

B-Engrossed House Bill 2001

Ordered by the House May 22
Including House Amendments dated May 4 and May 22

Sponsored by Representatives BEYER, BERGER, Senators METSGER, STARR; Representatives BENTZ, D EDWARDS, HUNT, Senators COURTNEY, JOHNSON (at the request of Governor Theodore R. Kulongoski)

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.

Directs interim House and Senate committees related to transportation and Oregon Transportation Commission to conduct study. Sunsets January 2, 2012.

Directs Department of Transportation to develop one or more pilot programs to implement congestion pricing in Portland metropolitan area. Sunsets January 2, 2016.

Directs Department of Transportation to provide information about transportation projects on website.

Directs Department of Transportation to develop least-cost planning model.

Authorizes issuance of lottery bonds for transportation projects funded from Multimodal Transportation Fund. Specifies allocation of lottery bond proceeds.

Defines "medium-speed electric vehicle."

Creates offense of unlawfully operating medium-speed electric vehicles on highway. Punishes by maximum fine of \$360.

Directs Department of Transportation to adopt safety standards for low-speed vehicles and medium-speed electric vehicles.

Directs Department of Transportation to include specific request for capital construction funding to facilitate sharing of offices and other facilities with local government in budget request prepared for Oregon Department of Administrative Services.

Directs Oregon Transportation Commission to work with stakeholders to review and update criteria used to select projects within Statewide Transportation Improvement Program.

Directs Department of Transportation to develop environmental performance standards for highway projects.

Directs Department of Transportation to implement certain transportation design practices.

[Directs Oregon Transportation Commission to determine amount of federal transportation funds available to Department of Transportation that may be used for eligible nonhighway projects.]

[Permits city with population of more than 500,000 to establish vehicle registration fees. Becomes operative July 1, 2013.]

Enables counties to establish vehicle registration fees under certain circumstances.

Prohibits local government from enacting or enforcing provision *[regulating use of fuel in]* **taxing fuel for** motor vehicles. Sunsets January 2, 2014. **Permits tax, after sunset, with voter approval.**

Prohibits car rental company from imposing surcharge in rental agreement that is greater than costs to register and title vehicles.

[Removes requirement, for counties with population of 350,000 or more, that ordinance establishing county registration fees for vehicles be approved by electors of county. Becomes operative July 1, 2013.]

Changes certain vehicle fees and motor vehicle fuel tax.

Extends credit against corporate excise or corporate income tax for corporation that provides motor vehicle insurance issued under mile-based or time-based rating plan.

Creates specified funds. Continuously appropriates moneys in funds to Department of Transportation for specified purposes.

Directs Travel Information Council to manage, maintain and improve certain roadside rest areas.

Requires metropolitan service districts to develop land use and transportation scenarios designed to reduce greenhouse gas emissions from certain vehicles.

Creates program related to transportation projects and describes projects. Authorizes issuance of Highway User Tax Bonds for funding program.

Takes effect on 91st day following adjournment sine die.

1 Relating to transportation; creating new provisions; amending ORS 267.001, 268.503, 319.020, 319.530,
2 367.620, 801.041, 801.237, 803.090, 803.420, 803.570, 803.645, 805.250, 807.410, 818.225, 825.476 and
3 825.480 and section 4, chapter 545, Oregon Laws 2003, sections 31 and 32, chapter 618, Oregon
4 Laws 2003, section 49, chapter 843, Oregon Laws 2007, and section 14, chapter 855, Oregon Laws
5 2007; repealing section 6, chapter 862, Oregon Laws 2001; appropriating money; prescribing an
6 effective date; and providing for revenue raising that requires approval by a three-fifths major-
7 ity.

8 Whereas this 2009 Act shall be known as the Oregon Jobs and Transportation Act; and

9 Whereas Oregon's transportation system is the vital link that connects all Oregon communities
10 to one another; and

11 Whereas all sectors of Oregon's economy rely on the transportation system to remain compet-
12 itive and to connect to the marketplace; and

13 Whereas addressing the great and growing need for system-wide maintenance and modernization
14 is essential to economic development in Oregon; and

15 Whereas a more sustainable transportation system will help Oregon achieve the critical goals
16 of lowering greenhouse gas emissions, improving livability and reducing statewide dependence on
17 foreign oil; and

18 Whereas maintenance, preservation, safety and modernization needs have been identified in ev-
19 ery corner of Oregon; and

20 Whereas the thousands of jobs and improved infrastructure created by this 2009 Act will benefit
21 Oregon's economy and its workforce for decades to come; now, therefore,

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

23 **SECTION 1. The House and Senate interim committees related to transportation shall,**
24 **in consultation with the Oregon Transportation Commission, local governments, metropol-**
25 **itan planning organizations and other transportation stakeholders:**

26 (1) **Review the responsibilities given to the state, counties and cities for improvement,**
27 **maintenance and management of the highway system and the resources available to each**
28 **level of government and make recommendations to better align resources and responsibil-**
29 **ities.**

30 (2) **Review best practices for stakeholder involvement in transportation decision-making.**

31 (3) **Identify opportunities to achieve greater program efficiency in the delivery of trans-**
32 **portation services and programs through intergovernmental cooperation.**

33 (4) **Study national best practices for improving the delivery of metropolitan transporta-**
34 **tion services through enhanced regional decision-making.**

35 (5) **Prepare legislation to implement recommendations developed under this section for**
36 **introduction in the Seventy-sixth Legislative Assembly.**

37 **SECTION 2. Section 1 of this 2009 Act is repealed on January 2, 2012.**

38 **SECTION 3. (1) The Department of Transportation, in cooperation with Clackamas**
39 **County, Multnomah County, Washington County, the City of Portland and a metropolitan**
40 **service district organized under ORS chapter 268 shall develop one or more pilot programs**
41 **and implement congestion pricing in the Portland metropolitan area and study the effect**
42 **congestion pricing may have on reducing traffic congestion. Pilot programs may include, but**
43 **need not be limited to, time-of-day pricing with variable tolls.**

44 (2) **At least one pilot program shall be implemented no later than 36 months after the**
45 **effective date of this 2009 Act.**

1 (3) A pilot program implemented under this section may not apply to motor vehicles with
2 a gross vehicle weight rating of 10,001 pounds or more.

3 (4) The department shall expend all of the funds generated by a pilot program in excess
4 of the costs of the program in the Portland metropolitan area, to be used as allowed by
5 section 3a, Article IX of the Oregon Constitution.

6 (5) No later than December 1 of each year, the department shall report to the appropriate
7 House and Senate interim committees related to transportation and revenue on the work of
8 the department in designing and implementing the pilot programs.

9 **SECTION 4.** Section 3 of this 2009 Act is repealed on January 2, 2016.

10 **SECTION 5.** (1) The Department of Transportation shall provide information on the de-
11 partment's website about:

12 (a) Transportation projects described in section 64 of this 2009 Act; and

13 (b) Any other transportation projects funded by the increase in taxes and fees by the
14 amendments to:

15 (A) ORS 803.090 by section 42 of this 2009 Act;

16 (B) ORS 803.420 by section 43 of this 2009 Act;

17 (C) ORS 803.570 by section 44 of this 2009 Act;

18 (D) ORS 803.645 by section 44a of this 2009 Act;

19 (E) ORS 319.020 by section 48 of this 2009 Act;

20 (F) ORS 319.530 by section 49 of this 2009 Act;

21 (G) ORS 818.225 by section 51 of this 2009 Act;

22 (H) ORS 825.476 by section 52 of this 2009 Act; and

23 (I) ORS 825.480 by section 53 of this 2009 Act.

24 (2) The department shall make the information accessible directly from the department's
25 website home page.

26 (3) For each project listed, the department shall provide a short description of the
27 project, the intended benefit of the project, an estimated date for inviting bids and entering
28 into contracts, an estimated contract cost, an estimated completion date, any change in the
29 estimated completion date and any change in the project cost. The department shall also
30 provide explanation for any change in the estimated completion date or change in project
31 cost.

32 (4) The department shall update the information required by this section each week until
33 all projects are completed.

34 (5) The department shall report to the interim House and Senate committees related to
35 transportation on the progress the department is making toward achieving the goals of this
36 section.

37 **SECTION 6.** (1) As used in this section, "least-cost planning" means a process of com-
38 paring direct and indirect costs of demand and supply options to meet transportation goals,
39 policies or both, where the intent of the process is to identify the most cost-effective mix
40 of options.

41 (2) The Department of Transportation shall, in consultation with local governments and
42 metropolitan planning organizations, develop a least-cost planning model for use as a
43 decision-making tool in the development of plans and projects at both the state and regional
44 level.

45 **SECTION 7.** Prior to February 1, 2011, the Department of Transportation shall submit a

1 progress report, including any recommendations for legislation, on the development of a
2 least-cost planning model under section 6 of this 2009 Act to the Seventy-sixth Legislative
3 Assembly.

4 **SECTION 8.** (1) The Legislative Assembly finds that issuing lottery bonds to finance
5 transportation projects is essential to promoting the state's economic development.

6 (2) The use of lottery bond proceeds is authorized based on the following findings:

7 (a) There is an urgent need to improve and expand publicly owned and privately owned
8 transportation infrastructure to support economic development in this state.

9 (b) A safe, efficient and reliable transportation network supports the long-term economic
10 development and livability of this state.

11 (c) A multimodal network of air, rail, public transit, highway and marine transportation
12 moves people and goods efficiently.

13 (d) Local governments and private sector businesses often lack capital and the technical
14 capacity to undertake multimodal transportation projects.

15 (e) Public financial assistance can stimulate industrial growth and commercial enterprise
16 and promote employment opportunities in this state.

17 (f) Public investment in transportation infrastructure will create jobs and further eco-
18 nomic development in this state.

19 (3) The factors described in subsection (2) of this section will encourage and promote
20 economic development within the State of Oregon, and issuance of lottery bonds to finance
21 transportation projects is therefore an appropriate use of state lottery funds under section
22 4, Article XV of the Oregon Constitution, and ORS 461.510.

23 **SECTION 9.** (1) For the biennium beginning July 1, 2009, at the request of the Oregon
24 Department of Administrative Services, in consultation with the Department of Transporta-
25 tion, the State Treasurer is authorized to issue lottery bonds pursuant to ORS 286A.560 to
26 286A.585 in an amount not to exceed net proceeds of \$100 million for the purpose described
27 in subsection (2) of this section, plus an additional amount, to be estimated by the State
28 Treasurer, for payment of bond-related costs.

29 (2) Net proceeds of lottery bonds issued pursuant to this section must be deposited in the
30 Multimodal Transportation Fund established under ORS 367.080 sufficient to provide \$100
31 million in net proceeds and interest earnings for disbursement to the Department of Trans-
32 portation to finance grants and loans for transportation projects as provided in ORS 367.080
33 to 367.086.

34 (3) Bond-related costs for the lottery bonds authorized by this section must be paid from
35 the gross proceeds of the lottery bonds and from allocations for the purposes of ORS
36 286A.576 (1)(c).

37 **SECTION 10.** (1) The Oregon Transportation Commission shall allocate five percent of the
38 net proceeds of the lottery bonds authorized by section 9 of this 2009 Act to rural airports.

39 (2) To the extent that proposed transportation projects meet the qualifications estab-
40 lished by the commission by rule, the commission shall allocate at least 10 percent of the
41 net proceeds of the lottery bonds authorized by section 9 of this 2009 Act to each region de-
42 scribed in this section. For purposes of this section, the regions are as follows:

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

45 (b) Region two consists of Benton, Clatsop, Lane, Lincoln, Linn, Marion, Polk, Tillamook

1 and Yamhill Counties.

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

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

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

7 **SECTION 11.** Sections 12 to 14 of this 2009 Act are added to and made a part of the
8 Oregon Vehicle Code.

9 **SECTION 12.** "Medium-speed electric vehicle" means an electric motor vehicle with four
10 wheels that is equipped with a roll cage or a crushproof body design, can attain a maximum
11 speed of 35 miles per hour on a paved, level surface, is fully enclosed and has at least one
12 door for entry.

13 **SECTION 13.** (1) A person commits the offense of unlawfully operating a medium-speed
14 electric vehicle on a highway if the person operates a medium-speed electric vehicle on a
15 highway with a posted speed limit that is greater than 45 miles per hour.

16 (2) Notwithstanding subsection (1) of this section, a city or county may adopt an ordi-
17 nance allowing operation of medium-speed electric vehicles on city streets or county roads
18 that have speed limits or posted speeds of more than 45 miles per hour.

19 (3) The offense described in this section, unlawfully operating a medium-speed electric
20 vehicle on a highway, is a Class B traffic violation.

21 **SECTION 14.** (1) The Department of Transportation shall adopt, by rule, minimum safety
22 standards for low-speed vehicles and medium-speed electric vehicles. Standards adopted by
23 the department under this section must be consistent with, but may exceed, any vehicle
24 safety standards established under federal regulations.

25 (2) The department may not issue registration to a low-speed vehicle or medium-speed
26 electric vehicle if the department has reason to believe the vehicle does not meet the safety
27 standards adopted pursuant to this section.

28 **SECTION 15.** As part of the preparation of the capital construction estimate submitted
29 to the Oregon Department of Administrative Services pursuant to ORS 291.224, the Depart-
30 ment of Transportation shall prepare, in addition to any amounts budgeted for the Depart-
31 ment of Transportation, a budget request for other funds that may be used to facilitate the
32 sharing of offices and other facilities used by the Department of Transportation with the
33 offices and other facilities used by local government.

34 **SECTION 16.** Section 17 of this 2009 Act is added to and made a part of ORS 184.610 to
35 184.666.

