

(To Resolve Conflicts)

C-Engrossed Senate Bill 566

Ordered by the House June 25
Including Senate Amendments dated May 9 and June 22 and House
Amendments dated June 25 to resolve conflicts

Sponsored by COMMITTEE ON BUSINESS, TRANSPORTATION AND WORKFORCE DEVELOPMENT (at the request of Recreational Vehicle Dealers Association)

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.

Creates Joint Interim Committee on Transportation. Directs committee to evaluate funding resources to meet transportation needs and creation of regional transportation utility districts. Directs committee to use resources of Road User Fee Task Force and to report to Legislative Assembly by January 1, 2009.

Requires Oregon Transportation Commission to study and determine how to maximize return on investment of real property owned by Department of Transportation. Requires commission to study highway system to identify projects ready for construction in next two biennia that would reduce congestion, improve freight mobility and enhance safety or that are projects of statewide significance. Requires commission to report to Joint Interim Committee on Transportation by July 1, 2008.

Creates offense of failure to remove vehicle from highway. Punishes by fine not exceeding \$180. Changes beginning date for which winter recreation parking permit is required from November 15 to November 1.

A BILL FOR AN ACT

1
2 Relating to transportation; creating new provisions; and amending ORS 811.590.

3 Whereas a strong transportation system is necessary for the economic vitality of this state; and

4 Whereas this state and its political subdivisions do not have adequate resources to meet the
5 preservation, maintenance and modernization needs of the transportation system; and

6 Whereas congestion in our transportation system has been demonstrated to have a significant
7 negative financial impact on the state's citizens and businesses; and

8 Whereas population growth predictions indicate significantly greater demands on our transpor-
9 tation system; now, therefore,

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

11 **SECTION 1. (1) There is created the Joint Interim Committee on Transportation, con-**
12 **sisting of 10 members appointed as follows:**

13 (a) **The President of the Senate shall appoint five members from among members of the**
14 **Senate.**

15 (b) **The Speaker of the House of Representatives shall appoint five members from among**
16 **members of the House of Representatives.**

17 (2) **The interim committee shall:**

18 (a) **Utilize the resources of the Road User Fee Task Force;**

19 (b) **Consult key stakeholders and others as the interim committee finds necessary to in-**

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 vestigate, analyze and evaluate funding options to meet the transportation needs of local and
2 regional communities;

3 (c) Analyze current statutes available to political subdivisions to address transportation
4 needs and explore modification or expansion of such statutes; and

5 (d) Evaluate the creation of regional transportation utility districts or other regional
6 entities designed to address local and regional transportation needs.

7 (3) A majority of the members of the interim committee constitutes a quorum for the
8 transaction of business.

9 (4) Official action by the interim committee requires the approval of a majority of the
10 members of the interim committee.

11 (5) The interim committee shall elect one of its members to serve as chairperson.

12 (6) If there is a vacancy for any cause, the appointing authority shall make an appoint-
13 ment to become immediately effective.

14 (7) The interim committee shall meet at times and places specified by the call of the
15 chairperson or of a majority of the members of the interim committee.

16 (8) The interim committee may adopt rules necessary for the operation of the interim
17 committee.

18 (9) The interim committee shall report to the Legislative Assembly in the manner pro-
19 vided in ORS 192.245 no later than January 1, 2009.

20 (10) The Legislative Administrator may employ persons necessary for the performance
21 of the functions of the interim committee. The Legislative Administrator shall fix the duties
22 and amounts of compensation of these employees. The interim committee shall use the ser-
23 vices of permanent legislative staff to the greatest extent practicable.

24 (11) All agencies of state government, as defined in ORS 174.111, are directed to assist
25 the interim committee in the performance of its duties and, to the extent permitted by laws
26 relating to confidentiality, to furnish such information and advice as the members of the
27 interim committee consider necessary to perform their duties.

28 **SECTION 2.** (1) The Oregon Transportation Commission shall conduct a study and eval-
29 uation of the following:

30 (a) Real property owned by the Department of Transportation. The purpose of the study
31 is to determine how to maximize the return on the investments in these properties to en-
32 hance the resources in the State Highway Fund.

33 (b) Oregon's highway system, with input from highway users, local governments and the
34 Federal Highway Administration. The purpose of the study is to identify specific highway
35 projects required to reduce traffic congestion, improve freight mobility and enhance safety.

36 (c) Projects of statewide significance that are capable of beginning construction during
37 the next two biennia.

38 (2) The commission shall report its findings to the Joint Interim Committee on Trans-
39 portation on or before July 1, 2008.

40 **SECTION 3.** Sections 1 and 2 of this 2007 Act are repealed on the date of the convening
41 of the next regular biennial legislative session.

42 **SECTION 4.** Section 5 of this 2007 Act is added to and made a part of the Oregon Vehicle
43 Code.

44 **SECTION 5.** (1) The driver of a vehicle commits the offense of failure to remove a vehicle
45 from the highway if, after an accident:

1 (a) The driver has not suffered any apparent personal injury;

2 (b) The vehicle is operable and does not require towing;

3 (c) It is safe to drive the vehicle to a designated parking area along the highway or
4 shoulder of the highway; and

5 (d) The driver does not move the vehicle to a designated parking area along the highway
6 or shoulder of the highway.

7 (2) The offense described in this section, failure to remove a vehicle from the highway,
8 is a Class C traffic violation.

9 **SECTION 5a.** If House Bill 2936 becomes law, sections 4 and 5 of this 2007 Act are re-
10 pealed.

11 **SECTION 6.** ORS 811.590 is amended to read:

12 811.590. (1) A person commits the offense of unlawful parking in a winter recreation parking
13 area if the person parks a vehicle in a location designated as a winter recreation parking area under
14 ORS 810.170 at any time from [November 15] **November 1** of any year to April 30 of the next year
15 and the vehicle is not displaying a winter recreation parking permit issued under ORS 811.595.

16 (2) Unless the police officer issuing the citation witnesses the parking of the vehicle, a
17 rebuttable presumption exists that a vehicle parked in violation of this section was parked by the
18 registered owner of the vehicle. If the parking of the vehicle is witnessed by the police officer, the
19 operator of the vehicle is in violation of this section.

20 (3) In addition to those vehicles displaying a winter recreation parking permit, the following
21 vehicles are not subject to the prohibition or penalty under this section:

22 (a) A vehicle owned and operated by the United States, another state or a political subdivision
23 thereof.

24 (b) A vehicle owned and operated by this state or by any city, district or political subdivision
25 thereof.

26 (c) A vehicle owned by a resident of another state if the vehicle displays a winter area parking
27 permit issued in accordance with the laws of the state in which the owner of the vehicle resides and
28 that is similar to the winter recreation parking permit issued under ORS 811.595. The exemption
29 under this paragraph is only granted to the extent that a similar exemption or privilege is granted
30 under the laws of the other state for vehicles displaying a winter recreation parking permit issued
31 under ORS 811.595.

32 (4) The offense described in this section, unlawful parking in a winter recreation parking area,
33 is punishable by a fine of \$30.

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