months. I acknowledge this license was issued as requested and understand that no refund will be made."]

243 **(b) [(e) For a] A** resident senior citizen **recreational fishing and hunting** license, [the applicant must sign this
244 certification: "I, the undersigned, hereby certify that the information provided to obtain this license is true. To acquire
245 a resident senior citizen license, I hereby certify that I] **is available to residents of Oregon who** have reached the
246 age of 70 and have resided in Oregon no less than five years. [I further certify that I have resided continuously within
247 Oregon no less than six months immediately prior to applying for this license. I have resided in Oregon since Month
248 ____ Year _____. I acknowledge this license/tag was issued as requested and understand that no refund will be made."]

249 **(3) [(e)]** The legislature has waived the six month requirement for certain classes of persons:

250 **(a) [(4)]** Active members the uniformed services permanently assigned to active duty in Oregon (and their
251 spouses and dependent children). This includes, but is not limited to, those who serve as crew members of ships that
252 have an Oregon port or shore establishment as their home port or permanent station;

253 **(b) [(2)]** Active members of the uniformed services who reside outside Oregon but paid Oregon resident income
254 taxes no later than 12 months before leaving active duty; and

255 **(c) [(3)]** Aliens attending an Oregon school as foreign exchange students.

256 (4) A non-resident member of the uniformed services may purchase licenses, tags, and permits at resident rates.

257 (5) Agents must [supply] **ensure** all the information [requested on the data screen] **to establish customer eligibility**
258 **for the privilege requested is submitted**. If the person applying for the **privilege** [licensing document] fails to
259 supply the necessary information, the agent may not issue the requested licensing document. All daily angling
260 licenses must show the date they become valid.

261 (6) **The Department and its** Agents must obtain social security numbers for any person who purchases [a] **an**
262 **annual, fee-based** license. The Department will use this number to comply with collection of the social security



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263 numbers pursuant to the child support enforcement laws as required by Section 117, Chapter 746, Oregon Laws
264 1997. ~~[The Department will issue a system-generated number to persons who are not citizens of this country or who~~
265 ~~do not have a social security number.]~~ If the social security number provided by an applicant is in use by another
266 individual, the ~~[agent]~~ license will not be issued ~~[the license]~~ until the applicant provides proof that the social security
267 number is, in fact, the applicant's social security number. An official document such as a social security card, payroll
268 document, or health insurance identification card with the social security number printed on it must be presented to
269 the agent as proof. An individual's social security number is not subject to disclosure to members of the public under
270 the Oregon Public Records Law.

271 **(7) License issuance is subject to terms of prior suspension or revocation per OAR 635-001-0210 and OAR**
272 **635-001-0215.** ~~[Any employee of the agent may issue documents, provided that the employee is instructed as to all~~
273 ~~applicable statutes and regulations. An agent is responsible for employee training and for any violation of applicable~~
274 ~~statutes and regulations committed by the employees.]~~

275 **(8) Only Department authorized documents are valid. Reproductions, receipts or other documents supplied**
276 **in lieu of official privilege documents are not valid and may not be issued by agents.**

277

278 Stat. Auth.: ORS 496, 497 & 498

279 Stats. Implemented: ORS 496, 497 & 498

280

281 **635-010-0017** (amend, renumber – 0165)

282 **Document Expiration Dates**

283 Unless otherwise specified **by law**, all documents issued by the Commission or Department expire on December
284 31 of the year they were issued, except:

285 (1) All annual furtaker licenses expire on June 30 following issuance.

286 (2) All furtaker record cards expire on June 30 following issuance.

287 (3) All big game and turkey tags expire at the completion of the yearly season as it is listed in the yearly Big Game
288 and Game Bird Regulations.

289 (4) All waterfowl and upland game bird validations expire on June 30 following issuance.

290

291 [Publications: Publications referenced are available from the agency.]

292 Stat. Auth.: ORS 496 & ORS 497

293 Stats. Implemented: ORS 496 & ORS 497

294

295 **635-010-0019**

296 **License and Tag Exchanges**

297 **(1) Fees for replacements and exchanges:**

298 **(a) A \$2 license agent fee is charged to replace a tag or harvest card.**

299 **(b) A fee of \$5.00 (plus a \$2.00 license agent fee) is charged to exchange a tag. However, a fee of \$5.00**
300 **(plus a \$10.00 license agent fee) will be charged for nonresident deer and elk tags.**



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301 (c) No fee is charged to exchange a license and tag for a higher cost privilege, other than the difference
302 between the fee for the original privilege and the fee for the higher cost privilege.