36 **SECTION 17.** The Oregon Transportation Commission shall work with stakeholders to
37 review and update the criteria used to select projects within the Statewide Transportation
38 Improvement Program. When revising the project selection criteria the commission shall
39 consider whether the project:

40 (1) Improves the state highway system or major access routes to the state highway sys-
41 tem on the local road system to relieve congestion by expanding capacity, enhancing oper-
42 ations or otherwise improving travel times within high-congestion corridors.

43 (2) Enhances the safety of the traveling public by decreasing traffic crash rates, pro-
44 moting the efficient movement of people and goods and preserving the public investment in
45 the transportation system.

1 (3) Increases the operational effectiveness and reliability of the existing system by using
2 technological innovation, providing linkages to other existing components of the transporta-
3 tion system and relieving congestion.

4 (4) Is capable of being implemented to reduce the need for additional highway projects.

5 (5) Improves the condition, connectivity and capacity of freight-reliant infrastructure
6 serving the state.

7 (6) Supports improvements necessary for this state's economic growth and
8 competitiveness, accessibility to industries and economic development.

9 (7) Provides the greatest benefit in relation to project costs.

10 (8) Fosters livable communities by demonstrating that the investment does not under-
11 mine sustainable urban development.

12 (9) Enhances the value of transportation projects through designs and development that
13 reflect environmental stewardship and community sensitivity.

14 (10) Is consistent with the state's greenhouse gas emissions reduction goals and reduces
15 this state's dependence on foreign oil.

16 **SECTION 18.** (1) As used in this section, "highway" has the meaning given that term in
17 ORS 801.305.

18 (2) The Department of Transportation shall adopt rules, taking into consideration the
19 following:

20 (a) Incorporating environmental performance standards into the design and construction
21 of all state highway construction projects, including local government highway construction
22 projects funded by the department.

23 (b) Improving the environmental permitting process for state highway construction
24 projects in order to:

25 (A) Reduce the time required to design projects and obtain environmental permits;

26 (B) Reduce the cost and delay associated with redesigning projects to meet environ-
27 mental requirements;

28 (C) Maintain a strong commitment to environmental stewardship; and

29 (D) Reduce this state's dependence on foreign oil.

30 **SECTION 19.** The Department of Transportation shall implement transportation design
31 practices that follow the concept of practical design. Practical design standards should in-
32 corporate maximum flexibility in application of standards that reduce the cost of project
33 delivery while preserving and enhancing safety and mobility.

34 **SECTION 20.** (1) No later than November 1, 2010, the Department of Transportation shall
35 prepare a report for submission to the interim House and Senate committees related to
36 transportation.

37 (2) The report described in subsection (1) of this section must include information about
38 all new transportation design practices implemented under section 19 of this 2009 Act that
39 deliver transportation benefits in the most cost-effective manner.

40 **SECTION 21.** (1) The Department of Transportation shall, in consultation with local
41 governments, conduct a study to generate alternatives to improve the safety of at least one
42 county road that is used to carry hazardous materials in lieu of a state highway.

43 (2) No later than February 1, 2011, the department shall submit a report on the results
44 of the study described in subsection (1) of this section to the Seventy-sixth Legislative As-
45 sembly.

1 **SECTION 22.** Section 21 of this 2009 Act is repealed on January 2, 2012.

2 **SECTION 23.** (1) The Department of Transportation shall undertake a pilot project to
3 contract out all maintenance activities on a segment of the state highway that is at least
4 10 miles in length and no longer than 30 miles in length.

5 (2) No later than February 1, 2010, the department, through the Oregon Innovative
6 Partnerships Program, shall prepare plans and specifications to conduct the procurement of
7 contracts and begin procuring contracts.

8 (3) No later than June 1, 2010, the department shall implement the contracts procured
9 under subsection (2) of this section.

10 (4) The department is encouraged to research successful programs in other states to
11 determine best practices for carrying out the pilot project and replicate the best practices
12 as much as practicable.

13 (5) The department shall continue the pilot project for at least six years from the date
14 the contracts are entered into.

15 (6) The department shall submit, during each regular session of the Legislative Assembly,
16 a biennial report summarizing the progress toward achieving the goals of this section to the
17 House and Senate committees related to business and labor and to the appropriate subcom-
18 mittee of the Joint Committee on Ways and Means that considers the agency's budget.

19 **SECTION 24.** Section 23 of this 2009 Act is repealed on January 2, 2018.

20 **SECTION 25.** (1) A city, county or other local government may not enact any charter
21 provision, ordinance, resolution or other provision taxing fuel for motor vehicles.

22 (2) A city, county or other local government may not amend any charter provision, or-
23 dinance, resolution or other provision taxing fuel for motor vehicles.

24 **SECTION 26.** Section 25 of this 2009 Act is repealed on January 2, 2014.

25 **SECTION 27.** A city, county or other local government may enact or amend any charter
26 provision, ordinance, resolution or other provision taxing fuel for motor vehicles after sub-
27 mitting the proposed tax to the electors of the local government for their approval.

28 **SECTION 28.** Section 27 of this 2009 Act becomes operative January 2, 2014.

29 **SECTION 29.** (1) As used in this section:

30 (a) "Car rental company" means a person whose primary business is renting motor ve-
31 hicles to consumers under rental agreements for periods of 90 days or less.

32 (b) "Motor vehicle" has the meaning given that term in ORS 801.360.

33 (2) A car rental company may not impose in a rental agreement a surcharge for the
34 purpose of covering the costs of titling and registering a rental motor vehicle that is greater
35 than the amount reasonably calculated to cover the costs incurred by the car rental com-
36 pany to title and register the rental motor vehicle.

37 **SECTION 30.** (1) In addition to preparing a highway cost allocation study as described in
38 ORS 366.506 in the same or similar manner as the study prepared for the Seventy-fifth Leg-
39 islative Assembly, the Oregon Department of Administrative Services shall prepare a second
40 highway cost allocation study known as the "efficient fee study."

41 (2) The efficient fee study must consider the actual costs users impose on the highway
42 system, including but not limited to highway replacement costs, traffic congestion costs and
43 the cost of greenhouse gas emissions.

44 (3) The department shall report the results of both the highway cost allocation study and
45 the efficient fee study to the Seventy-sixth Legislative Assembly. The efficient fee study re-

1 port must include recommendations for legislation to implement the efficient fee method of
2 cost allocation.

3 **SECTION 31.** (1) The Urban Trail Fund is established in the State Treasury, separate and
4 distinct from the General Fund. Interest earned by the Urban Trail Fund shall be credited
5 to the fund. Moneys in the fund are continuously appropriated to the Department of Trans-
6 portation to develop and maintain within urban growth boundaries multiuse trails for non-
7 motorized vehicles and pedestrians that supplement or provide links to roads, highways,
8 footpaths, bicycle trails and public transit.

9 (2) The fund shall consist of:

10 (a) Private funding resources;

11 (b) Grant moneys;

12 (c) Any moneys appropriated to the fund by the Legislative Assembly; and

13 (d) Moneys from any other source.

14 **SECTION 32.** (1) The Department of Transportation shall enter into an intergovern-
15 mental agreement with the Travel Information Council under which the council shall man-
16 age, maintain and improve roadside rest areas mutually agreed upon by the department and
17 council and the following roadside rest areas along Interstate 5 and Interstate 84:

18 (a) Interstate 5, southbound, near milepost 63.

19 (b) Interstate 5, northbound, near milepost 241.

20 (c) Interstate 5, southbound, near milepost 241.

21 (d) Interstate 5, northbound, near milepost 281.

22 (e) Interstate 5, southbound, near milepost 281.

23 (f) Interstate 84, eastbound, near milepost 160.

24 (g) Interstate 84, westbound, near milepost 377.

25 (2) Subject to subsection (4) of this section, in carrying out the provisions of subsection
26 (1) of this section, the council may enter into contracts necessary to accomplish the pur-
27 poses of subsection (1) of this section.

28 (3) The department shall maintain ownership of any roadside rest area the council man-
29 ages, maintains and improves under an intergovernmental agreement entered into under
30 subsection (1) of this section.

31 (4) Under the intergovernmental agreement entered into under subsection (1) of this
32 section, the council shall conduct public contracting activities in accordance with the pro-
33 visions of ORS 377.836.

34 **SECTION 33.** (1) Notwithstanding ORS 366.490, the Travel Information Council shall es-
35 tablish by rule a permit program allowing nonprofit organizations to provide free coffee or
36 other nonalcoholic beverages and cookies at roadside rest areas the council is responsible for
37 under section 32 of this 2009 Act. Cookies offered under the program must come from a li-
38 censed facility. Rules adopted under this section may not restrict the program to any par-
39 ticular days of the year.

40 (2) In lieu of applying to the Department of Transportation for a permit under ORS
41 366.490, an organization may apply for a permit to provide coffee, other nonalcoholic
42 beverages and cookies at a rest area maintained by the council by submitting a written re-
43 quest to the council. The request shall specify the day on which the organization wishes to
44 offer the nonalcoholic beverages and cookies and the specific rest area where they will be
45 offered. The request shall be submitted not less than 60 days prior to the date requested.

1 (3) The council shall issue a permit to the selected organization not less than 30 days in
2 advance of the date for which the permit is issued. If there is more than one request for the
3 same date and the same place, the council shall select one organization by random drawing
4 and shall issue the permit to that organization.

5 (4) The council may not issue more than one permit for the same time and place.

6 (5) An organization that receives a permit shall confine distribution of coffee, other
7 nonalcoholic beverages or cookies to an area of the rest area designated in the permit or by
8 the rest area attendant. The organization may not obstruct access to any building or other
9 structure in the rest area.

10 (6) An organization providing coffee, other nonalcoholic beverages or cookies may accept
11 donations at the rest area while providing coffee, other nonalcoholic beverages or cookies.

12 (7) An organization may post signs identifying the organization and the activity, provided
13 that each sign is not more than 10 square feet in area and there are not more than two
14 signs. The signs may be placed only on vehicles used in connection with the provision of
15 nonalcoholic beverages and cookies or located in the area designated for the activity.

16 (8) The council may revoke the permit of any organization that fails to comply with the
17 provisions of this section or with rules adopted by the council to implement the provisions
18 of this section.

19 SECTION 34. Sections 32 and 33 of this 2009 Act are repealed January 2, 2020.

20 SECTION 35. (1) The Department of Transportation and the Travel Information Council
21 shall work with the private sector to develop a plan for installing electric motor vehicle re-
22 charging stations at any roadside rest area operated by the council or the department.

23 (2) The department and the council jointly shall report to the House and Senate interim
24 committees related to transportation on the development of the plan.

25 SECTION 36. Section 35 of this 2009 Act is repealed on January 2, 2012.

26 SECTION 37. (1) As used in this section:

27 (a) "Comprehensive plan" has the meaning given that term in ORS 197.015.

28 (b) "Land use regulation" has the meaning given that term in ORS 197.015.

29 (c) "Metropolitan service district" means a metropolitan service district established un-
30 der ORS chapter 268.

31 (2)(a) Except as provided in subsection (5) of this section, on or before January 1, 2012,
32 a metropolitan service district, in accordance with rules adopted under subsection (6) of this
33 section, shall develop two or more alternative land use and transportation scenarios that
34 accommodate planned population and employment growth while achieving a reduction in
35 greenhouse gas emissions from motor vehicles with a gross vehicle weight rating of 10,000
36 pounds or less.

37 (b) A metropolitan service district, in accordance with rules adopted under subsection (8)
38 of this section, shall select, after public review and comment on the scenarios and in con-
39 sultation with local governments within the jurisdiction of the metropolitan service district,
40 one scenario described in paragraph (a) of this subsection as a part of its planning respon-
41 sibilities under ORS 268.390.

42 (3) Except as provided in subsection (5) of this section, a local government within the
43 jurisdiction of the metropolitan service district shall amend its comprehensive plan and land
44 use regulations implementing the plan to be consistent with the scenario adopted by a met-
45 ropolitan service district in a manner provided by rules adopted under subsection (8) of this

1 section.

2 (4)(a) The Department of Transportation and the Department of Land Conservation and
3 Development shall provide technical assistance and guidance for the land use and transpor-
4 tation scenarios and local planning described in subsections (2) and (3) of this section.

5 (b) The Department of Transportation and the Department of Land Conservation and
6 Development shall provide grant support to each government entity required to carry out the
7 provisions of subsections (2) and (3) of this section in amounts sufficient to fully reimburse
8 the entities for any costs incurred in carrying out the provisions of subsections (2) and (3)
9 of this section.

10 (c) The Department of Transportation and the Department of Land Conservation and
11 Development shall provide funds for rulemaking, technical assistance and grants under this
12 section from available funds.

13 (5) A metropolitan service district and local governments within the jurisdiction of the
14 district are not required to comply with subsections (2) and (3) of this section unless the
15 district and local governments receive sufficient funds for reimbursement of costs in carry-
16 ing out the provisions of subsections (2) and (3) of this section.

17 (6) On or before June 1, 2011, the Land Conservation and Development Commission, in
18 consultation with the Oregon Transportation Commission, shall adopt rules for metropolitan
19 service districts. The rules must identify each district's needed reduction by 2035 in those
20 greenhouse gas emissions caused by motor vehicles with a gross vehicle weight rating of
21 10,000 pounds or less, based upon the goals stated in ORS 468A.205 and taking into consid-
22 eration the reductions in vehicle emissions that are likely to result by 2035 from the use of
23 improved vehicle technologies and fuels. On or before March 1, 2011, the Department of
24 Transportation, the Department of Environmental Quality and the State Department of En-
25 ergy shall provide the Land Conservation and Development Commission with the information
26 or projections necessary to determine the proposed greenhouse gas emissions reduction goals
27 for 2035.

