

Secretary of State  
Certificate and Order for Filing  
**TEMPORARY ADMINISTRATIVE RULES**  
A Statement of Need and Justification accompanies this form.

I certify that the attached copies\* are true, full and correct copies of the TEMPORARY Rule(s) adopted on January 2, 2008 by the  
(Date prior to or same as filing date.)

Construction Contractors Board OAR 812  
(Agency and Division) (Administrative Rules Chapter Number)

Catherine Dixon 700 Summer St NE Suite 300, Salem OR 97301 378-4621 ext. 4077  
(Rules Coordinator) (Address) (Telephone)

to become effective January 2, 2008 through June 29, 2008  
(Date upon filing or later) (A maximum of 180 days including the effective date.)

### RULE CAPTION

#### Revised Notices

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

### RULEMAKING ACTION

List each rule number separately, 000-000-0000.

**ADOPT:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**AMEND:**  
812-001-0200

**SUSPEND:**

ORS 87.093, 670.310, 701.055, 701.235 & 701.530

Stat. Auth.: ORS

Chapter 648, Oregon Laws 2007 (HB 2654)

Other Authority

ORS 87.093, 701.055, 701.235 & 701.530 & sections 5, 14 & 17 Oregon Laws 2007 (HB 2654)

Stats. Implemented: ORS

### RULE SUMMARY

OAR 812-001-0200(1) is amended to adopt the revised form because effective January 1, 2008, CCB's revised administrative rules require the Consumer Protection Notice be delivered at time of contract instead of its previous delivery requirement, which was at the time of bid.

OAR 812-001-0200(2) is amended to adopt the revised Information Notice to Owner about Construction Liens to correct consumer instructions about the Consumer Protection Notice delivery requirements.

The two forms have been revised to incorporate the new delivery requirements and to make the revised required notices available to contractor who must provide them to their customers be accurate and meet the new statutes effective January 1, 2008, it is necessary to adopt the temporary rules.

\_\_\_\_\_  
Authorized Signer

Catherine Dixon  
Printed Name

January 2, 2008  
Date

\*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules..

ARC 940-2005

**NOTE:** In order to save postage and printing costs in these difficult times, CCB is only providing a copy of the notice. To view the language of each individual rule change, please go to our web site at [http://www.oregon.gov/CCB/Laws\\_Rules.shtml#Administrative\\_Rule\\_Notices](http://www.oregon.gov/CCB/Laws_Rules.shtml#Administrative_Rule_Notices). If you don't have web access, contact Cathy Dixon at (503) 378-4621 ext. 4077 for assistance in receiving a copy.

Secretary of State  
**STATEMENT OF NEED AND JUSTIFICATION**  
A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Construction Contractors Board  
Agency and Division

OAR 812  
Administrative Rules Chapter Number

In the Matter of: Amendments to OAR 812

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)  
Revised Notices

Statutory Authority: ORS 87.093, 670.310, 701.055, 701.235 & 701.530

Other Authority: Chapter 648, Oregon Laws 2007 (HB 2654)

Statutes Implemented: ORS 87.093, 701.055, 701.235 & 701.530 & sections 5, 14 & 17 Oregon Laws 2007 (HB 2654)

Need for the Temporary Rule(s):

OAR 812-001-0200(1) is amended to adopt the revised form because effective January 1, 2008, CCB's revised administrative rules require the Consumer Protection Notice be delivered at time of contract instead of its previous delivery requirement, which was at the time of bid.

OAR 812-001-0200(2) is amended to adopt the revised Information Notice to Owner about Construction Liens to correct consumer instructions about the Consumer Protection Notice delivery requirements.

The two forms have been revised to incorporate the new delivery requirements and to make the revised required notices available to contractor who must provide them to their customers be accurate and meet the new statutes effective January 1, 2008, it is necessary to adopt the temporary rules.

Documented Relied Upon, and where they are available: ORS 701 and OAR 812. These documents are available on agency's website at [www.oregon.gov/ccb](http://www.oregon.gov/ccb) or a paper copy is available upon request.

Justification of Temporary Rule(s):

The CCB finds that following the permanent rulemaking process, instead of taking this temporary rulemaking action, would result in serious prejudice to the public interest. The statutes enacted by the Oregon Legislature in 2007 take effect on January 1, 2008. To make the revised required notices available to contractors who must provide them to their customers and have the form accurate to meet the new statutes effective January 1, 2008, it is necessary to adopt the temporary rules. There is not adequate time to complete a permanent rulemaking process to accomplish this by January 1, 2008. Thus, because of the need to act immediately, CCB amends OAR 812-001-0200 as a temporary rule.

\_\_\_\_\_  
Authorized Signer

Catherine Dixon  
Printed Name

January 2, 2008  
Date

PROPOSED RULE	EXPLANATION
<p><b>812-001-0200</b>  <b>Consumer Notices Adoption</b></p> <p>(1) In order to comply with the requirement to adopt an information notice to owner under ORS 87.093, the Construction Contractors Board adopts the form entitled “Information Notice to Owner About Construction Liens,” as revised [<del>December 4, 2007</del>] <b><u>December 20, 2007</u></b>. This form may be obtained from the agency.</p> <p>(2) In order to comply with the requirement to adopt a consumer notice form under section 14 (1), chapter 648, Or Laws 2007 (HB 2654), the board adopts the form “Consumer Protection Notice” as revised [<del>December 4, 2007</del>] <b><u>December 20, 2007</u></b>.</p> <p>(3) In order to comply with the requirement to adopt a “Information Notice to Property Owners About Construction Responsibilities” form under section 17 (5), chapter 648, Or Laws 2007 (HB 2654), the board adopts the form “Information Notice to Property Owners About Construction Responsibilities” as revised December 4, 2007.</p> <p>(4) In order to comply with the requirement to adopt a notice of procedure form under section 14 (2), chapter 648, Or Laws 2007 (HB 2654), the board adopts the form “Notice of Procedure” dated December 4, 2007.</p> <p>(5) The board adopts the form “Notice of Compliance with Homebuyer Protection Act” (HPA) as revised December 16, 2003.</p> <p>(6) The board adopts the form “Model Features for Accessible Homes” dated December 4, 2007.</p> <p>Stat. Auth.: ORS 87.093, 670.310, 701.055, 701.235 &amp; 701.530  Stats. Implemented: ORS 87.093, 701.055, 701.235 &amp; 701.530 &amp; sections 5, 14 &amp; 17 Oregon Laws 2007 (HB 2654)  (4/81, 11/81, 1/82, 3/82, 6/82, 1/83, 1/83, 3/83, 3/83, 10/83, 2/87, 7/87, 1/89, 11/89, 5/92, 7/92, 8/92, 3/99, 9/99, temp. 5/00, 8/00, 6/02, 12/02, temp. 3/03, 6/03, 12/03, temp. 12/03, temp. 12/03, 2/04, 5/04, temp. 6/04, 8/04, 12/05, temp. 1/06, 3/06, 6/07, 12/07)  (Amended and renumbered from 812-001-0020, 12/05)</p>	<p>Amended to adopt the revised forms. (GF)</p>