

# Enrolled House Bill 2001

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

CHAPTER .....

## AN ACT

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

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

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

Whereas all sectors of Oregon's economy rely on the transportation system to remain competitive and to connect to the marketplace; and

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

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

Whereas maintenance, preservation, safety and modernization needs have been identified in every corner of Oregon; and

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

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

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

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

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

**(3) Identify opportunities to achieve greater program efficiency in the delivery of transportation services and programs through intergovernmental cooperation.**

(4) Study national best practices for improving the delivery of metropolitan transportation services through enhanced regional decision-making.

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

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

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

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

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

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

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

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

**SECTION 5.** (1) The Department of Transportation shall provide information on the department's website about:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION 6.** (1) As used in this section, "least-cost planning" means a process of comparing direct and indirect costs of demand and supply options to meet transportation goals,

policies or both, where the intent of the process is to identify the most cost-effective mix of options.

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

**SECTION 7.** Prior to February 1, 2011, the Department of Transportation shall submit a progress report, including any recommendations for legislation, on the development of a least-cost planning model under section 6 of this 2009 Act to the Seventy-sixth Legislative Assembly.

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

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

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

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

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

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

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

(f) Public investment in transportation infrastructure will create jobs and further economic development in this state.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) Enhances the safety of the traveling public by decreasing traffic crash rates, promoting the efficient movement of people and goods and preserving the public investment in the transportation system.

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

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

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

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

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

(8) Fosters livable communities by demonstrating that the investment does not undermine sustainable urban development.

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

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

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

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

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

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

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

(B) Reduce the cost and delay associated with redesigning projects to meet environmental requirements;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) The department shall report the results of both the highway cost allocation study and the efficient fee study to the Seventy-sixth Legislative Assembly. The efficient fee study report must include recommendations for legislation to implement the efficient fee method of cost allocation.

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

(2) The fund shall consist of:

(a) Private funding resources;

(b) Grant moneys;

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

(d) Moneys from any other source.

**SECTION 32.** (1) The Department of Transportation shall enter into an intergovernmental agreement with the Travel Information Council under which the council shall manage, maintain and improve roadside rest areas mutually agreed upon by the department and council and the following roadside rest areas along Interstate 5 and Interstate 84:

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

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

- (c) Interstate 5, southbound, near milepost 241.
- (d) Interstate 5, northbound, near milepost 281.
- (e) Interstate 5, southbound, near milepost 281.
- (f) Interstate 84, eastbound, near milepost 160.
- (g) Interstate 84, westbound, near milepost 377.

(2) Subject to subsection (4) of this section, in carrying out the provisions of subsection (1) of this section, the council may enter into contracts necessary to accomplish the purposes of subsection (1) of this section.

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

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

**SECTION 33.** (1) Notwithstanding ORS 366.490, the Travel Information Council shall establish by rule a permit program allowing nonprofit organizations to provide free coffee or other nonalcoholic beverages and cookies at roadside rest areas the council is responsible for under section 32 of this 2009 Act. Cookies offered under the program must come from a licensed facility. Rules adopted under this section may not restrict the program to any particular days of the year.

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

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

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

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

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

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

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

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

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

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

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

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

- (a) "Comprehensive plan" has the meaning given that term in ORS 197.015.
- (b) "Land use regulation" has the meaning given that term in ORS 197.015.
- (c) "Metropolitan service district" means a metropolitan service district established under ORS chapter 268.

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

(b) A metropolitan service district, in accordance with rules adopted under subsection (8) of this section, shall select, after public review and comment on the scenarios and in consultation with local governments within the jurisdiction of the metropolitan service district, one scenario described in paragraph (a) of this subsection as a part of its planning responsibilities under ORS 268.390.