28 (7) In order to carry out the responsibilities described in subsection (6) of this section:

29 (a) The Department of Transportation shall provide the Department of Environmental
30 Quality and the State Department of Energy with an estimate of the vehicle miles traveled
31 in the metropolitan service district in 1990 by motor vehicles with a gross vehicle weight
32 rating of 10,000 pounds or less, based on available records;

33 (b) The Department of Transportation shall provide the Department of Environmental
34 Quality and the State Department of Energy with an estimate of the rate at which new ve-
35 hicles will replace existing vehicles among the vehicles described in paragraph (a) of this
36 subsection;

37 (c) The Department of Environmental Quality and the State Department of Energy shall
38 estimate the greenhouse gas emissions for 1990 for each metropolitan service district re-
39 sulting from the travel by motor vehicles described in paragraph (a) of this subsection, using
40 available records of the average emissions per mile emitted by motor vehicles in 1990 and the
41 estimates provided by the Department of Transportation under paragraph (a) of this sub-
42 section;

43 (d) The Department of Environmental Quality and the State Department of Energy shall
44 estimate the predicted average greenhouse gas emissions by motor vehicles described in
45 paragraph (a) of this subsection predicted to comprise the motor vehicles on the highways

1 in 2035 based on the predicted rate of replacement of the vehicles as described in paragraph
2 (b) of this subsection and based on available reasonable estimates provided by public or pri-
3 vate entities of the improvements in vehicle technologies that will be available for use by
4 2035;

5 (e) The Department of Environmental Quality and the State Department of Energy shall
6 recommend to the Land Conservation and Development Commission a percentage by which
7 the emissions from motor vehicles described in paragraph (a) of this subsection should be
8 reduced below their estimated 1990 emission levels by 2035 in order to achieve a reduction in
9 emissions from the vehicles as part of the overall achievement of total carbon reduction set
10 for 2050 by ORS 468A.205 and shall explain their reasons for any recommendations other than
11 the midpoint between the 2020 and the 2050 emission reduction targets established by ORS
12 468A.205;

13 (f) The Department of Environmental Quality and the State Department of Energy shall
14 calculate the estimated miles of travel by motor vehicles described by paragraph (a) of this
15 subsection predicted to be traveled and that may be accommodated in 2035 in each metro-
16 politan service district based on the estimates performed under paragraphs (a) to (d) of this
17 subsection and the recommendation required by paragraph (e) of this subsection;

18 (g) The Department of Transportation, the Department of Environmental Quality and the
19 State Department of Energy shall recommend to the Land Conservation and Development
20 Commission modeling tools or other methods by which a metropolitan service district may
21 adjust the district's recommended target number of miles of travel described in paragraph
22 (f) of this subsection to account for additional greenhouse gas emissions resulting from in-
23 creased traffic congestion or reductions in such emissions resulting from measures that re-
24 duce traffic congestion; and

25 (h) On or before March 1, 2011, the Department of Transportation, the Department of
26 Environmental Quality and the State Department of Energy shall submit the information
27 required by paragraphs (a) to (g) of this subsection to the Land Conservation and Develop-
28 ment Commission, including but not limited to citations to sources relied on and calculations
29 made.

30 (8) On or before January 1, 2013, the Land Conservation and Development Commission,
31 in consultation with the Oregon Transportation Commission, shall adopt rules that establish
32 a process for cooperatively selecting a land use and transportation scenario for each metro-
33 politan service district to achieve the greenhouse gas emissions reductions identified in the
34 rules adopted pursuant to subsection (6) of this section and a process for the adoption of
35 regional or local plans to implement the scenario. The rules shall:

36 (a) Identify minimum planning standards for achieving reductions in greenhouse gas
37 emissions through comprehensive plans and transportation system plans;

38 (b) Identify planning assumptions and approaches to meet minimum planning standards
39 identified in paragraph (a) of this subsection that ensure the Department of Land Conserva-
40 tion and Development can approve the changes to the regional framework plan, comprehen-
41 sive plans and land use regulations implementing the comprehensive plans;

42 (c) Establish a cycle for initial adoption and updating of the transportation and land use
43 scenario required by this section, including planning periods beyond 2035, relating the cycle
44 to periodic review under ORS 197.628 to 197.650 and to urban growth boundary planning under
45 ORS 197.296 or 197.298; and

1 (d) Ensure that local standards and criteria for land uses and for land development and
2 transportation plans that implement the scenarios selected under subsection (2)(b) of this
3 section:

4 (A) Are contained in the amendments to regional framework plans, functional plans,
5 comprehensive plans and land use regulations required by subsections (3) of this section; and

6 (B) Do not have the effect of preventing, discouraging or delaying the implementation
7 of the scenarios, except as necessary to protect the public health and safety.

8 (9) The Land Conservation and Development Commission may extend the deadline for
9 adoption of the rules required under subsection (6) of this section for up to 90 days if the
10 commission determines that the extension will not delay a metropolitan service district's
11 completion of land use and transportation scenarios as described in subsection (2) of this
12 section.

13 **SECTION 38.** (1) As used in this section, "metropolitan service district" means a metro-
14 politan service district established under ORS chapter 268.

15 (2) On or before February 1, 2012, the Department of Land Conservation and Development
16 and the Department of Transportation shall report to the House and Senate interim com-
17 mittees related to transportation on progress toward implementing the land use and trans-
18 portation scenario described in section 37 of this 2009 Act. The report must include:

19 (a) The scenarios of a metropolitan service district that are described in section 37 (2)
20 of this 2009 Act; and

21 (b) The rules adopted pursuant to section 37 (6) of this 2009 Act.

22 (3) On or before February 1, 2014, the Land Conservation and Development Commission
23 and the Department of Transportation shall report to the House and Senate interim com-
24 mittees related to transportation on progress toward implementing the land use and trans-
25 portation scenario described in section 37 of this 2009 Act. The report must include:

26 (a) The rules adopted pursuant to section 37 (8) of this 2009 Act;

27 (b) A description of the completed planning and work remaining to be completed; and

28 (c) Recommendations as to how the planning requirements of section 37 of this 2009 Act
29 should be extended to metropolitan planning organizations serving areas with populations of
30 more than 200,000 or to cities located outside the boundaries of metropolitan planning or-
31 ganizations that have significant levels of commuting trips to destinations within the
32 boundaries of a metropolitan planning organization.

33 **SECTION 38a.** (1) As used in this section, "metropolitan planning organization" has the
34 meaning given that term in ORS 197.629.

35 (2) Except as provided in subsection (6) of this section, on or before July 1, 2013, with the
36 assistance of the Department of Transportation and a metropolitan service district, a met-
37 ropolitan planning organization that serves Eugene and Springfield shall develop modeling
38 and other capabilities needed to perform the planning functions described in subsections (3)
39 and (4) of this section.

40 (3)(a) Except as provided in subsection (6) of this section, on or after January 1, 2013, a
41 metropolitan planning organization that serves Eugene and Springfield, shall develop two or
42 more alternative land use and transportation scenarios that accommodate planned popu-
43 lation and employment growth while achieving a reduction in greenhouse gas emissions from
44 motor vehicles with a gross vehicle weight rating of 10,000 pounds or less.

45 (b) When developing the land use and transportation scenarios described in subsection

1 (a) of this section, the metropolitan planning organization shall take into account the
2 amount of greenhouse emissions, caused by motor vehicles with a gross vehicle weight rating
3 of 10,000 pounds or less, that need to be reduced in 2035 in order to meet the goals stated in
4 ORS 468A.205. The metropolitan planning organization shall take into consideration the re-
5 ductions in vehicle emissions that are likely to result by 2035 from the use of improved ve-
6 hicle technologies and fuels.

7 (4) The local governments within the boundaries of a metropolitan planning organization
8 that serves Eugene and Springfield shall cooperatively select, after public review and com-
9 ment on the scenarios within the boundaries of the metropolitan planning organization, one
10 scenario described in subsection (3) of this section.

11 (5)(a) The Department of Transportation and the Department of Land Conservation and
12 Development shall provide technical assistance, grant support and guidance for the land use
13 and transportation scenarios and local planning described in subsections (3) and (4) of this
14 section.

15 (b) Metro, with grant assistance provided by the Department of Transportation, shall
16 make its land use modeling capabilities available to metropolitan planning organizations that
17 lack similar capabilities.

18 (c) The Department of Transportation shall provide funds for rulemaking, technical as-
19 sistance and grants under this section from available funds.

20 (6) A metropolitan planning organization that serves Eugene and Springfield, and local
21 governments within the jurisdiction of the organization, are not required to comply with
22 subsections (2) and (3) of this section unless the organization and local governments receive
23 sufficient funds for reimbursement of costs in carrying out the provisions of subsections (2)
24 and (3) of this section.

25 (7) A metropolitan planning organization that serves Eugene and Springfield shall report:

26 (a) On or before February 1, 2014, to the House and Senate interim committees related
27 to transportation. The report shall include recommendations for a cooperative process of
28 rulemaking and enforcement of the rules.

29 (b) To the Seventy-eighth Legislative Assembly, the manner provided in ORS 192.245, on
30 the implications of implementing the land use and transportation scenario selected under
31 paragraph (a) of this subsection by amendments to the local government's comprehensive
32 plan and land use regulations.

33 **SECTION 39.** Sections 37, 38 and 38a of this 2009 Act are repealed on January 2, 2016.

34 **SECTION 40.** ORS 801.041 is amended to read:

35 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
36 registration fees for vehicles:

37 (1) An ordinance establishing registration fees under this section must be enacted by the county
38 imposing the registration fee and filed with the Department of Transportation. [Any]
39 **Notwithstanding ORS 203.055 or any provision of a county charter, the governing body of a**
40 **county with a population of 350,000 or more may enact an ordinance** establishing registration
41 fees [that is enacted by the governing body of a county must be submitted to the electors of the county
42 for their approval.] **for the purpose of designing, replacing, acquiring necessary property for,**
43 **engineering and constructing a bridge and its approach that crosses the Willamette River in**
44 **the City of Portland. Except for motor vehicles registered as government-owned vehicles**
45 **under ORS 805.040, the bridge shall be restricted to motor vehicles with a gross vehicle**

1 **weight rating of 26,000 pounds or less.** The governing body of the county imposing the registra-
2 tion fee shall enter into an intergovernmental agreement under ORS 190.010 with the department
3 by which the department shall collect the registration fees, pay them over to the county and, if
4 necessary, allow the credit or credits described in ORS 803.445 (5). The intergovernmental agree-
5 ment must state the date on which the department shall begin collecting registration fees for the
6 county.

7 (2) The authority granted by this section allows the establishment of registration fees in addition
8 to those described in ORS 803.420. There is no authority under this section to affect registration
9 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-
10 tration under the vehicle code.

11 (3) Except as otherwise provided for in this subsection, when registration fees are imposed under
12 this section, they must be imposed on all vehicle classes. Registration fees as provided under this
13 section may not be imposed on the following:

14 (a) Snowmobiles and Class I all-terrain vehicles.

15 (b) Fixed load vehicles.

16 (c) Vehicles registered under ORS 805.100 to disabled veterans.

17 (d) Vehicles registered as antique vehicles under ORS 805.010.

18 (e) Vehicles registered as vehicles of special interest under ORS 805.020.

19 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.

20 (g) School buses or school activity vehicles registered under ORS 805.050.

21 (h) Law enforcement undercover vehicles registered under ORS 805.060.

22 (i) Vehicles registered on a proportional basis for interstate operation.

23 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10)
24 or (11).

25 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

26 (L) Travel trailers, campers and motor homes.

27 (4) Any registration fee imposed by a county must be a fixed amount not to exceed, with respect
28 to any vehicle class, the registration fee established under ORS 803.420 (1). For vehicles on which
29 a flat fee is imposed under ORS 803.420, the fee must be a whole dollar amount.

30 (5) Moneys from registration fees established under this section must be paid to the county es-
31 tablishing the registration fees as provided in ORS 802.110. *[The county ordinance shall provide for*
32 *payment of at least 40 percent of the money to cities within the county unless a different distribution*
33 *is agreed to between the county and the cities within the jurisdiction of the county. The moneys shall*
34 *be used for any purpose for which moneys from registration fees may be used.]* **The moneys shall be**
35 **used for the necessary property acquisition for and the design, replacement, engineering and**
36 **construction of a bridge and its approach that crosses the Willamette River in the City of**
37 **Portland. Except for motor vehicles registered as government-owned vehicles under ORS**
38 **805.040, the bridge shall be restricted to motor vehicles with a gross vehicle weight rating**
39 **of 26,000 pounds or less.**

40 (6) Two or more counties may act jointly to impose a registration fee under this section. The
41 ordinance of each county acting jointly with another under this subsection must provide for the
42 distribution of moneys collected through a joint registration fee.

43 *[(7) Before the governing body of a county that overlaps a district can impose a registration fee*
44 *under this section, it must enter into an intergovernmental agreement under ORS 190.010 with the*
45 *governing bodies of that district and all counties, other districts and cities with populations of over*

1 300,000 that overlap the district. The intergovernmental agreement must state the registration fees and,
2 if necessary, how the revenue from the fees are to be apportioned among the counties and the districts.
3 Before the governing body of a county can enter into such an intergovernmental agreement, the county
4 shall consult with the cities in its jurisdiction.]