303 (d) A fee of \$23.50 (plus a \$2.00 license agent fee) is charged for purchase of a tag issued after the tag
304 sale deadline under OAR-635-065-0015.

305 (2) The following privileges may be exchanged:

306 (a) A license may be exchanged for a combination hunting and fishing license, a senior combination
307 license, a pioneer combination license, a disabled veteran combination license or a Sports Pac.

308 (b) A controlled buck deer tag or controlled elk tag may be exchanged for a general season tag before
309 the opening date of the season for which either tag is valid. A controlled antlerless deer tag shall not be
310 exchanged. General season Deer and Elk tags may be exchanged only prior to the seasons for which both
311 of the tags to be exchanged are valid. No tag may be exchanged after the start of the season for which it is
312 valid. Exceptions can be found under OAR 635-065-0015.

313 (c) A "leftover" controlled hunt deer tag may only be exchanged for a general season deer tag, but only
314 if the person does not already possess a deer tag authorized by OAR 635-065-0015(4)(a), (b), or (c).

315 (d) A "leftover" controlled hunt elk tag may only be exchanged for a general season elk tag but only if
316 the person does not already possess an elk tag authorized by OAR 635-065-0015(5)(a), (b), (c), (d), (e), (f), or
317 (g).

318 (e) In the event of the death of a successful controlled hunt applicant before the start of the season for
319 which the tag or permit was issued, the tags of the deceased may be issued to an immediate family member
320 as defined by OAR 635-045-0002. Tag or permit transfer shall require a copy of the death certificate and must
321 be requested by the legal heir to the deceased which shall be presumed by possession of the death
322 certificate.

323 (f) A controlled hunt tag shall only be exchanged for another controlled hunt tag, as described in 635-
324 060-0008(5) and 635-075-0015(3).

325 (3) In the event that an immediate family member, as defined by OAR 635-045-0002, of a successful
326 controlled hunt applicant is diagnosed as terminally ill before the start of the season for which the tag or
327 permit was issued, the Director may authorize that the tags of the successful applicant be issued to the
328 "qualified family member." Tag or permit transfers shall require documentation of the terminal condition as
329 diagnosed by a licensed physician. For the purposes of this rule, "terminally ill" means that the family
330 member has a medical prognosis that his or her life expectancy is 12 months or less if the illness runs its
331 normal course.

332 (a) A qualified family member may be either resident or non-resident and must comply with all
333 requirements for lawful hunting including but not limited to those concerning:

334 (A) Minimum hunting age (ORS 497.350);

335 (B) Hunter education (ORS 497.360);

336 (C) Hunting hours (OAR 635-065-0730);

337 (D) Holding a valid Oregon hunting license, and

338 (E) Using a legal weapon for hunting the species for which the tag is issued.



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- 339 (b) There is no additional fee for tag exchanges under this subsection.
340 (4) Exchanges must occur within 90 days of the purchase of the original license.
341 (5) Exchanges (except tags) may be done online or in person at a Department Field Office as identified online
342 or at the Department's Salem Headquarters.
343 (6) Tag exchanges may only be obtained through the Department's field offices or Salem headquarters.
344 (7) Tag replacements may only be obtained through an Agent, the Department's field offices or Salem
345 headquarters.
346 (8) At the Department's discretion, license refunds for the existing license will be applied against the original
347 credit card, deposited electronically or mailed to the licensee after a replacement license has been issued.
348

349 Stat. Auth.: ORS 293.445, 496, 497 & 498

350 Stats. Implemented: ORS 293.445, 496, 497 & 498

351

352 **635-010-0020**

353 **Duplicate Documents**

354 [~~(1) An agent may issue duplicate licenses.~~

355 ~~(2) Duplicate big game tags, combined angling harvest tags, and turkey tags may be issued only at Department~~
356 ~~offices.]~~

357

358 Stat. Auth.: ORS 496, 497 & 498

359 Stats. Implemented: ORS 496, 497 & 498

360

361 **635-010-0025**

362 **Refund or Exchange of Documents**

363 [~~Agents may not issue refunds on licensing documents or exchange one type of document for another.]~~

364

365 Stat. Auth.: ORS 496, ORS 497 & ORS 498

366 Stats. Implemented: ORS 496, ORS 497 & ORS 498

367

368 **635-010-0027**

369 **License Refunds**

370 Consistent with the authority to make refunds prescribed in ORS 293.445(2), the Department will issue a
371 refund of moneys received in excess of the amount legally due:

372 (1) If the Department determines a person has made an overpayment of more than \$5; or

373 (2) Upon written request from a person who made an overpayment, or the person's legal representative, if
374 the request is submitted to the Department within three years of the date that the Department received the
375 overpayment.