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

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

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

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

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

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

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

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



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

(c) The Department of Environmental Quality and the State Department of Energy shall estimate the greenhouse gas emissions for 1990 for each metropolitan service district resulting from the travel by motor vehicles described in paragraph (a) of this subsection, using available records of the average emissions per mile emitted by motor vehicles in 1990 and the estimates provided by the Department of Transportation under paragraph (a) of this subsection;

(d) The Department of Environmental Quality and the State Department of Energy shall estimate the predicted average greenhouse gas emissions by motor vehicles described in paragraph (a) of this subsection predicted to comprise the motor vehicles on the highways in 2035 based on the predicted rate of replacement of the vehicles as described in paragraph (b) of this subsection and based on available reasonable estimates provided by public or private entities of the improvements in vehicle technologies that will be available for use by 2035;

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

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

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

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

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

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

(b) Identify planning assumptions and approaches to meet minimum planning standards identified in paragraph (a) of this subsection that ensure the Department of Land Conser-

vation and Development can approve the changes to the regional framework plan, comprehensive plans and land use regulations implementing the comprehensive plans;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) When developing the land use and transportation scenarios described in subsection (a) of this section, the metropolitan planning organization shall take into account the

amount of greenhouse emissions, caused by motor vehicles with a gross vehicle weight rating of 10,000 pounds or less, that need to be reduced in 2035 in order to meet the goals stated in ORS 468A.205. The metropolitan planning organization shall take into consideration the reductions in vehicle emissions that are likely to result by 2035 from the use of improved vehicle technologies and fuels.

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

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

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

(c) The Department of Transportation shall provide funds for rulemaking, technical assistance and grants under this section from available funds.

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

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

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

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

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

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

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

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

(2) The authority granted by this section allows the establishment of registration fees in addition to those described in ORS 803.420. There is no authority under this section to affect registration

periods, qualifications, cards, plates, requirements or any other provision relating to vehicle registration under the vehicle code.

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

- (a) Snowmobiles and Class I all-terrain vehicles.
- (b) Fixed load vehicles.
- (c) Vehicles registered under ORS 805.100 to disabled veterans.
- (d) Vehicles registered as antique vehicles under ORS 805.010.
- (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- (g) School buses or school activity vehicles registered under ORS 805.050.
- (h) Law enforcement undercover vehicles registered under ORS 805.060.
- (i) Vehicles registered on a proportional basis for interstate operation.
- (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10) or (11).
- (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
- (L) Travel trailers, campers and motor homes.

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

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

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

*[(7) Before the governing body of a county that overlaps a district can impose a registration fee under this section, it must enter into an intergovernmental agreement under ORS 190.010 with the governing bodies of that district and all counties, other districts and cities with populations of over 300,000 that overlap the district. The intergovernmental agreement must state the registration fees and, if necessary, how the revenue from the fees are to be apportioned among the counties and the districts. Before the governing body of a county can enter into such an intergovernmental agreement, the county shall consult with the cities in its jurisdiction.]*

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

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

(1) An ordinance establishing registration fees under this section must be enacted by the county imposing the registration fee and filed with the Department of Transportation. Notwithstanding ORS 203.055 or any provision of a county charter, the governing body of a county with a population of 350,000 or more may enact an ordinance establishing registration fees *[for the purpose of designing, replacing, acquiring necessary property for, engineering and constructing a bridge and its approach that crosses the Willamette River in the City of Portland. Except for motor vehicles registered as government-owned vehicles under ORS 805.040, the bridge shall be restricted to motor vehicles with a gross vehicle weight rating of 26,000 pounds or less.]* **The governing body of a county with a**

**population of less than 350,000 may enact an ordinance establishing registration fees after submitting the ordinance to the electors of the county for their approval.** The governing body of the county imposing the registration fee shall enter into an intergovernmental agreement under ORS 190.010 with the department by which the department shall collect the registration fees, pay them over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5). The intergovernmental agreement must state the date on which the department shall begin collecting registration fees for the county.