5 **SECTION 40a.** ORS 801.041, as amended by section 40 of this 2009 Act, is amended to read:

6 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
7 registration fees for vehicles:

8 (1) An ordinance establishing registration fees under this section must be enacted by the county
9 imposing the registration fee and filed with the Department of Transportation. Notwithstanding ORS
10 203.055 or any provision of a county charter, the governing body of a county with a population of
11 350,000 or more may enact an ordinance establishing registration fees [*for the purpose of designing,*
12 *replacing, acquiring necessary property for, engineering and constructing a bridge and its approach*
13 *that crosses the Willamette River in the City of Portland. Except for motor vehicles registered as*
14 *government-owned vehicles under ORS 805.040, the bridge shall be restricted to motor vehicles with a*
15 *gross vehicle weight rating of 26,000 pounds or less.] **The governing body of a county with a pop-**
16 **ulation of less than 350,000 may enact an ordinance establishing registration fees after sub-**
17 **mitting the ordinance to the electors of the county for their approval.** The governing body of
18 the county imposing the registration fee shall enter into an intergovernmental agreement under ORS
19 190.010 with the department by which the department shall collect the registration fees, pay them
20 over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5). The
21 intergovernmental agreement must state the date on which the department shall begin collecting
22 registration fees for the county.*

23 (2) The authority granted by this section allows the establishment of registration fees in addition
24 to those described in ORS 803.420. There is no authority under this section to affect registration
25 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-
26 tration under the vehicle code.

27 (3) Except as otherwise provided for in this subsection, when registration fees are imposed under
28 this section, they must be imposed on all vehicle classes. Registration fees as provided under this
29 section may not be imposed on the following:

30 (a) Snowmobiles and Class I all-terrain vehicles.

31 (b) Fixed load vehicles.

32 (c) Vehicles registered under ORS 805.100 to disabled veterans.

33 (d) Vehicles registered as antique vehicles under ORS 805.010.

34 (e) Vehicles registered as vehicles of special interest under ORS 805.020.

35 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.

36 (g) School buses or school activity vehicles registered under ORS 805.050.

37 (h) Law enforcement undercover vehicles registered under ORS 805.060.

38 (i) Vehicles registered on a proportional basis for interstate operation.

39 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10)
40 or (11).

41 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

42 (L) Travel trailers, campers and motor homes.

43 (4) Any registration fee imposed by a county must be a fixed amount not to exceed, with respect
44 to any vehicle class, the registration fee established under ORS 803.420 (1). For vehicles on which
45 a flat fee is imposed under ORS 803.420, the fee must be a whole dollar amount.

1 (5) Moneys from registration fees established under this section must be paid to the county es-
2 tablishing the registration fees as provided in ORS 802.110. *[The moneys shall be used for the neces-*
3 *sary property acquisition for and the design, replacement, engineering and construction of a bridge and*
4 *its approach that crosses the Willamette River in the City of Portland. Except for motor vehicles reg-*
5 *istered as government-owned vehicles under ORS 805.040, the bridge shall be restricted to motor vehi-*
6 *cles with a gross vehicle weight rating of 26,000 pounds or less.]* **The county ordinance shall**
7 **provide for payment of at least 40 percent of the moneys to cities within the county unless**
8 **a different distribution is agreed upon by the county and the cities within the jurisdiction**
9 **of the county. The moneys shall be used for any purpose for which moneys from registration**
10 **fees may be used.**

11 (6) Two or more counties may act jointly to impose a registration fee under this section. The
12 ordinance of each county acting jointly with another under this subsection must provide for the
13 distribution of moneys collected through a joint registration fee.

14 **SECTION 40b.** ORS 267.001 is amended to read:

15 267.001. Subject to ORS 801.040, [801.041,] 801.042, 801.237 and 803.445, for the purpose of exer-
16 cising any power the district, as defined in ORS 801.237, is authorized to exercise, the district may
17 impose registration fees on vehicles under ORS 803.445.

18 **SECTION 40c.** ORS 268.503 is amended to read:

19 268.503. Subject to ORS 801.040, [801.041,] 801.042, 801.237 and 803.445, for the purpose of pro-
20 viding any service that the district, as defined in ORS 801.237, has power to provide, the district
21 may impose registration fees on vehicles under ORS 803.445.

22 **SECTION 40d.** ORS 801.237 is amended to read:

23 801.237. As used in this section and ORS 267.001, 268.503, 801.040, [801.041,] 801.042, 802.110,
24 803.420, 803.445 and 803.585, “district” means a mass transit or transportation district of over
25 400,000 persons established under ORS chapter 267 and a metropolitan service district of over
26 400,000 persons established under ORS chapter 268.

27 **SECTION 41.** **The amendments to ORS 801.041 by section 40a of this 2009 Act become**
28 **operative July 1, 2013.**

29 **SECTION 42.** ORS 803.090 is amended to read:

30 803.090. The following fees are the fees for the transaction described:

31 (1) The transfer fee under ORS 803.092:

32 (a) For a salvage title, [\$17] **\$27.**

33 (b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles
34 with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.

35 (c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this
36 subsection, [\$55] **\$77.**

37 (2) The fee for issuance of a certificate of title under ORS 803.045:

38 (a) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles
39 with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.

40 (b) For vehicles other than vehicles for which the title fee is described in paragraph (a) of this
41 subsection, [\$55] **\$77.**

42 (3) The fee for issuance of a salvage title certificate under ORS 803.140, [\$17] **\$27.**

43 (4) The fee for issuance of a duplicate or replacement certificate of title under ORS 803.065:

44 (a) For a duplicate or replacement salvage title certificate, [\$17] **\$27.**

45 (b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles

1 with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.

2 (c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this
3 subsection, [~~\$55~~] **\$77**.

4 (5) The fee under subsection (4) of this section [*must*] **may not** be paid at the same time as a
5 transfer fee under this section if application is made at the same time as application for transfer.

6 (6) The fee for issuance of a new certificate of title under ORS 803.220 indicating a change of
7 name or address:

8 (a) For a new salvage title certificate, [~~\$17~~] **\$27**.

9 (b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles
10 with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.

11 (c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this
12 subsection, [~~\$55~~] **\$77**.

13 (7) The fee for late presentation of certificate of title under ORS 803.105, \$25 from the 31st day
14 after the transfer through the 60th day after the transfer and \$50 thereafter.

15 (8) The fees for title transactions involving a form of title other than a certificate shall be the
16 amounts established by the Department of Transportation by rule under ORS 803.012.

17 **SECTION 43.** ORS 803.420 is amended to read:

18 803.420. This section establishes registration fees for vehicles. If there is uncertainty as to the
19 classification of a vehicle for purposes of the payment of registration fees under the vehicle code,
20 the Department of Transportation may classify the vehicle to assure that registration fees for the
21 vehicle are the same as for vehicles the department determines to be comparable. The registration
22 fees for the vehicle shall be those based on the classification determined by the department. Except
23 as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described
24 in this section are for an entire registration period for the vehicle as described under ORS 803.415.
25 The department shall apportion any fee under this section to reflect the number of quarters regis-
26 tered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are
27 payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS
28 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing
29 body of a county or by the governing body of a district, as defined in ORS 801.237, under ORS
30 801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of ve-
31 hicles are as follows:

32 (1) Vehicles not otherwise provided for in this section or ORS 821.320, [~~\$27~~] **\$43** for each year
33 of the registration period.

34 (2) Mopeds, [~~\$15~~] **\$24** for each year of the registration period.

35 (3) Motorcycles, [~~\$15~~] **\$24** for each year of the registration period.

36 (4) Government-owned vehicles registered under ORS 805.040, \$3.50.

37 (5) State-owned vehicles registered under ORS 805.045, \$3.50 on registration or renewal.

38 (6) Undercover vehicles registered under ORS 805.060, \$3.50 on registration or renewal.

39 (7) Antique vehicles registered under ORS 805.010, \$54.

40 (8) Vehicles of special interest registered under ORS 805.020, \$81.

41 (9) Electric vehicles and hybrid vehicles that use electricity and another source of motive power,
42 as follows:

43 (a) The registration fee for an electric or hybrid vehicle not otherwise described in this sub-
44 section is [~~\$27~~] **\$43** for each year of the registration period.

45 (b) The registration fee for electric or hybrid vehicles that have two or three wheels is [~~\$27~~]

1 ~~\$43.~~ This paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are
 2 subject to the same registration fee as otherwise provided for mopeds under this section.

3 (c) The registration fees for the following electric or hybrid vehicles are the same as for com-
 4 parable nonelectric vehicles described in this section plus 50 percent of such fee:

5 (A) Motor homes.

6 (B) Commercial buses.

7 (C) Vehicles registered as farm vehicles under ORS 805.300.

8 (D) Vehicles required to establish registration weight under ORS 803.430 or 826.013.

9 (10) Motor vehicles required to establish a registration weight under ORS 803.430 or 826.013,
 10 and commercial buses as provided in the following chart, based upon the weight submitted in the
 11 declaration of weight prepared under ORS 803.435 or 826.015:



Weight in Pounds		Fee
8,000 or less		\$ 27
8,001 to 10,000		169
10,001 to 12,000		192
12,001 to 14,000		215
14,001 to 16,000		238
16,001 to 18,000		261
18,001 to 20,000		291
20,001 to 22,000		314
22,001 to 24,000		345
24,001 to 26,000		375
26,001 to 28,000		184
28,001 to 30,000		192
30,001 to 32,000		207
32,001 to 34,000		215
34,001 to 36,000		230
36,001 to 38,000		238
38,001 to 40,000		253
40,001 to 42,000		261
42,001 to 44,000		276
44,001 to 46,000		284
46,001 to 48,000		291
48,001 to 50,000		307
50,001 to 52,000		322
52,001 to 54,000		330
54,001 to 56,000		337
56,001 to 58,000		352
58,001 to 60,000		368
60,001 to 62,000		383
62,001 to 64,000		398
64,001 to 66,000		406
66,001 to 68,000		421

1	68,001	to	70,000	429
2	70,001	to	72,000	444
3	72,001	to	74,000	452
4	74,001	to	76,000	467
5	76,001	to	78,000	475
6	78,001	to	80,000	490
7	80,001	to	82,000	498
8	82,001	to	84,000	513
9	84,001	to	86,000	521
10	86,001	to	88,000	536
11	88,001	to	90,000	544
12	90,001	to	92,000	559
13	92,001	to	94,000	567
14	94,001	to	96,000	582
15	96,001	to	98,000	590
16	98,001	to	100,000	598
17	100,001	to	102,000	613
18	102,001	to	104,000	621
19	104,001	to	105,500	636

20

21

22 (11)(a) Motor vehicles with a registration weight of more than 8,000 pounds that are described
 23 in ORS 825.015, that are operated by a charitable organization as defined in ORS 825.017 (14), that
 24 are certified under ORS 822.205 or that are used exclusively to transport manufactured structures,
 25 as provided in the following chart:

26

27

28	Weight in Pounds		Fee
29	8,001	to 10,000	\$ 50
30	10,001	to 12,000	60
31	12,001	to 14,000	65
32	14,001	to 16,000	75
33	16,001	to 18,000	80
34	18,001	to 20,000	90
35	20,001	to 22,000	95
36	22,001	to 24,000	105
37	24,001	to 26,000	110
38	26,001	to 28,000	120
39	28,001	to 30,000	125
40	30,001	to 32,000	135
41	32,001	to 34,000	140
42	34,001	to 36,000	150
43	36,001	to 38,000	155
44	38,001	to 40,000	165
45	40,001	to 42,000	170

1	42,001	to	44,000	180
2	44,001	to	46,000	185
3	46,001	to	48,000	190
4	48,001	to	50,000	200
5	50,001	to	52,000	210
6	52,001	to	54,000	215
7	54,001	to	56,000	220
8	56,001	to	58,000	230
9	58,001	to	60,000	240
10	60,001	to	62,000	250
11	62,001	to	64,000	260
12	64,001	to	66,000	265
13	66,001	to	68,000	275
14	68,001	to	70,000	280
15	70,001	to	72,000	290
16	72,001	to	74,000	295
17	74,001	to	76,000	305
18	76,001	to	78,000	310
19	78,001	to	80,000	320
20	80,001	to	82,000	325
21	82,001	to	84,000	335
22	84,001	to	86,000	340
23	86,001	to	88,000	350
24	88,001	to	90,000	355
25	90,001	to	92,000	365
26	92,001	to	94,000	370
27	94,001	to	96,000	380
28	96,001	to	98,000	385
29	98,001	to	100,000	390
30	100,001	to	102,000	400
31	102,001	to	104,000	405
32	104,001	to	105,500	415

33

34

35 (b) The owner of a vehicle described in paragraph (a) of this subsection must certify at the time
 36 of initial registration, in a manner determined by the department by rule, that the motor vehicle
 37 will be used exclusively to transport manufactured structures or exclusively as described in ORS
 38 822.210, 825.015 or 825.017 (14). Registration of a vehicle described in paragraph (a) of this sub-
 39 section is invalid if the vehicle is operated in any manner other than that described in the certif-
 40 ication under this paragraph.

41 (12) Trailers registered under permanent registration, \$10.

42 (13) Fixed load vehicles as follows:

43 (a) If a declaration of weight described under ORS 803.435 is submitted establishing the weight
 44 of the vehicle at 3,000 pounds or less, \$54.

45 (b) If no declaration of weight is submitted or if the weight of the vehicle is in excess of 3,000

1 pounds, \$75.

2 (14) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that
3 are not travel trailers or trailers registered under permanent registration, \$27.

4 (15) Trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500,
5 the same as the fee for vehicles of the same type registered under other provisions of the Oregon
6 Vehicle Code.

7 (16) Travel trailers, campers and motor homes as follows, based on length as determined under
8 ORS 803.425:

9 (a) For travel trailers or campers that are 6 to 10 feet in length, \$81.

