**Racial equity determination**

* We’re seeking your assistance in determining how our amendments to OAR 137-049-0120 and adoption of OAR 137-049-0805 will affect racial equity in this state.
* ORS 183.335(2)(b)(F) requires all rulemaking notices to include a statement addressing racial equity.
* “Racial Equity” means how the rule will affect the fair, just and unbiased treatment of people of different races.
* Who will be impacted by our amendments to OAR 137-049-0120 and adoption of OAR 137-049-0805, and how might those changes impact one group of people differently than others?
	+ please determine:
		- the racial groups that will be affected by these rules; and
		- how the rules will increase or decrease disparities currently experienced by those groups.
	+ Please identify both positive and negative impacts from the rules.
* Consider how our amendments to OAR 137-049-0120 and adoption of OAR 137-049-0805 affect Certified Firms.
	+ OAR 137-049-0120 (1) defines “Certified Firm” as a business concern that possesses one or more current, valid certifications(s) as a Disadvantaged Business Enterprise, Minority-Owned Business, Woman-Owned Business, Business That Service-Disabled Veterans Own or Emerging Small Business by the Oregon Certification Office for Business Inclusion and Diversity, pursuant to ORS 200.055.
	+ OAR 137-049-0805 exempts Certified Firms from:
		- Compliance with Sections (1) and (2) of the rule for Non-Road Diesel Equipment owned and operated by a Certified Firm under a State Contracting Agency Public Improvement Contract with a Solicitation Document advertisement date before January 1, 2029
		- The General Engine Requirements for On-Road Concrete Mixer Trucks and On-Road Dump Trucks provided in Section (6) of OAR 137-049-0805 for concrete mixer trucks or dump trucks with compression ignition diesel engines that are owned and operated by a Certified Firm.