

A-Engrossed
House Bill 2269

Ordered by the Senate June 11
Including Senate Amendments dated June 11

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Transportation)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Authorizes issuance of Highway User Tax Bonds to finance certain projects chosen by Oregon Transportation Commission. Allocates bond proceeds on regional basis determined by qualifications established by commission by rule.

Increases fees for issuance of motor vehicle registration plates.

A BILL FOR AN ACT

1
2 Relating to motor vehicle registration plates; creating new provisions; amending ORS 366.747,
3 367.620 and 803.570; and providing for revenue raising that requires approval by a three-fifths
4 majority.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1. Sections 3 and 4 of this 2007 Act shall be known as and may be cited as the**
7 **Congestion Relief Act.**

8 **SECTION 2.** ORS 367.620 is amended to read:

9 367.620. (1) The principal amount of Highway User Tax Bonds issued under ORS 367.615 shall
10 be subject to the provisions of ORS 286.505 to 286.545.

11 (2) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described in
12 ORS 367.622 in an aggregate principal amount sufficient to produce net proceeds of not more than
13 \$500 million.

14 (3)(a) Highway User Tax Bonds may be issued under ORS 367.615 for bridge purposes described
15 in section 10 (1), chapter 618, Oregon Laws 2003, in an aggregate principal amount sufficient to
16 produce net proceeds of not more than \$1.6 billion.

17 (b) Highway User Tax Bonds may be issued under ORS 367.615 for modernization purposes de-
18 scribed in sections 10 (2) and 11, chapter 618, Oregon Laws 2003, in an aggregate principal amount
19 sufficient to produce net proceeds of not more than \$300 million.

20 **(c) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described**
21 **in section 3 of this 2007 Act, in an aggregate principal amount sufficient to produce net**
22 **proceeds of not more than \$200 million. Bonds authorized under this paragraph shall mature**
23 **in not more than 20 years from their respective dates of issuance.**

24 [(c)] **(d)** The Department of Transportation may designate the extent to which a series of bonds
25 authorized under this subsection is secured and payable on a parity of lien or on a subordinate basis
26 to existing or future Highway User Tax Bonds.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **SECTION 3.** (1) Proceeds of the bonds authorized under ORS 367.620 (3)(c) shall be used
2 to finance projects chosen by the Oregon Transportation Commission. The commission shall
3 select projects from among the following:

- 4 (a) Projects that reduce traffic congestion on state highways.
- 5 (b) Projects located on freight routes designated by the commission.
- 6 (c) Projects that will relieve congestion on freight routes designated by the commission.
- 7 (d) Projects that enhance the economic vitality of this state.

8 (2) Notwithstanding subsection (1) of this section, 10 percent of the bonds described in
9 ORS 367.620 (3)(c) shall be used to secure right of way for projects of statewide significance
10 that are on the list adopted by the commission in May 2002.

11 **SECTION 4.** (1) Except as provided in subsection (2) of this section, the Oregon Trans-
12 portation Commission shall allocate at least 10 percent of the net proceeds of the bonds au-
13 thorized by ORS 367.620 (3)(c) to each region described in this section. For purposes of this
14 section, the regions are as follows:

15 (a) Region one consists of Clackamas, Columbia, Hood River, Multnomah and Washington
16 Counties.

17 (b) Region two consists of Benton, Clatsop, Lane, Lincoln, Linn, Marion, Polk, Tillamook
18 and Yamhill Counties.

19 (c) Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties.

20 (d) Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake,
21 Sherman, Wasco and Wheeler Counties.

22 (e) Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and
23 Wallowa Counties.

24 (2) The commission need not allocate 10 percent to a region unless there are transpor-
25 tation projects in the region that meet the qualifications established by the commission by
26 rule.

27 **SECTION 5.** The amendments to ORS 367.620 by section 2 of this 2007 Act do not impair
28 the interests of the owners of any Highway User Tax Bonds that are outstanding on the ef-
29 fective date of this 2007 Act or any obligations of the agreements of the Department of
30 Transportation under its Amended and Restated Master Highway User Tax Revenue Bond
31 Declaration dated June 1, 2006, as amended and supplemented.

32 **SECTION 6.** Notwithstanding ORS 367.620 (1), the provisions of ORS 286.505 to 286.545 do
33 not apply to bonds described in ORS 367.620 (3)(c) for the biennium beginning July 1, 2007.

34 **SECTION 7.** ORS 803.570 is amended to read:

35 803.570. Except as otherwise specifically provided by law, the Department of Transportation
36 shall collect the fee described by this section each time the department issues a registration plate
37 upon the registration of a vehicle or at other times when a registration plate is issued by the de-
38 partment. The following all apply to the fee established by this section:

39 (1) The fee shall be in addition to any other fee collected upon issuance of a registration plate.

40 (2) The fee for each registration plate issued and for each [*set of two*] **pair of** plates issued shall
41 be determined by the department and shall be established by the department by rule. [*The fee may*
42 *not exceed \$3 for one plate and \$5 for a set of two plates.*] **The department shall establish the fees**
43 **for a single plate and for a pair of plates under this section by:**

44 (a) **Determining the cost of manufacturing the plates and rounding the cost to the next**
45 **highest half-dollar; and**

1 **(b) Adding \$10 for a single plate and \$20 for a pair of plates. Of the increase, \$1 for each**
2 **single plate and \$2 for each pair of plates must be allocated as described in ORS 366.747.**

3 **SECTION 8.** ORS 366.747 is amended to read:

4 366.747. (1) The following moneys shall be allocated as described in subsection (2) of this section:

5 (a) The amount attributable to the increase in the inspection fee by the amendments to ORS
6 803.215 by section 47, chapter 618, Oregon Laws 2003.

7 ***[(b) The amount attributable to any increase in registration plate fees by the amendments to ORS***
8 ***803.570 by section 48, chapter 618, Oregon Laws 2003.]***

9 **(b) For each registration plate issued and for each pair of registration plates issued, \$1**
10 **for a single plate and \$2 for a pair of plates.**

11 (c) The amount attributable to the increases in fees for driver licenses, permits and endorse-
12 ments by the amendments to ORS 807.370 by section 49, chapter 618, Oregon Laws 2003.

13 (d) The amount attributable to the increase in the weight receipt fee by the amendments to ORS
14 825.450 by section 50, chapter 618, Oregon Laws 2003.

15 (2) The moneys described in subsection (1) of this section shall be allocated 60 percent to
16 counties and 40 percent to cities. Moneys allocated under this section shall be distributed in the
17 same manner as moneys allocated to counties and cities under ORS 366.739 are distributed.

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