



OREGON DEPARTMENT OF FISH & WILDLIFE POLICY
Administrative Services Division

Table with 2 columns: Field and Value. Fields include Title, Supersedes, Applicability, Reference, and Effective Date. Reference includes ORS 496.012, 496.138, 496.146, 496.162, OAR 635-060-0046. Effective Date is November 15, 2021. Approved signature is present.

I. PURPOSE

To provide clarification on when ODFW will provide preference point reinstatements to customers.

II. DEFINITIONS

Tragic Personal Circumstances: a death or life-threatening injury or illness in the person's immediate family; or the person's own serious injury or illness, which results in the person's hospitalization. The person need not be hospitalized during the hunt; this definition applies if preparation for surgery or recovery after hospitalization renders the person incapable of participating in the hunt.

Circumstances beyond the person's control (exclusion): excludes complaints about the quality of a hunt (including, but not limited to, road closures, inclement weather and work being conducted in the hunt area).

Preference Point Reinstatement: reinstating preference points existing for a series, plus an additional point for participating in the draw.

III. POLICY

To be eligible for preference point reinstatement consideration, the request must sufficiently demonstrate that the requestor lost preference points for one of the following reasons:

- 1. Oregon residents who were called to active military service.
2. Oregon residents who were called to service at any location for the Oregon National Guard.
3. Oregon residents with military operational commitments: regular members of the United States Armed Forces, members of the United States military reserves, and members of the National Guard.
4. The Director may reinstate the preference points of a person who the Director determines did not or will not participate in a controlled hunt because of:
a. Tragic personal circumstances; or
b. Circumstances beyond the person's control

IV. CLARIFICATIONS

Individuals seeking accommodation pursuant to this rule (or immediate family members acting on their behalf) must make a request by email, in writing or in person to the Salem headquarters office. Each request initiated because of an active military service commitment must include a letter from a supervising officer on official unit letterhead verifying operational commitments or a copy of official military orders.

To apply for reinstatement, the person must provide a sworn affidavit providing adequate details and must return the unused tag (if it was printed) or a signed affidavit (electronic or paper) stating the tag was not used. A detailed form is available upon request by contacting odfw.websales@odfw.oregon.gov. When relying upon **tragic personal circumstances**, the person must also provide a sworn affidavit by a physician. When relying upon **circumstances beyond the person's control**, the person must also provide documentation of the circumstances (such as an accident report or affidavit from an employer) except when the person has received an offer from the department to reinstate points.

If the Director decides that the person does not qualify for reinstatement, the person may appeal that decision to the Oregon Fish and Wildlife Commission (Commission). The Commission must review the Director's decision within 60 days after receipt of appeal. The Commission will not take verbal testimony from the person, and the Commission's decision is final.

If the Director or Commission reinstates a person's preference point under this subsection, the person will be awarded a new point as when classified as "unsuccessful" in the draw and is not entitled to a refund of license or tag fees.