10 (b) For travel trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of
11 length over the first 10 feet.

12 (c) For motor homes that are 6 to 14 feet in length, \$54.

13 (d) For motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over
14 the first 10 feet.

15 (17) Special use trailers as follows, based on length as determined under ORS 803.425:

16 (a) For lengths 6 to 10 feet, \$54.

17 (b) For special use trailers over 10 feet in length, \$54 plus \$3 a foot for each foot of length over
18 the first 10 feet.

19 (18) Fees for vehicles with proportional registration under ORS 826.009, or proportioned fleet
20 registration under ORS 826.011, are as provided for vehicles of the same type under this section
21 except that the fees shall be fixed on an apportioned basis as provided under the agreement estab-
22 lished under ORS 826.007.

23 (19) For any vehicle that is registered under a quarterly registration period, a minimum of \$15
24 for each quarter registered plus an additional fee of \$1.

25 (20) In addition to any other fees charged for registration of vehicles in fleets under ORS
26 805.120, the department may charge the following fees:

27 (a) A \$2 service charge for each vehicle entered into a fleet.

28 (b) A \$1 service charge for each vehicle in the fleet at the time of renewal.

29 (21) The registration fee for vehicles with special registration for disabled veterans under ORS
30 805.100 is a fee of \$15.

31 (22) Subject to subsection (19) of this section, the registration fee for motor vehicles registered
32 as farm vehicles under ORS 805.300 is as follows based upon the registration weight given in the
33 declaration of weight submitted under ORS 803.435:

34

35

Weight in Pounds		Fee
8,000	or less	\$ 27
8,001	to 10,000	30
10,001	to 12,000	35
12,001	to 14,000	45
14,001	to 16,000	50
16,001	to 18,000	60
18,001	to 20,000	65
20,001	to 22,000	75
22,001	to 24,000	80

45

1	24,001	to	26,000	90
2	26,001	to	28,000	95
3	28,001	to	30,000	105
4	30,001	to	32,000	110
5	32,001	to	34,000	120
6	34,001	to	36,000	125
7	36,001	to	38,000	135
8	38,001	to	40,000	140
9	40,001	to	42,000	150
10	42,001	to	44,000	155
11	44,001	to	46,000	165
12	46,001	to	48,000	170
13	48,001	to	50,000	180
14	50,001	to	52,000	185
15	52,001	to	54,000	190
16	54,001	to	56,000	200
17	56,001	to	58,000	210
18	58,001	to	60,000	215
19	60,001	to	62,000	220
20	62,001	to	64,000	230
21	64,001	to	66,000	240
22	66,001	to	68,000	245
23	68,001	to	70,000	250
24	70,001	to	72,000	260
25	72,001	to	74,000	265
26	74,001	to	76,000	275
27	76,001	to	78,000	280
28	78,001	to	80,000	290
29	80,001	to	82,000	295
30	82,001	to	84,000	305
31	84,001	to	86,000	310
32	86,001	to	88,000	320
33	88,001	to	90,000	325
34	90,001	to	92,000	335
35	92,001	to	94,000	340
36	94,001	to	96,000	350
37	96,001	to	98,000	355
38	98,001	to	100,000	365
39	100,001	to	102,000	370
40	102,001	to	104,000	380
41	104,001	to	105,500	385

42

43

44 (23) The registration fee for school vehicles registered under ORS 805.050 is \$7.50.

45 (24) The registration fee for a low-speed vehicle is [~~\$54~~] **\$43, for each year of the registration**

1 **period.**

2 (25) A rental or leasing company, as defined in ORS 221.275, that elects to initially register a
3 vehicle for an annual or biennial registration period shall pay a fee of \$1 in addition to the vehicle
4 registration fee provided under this section.

5 (26) Racing activity vehicles registered under ORS 805.035, \$81.

6 **(27) Medium-speed electric vehicles, \$43 for each year of the registration period.**

7 **SECTION 43a.** ORS 803.420, as amended by section 43 of this 2009 Act, is amended to read:

8 803.420. This section establishes registration fees for vehicles. If there is uncertainty as to the
9 classification of a vehicle for purposes of the payment of registration fees under the vehicle code,
10 the Department of Transportation may classify the vehicle to assure that registration fees for the
11 vehicle are the same as for vehicles the department determines to be comparable. The registration
12 fees for the vehicle shall be those based on the classification determined by the department. Except
13 as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described
14 in this section are for an entire registration period for the vehicle as described under ORS 803.415.
15 The department shall apportion any fee under this section to reflect the number of quarters regis-
16 tered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are
17 payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS
18 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing
19 body of a county or by the governing body of a district, as defined in ORS 801.237, under ORS
20 801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of ve-
21 hicles are as follows:

22 (1) Vehicles not otherwise provided for in this section or ORS 821.320, \$43 for each year of the
23 registration period.

24 (2) Mopeds, \$24 for each year of the registration period.

25 (3) Motorcycles, \$24 for each year of the registration period.

26 (4) Government-owned vehicles registered under ORS 805.040, \$3.50.

27 (5) State-owned vehicles registered under ORS 805.045, \$3.50 on registration or renewal.

28 (6) Undercover vehicles registered under ORS 805.060, \$3.50 on registration or renewal.

29 (7) Antique vehicles registered under ORS 805.010, \$54.

30 (8) Vehicles of special interest registered under ORS 805.020, \$81.

31 (9) Electric vehicles and hybrid vehicles that use electricity and another source of motive power,
32 as follows:

33 (a) The registration fee for an electric or hybrid vehicle not otherwise described in this sub-
34 section is \$43 for each year of the registration period.

35 (b) The registration fee for electric or hybrid vehicles that have two or three wheels is \$43. This
36 paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are subject to the
37 same registration fee as otherwise provided for mopeds under this section.

38 (c) The registration fees for the following electric or hybrid vehicles are the same as for com-
39 parable nonelectric vehicles described in this section plus 50 percent of such fee:

40 (A) Motor homes.

41 (B) Commercial buses.

42 (C) Vehicles registered as farm vehicles under ORS 805.300.

43 (D) Vehicles required to establish registration weight under ORS 803.430 or 826.013.

44 (10) Motor vehicles required to establish a registration weight under ORS 803.430 or 826.013,
45 and commercial buses as provided in the following chart, based upon the weight submitted in the

1 declaration of weight prepared under ORS 803.435 or 826.015:

2

3

4	Weight in Pounds		Fee
5	8,000	or less	\$ [27] 55
6	8,001	to 10,000	[169] 344
7	10,001	to 12,000	[192] 391
8	12,001	to 14,000	[215] 438
9	14,001	to 16,000	[238] 485
10	16,001	to 18,000	[261] 532
11	18,001	to 20,000	[291] 593
12	20,001	to 22,000	[314] 640
13	22,001	to 24,000	[345] 703
14	24,001	to 26,000	[375] 764
15	26,001	to 28,000	[184] 375
16	28,001	to 30,000	[192] 391
17	30,001	to 32,000	[207] 422
18	32,001	to 34,000	[215] 438
19	34,001	to 36,000	[230] 468
20	36,001	to 38,000	[238] 485
21	38,001	to 40,000	[253] 515
22	40,001	to 42,000	[261] 532
23	42,001	to 44,000	[276] 562
24	44,001	to 46,000	[284] 578
25	46,001	to 48,000	[291] 593
26	48,001	to 50,000	[307] 625
27	50,001	to 52,000	[322] 656
28	52,001	to 54,000	[330] 672
29	54,001	to 56,000	[337] 686
30	56,001	to 58,000	[352] 717
31	58,001	to 60,000	[368] 750
32	60,001	to 62,000	[383] 780
33	62,001	to 64,000	[398] 811
34	64,001	to 66,000	[406] 827
35	66,001	to 68,000	[421] 857
36	68,001	to 70,000	[429] 874
37	70,001	to 72,000	[444] 904
38	72,001	to 74,000	[452] 921
39	74,001	to 76,000	[467] 951
40	76,001	to 78,000	[475] 967
41	78,001	to 80,000	[490] 998
42	80,001	to 82,000	[498] 1014
43	82,001	to 84,000	[513] 1045
44	84,001	to 86,000	[521] 1061
45	86,001	to 88,000	[536] 1092

1	88,001	to	90,000	[544] 1108
2	90,001	to	92,000	[559] 1139
3	92,001	to	94,000	[567] 1155
4	94,001	to	96,000	[582] 1185
5	96,001	to	98,000	[590] 1202
6	98,001	to	100,000	[598] 1218
7	100,001	to	102,000	[613] 1249
8	102,001	to	104,000	[621] 1265
9	104,001	to	105,500	[636] 1295

10

11

12 (11)(a) Motor vehicles with a registration weight of more than 8,000 pounds that are described
 13 in ORS 825.015, that are operated by a charitable organization as defined in ORS 825.017 (14), *[that*
 14 *are certified under ORS 822.205 or that are used exclusively to transport manufactured structures,]* as
 15 provided in the following chart:

16

17

18	Weight in Pounds		Fee
19	8,001	to 10,000	\$ 50
20	10,001	to 12,000	60
21	12,001	to 14,000	65
22	14,001	to 16,000	75
23	16,001	to 18,000	80
24	18,001	to 20,000	90
25	20,001	to 22,000	95
26	22,001	to 24,000	105
27	24,001	to 26,000	110
28	26,001	to 28,000	120
29	28,001	to 30,000	125
30	30,001	to 32,000	135
31	32,001	to 34,000	140
32	34,001	to 36,000	150
33	36,001	to 38,000	155
34	38,001	to 40,000	165
35	40,001	to 42,000	170
36	42,001	to 44,000	180
37	44,001	to 46,000	185
38	46,001	to 48,000	190
39	48,001	to 50,000	200
40	50,001	to 52,000	210
41	52,001	to 54,000	215
42	54,001	to 56,000	220
43	56,001	to 58,000	230
44	58,001	to 60,000	240
45	60,001	to 62,000	250

1	62,001	to	64,000	260
2	64,001	to	66,000	265
3	66,001	to	68,000	275
4	68,001	to	70,000	280
5	70,001	to	72,000	290
6	72,001	to	74,000	295
7	74,001	to	76,000	305
8	76,001	to	78,000	310
9	78,001	to	80,000	320
10	80,001	to	82,000	325
11	82,001	to	84,000	335
12	84,001	to	86,000	340
13	86,001	to	88,000	350
14	88,001	to	90,000	355
15	90,001	to	92,000	365
16	92,001	to	94,000	370
17	94,001	to	96,000	380
18	96,001	to	98,000	385
19	98,001	to	100,000	390
20	100,001	to	102,000	400
21	102,001	to	104,000	405
22	104,001	to	105,500	415

23
24

25 **(b) Motor vehicles with a registration weight of more than 8,000 pounds that are certified**
 26 **under ORS 822.205 or that are used exclusively to transport manufactured structures, as**
 27 **provided in the following chart:**

28
29

	Weight in Pounds		Fee
31	8,001	to 10,000	\$ 102
32	10,001	to 12,000	122
33	12,001	to 14,000	132
34	14,001	to 16,000	153
35	16,001	to 18,000	163
36	18,001	to 20,000	183
37	20,001	to 22,000	193
38	22,001	to 24,000	214
39	24,001	to 26,000	224
40	26,001	to 28,000	244
41	28,001	to 30,000	255
42	30,001	to 32,000	275
43	32,001	to 34,000	285
44	34,001	to 36,000	306
45	36,001	to 38,000	316

1	38,001	to	40,000	336
2	40,001	to	42,000	346
3	42,001	to	44,000	367
4	44,001	to	46,000	377
5	46,001	to	48,000	387
6	48,001	to	50,000	407
7	50,001	to	52,000	428
8	52,001	to	54,000	438
9	54,001	to	56,000	448
10	56,001	to	58,000	468
11	58,001	to	60,000	489
12	60,001	to	62,000	509
13	62,001	to	64,000	530
14	64,001	to	66,000	540
15	66,001	to	68,000	560
16	68,001	to	70,000	570
17	70,001	to	72,000	591
18	72,001	to	74,000	601
19	74,001	to	76,000	621
20	76,001	to	78,000	631
21	78,001	to	80,000	652
22	80,001	to	82,000	662
23	82,001	to	84,000	682
24	84,001	to	86,000	692
25	86,001	to	88,000	713
26	88,001	to	90,000	723
27	90,001	to	92,000	743
28	92,001	to	94,000	754
29	94,001	to	96,000	774
30	96,001	to	98,000	784
31	98,001	to	100,000	794
32	100,001	to	102,000	815
33	102,001	to	104,000	825
34	104,001	to	105,500	845

35

36

37 *[(b)]* **(c)** The owner of a vehicle described in *[paragraph (a)]* **paragraphs (a) and (b)** of this
38 subsection must certify at the time of initial registration, in a manner determined by the department
39 by rule, that the motor vehicle will be used exclusively to transport manufactured structures or
40 exclusively as described in ORS 822.210, 825.015 or 825.017 (14). Registration of a vehicle described
41 in *[paragraph (a)]* **paragraphs (a) and (b)** of this subsection is invalid if the vehicle is operated in
42 any manner other than that described in the certification under this paragraph.

43

(12) Trailers registered under permanent registration, \$10.

44

(13) Fixed load vehicles as follows:

45

(a) If a declaration of weight described under ORS 803.435 is submitted establishing the weight

1 of the vehicle at 3,000 pounds or less, \$54.

2 (b) If no declaration of weight is submitted or if the weight of the vehicle is in excess of 3,000
3 pounds, \$75.

4 (14) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that
5 are not travel trailers or trailers registered under permanent registration, \$27.