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

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

- (a) Snowmobiles and Class I all-terrain vehicles.
- (b) Fixed load vehicles.
- (c) Vehicles registered under ORS 805.100 to disabled veterans.
- (d) Vehicles registered as antique vehicles under ORS 805.010.
- (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- (g) School buses or school activity vehicles registered under ORS 805.050.
- (h) Law enforcement undercover vehicles registered under ORS 805.060.
- (i) Vehicles registered on a proportional basis for interstate operation.
- (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10) or (11).
- (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
- (L) Travel trailers, campers and motor homes.

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

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

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

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

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

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

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

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

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

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

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

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

- (1) The transfer fee under ORS 803.092:
  - (a) For a salvage title, [~~\$17~~] **\$27**.
  - (b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.
  - (c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this subsection, [~~\$55~~] **\$77**.
- (2) The fee for issuance of a certificate of title under ORS 803.045:
  - (a) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.
  - (b) For vehicles other than vehicles for which the title fee is described in paragraph (a) of this subsection, [~~\$55~~] **\$77**.
- (3) The fee for issuance of a salvage title certificate under ORS 803.140, [~~\$17~~] **\$27**.
- (4) The fee for issuance of a duplicate or replacement certificate of title under ORS 803.065:
  - (a) For a duplicate or replacement salvage title certificate, [~~\$17~~] **\$27**.
  - (b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.
  - (c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this subsection, [~~\$55~~] **\$77**.
- (5) The fee under subsection (4) of this section [*must*] **may not** be paid at the same time as a transfer fee under this section if application is made at the same time as application for transfer.
- (6) The fee for issuance of a new certificate of title under ORS 803.220 indicating a change of name or address:
  - (a) For a new salvage title certificate, [~~\$17~~] **\$27**.
  - (b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.
  - (c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this subsection, [~~\$55~~] **\$77**.
- (7) The fee for late presentation of certificate of title under ORS 803.105, \$25 from the 31st day after the transfer through the 60th day after the transfer and \$50 thereafter.
- (8) The fees for title transactions involving a form of title other than a certificate shall be the amounts established by the Department of Transportation by rule under ORS 803.012.

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

803.420. This section establishes registration fees for vehicles. If there is uncertainty as to the classification of a vehicle for purposes of the payment of registration fees under the vehicle code, the Department of Transportation may classify the vehicle to assure that registration fees for the vehicle are the same as for vehicles the department determines to be comparable. The registration fees for the vehicle shall be those based on the classification determined by the department. Except as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described in this section are for an entire registration period for the vehicle as described under ORS 803.415. The department shall apportion any fee under this section to reflect the number of quarters registered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing body of a county or by the governing body of a district, as defined in ORS 801.237, under ORS

801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of vehicles are as follows:

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

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

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

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

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

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

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

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

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

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

(b) The registration fee for electric or hybrid vehicles that have two or three wheels is [~~\$27~~] **\$43**. This paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are subject to the same registration fee as otherwise provided for mopeds under this section.

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

(A) Motor homes.

(B) Commercial buses.

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

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

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

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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
68,001	to	70,000	429
70,001	to	72,000	444
72,001	to	74,000	452
74,001	to	76,000	467
76,001	to	78,000	475
78,001	to	80,000	490
80,001	to	82,000	498
82,001	to	84,000	513
84,001	to	86,000	521
86,001	to	88,000	536
88,001	to	90,000	544
90,001	to	92,000	559
92,001	to	94,000	567
94,001	to	96,000	582
96,001	to	98,000	590
98,001	to	100,000	598
100,001	to	102,000	613
102,001	to	104,000	621
104,001	to	105,500	636

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

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Weight in Pounds		Fee
8,001	to 10,000	\$ 50
10,001	to 12,000	60
12,001	to 14,000	65
14,001	to 16,000	75
16,001	to 18,000	80
18,001	to 20,000	90
20,001	to 22,000	95
22,001	to 24,000	105
24,001	to 26,000	110
26,001	to 28,000	120
28,001	to 30,000	125
30,001	to 32,000	135
32,001	to 34,000	140
34,001	to 36,000	150
36,001	to 38,000	155