376 (3) License and tag refunds will be granted upon request only to a person furnishing satisfactory evidence to



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- 377 **the Department that:**
- 378 **(a) More licenses or tags than necessary have been acquired;**
- 379 **(b) A higher fee than set by statute was paid for;**
- 380 **(c) A license agency made an error; or**
- 381 **(d) Death of a tag holder occurs before the opening of the season for which the tag was issued; only the**
- 382 **tag fee shall be refunded. For the purpose of this rule the person demonstrating appropriate documentation**
- 383 **that identifies who is eligible to receive the privileges belonging to the deceased shall be presumed to be**
- 384 **entitled to the refund.**
- 385 **(4) Refunds of unsold documents remaining in prepaid booklets must be requested within six months after**
- 386 **the expiration of the documents.**
- 387 **(5) The Department will refund within 90 days (in full or in part) the license fee to a customer who has**
- 388 **purchased a full price license if the Department determines that at the time of purchase, the licensee was**
- 389 **qualified for one of the following free or reduced-price licenses:**
- 390 **(a) Senior license;**
- 391 **(b) Pioneer license; or**
- 392 **(c) Disabled Veterans license.**
- 393 **(6) Where seasons have closed that affect a large number of license buyers and where other similar**
- 394 **opportunities are not available, the Director may authorize a license refund for monies received by the state,**
- 395 **which, in equity and good conscience, it is not entitled to.**
- 396 **(7) Refunds must be done in person at a Department Field Office as identified online, at the Department's**
- 397 **Salem Headquarters or by mail as otherwise indicated in Department instructions.**
- 398 **(8) Refund requests are not a guarantee of immediate payment.**
- 399 **(9) Agents may not issue refunds on licensing documents or exchange one type of document for another.**

401 **Stat. Auth.: ORS 293.445, ORS 496, ORS 497 & ORS 498**

402 **Stats. Implemented: ORS 293.445, ORS 496, ORS 497 & ORS 498**

405 **635-010-0031** (amend, renumber 0085)

406 **Cancelled Documents**

- 407 **(1) If cancellation of documents are required as a result of error or other unforeseen circumstances, an agent**
- 408 **or customer must contact the Department to obtain a correction. [If an agent makes an error when issuing a**
- 409 **document, no person may correct, alter or erase the information contained in the document, except for prepaid daily**
- 410 **angler licenses. The agent must submit the original document and Cancel Receipt to the Department. For prepaid**
- 411 **daily angler licenses, the issuing agent shall line out the error, make the necessary correction, initial and include his**
- 412 **agent number. The agent shall also note the correction on the agent's stub. Corrections to the prepaid daily angling**
- 413 **license shall be made in a manner that permits the Department to see the original error after the correction is made.]**



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414 (2) Agents will not be able to cancel documents after the day of initial issue. [For prepaid angling licenses, the
415 issuing agent must line out the error, make the necessary correction, initial it, and write the agent's number. The
416 agent also must note the correction on the agent's stub. Corrections must be made so the Department can see both
417 the error and the correction. The agent must mark a Prepaid Angling License "void" and leave it attached to the
418 agent's stub to receive credit for the license.]

419

420 Stat. Auth.: ORS 496 & ORS 497

421 Stats. Implemented: ORS 496 & ORS 497

422

423 **635-010-0035**

424 **Receipts in Lieu of Documents**

425 [~~(1) Agents may not issue receipts in lieu of license or tags.~~

426 ~~(2) Agents may not issue controlled hunt information receipts in lieu of controlled hunt applications.]~~

427

428 Stat. Auth.: ORS 496 & ORS 497

429 Stats. Implemented: ORS 496 & ORS 497

430

431 **635-010-0060**

432 **Agent Account Number**

433 [~~The agent's account number must be included in all correspondence and requests for supplies.]~~