6 (15) Trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500,
7 the same as the fee for vehicles of the same type registered under other provisions of the Oregon
8 Vehicle Code.

9 (16) Travel trailers, campers and motor homes as follows, based on length as determined under
10 ORS 803.425:

11 (a) For travel trailers or campers that are 6 to 10 feet in length, \$81.

12 (b) For travel trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of
13 length over the first 10 feet.

14 (c) For motor homes that are 6 to 14 feet in length, \$54.

15 (d) For motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over
16 the first 10 feet.

17 (17) Special use trailers as follows, based on length as determined under ORS 803.425:

18 (a) For lengths 6 to 10 feet, \$54.

19 (b) For special use trailers over 10 feet in length, \$54 plus \$3 a foot for each foot of length over
20 the first 10 feet.

21 (18) Fees for vehicles with proportional registration under ORS 826.009, or proportioned fleet
22 registration under ORS 826.011, are as provided for vehicles of the same type under this section
23 except that the fees shall be fixed on an apportioned basis as provided under the agreement estab-
24 lished under ORS 826.007.

25 (19) For any vehicle that is registered under a quarterly registration period, a minimum of \$15
26 for each quarter registered plus an additional fee of \$1.

27 (20) In addition to any other fees charged for registration of vehicles in fleets under ORS
28 805.120, the department may charge the following fees:

29 (a) A \$2 service charge for each vehicle entered into a fleet.

30 (b) A \$1 service charge for each vehicle in the fleet at the time of renewal.

31 (21) The registration fee for vehicles with special registration for disabled veterans under ORS
32 805.100 is a fee of \$15.

33 (22) Subject to subsection (19) of this section, the registration fee for motor vehicles registered
34 as farm vehicles under ORS 805.300 is as follows based upon the registration weight given in the
35 declaration of weight submitted under ORS 803.435:

36

37

Weight in Pounds	Fee
8,000 or less	\$ [27] 35
8,001 to 10,000	[30] 46
10,001 to 12,000	[35] 53
12,001 to 14,000	[45] 68
14,001 to 16,000	[50] 76
16,001 to 18,000	[60] 91
18,001 to 20,000	[65] 99

45

1	20,001	to	22,000	[75]	114
2	22,001	to	24,000	[80]	121
3	24,001	to	26,000	[90]	137
4	26,001	to	28,000	[95]	144
5	28,001	to	30,000	[105]	159
6	30,001	to	32,000	[110]	167
7	32,001	to	34,000	[120]	182
8	34,001	to	36,000	[125]	190
9	36,001	to	38,000	[135]	205
10	38,001	to	40,000	[140]	213
11	40,001	to	42,000	[150]	228
12	42,001	to	44,000	[155]	235
13	44,001	to	46,000	[165]	251
14	46,001	to	48,000	[170]	258
15	48,001	to	50,000	[180]	273
16	50,001	to	52,000	[185]	281
17	52,001	to	54,000	[190]	288
18	54,001	to	56,000	[200]	304
19	56,001	to	58,000	[210]	319
20	58,001	to	60,000	[215]	326
21	60,001	to	62,000	[220]	334
22	62,001	to	64,000	[230]	349
23	64,001	to	66,000	[240]	364
24	66,001	to	68,000	[245]	372
25	68,001	to	70,000	[250]	380
26	70,001	to	72,000	[260]	395
27	72,001	to	74,000	[265]	402
28	74,001	to	76,000	[275]	418
29	76,001	to	78,000	[280]	425
30	78,001	to	80,000	[290]	440
31	80,001	to	82,000	[295]	448
32	82,001	to	84,000	[305]	463
33	84,001	to	86,000	[310]	471
34	86,001	to	88,000	[320]	486
35	88,001	to	90,000	[325]	493
36	90,001	to	92,000	[335]	509
37	92,001	to	94,000	[340]	516
38	94,001	to	96,000	[350]	531
39	96,001	to	98,000	[355]	539
40	98,001	to	100,000	[365]	554
41	100,001	to	102,000	[370]	562
42	102,001	to	104,000	[380]	577
43	104,001	to	105,500	[385]	585

44

45

1 (23) The registration fee for school vehicles registered under ORS 805.050 is \$7.50.

2 (24) The registration fee for a low-speed vehicle is \$43, for each year of the registration period.

3 (25) A rental or leasing company, as defined in ORS 221.275, that elects to initially register a
4 vehicle for an annual or biennial registration period shall pay a fee of \$1 in addition to the vehicle
5 registration fee provided under this section.

6 (26) Racing activity vehicles registered under ORS 805.035, \$81.

7 (27) Medium-speed electric vehicles, \$43 for each year of the registration period.

8 **SECTION 43b. The amendments to ORS 803.420 by section 43a of this 2009 Act become**
9 **operative January 1, 2010.**

10 **SECTION 44.** ORS 803.570 is amended to read:

11 803.570. Except as otherwise specifically provided by law, the Department of Transportation
12 shall collect the fee described by this section each time the department issues a registration plate
13 upon the registration of a vehicle or at other times when a registration plate is issued by the de-
14 partment. The following all apply to the fee established by this section:

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

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

20 (a) **Determining the cost of manufacturing a single plate or a pair of plates and rounding**
21 **the cost to the next higher half-dollar; and**

22 (b) **Adding \$10 for a single plate and \$20 for a pair of plates.**

23 **SECTION 44a.** ORS 803.645 is amended to read:

24 803.645. Fees for trip permits issued under ORS 803.600 are as follows:

25 (1) For a heavy motor vehicle trip permit, [*\$21*] **\$43.**

26 (2) For a heavy trailer trip permit, \$10.

27 (3) For a light vehicle trip permit, [*\$20*] **\$30.**

28 (4) For a recreational vehicle trip permit, \$30.

29 (5) For a registration weight trip permit, \$5.

30 (6) For a registered vehicle trip permit, [*\$5*] **\$7.50.**

31 (7) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer
32 certificate or a towing business certificate, [*\$10*] **\$15.**

33 **SECTION 45.** ORS 805.250 is amended to read:

34 805.250. This section establishes fees for issuance of registration plates authorized under ORS
35 805.200. If a fee for plates authorized in ORS 805.200 is not established in this section, the fee is the
36 same fee as established under ORS 803.570. Where a fee is established under this section, the fee
37 is in addition to the fee established under ORS 803.570 unless otherwise provided in the following:

38 (1) Amateur radio operator registration plates issued under ORS 805.230, \$5.

39 (2) Customized registration plates issued under ORS 805.240:

40 (a) For original issuance or renewal, [*\$25*] **\$50** annual fee.

41 (b) For issuance of a duplicate or replacement plate, \$5 when the plate is issued at the time of
42 renewal of registration or \$10 when the plate is issued at any other time.

43 (3) Special interest registration plates approved under ORS 805.210 are approved without cost
44 except as provided in this subsection, including without payment of the fee established under ORS
45 803.570. If identifying stickers are required, \$1 per sticker or pair of stickers.

1 (4) Dealer plates issued under ORS 822.020 and 822.040 are as follows:

2 (a) For the original dealer plate, no fee except the fee established under ORS 803.570.

3 (b) For replacement dealer plates, \$10 for each plate except that persons dealing exclusively in
4 motorcycles, mopeds, snowmobiles or any combination of those vehicles shall pay only \$3 for each
5 replacement plate.

6 (c) For additional plates, or for renewal of registration, \$42, except that persons dealing exclu-
7 sively in motorcycles, mopeds or snowmobiles or any combination of those vehicles shall pay only
8 \$9 for each additional plate, or for renewal of registration.

9 (5) Special vehicle transporter plates or devices issued under ORS 822.310, \$5 for each plate or
10 device.

11 **SECTION 46.** ORS 807.410, as amended by section 23, chapter 1, Oregon Laws 2008, is amended
12 to read:

13 807.410. This section establishes the fees relating to identification cards. The following fees ap-
14 ply to identification cards unless otherwise provided by ORS 807.400 or otherwise provided by law:

15 (1) For issuance of an original identification card, [~~\$33.50~~] **\$44.50**. This subsection does not re-
16 quire a fee for issuance when ORS 807.400 provides for issuance of an identification card without
17 charge of a fee.

18 (2) For renewal of an identification card, [~~\$29.50~~] **\$40.50**.

19 (3) For replacement of an identification card, [~~\$28.50~~] **\$39.50**.

20 (4) For reinstatement of an identification card after suspension, \$75.

21 **SECTION 47.** ORS 807.410, as amended by sections 23 and 25, chapter 1, Oregon Laws 2008, is
22 amended to read:

23 807.410. This section establishes the fees relating to identification cards. The following fees ap-
24 ply to identification cards unless otherwise provided by ORS 807.400 or otherwise provided by law:

25 (1) For issuance of an original identification card, [~~\$34.50~~] **\$44.50**. This subsection does not re-
26 quire a fee for issuance when ORS 807.400 provides for issuance of an identification card without
27 charge of a fee.

28 (2) For renewal of an identification card, [~~\$30.50~~] **\$40.50**.

29 (3) For replacement of an identification card, [~~\$29.50~~] **\$39.50**.

30 (4) For reinstatement of an identification card after suspension, \$75.

31 (5) For issuance of an original limited term identification card, [~~\$10~~] **\$20**.

32 (6) For renewal of a limited term identification card, [~~\$8~~] **\$18**.

33 (7) For replacement of a limited term identification card, [~~\$29.50~~] **\$39.50**.

34 **SECTION 48.** ORS 319.020 is amended to read:

35 319.020. (1) Subject to subsections (2) to (4) of this section, in addition to the taxes otherwise
36 provided for by law, every dealer engaging in the dealer's own name, or in the name of others, in
37 the first sale, use or distribution of motor vehicle fuel or aircraft fuel or withdrawal of motor vehicle
38 fuel or aircraft fuel for sale, use or distribution within areas in this state within which the state
39 lacks the power to tax the sale, use or distribution of motor vehicle fuel or aircraft fuel, shall:

40 (a) Not later than the 25th day of each calendar month, render a statement to the Department
41 of Transportation of all motor vehicle fuel or aircraft fuel sold, used, distributed or so withdrawn
42 by the dealer in the State of Oregon as well as all such fuel sold, used or distributed in this state
43 by a purchaser thereof upon which sale, use or distribution the dealer has assumed liability for the
44 applicable license tax during the preceding calendar month.

45 (b) Except as provided in ORS 319.270, pay a license tax computed on the basis of [24] **30** cents

1 per gallon on the first sale, use or distribution of such motor vehicle fuel or aircraft fuel so sold,
2 used, distributed or withdrawn as shown by such statement in the manner and within the time pro-
3 vided in ORS 319.010 to 319.430.

4 (2) When aircraft fuel is sold, used or distributed by a dealer, the license tax shall be computed
5 on the basis of nine cents per gallon of fuel so sold, used or distributed, except that when aircraft
6 fuel usable in aircraft operated by turbine engines (turbo-prop or jet) is sold, used or distributed, the
7 tax rate shall be one cent per gallon.

8 (3) In lieu of claiming refund of the tax paid on motor vehicle fuel consumed by such dealer in
9 nonhighway use as provided in ORS 319.280, 319.290 and 319.320, or of any prior erroneous payment
10 of license tax made to the state by such dealer, the dealer may show such motor vehicle fuel as a
11 credit or deduction on the monthly statement and payment of tax.

12 (4) The license tax computed on the basis of the sale, use, distribution or withdrawal of motor
13 vehicle or aircraft fuel shall not be imposed wherever such tax is prohibited by the Constitution or
14 laws of the United States with respect to such tax.

15 **SECTION 49.** ORS 319.530 is amended to read:

16 319.530. (1) To compensate this state partially for the use of its highways, an excise tax hereby
17 is imposed at the rate of [24] **30** cents per gallon on the use of fuel in a motor vehicle. Except as
18 otherwise provided in subsections (2) and (3) of this section, 100 cubic feet of fuel used or sold in
19 a gaseous state, measured at 14.73 pounds per square inch of pressure at 60 degrees Fahrenheit, is
20 taxable at the same rate as a gallon of liquid fuel.

21 (2) One hundred twenty cubic feet of compressed natural gas used or sold in a gaseous state,
22 measured at 14.73 pounds per square inch of pressure at 60 degrees Fahrenheit, is taxable at the
23 same rate as a gallon of liquid fuel.

24 (3) One and three-tenths liquid gallons of propane at 60 degrees Fahrenheit is taxable at the
25 same rate as a gallon of other liquid fuel.

26 **SECTION 50. The amendments to ORS 319.020 and 319.530 by sections 48 and 49 of this**
27 **2009 Act become operative when the Oregon Department of Administrative Services finds in**
28 **its quarterly revenue estimate issued under ORS 291.342 that there has been an increase of**
29 **at least two percent each quarter for two or more consecutive quarters in the last 12 months**
30 **in seasonally adjusted nonfarm payroll employment or January 1, 2011, whichever comes**
31 **first.**

32 **SECTION 51.** ORS 818.225 is amended to read:

33 818.225. (1)(a) In addition to any fee for a single-trip nondivisible load permit, a person who is
34 issued the permit or who operates a vehicle in a manner that requires the permit is liable for pay-
35 ment of a road use assessment fee of [*five and seven-tenths cents*] **seven and one-tenths cents** per
36 equivalent single-axle load mile traveled. As used in this subsection, "equivalent single-axle load"
37 means the relationship between actual or requested weight and an 18,000 pound single-axle load as
38 determined by the American Association of State Highway and Transportation Officials Road Tests
39 reported at the Proceedings Conference of 1962. The Department of Transportation may adopt rules
40 to standardize the determination of equivalent single-axle load computation based on average high-
41 way conditions.

