

REVENUE: Revenue statement issued

FISCAL: Fiscal statement issued

Action:	Do Pass
Vote:	6 - 0 - 1
Yeas:	Buckley, Gilman, Read, Smith G., Tomei, Beyer
Nays:	0
Exc.:	Butler
Prepared By:	Judith Callens, Administrator
Meeting Dates:	5/16

WHAT THE MEASURE DOES: Requires the Oregon Transportation Commission to approve the establishment of any tolls in Oregon, but does not prohibit cities or counties from establishing tolls on highways under their jurisdictions. Establishes sanctions for failure to pay tolls, including a civil penalty of not more than \$25 and refusal to renew a vehicle registration. Authorizes use of electronic toll collection and a photo enforcement system by a tollway operator under conditions set by the commission. Specifies that photos of a vehicle are *prima facie* evidence that the owner of the vehicle was the driver who did not pay the toll. Allows a registered owner to recover from the driver or renter of a ticketed vehicle the amount of the toll and civil penalty. Exempts records including photos from public disclosure, specifies to whom records may be disclosed, and stipulates that records may only be used for toll collection and traffic management purposes. Clarifies which statutory provisions apply to toll projects that are entered into through the Innovative Partnership Program, consistent with the program's statutes. Repeals certain provisions of existing toll authorizing statutes.

ISSUES DISCUSSED:

- History of toll statutes; current state and local authority to collect tolls
- Concern about use of tolls on existing roads
- Public-private toll projects authorized in 2003 under Oregon Innovative Partnership Program
- Different systems of electronic toll collection for user convenience and traffic flow
- Need for photo enforcement, citation, and civil penalty authority since unpaid entry is not necessarily blocked

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Oregon tolling statutes are contained in several chapters of the ORS, some of which are specific to certain projects. The statutes have been written and added to since the 1920s. A 1995 rewrite of one chapter allowed tolling on the Newberg-Dundee Bypass and a Tualatin-Sherwood connector, and revisions in 2001 allowed tolling statewide. The 2003 Legislative Assembly enacted the Oregon Innovative Partnership Program, which allows private companies to build and operate toll roads owned by the state. Some of these statutes are outdated or are inconsistent with other statutes or proposed practices, and they do not adequately address certain aspects of tolling such as electronic tolling and enforcement. Senate Bill 1022-A merges the statutes and establishes the legal process for electronic tolling and enforcement of toll collections.

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This summary has not been adopted or officially endorsed by action of the committee.