434

435 Stat. Auth.: ORS 496 & ORS 497

436 Stats. Implemented: ORS 496 & ORS 497

437

438 **635-010-0070**

439 **Change in Ownership of Agency; Non-Transferability of Agency**

440 [~~An agent must notify the Department in writing before any change in ownership, use of assumed business name, or
441 dissolution of partnership or corporation as shown in the Agreement. A license agency is not transferable and may
442 not be used as a condition of sale.]~~

443

444 Stat. Auth.: ORS 496 & ORS 497

445 Stats. Implemented: ORS 496 & ORS 497

446

447 **635-010-0080**

448 **Public Monies**

449 [~~All monies collected by an agent are public monies of the State of Oregon, and the state has prior claim upon these
450 monies over all creditors, assignees, or other claimants.]~~

451



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452 Stat. Auth.: ORS 496 & ORS 497

453 Stats. Implemented: ORS 496 & ORS 497

454

455 **635-010-0090**

456 ~~Lost [s]of~~ **Prepaid Documents [and Fees]**

457 An agent is responsible for lost p[re]paid [Daily Angling] [L]icense, **permit or parking** documents. No refunds
458 will be issued to the agent, **except as indicated in OAR 635-010-0025**. The agent must immediately notify the
459 Department and the local State Police office of any loss.

460

461 Stat. Auth.: ORS 496 & ORS 497

462 Stats. Implemented: ORS 496 & ORS 497

463

464 **635-010-0096** (amend, renumber – 0040)

465 **Issuing Combined Angling Harvest Tag to Youth**

466 When a person under 12 years of age purchases a combined angling harvest tag, the agent must issue at no
467 charge a youth license before issuing a **youth** combined angling harvest tag.

468

469 Stat. Auth.: ORS 496 & ORS 497

470 Other Auth.: Senate Bill 247 (2015)

471 Stats. Implemented: ORS 496 & ORS 497

472 Hist.: Adopted 10-9-15, f. 10-14-15, ef. 1-1-16

473

474 **635-010-0101** (amend, renumber 0045)

475 **Issuing Combined Angling Harvest Tag to Landowners**

476 When a resident landowner purchases a combined angling harvest tag for the purpose of angling for salmon,
477 steelhead, or sturgeon on the landowner's property, the agent must issue a landowner license at no charge before
478 issuing the combined angling harvest tag. This requirement applies also to members of the landowner's immediate
479 family, which is limited to the landowner's spouse, domestic partner, children and parents who reside on the
480 landowner's property. If any of the individuals covered by this rule angle from any place other than the landowner's
481 property, the individual must purchase an angling license.

482

483 Stat. Auth.: ORS 496 & 497

484 Stats. Implemented: ORS 496 & 497

485

486 **635-010-0111** (amend, renumber 0050)

487 **Licensing Provisions Applicable to Members of the Uniformed Services**

488 Members of the uniformed services of the United States, as defined in ORS 497.006, may purchase resident
489 documents by ~~[presenting to the agent]~~ **attesting to ownership of** military identification showing the person is a



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490 member of the uniformed services stationed in Oregon. **Members must also be able to provide the information**
491 **upon request to the Department or law enforcement.** Spouses and dependent children, as defined in ORS
492 497.006, are residents for licensing purposes. **For exceptions reference OAR 635-060-0040 and OAR 065-0015.**
493

494 Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162 , 497,~~498~~
495 Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162, 497,~~498~~
496

497 **635-010-0119** (amend, renumber 0056)

498 **Licensing Provisions Applicable to Foreign Exchange Students**

499 A foreign exchange student (defined as persons classified "J-1" by the U.S. Immigration Service) attending a
500 school in Oregon shall be considered a resident for the purpose of purchasing licenses, tags and stamps if **the**
501 **student attests to ownership of a valid** ~~[a copy of the]~~ U.S. Immigration document or other government document
502 showing "J-1" classification. ~~[is provided to the agent. The agent]~~ **Upon request, the foreign exchange student**
503 **must submit a copy of [this] referenced documents to the Department or enforcement.**
504

505 Stat. Auth.: ORS 496, ORS 497 & ~~ORS 498~~
506 Stats. Implemented: ORS 496, ORS 497 & ~~ORS 498~~
507

508 **635-010-0125**

509 **Supplies**

510 ~~[An agent is responsible for anticipating requirements for supplies and ordering them, either by mail or by phone,~~
511 ~~early enough to allow the Department to process the order and ship it by the most cost effective means.]~~
512

