



Board on Public Safety Standards and Training & Department of Public Safety Standards and Training

Annual Report on Agency Rulemaking January 1, 2019 through December 31, 2019

As required by ORS 183.403, no later than February 1 of each year, an agency that is subject to ORS 183.335 shall provide a report to the Legislative Assembly, in the manner provided in ORS 192.245, regarding all rules that the agency adopted, amended, repealed, or suspended during the preceding 12-month period. The report must include:

1. The number of rules adopted, amended or repealed in accordance with ORS 183.335(2) and (3), i.e., through permanent rulemaking:

Adopted:	0
Amended:	25
Repealed:	0

2. With respect to rules adopted, amended or suspended using the procedure described in ORS 183.335(5), i.e., through temporary rulemaking:

(a) The number of rules:

Adopted:	0
Amended:	1
Suspended:	0

(b) A list of the rules:

Adopted:	None
Amended:	259-008-0010
Suspended:	None

(c) A statement of need for each rule and all of the agency's findings that a failure to act promptly would result in serious prejudice to the public interest or the interest of parties concerned, and

(d) For each rule, an explanation of why proceeding under ORS 183.335 (5) was the most appropriate method for adopting, amending or suspending the rule and why it was not appropriate to proceed in accordance with ORS 183.335 (2) and (3).

OAR 259-008-0010 was filed as a temporary rule (effective December 1, 2019, through May 28, 2020) to ensure compliance with Senate Bill 423. Senate Bill 423 became effective on January 1,

2020. This new law prohibits the employment of a person as a police officer or reserve officer unless a pre-employment psychological screening has been completed. SB 423 directs the Board on Public Safety Standards and Training to adopt rules establishing standards for the qualifications and training necessary for the person conducting the screening and the standards and procedures for conducting a screening. Prior to the temporary rule, the Department of Public Safety Standards and Training filed a proposed rule and received public comment. In order to accommodate the permanent rulemaking timelines and allow for consideration of the comment prior to a permanent rule, it was necessary to file a temporary rule. The temporary rule provides the standards for the qualifications and training necessary for licensed mental health professionals conducting pre-employment psychological screenings for police and reserve officers and the standards and procedures for conducting a screening.

Without the temporary rule, the law enforcement units affected by SB 423 would not have had minimum standards to follow and law enforcement unit hiring processes would have been adversely impacted, causing delays in hiring police and reserve officers. Such delays would have impacted the efficient operations of the law enforcement unit and may have impacted public safety.

The temporary rule will be replaced with a permanent rule on or by the expiration of the temporary rule.

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Questions regarding this report or requests for additional copies of this report may be directed to Jennifer Howald, DPSST Administrative Rules Coordinator, at jennifer.howald@state.or.us.