42 (b) If the road use assessment fee is not collected at the time of issuance of the permit, the de-
43 partment shall bill the permittee for the amount due. The account shall be considered delinquent if
44 not paid within 60 days of billing.

45 (c) The miles of travel authorized by a single-trip nondivisible load permit shall be exempt from

1 taxation under ORS chapter 825.

2 (2) The department by rule may establish procedures for payment, collection and enforcement
 3 of the fees and assessments established by this chapter.

4 **SECTION 52.** ORS 825.476 is amended to read:
 5 825.476.

7
 8 MILEAGE TAX RATE TABLE "A"

9 Declared Combined	10 Fee Rates	
11 Weight Groups	12 Per Mile	
13 (Pounds)	14 (Mills)	
15 26,001 to 28,000	[40.0]	49.8
16 28,001 to 30,000	[42.4]	52.8
17 30,001 to 32,000	[44.3]	55.2
18 32,001 to 34,000	[46.3]	57.6
19 34,001 to 36,000	[48.1]	59.9
20 36,001 to 38,000	[50.6]	63.0
21 38,001 to 40,000	[52.5]	65.4
22 40,001 to 42,000	[54.4]	67.7
23 42,001 to 44,000	[56.4]	70.2
24 44,001 to 46,000	[58.3]	72.6
25 46,001 to 48,000	[60.2]	74.9
26 48,001 to 50,000	[62.2]	77.4
27 50,001 to 52,000	[64.5]	80.3
28 52,001 to 54,000	[66.9]	83.3
29 54,001 to 56,000	[69.4]	86.4
30 56,001 to 58,000	[72.3]	90.0
31 58,001 to 60,000	[75.6]	94.1
32 60,001 to 62,000	[79.5]	99.0
33 62,001 to 64,000	[83.9]	104.5
34 64,001 to 66,000	[88.7]	110.4
35 66,001 to 68,000	[95.0]	118.3
36 68,001 to 70,000	[101.7]	126.6
37 70,001 to 72,000	[108.4]	135.0
38 72,001 to 74,000	[114.6]	142.7
39 74,001 to 76,000	[120.5]	150.0
40 76,001 to 78,000	[126.3]	157.2
41 78,001 to 80,000	[131.6]	163.8

42 AXLE-WEIGHT MILEAGE
 43 TAX RATE TABLE "B"

44 Declared Combined	45 Number of Axles				
46 Weight Groups	5	6	7	8	9 or
47 (Pounds)	48 (Mills)				49 more

1	80,001 to 82,000	[135.9	124.3	116.2	110.4	104.1]
2		169.2	154.8	144.7	137.4	129.6
3	82,001 to 84,000	[140.3	126.3	118.1	111.8	105.5]
4		174.7	157.2	147.0	139.2	131.3
5	84,001 to 86,000	[144.5	129.2	120.0	113.2	107.0]
6		179.9	160.9	149.4	140.9	133.2
7	86,001 to 88,000	[149.4	132.0	121.9	115.2	108.4]
8		186.0	164.3	151.8	143.4	135.0
9	88,001 to 90,000	[155.2	135.4	123.9	117.1	110.4]
10		193.2	168.6	154.3	145.8	137.4
11	90,001 to 92,000	[161.9	139.3	125.7	119.0	112.3]
12		201.6	173.4	156.5	148.2	139.8
13	92,001 to 94,000	[169.2	143.1	127.7	120.9	113.8]
14		210.7	178.2	159.0	150.5	141.7
15	94,001 to 96,000	[176.9	147.5	130.1	122.9	115.6]
16		220.2	183.6	162.0	153.0	143.9
17	96,001 to 98,000	[185.1	152.8	133.0	124.9	117.6]
18		230.4	190.2	165.6	155.5	146.4
19	98,001 to 100,000		[158.5	135.9	127.2	119.5]
20			197.3	169.2	158.4	148.8
21	100,001 to 102,000			[138.8	130.1	121.5]
22				172.8	162.0	151.3
23	102,001 to 104,000			[141.7	133.0	123.9]
24				176.4	165.6	154.3
25	104,001 to 105,500			[145.5	135.9	126.3]
26				181.1	169.2	157.2

SECTION 53. ORS 825.480 is amended to read:

825.480. (1)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehicles in the transportation of logs, poles, peeler cores or piling may pay annual fees for such operation computed at the rate of *[six dollars and ten cents]* **seven dollars and fifty-nine cents** for each 100 pounds of declared combined weight.

(b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt from taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public highways whenever operations are for the purpose of repair, maintenance, servicing or moving from one exempt highway operation to another.

(2) The annual fees provided in subsections (1), (4) and (5) of this section may be paid on a monthly basis. Any carrier electing to pay fees under this method may not change an election during the same calendar year in which the election is made, but may be relieved from the payment due for any month on a motor vehicle which is not operated. A carrier electing to pay fees under this method shall report and pay these fees on or before the 10th of each month for the preceding month's operations. A monthly report shall be made on all vehicles on the annual fee basis including any vehicle not operated for the month.

(3)(a) In lieu of the fees provided in ORS 825.470 to 825.474, motor vehicles described in ORS

1 825.024 with a combined weight of less than 46,000 pounds that are being operated under a permit
2 issued under ORS 825.102 may pay annual fees for such operation computed at the rate of [*five*
3 *dollars*] **six dollars and twenty-three cents** for each 100 pounds of declared combined weight.

4 (b) The annual fees provided in this subsection shall be paid in advance but may be paid on a
5 monthly basis on or before the first day of the month. A carrier may be relieved from the fees due
6 for any month during which the motor vehicle is not operated for hire if a statement to that effect
7 is filed with the Department of Transportation on or before the fifth day of the first month for which
8 relief is sought.

9 (4)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in the operation of motor
10 vehicles equipped with dump bodies and used in the transportation of sand, gravel, rock, dirt, debris,
11 cinders, asphaltic concrete mix, metallic ores and concentrates or raw nonmetallic products,
12 whether crushed or otherwise, moving from mines, pits or quarries may pay annual fees for such
13 operation computed at the rate of [*six dollars and five cents*] **seven dollars and fifty-three cents**
14 for each 100 pounds of declared combined weight.

15 (b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt for
16 taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public
17 highways whenever operations are for the purpose of repair, maintenance, servicing or moving from
18 one exempt highway operation to another.

19 (5)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehicles
20 in the transportation of wood chips, sawdust, barkdust, hog fuel or shavings may pay annual fees for
21 such operation computed at the rate of [*twenty-four dollars and sixty-two cents*] **thirty dollars and**
22 **sixty-five cents** for each 100 pounds of declared combined weight.

23 (b) Any carrier electing to pay under this method may, as to vehicles otherwise exempt from
24 taxation, elect to be taxed on the mileage basis for movement of such empty vehicles over public
25 highways whenever operations are for the purpose of repair, maintenance, service or moving from
26 one exempt highway operation to another.

27 **SECTION 54. The amendments to ORS 818.225, 825.476 and 825.480 by sections 51 to 53**
28 **of this 2009 Act become operative October 1, 2010.**

29 **SECTION 55. Section 56 of this 2009 Act is added to and made a part of ORS chapter 366.**

30 **SECTION 56. (1) The following moneys shall be allocated as described in subsections (2)**
31 **and (3) of this section:**

32 (a) **The amount attributable to the fee increases by the amendments to ORS 803.090 by**
33 **section 42 of this 2009 Act.**

34 (b) **The amount attributable to the fee increases by the amendments to ORS 803.420 by**
35 **section 43 of this 2009 Act.**

36 (c) **The amount attributable to the fee increases by the amendments to ORS 803.570 by**
37 **section 44 of this 2009 Act.**

38 (d) **The amount attributable to the fee increase by the amendments to ORS 803.645 by**
39 **section 44a of this 2009 Act.**

40 (2) **The moneys described in subsection (1) of this section shall be allocated first in an**
41 **amount of \$24 million per year in monthly installments to the Department of Transportation**
42 **for the purposes described in the long-range plan developed pursuant to ORS 184.618 and on**
43 **January 1 of each year an amount of \$3 million per year to the Travel Information Council**
44 **for management, maintenance and improvement of the roadside rest areas that the Travel**
45 **Information Council is responsible for under section 32 of this 2009 Act. The remainder of**

1 the moneys shall be allocated as provided in subsection (3) of this section.

2 (3) The moneys described in subsection (1) of this section that remain after the allocation
3 of moneys described in subsection (2) of this section shall be allocated as follows:

4 (a) 50 percent to the Department of Transportation.

5 (b) 30 percent to counties for distribution as provided in ORS 366.762.

6 (c) 20 percent to cities for distribution as provided in ORS 366.800.

7 (4) Except as provided in subsection (5) of this section, the moneys described in sub-
8 section (3)(a) of this section or equivalent amounts that become available to the Department
9 of Transportation shall be allocated as follows:

10 (a) 68 percent for maintenance, preservation and safety of highways.

11 (b) 32 percent for the state modernization program for highways as described in ORS
12 366.507.

13 (5) The moneys allocated in subsection (4) of this section may be used to secure and pay
14 bond debt service on Highway User Tax Bonds issued under ORS 367.615.

15 (6) For the purposes of this section:

16 (a) "Bond" has the meaning given that term in ORS 367.010.

17 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

18 **SECTION 57.** Section 56 of this 2009 Act is amended to read:

19 **Sec. 56.** (1) The following moneys shall be allocated as described in subsections (2) and (3) of
20 this section:

21 (a) The amount attributable to the fee increases by the amendments to ORS 803.090 by section
22 42 of this 2009 Act.

23 (b) The amount attributable to the fee increases by the amendments to ORS 803.420 by section
24 43 of this 2009 Act.

25 (c) The amount attributable to the fee increases by the amendments to ORS 803.570 by section
26 44 of this 2009 Act.

27 (d) The amount attributable to the fee increase by the amendments to ORS 803.645 by section
28 44a of this 2009 Act.

29 (e) **The amount attributable to the increase in fees and tax rates by the amendments to**
30 **ORS 319.020, 319.530, 818.225, 825.476 and 825.480 by sections 48, 49 and 51 to 53 of this 2009**
31 **Act.**

32 (2) The moneys described in subsection (1) of this section shall be allocated first in an amount
33 of \$24 million per year in monthly installments to the Department of Transportation for the purposes
34 described in the long-range plan developed pursuant to ORS 184.618 and on January 1 of each year
35 \$3 million per year to the Travel Information Council for management, maintenance and improve-
36 ment of the roadside rest areas that the Travel Information Council is responsible for under section
37 32 of this 2009 Act. The remainder of the moneys shall be allocated as provided in subsection (3)
38 of this section.

39 (3) The moneys described in subsection (1) of this section that remain after the allocation of
40 moneys described in subsection (2) of this section shall be allocated as follows:

41 (a) 50 percent to the Department of Transportation.

42 (b) 30 percent to counties for distribution as provided in ORS 366.762.

43 (c) 20 percent to cities for distribution as provided in ORS 366.800.

44 (4) Except as provided in subsection (5) of this section, the moneys described in subsection (3)(a)
45 of this section or equivalent amounts that become available to the Department of Transportation

1 shall be allocated as follows:

2 (a) [68] **33** percent for maintenance, preservation and safety of highways.

3 (b) [32] **15.75** percent for the state modernization program for highways as described in ORS
4 366.507.

5 (c) **51.25 percent for the purposes described in ORS 367.620 (3)(c) and section 64 of this**
6 **2009 Act.**

7 (5) The moneys allocated in subsection (4) of this section may be used to secure and pay bond
8 debt service on Highway User Tax Bonds issued under ORS 367.615.

9 (6) For the purposes of this section:

10 (a) "Bond" has the meaning given that term in ORS 367.010.

11 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

12 **SECTION 58. The amendments to section 56 of this 2009 Act by section 57 of this 2009**
13 **Act become operative January 1, 2011.**

14 **SECTION 59.** Section 56 of this 2009 Act, as amended by section 57 of this 2009 Act, is amended
15 to read:

16 **Sec. 56.** (1) The following moneys shall be allocated as described in subsections (2) and (3) of
17 this section:

18 (a) The amount attributable to the fee increases by the amendments to ORS 803.090 by section
19 42 of this 2009 Act.

20 (b) The amount attributable to the fee increases by the amendments to ORS 803.420 by section
21 43 of this 2009 Act.

22 (c) The amount attributable to the fee increases by the amendments to ORS 803.570 by section
23 44 of this 2009 Act.

24 (d) The amount attributable to the fee increase by the amendments to ORS 803.645 by section
25 44a of this 2009 Act.

26 (e) The amount attributable to the increase in fees and tax rates by the amendments to ORS
27 319.020, 319.530, 818.225, 825.476 and 825.480 by sections 48, 49 and 51 to 53 of this 2009 Act.

28 (2) The moneys described in subsection (1) of this section shall be allocated first in an amount
29 of \$24 million per year in monthly installments to the Department of Transportation for the purposes
30 described in the long-range plan developed pursuant to ORS 184.618 [*and on January 1 of each year*
31 *\$3 million per year to the Travel Information Council for management, maintenance and improvement*
32 *of the roadside rest areas that the Travel Information Council is responsible for under section 32 of this*
33 *2009 Act*]. The remainder of the moneys shall be allocated as provided in subsection (3) of this sec-
34 tion.

35 (3) The moneys described in subsection (1) of this section that remain after the allocation of
36 moneys described in subsection (2) of this section shall be allocated as follows:

37 (a) 50 percent to the Department of Transportation.