513 Stat. Auth.: ORS 496 & ORS 497
514 Stats. Implemented: ORS 496 & ORS 497
515

516 **635-010-0133** (amend, renumber 0058)

517 **Licensing Provisions Applicable to Residents Moving to Another State**

518 An Oregon resident who moves and becomes a resident of another state before the end of any season for which
519 the person purchased a document while still an Oregon resident may complete the season as a resident. If the
520 person purchases documents after moving but during the same calendar year, nonresident fees apply.
521

522 Stat. Auth.: ORS 496 & ORS 497
523 Stats. Implemented: ORS 496 & ORS 497
524

525 **635-010-0140**

526 **Transfer and Sale of Documents Issued to Prepaid Daily Angling License Agents**



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527 ~~[Documents are issued to an agent for sale at the place of business listed in the original application. An agent may~~
528 ~~not transfer documents to another location, nor to another license agent without advance written permission from the~~
529 ~~Department.]~~

530

531 Stat. Auth.: ORS 496 & ORS 497

532 Stats. Implemented: ORS 496 & ORS 497

533

534 **635-010-0158**

535 **Persons with Permanent Disabilities Permit**

536 A person who meets the requirements contained in ORS 496.018 is entitled to a Permanent Disabilities Permit.

537 In order to receive such a permit, a person must provide either

538 (1) Written certification from a licensed physician certified nurse practitioner or licensed physician assistant stating
539 that the person:

540 (a) Is permanently unable to walk without the use of, or assistance from, a brace, cane, crutch, prosthetic device,
541 wheelchair, scooter or walker;

542 (b) Is restricted by lung disease to the extent that the person's forced expiratory volume for one second, when
543 measured by a spirometer, is less than 35 percent predicted, or arterial oxygen tension is less than 55 mm/Hg on
544 room air at rest;

545 (c) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class
546 III or Class IV, according to standards established by the American Heart Association;

547 (d) Has a permanent, physical impairment that prevents the person from holding or shooting a firearm or bow or
548 from holding a fish rod in hand;

549 (e) Has central visual acuity that permanently does not exceed 20/200 in the better eye with corrective lenses, or
550 the widest diameter of the visual field is no greater than 20 degrees; or

551 (2) Official written certification from the United States Department of Veterans Affairs or any branch of the Armed
552 Forces of the United States that the veteran is at least 65 percent disabled.

553 **(3) Permits are valid for five calendar years. To renew a permit, the holder must submit a new, updated**
554 **application form.**

555 **(4) The Department may revoke, suspend or decline to issue or renew an "Oregon Disabilities Hunting and**
556 **Fishing Permit" for failure to submit accurate information. The holder or applicant may request a contested**
557 **case hearing to appeal such an action.**

558

559 Stat. Auth.: ORS 496 & 497

560 Stats. Implemented: ORS 496 & 497

561

562 **635-010-0162**

563 **Agent Eligibility; Application Requirements**



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- 564 **(1) Any person in retail sales within the State of Oregon may apply to become a license agent for the**
565 **Department. Out-of-State license agents may only sell the Prepaid Daily Angling licenses.**
- 566 **(2) An applicant for appointment as a license agent must comply with the following requirements:**
- 567 **(a) An individual must be at least 18 years of age;**
- 568 **(b) Not be engaged exclusively in selling licensing documents;**
- 569 **(c) Not have been convicted of a violation of any wildlife related laws;**
- 570 **(3) Criteria used in selection of license agents will include the following: the need for agents in a particular**
571 **geographic area, business hours, convenient and accessible location for customers, and predicted sales**
572 **volume.**
- 573 **(4) Each agent must sign an Agreement prepared by the Department setting forth the terms and conditions**
574 **under which the agent will sell licensing documents.**
- 575 **(5) The Department may terminate or suspend the Agreement with a license agent on the following grounds:**
- 576 **(a) The agent has three non-sufficient electronic fund transfers during any 12-month period;**
- 577 **(b) The agent fails to make good any non-sufficient electronic funds transfer issued to the Department**
578 **within five days of the notice of failure to transfer;**
- 579 **(c) The agent fails to follow any procedures specified by the Department for issuing documents;**
- 580 **(d) The agent fails to comply with the terms of the agent agreement or fails to maintain the eligibility**
581 **requirements.**
- 582 **(e) The Department discovers any fraud or deception in the application of the license agent.**
- 583 **(6) The Department will provide 14 days written notice to the agent of its intent to terminate or suspend the**
584 **Agreement, unless the Department determines that the agent's conduct creates an emergency or a public**
585 **risk. In that case, the Department may terminate the Agreement immediately consistent with the**
586 **Administrative Procedures Act.**

587

588 **Stat. Auth.: ORS 496, ORS 497 & ORS 498**

589 **Stats. Implemented: ORS 496, ORS 497 & ORS 498**

590

591 **635-010-0170**

592 **Licenses, Tags or Documents Available by Mail Order, Fax or Internet**

593 ~~[(1) All licenses, tags, permits or validations sold by the Department over the Internet fall into one of three~~
594 ~~categories concerning how the sale is made: Instant; Temporary; or Postal. Postal transactions are also available by~~
595 ~~mail order or fax.~~

596 ~~(a) Instant: means that the internet purchase results in an immediate sale and printing of the item, allowing the~~
597 ~~purchaser to make immediate use of item purchased. No other action is required to complete the transaction. The~~
598 ~~items in this category are:~~

- 599 ~~(A) Daily Angling Licenses: one-, two-, three-, four- and seven-day licenses;~~
- 600 ~~(B) Three-day Nonresident Shellfish licenses;~~
- 601 ~~(C) Three-day Nonresident Bird-Hunting Licenses;~~



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- 602 ~~(D) Big Game controlled hunt applications;~~
603 ~~(E) Game Bird controlled hunt applications;~~
604 ~~(F) Daily parking permits;~~
605 ~~(G) Band-tailed Pigeon permits;~~
606 ~~(H) Black Brant Permits;~~
607 ~~(I) Sage Grouse Permits;~~
608 ~~(J) Fern Ridge Reservation Permits;~~
609 ~~(K) Klamath Reservation Permits; and~~
610 ~~(L) Sauvie Island Reservation Permits.~~
- 611 ~~(b) Temporary: means that the internet purchase results in an immediate sale and printing of the item, allowing~~
612 ~~the purchaser to make limited use (10 days) of the item purchased. The Department will send the final, permanent~~
613 ~~item to the purchaser via postal mail. The items in this category are:~~
- 614 ~~(A) HIP Migratory Bird Validations;~~
615 ~~(B) HIP Upland Bird Validations;~~
616 ~~(C) HIP Crow Validations;~~
617 ~~(D) Nonresident Game Bird Validations;~~
618 ~~(E) Upland Game Bird Validations;~~
619 ~~(F) Waterfowl Bird Validations;~~
620 ~~(G) Annual Parking Permits;~~
621 ~~(H) Sea Duck Permits;~~
622 ~~(I) Aquatic Invasive Species Prevention Permit;~~
623 ~~(J) Two-Rod Angling License; and~~
624 ~~(K) All annual hunting and angling licenses;~~
- 625 ~~(c) Postal: means that the internet purchase results in an immediate sale and the printing of a transaction receipt,~~
626 ~~but that the Department mails the actual item to the purchaser via postal mail. The privilege(s) purchased is not valid~~
627 ~~until the purchaser receives the item. The items in this category are:~~
- 628 ~~(A) Combined Hunting Tags;~~
629 ~~(B) Combined Angling Tag;~~
630 ~~(C) Hatchery Harvest Tag;~~
631 ~~(D) All Big Game Tags (controlled hunt and general season);~~
632 ~~(E) Pheasant Tags;~~
633 ~~(F) NW Oregon Goose Permit;~~
634 ~~(G) Turkey Tags; and~~
635 ~~(H) Habitat Conservation Stamp~~
- 636 ~~(2) The Department will charge shipping and handling fee of \$2.00 per session whenever a person makes a~~
637 ~~purchase via Internet, fax, or mail order. This fee is in addition to all other document costs and covers the processing,~~
638 ~~printing, and postal mailing of the requested documents.]~~
639



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Stat. Auth.: ORS 496 & 497

640 Stats. Implemented: ORS 496 & 497

641

642 **635-010-0180**

643 **Agent Operational Requirements**

644 **The Department will determine what licensing documents each agent may sell on behalf of the Department.**

645 **(1) The agent's account number must be included in all correspondence.**

646 **(2) An agent must notify the Department in writing before any change in ownership, use of assumed**
647 **business name, or dissolution of partnership or corporation as shown in the Agreement. A license agency is**
648 **not transferable and may not be used as a condition of sale.**