38 (b) 30 percent to counties for distribution as provided in ORS 366.762.

39 (c) 20 percent to cities for distribution as provided in ORS 366.800.

40 (4) Except as provided in subsection (5) of this section, the moneys described in subsection (3)(a)
41 of this section or equivalent amounts that become available to the Department of Transportation
42 shall be allocated as follows:

43 (a) 33 percent for maintenance, preservation and safety of highways.

44 (b) 15.75 percent for the state modernization program for highways as described in ORS 366.507.

45 (c) 51.25 percent for the purposes described in ORS 367.620 (3)(c) and section 64 of this 2009

1 Act.

2 (5) The moneys allocated in subsection (4) of this section may be used to secure and pay bond
3 debt service on Highway User Tax Bonds under ORS 367.615.

4 (6) For the purposes of this section:

5 (a) "Bond" has the meaning given that term in ORS 367.010.

6 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

7 **SECTION 60. The amendments to section 56 of this 2009 Act by section 59 of this 2009**
8 **Act become operative January 2, 2020.**

9 **SECTION 61.** ORS 367.620 is amended to read:

10 367.620. (1) The principal amount of Highway User Tax Bonds issued under ORS 367.615 shall
11 be subject to the provisions of ORS 286A.035.

12 (2) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described in
13 ORS 367.622 in an aggregate principal amount sufficient to produce net proceeds of not more than
14 \$500 million.

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

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

21 **(c) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described**
22 **in section 64 of this 2009 Act, in an aggregate principal amount sufficient to produce net**
23 **proceeds of not more than \$840 million.**

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

27 **SECTION 62.** (1) **As used in this section:**

28 (a) "Bond" has the meaning given that term in ORS 367.010.

29 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

30 (2) **On each January 1, April 1, July 1 and October 1, and on the date of issuance of any**
31 **Highway User Tax Bonds described in ORS 367.620 (3)(c), the Department of Transportation**
32 **shall determine:**

33 (a) **The amount of Highway User Tax Bonds described in ORS 367.620 (3)(c) that are**
34 **outstanding;**

35 (b) **The amount reasonably estimated, as set forth in subsection (4) of this section, as**
36 **being necessary to pay bond debt service on the outstanding Highway User Tax Bonds de-**
37 **scribed in ORS 367.620 (3)(c); and**

38 (c) **The amount of moneys allocated to the department under section 56 of this 2009 Act**
39 **that is not required to pay bond debt service on the outstanding Highway User Tax Bonds**
40 **described in ORS 367.620 (3)(c). The department shall deposit the amount into the Transpor-**
41 **tation Project Account established under section 63 of this 2009 Act.**

42 (3) **The amount of moneys determined by the department under subsection (2)(c) of this**
43 **section may be allocated by the Oregon Transportation Commission pursuant to a request**
44 **of the department, in an amount that does not exceed the amount determined by the de-**
45 **partment, under subsection (2)(c) of this section, to the following projects in the following**

1 order of priority:

2 (a) The amount established for projects listed in section 64 of this 2009 Act;

3 (b) \$15 million each year for maintenance, preservation and safety of the highways so
4 long as the amount reasonably estimated by the department pursuant to subsection (2)(b)
5 of this section is not greater than the amount received by the department under section 56
6 (4)(c) of this 2009 Act; and

7 (c) For any other purposes determined by the commission.

8 (4) To reasonably estimate the amount necessary to pay bond debt service on Highway
9 User Tax Bonds described in ORS 367.620 (3)(c), the department shall include in its compu-
10 tation:

11 (a) For fixed rate bonds, the bond debt service payments due on the bonds in the calendar
12 quarter; and

13 (b) For variable rate bonds, bond debt service payments due on the bonds in the calendar
14 quarter, with interest computed at the maximum rate of interest as set forth in the bond
15 declaration or bond indenture executed by the department pursuant to ORS 367.630 and
16 367.640.

17 **SECTION 63.** (1) The Transportation Project Account is created in the State Highway
18 Fund. Moneys in the account are continuously appropriated to the Department of Transpor-
19 tation for the purpose of making allocations described in section 62 of this 2009 Act and for
20 the purpose of paying bond debt service on Highway User Tax Bonds issued under ORS
21 367.615. Interest on the account is credited to the State Highway Fund.

22 (2) Amounts allocated by the Oregon Transportation Commission pursuant to section 62
23 of this 2009 Act for the purposes described in section 64 of this 2009 Act shall be expended
24 from the account.

25 (3) If at any time the department determines that there are not sufficient funds in the
26 State Highway Fund to pay bond debt service on Highway User Tax Bonds issued under ORS
27 367.615, moneys in the Transportation Project Account shall be transferred to the State
28 Highway Fund and shall be used by the department to pay bond debt service on Highway User
29 Tax Bonds issued under ORS 367.615.

30 (4) For the purposes of this section:

31 (a) "Bond" has the meaning given that term in ORS 367.010.

32 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

33 **SECTION 63a.** Sections 62 and 63 of this 2009 Act become operative January 1, 2011.

34 **SECTION 64.** (1) Proceeds of the bonds, as defined in ORS 367.010, authorized under ORS
35 367.620 (3)(c) may be used to finance all or any portion of the projects as listed in subsection
36 (2) of this section. The commission shall determine the order of completion for the projects
37 listed in subsection (2) of this section.

38 (2) The following amounts are allocated for the projects listed below:

-
- 41 (a) U.S. Highway 26 at the
42 Glencoe Road Interchange.....\$ 32 million
43 (b) Interstate 84 at the
44 257th Avenue Interchange.....\$ 24 million
45 (c) State Highway 212: Sunrise

1	Corridor, Phase I, Units 1,	
2	2 and 3	\$ 100 million
3	(d) U.S. Highway 26 at the Shute	
4	Road Interchange, Phase I.....	\$ 45 million
5	(e) Interstate 5 at the Interstate	
6	205 Interchange	\$ 11 million
7	(f) U.S. Highway 26: 185th Avenue to	
8	Cornell Road	\$ 20 million
9	(g) Interstate 205 and State	
10	Highway 213 at the Washington	
11	Street Interchange	\$ 22 million
12	(h) Interstate 84 at the Hood	
13	River Interchange.....	\$ 10 million
14	(i) State Highway 43 at the	
15	Sellwood Bridge Interchange....	\$ 30 million
16	(j) State Highway 6 at U.S.	
17	Highway 101	\$ 27 million
18	(k) State Highway 99W: Newberg	
19	and Dundee Bypass, Phase I	\$ 192 million
20	(L) Interstate 5 at the State Highway	
21	214 Interchange	\$ 43 million
22	(m) Interstate 5 at Beltline	
23	Highway, Units 3, 4, 5,	
24	6 and 7	\$ 80 million
25	(n) Beltline Highway at	
26	Delta Highway	\$ 2 million
27	(o) Interstate 5 at Kuebler	
28	Road, Phase I	\$ 15 million
29	(p) Interstate 5 at Kuebler	
30	Road, Phase II (Mill Creek).....	\$ 4 million
31	(q) State Highway 42, county	
32	line curves	\$ 10 million
33	(r) State Highway 62: Corridor	
34	Solution, Phase II.....	\$ 100 million
35	(s) Interstate 5 at the Fern Valley	
36	Road Interchange	\$ 25 million
37	(t) Interstate 5 Sutherlin	
38	truck climbing lanes.....	\$ 4.1 million
39	(u) Interstate 5 Sexton truck	
40	climbing lanes.....	\$ 10 million
41	(v) Interstate 84 at the U.S.	
42	Highway 97 Interchange	\$ 19 million
43	(w) U.S. Highway 97: Crooked	
44	River Bridge to Redmond.....	\$ 2 million
45	(x) State Highway 140:	

- 1 **Klamath Falls to the Nevada**
- 2 **state line.....\$ 23 million**
- 3 **(y) Murphy Road at the U.S.**
- 4 **Highway 97 Interchange\$ 25 million**
- 5 **(z) U.S. Highway 97: Redmond**
- 6 **reroute, Phase II.....\$ 5 million**
- 7 **(aa) Chico Road reconstruction**
- 8 **in Baker County\$ 1 million**
- 9 **(bb) Chandler Lane reconstruction**
- 10 **in Baker County\$ 4.6 million**
- 11 **(cc) Interstate 84 Spring Creek climbing**
- 12 **lane in Union County.....\$ 5.7 million**
- 13 **(dd) Northwest Washington Avenue**
- 14 **in Malheur County.....\$ 4.5 million**
- 15 **(ee) Pierce Road improvements**
- 16 **in Union County\$ 5 million**
- 17 **(ff) State Highway 82 alternate route**
- 18 **in Wallowa County\$ 5 million**
- 19 **(gg) Westland Road in Umatilla**
- 20 **County\$ 1.1 million**
- 21 **(hh) State Highway 207 and State**
- 22 **Highway 206 intersections\$ 0.5 million**
- 23 **(ii) Vehicle chain-up areas east**
- 24 **of Pendleton on Interstate**
- 25 **84\$ 4.7 million**
- 26 **(jj) Izee-Paulina Highway in**
- 27 **Grant County.....\$ 4.5 million**
- 28 **(kk) Monroe Street and U.S.**
- 29 **Highway 20 Intersection**
- 30 **in Harney County\$ 0.9 million**

31

32

33 **(3) Prior to June 1, 2010, in addition to the projects listed in subsection (2) of this section,**

34 **if projects are recommended to the Oregon Transportation Commission by the applicable local**

35 **area commission on transportation after consultation with the local governments listed**

36 **in this subsection, the Oregon Transportation Commission may also approve and allocate**

37 **funds to the following local governments for projects approved by the commission in the**

38 **following amounts:**

-
- 41 **(a) Baker County.....\$ 4.5 million**
 - 42 **(b) Grant County.....\$ 1.1 million**
 - 43 **(c) Harney County.....\$ 4.1 million**
 - 44 **(d) Malheur County.....\$ 5.8 million**
 - 45 **(e) Union County.....\$ 1.3 million**

1	(f) Umatilla County.....	\$ 2.5 million
2	(g) City of Nyssa	\$ 1 million
3	(h) City of Heppner	\$ 3 million
4	(i) City of Milton-Freewater.....	\$ 3 million
5	(j) City of Ontario	\$ 1.2 million
6	(k) Port of Umatilla	\$ 4.5 million
7	(L) Port of Morrow.....	\$10.7 million

8
9
10 **SECTION 65.** Nothing in this 2009 Act is intended to impair and may not impair the in-
11 terests of the owners of any Highway User Tax Bonds that are outstanding on the effective
12 date of this 2009 Act or any obligations of the agreements of the Department of Transpor-
13 tation under its Amended and Restated Master Highway User Tax Revenue Bond Declaration
14 dated June 1, 2006, as amended and supplemented.

15 **SECTION 66.** Notwithstanding ORS 367.620 (1), the provisions of ORS 286A.035 do not
16 apply to bonds described in ORS 367.620 (3)(c) for the biennium beginning July 1, 2009.

17 **SECTION 67.** Section 4, chapter 545, Oregon Laws 2003, is amended to read:

18 **Sec. 4.** Sections 2 and 3, chapter 545, Oregon Laws 2003, [of this 2003 Act] apply to tax years
19 beginning on or after January 1, 2005, and before January 1, [2010] **2015.**

20 **SECTION 67a.** Section 31, chapter 618, Oregon Laws 2003, as amended by section 55, chapter
21 843, Oregon Laws 2007, and section 19, chapter 855, Oregon Laws 2007, is amended to read:

22 **Sec. 31.** The tax credit established in section 28, chapter 618, Oregon Laws 2003, applies to tax
23 years beginning on and after January 1, 2005, and to engine model years 2003 through [2011] **2013.**

24 **SECTION 67b.** Section 32, chapter 618, Oregon Laws 2003, as amended by section 56, chapter
25 843, Oregon Laws 2007, and section 20, chapter 855, Oregon Laws 2007, is amended to read:

26 **Sec. 32.** A certificate of credit approval may not be issued under section 29, chapter 618, Oregon
27 Laws 2003, after December 31, [2011] **2013.**

28 **SECTION 67c.** Section 49, chapter 843, Oregon Laws 2007, is amended to read:

29 **Sec. 49.** Sections 47 and 48, **chapter 843, Oregon Laws 2007**, [of this 2007 Act] apply to diesel
30 engine repower and retrofit tax credit cost certifications issued in tax years beginning on or after
31 January 1, 2008, **and before January 1, 2014.**

32 **SECTION 67d.** Section 14, chapter 855, Oregon Laws 2007, is amended to read:

33 **Sec. 14.** Sections 12 and 13, **chapter 855, Oregon Laws 2007**, [of this 2007 Act] apply to diesel
34 engine repower and retrofit tax credit cost certifications issued in tax years beginning on or after
35 January 1, 2008, **and before January 1, 2014.**

36 **SECTION 68.** (1) **The amendments to ORS 801.041 by section 40 of this 2009 Act apply to**
37 **ordinances enacted by the governing body of a county on or after the effective date of this**
38 **2009 Act.**

39 (2) **The amendments to ORS 801.041 by section 40a of this 2009 Act apply to ordinances**
40 **enacted by the governing body of a county on or after July 1, 2013.**

41 **SECTION 69.** Section 25 (1) of this 2009 Act does not apply to ordinances imposing a tax
42 on fuel for motor vehicles enacted on or before the effective date of this 2009 Act.

43 **SECTION 70.** Section 6, chapter 862, Oregon Laws 2001, is repealed.

44 **SECTION 71.** This 2009 Act takes effect on the 91st day after the date on which the
45 regular session of the Seventy-fifth Legislative Assembly adjourns sine die.