649 **(3) Agents are authorized to sell privilege documents based upon the contract between the Department and**
650 **the agent. An agent may not transfer documents to another location, nor to another license agent without**
651 **advanced written permission from the Department.**

652 **(4) All monies collected by an agent are public monies of the State of Oregon, and the state has prior claim**
653 **upon these monies over all creditors, assignees, or other claimants.**

654 **Stat. Auth.: ORS 496 & ORS 497**

655 **Stats. Implemented: ORS 496 & ORS 497**

656

657 **635-010-0190** (amend, renumber 0095)

658 **Inspection**

659 Prepaid Daily Angling License records shall be available for inspection and audit at all times by the State Police
660 or by an authorized employee or agent of the Commission.

661

662 Stat. Auth.: ORS 496, ORS 497

663 Stats. Implemented: ORS 496, ORS 497

664

665 **635-010-0200**

666 **Tribal I.D. in Lieu of Licenses**

667 **In accordance with ORS 497.170, tribal identification cards will be recognized in lieu of Department-**
668 **issued free hunting and fishing licenses for Columbia River Treaty Tribe members.**

669

670 **Stat. Auth.: ORS 496 and ORS 497**

671 **Stats. Implemented: ORS 496 and ORS 497**

672

673

674 **635-011-0104**

675 **Licenses, Tags, and Permits**

676 (1) Hatchery Salmon and Steelhead Harvest Tag Requirements:



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677 (a) Persons holding a **valid** annual angling license and [~~an annual~~] **combined** angling harvest tag may purchase
678 Hatchery Salmon and Steelhead Harvest Tags. There is no limit on the number of Hatchery Salmon and Steelhead
679 Harvest Tags an angler may purchase per year. The purchase of each tag entitles the angler to take a combined
680 total of 10 hatchery salmon or steelhead;

681 (b) Only adipose or otherwise fin-clipped adult salmon or adipose fin-clipped steelhead may be recorded on the
682 Hatchery Salmon and Steelhead Harvest Tag;

683 (c) A valid annual angling license and a valid annual angling harvest tag must be in possession while fish
684 validated on the Hatchery Salmon and Steelhead Harvest Tag are in angler's possession. All tags purchased must
685 be in angler's possession while angling for salmon or steelhead;

686 (d) Fish must be recorded immediately upon removal from the water and fish must be recorded in the
687 chronological order caught. The angler who landed the fish must record the fish on his or her tag irrespective of who
688 hooked the fish; and

689 (e) **Harvested fish can be tagged either electronically or on a paper copy. All paper copies of** Hatchery
690 Salmon and Steelhead Harvest Tags should be returned to ODFW upon expiration.

691 (2) Columbia River Basin Endorsement:

692 (a) The Columbia River Basin is defined as: The mainstem Columbia River from Buoy 10 upstream to include all
693 rivers and their tributaries that drain into the mainstem Columbia River.

694 (b) Beginning January 1, 2014 a valid Columbia River Basin Endorsement must be in possession while angling
695 for salmon, steelhead, or sturgeon in the Columbia River Basin except during free fishing weekend where every
696 angler is considered as having a valid Columbia River Basin Endorsement.

697 (c) The fee for the Columbia River Basin Endorsement, when purchased in conjunction with an annual license is
698 \$9.75, in addition to fees as described in ORS 497.121 and ORS 497.123.

699 (d) The fee for the Columbia River Basin Endorsement when purchased separately is \$9.75 (plus a \$2.00 agent
700 fee).

701 (e) The fee for the Columbia River Basin Endorsement, when purchased in conjunction with a daily license is
702 \$1.00 per each day, in addition to those fees as described in ORS 497-121.

703 (f) Purchase of a Columbia River Basin Endorsement is not required for free fishing weekend.

704 (g) No fee will be charged for a Columbia River Basin Endorsement for an angler(s) in possession of:

705 (A) A resident disabled veteran, resident pioneer, resident and non-resident youth under 12 license; or

706 (B) A Permanent Wheel-chair Angling License, a Permanent Blind Angler License, or a Permanent Senior.

707

708 Stat. Auth.: ORS 496.138, 496.146, 497.121, 497.123, 506.119

709 Other Auth.: Senate Bill 247 (2015)

710 Stats. Implemented: ORS 496.162, 506.129

711 Hist.: Adopted 9-14-18, f. ef. 12-1-18

712

713