38,001 to	40,000	165
40,001 to	42,000	170
42,001 to	44,000	180
44,001 to	46,000	185
46,001 to	48,000	190
48,001 to	50,000	200
50,001 to	52,000	210
52,001 to	54,000	215
54,001 to	56,000	220
56,001 to	58,000	230
58,001 to	60,000	240
60,001 to	62,000	250
62,001 to	64,000	260
64,001 to	66,000	265
66,001 to	68,000	275
68,001 to	70,000	280
70,001 to	72,000	290
72,001 to	74,000	295
74,001 to	76,000	305
76,001 to	78,000	310
78,001 to	80,000	320
80,001 to	82,000	325
82,001 to	84,000	335
84,001 to	86,000	340
86,001 to	88,000	350
88,001 to	90,000	355
90,001 to	92,000	365
92,001 to	94,000	370
94,001 to	96,000	380
96,001 to	98,000	385
98,001 to	100,000	390
100,001 to	102,000	400
102,001 to	104,000	405
104,001 to	105,500	415

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

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

(13) Fixed load vehicles as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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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
24,001 to 26,000	90
26,001 to 28,000	95
28,001 to 30,000	105
30,001 to 32,000	110
32,001 to 34,000	120
34,001 to 36,000	125
36,001 to 38,000	135
38,001 to 40,000	140
40,001 to 42,000	150
42,001 to 44,000	155

44,001 to	46,000	165
46,001 to	48,000	170
48,001 to	50,000	180
50,001 to	52,000	185
52,001 to	54,000	190
54,001 to	56,000	200
56,001 to	58,000	210
58,001 to	60,000	215
60,001 to	62,000	220
62,001 to	64,000	230
64,001 to	66,000	240
66,001 to	68,000	245
68,001 to	70,000	250
70,001 to	72,000	260
72,001 to	74,000	265
74,001 to	76,000	275
76,001 to	78,000	280
78,001 to	80,000	290
80,001 to	82,000	295
82,001 to	84,000	305
84,001 to	86,000	310
86,001 to	88,000	320
88,001 to	90,000	325
90,001 to	92,000	335
92,001 to	94,000	340
94,001 to	96,000	350
96,001 to	98,000	355
98,001 to	100,000	365
100,001 to	102,000	370
102,001 to	104,000	380
104,001 to	105,500	385

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

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

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

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

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

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

803.420. This section establishes registration fees for vehicles. If there is uncertainty as to the classification of a vehicle for purposes of the payment of registration fees under the vehicle code, the Department of Transportation may classify the vehicle to assure that registration fees for the vehicle are the same as for vehicles the department determines to be comparable. The registration fees for the vehicle shall be those based on the classification determined by the department. Except as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described in this section are for an entire registration period for the vehicle as described under ORS 803.415. The department shall apportion any fee under this section to reflect the number of quarters registered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS

801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing body of a county or by the governing body of a district, as defined in ORS 801.237, under ORS 801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of vehicles are as follows:

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

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

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

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

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

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

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

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

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

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

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

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

(A) Motor homes.

(B) Commercial buses.

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

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

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

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Weight in Pounds	Fee
8,000 or less	\$ [27] <b>55</b>
8,001 to 10,000	[169] <b>344</b>
10,001 to 12,000	[192] <b>391</b>
12,001 to 14,000	[215] <b>438</b>
14,001 to 16,000	[238] <b>485</b>
16,001 to 18,000	[261] <b>532</b>
18,001 to 20,000	[291] <b>593</b>
20,001 to 22,000	[314] <b>640</b>
22,001 to 24,000	[345] <b>703</b>
24,001 to 26,000	[375] <b>764</b>
26,001 to 28,000	[184] <b>375</b>
28,001 to 30,000	[192] <b>391</b>
30,001 to 32,000	[207] <b>422</b>
32,001 to 34,000	[215] <b>438</b>
34,001 to 36,000	[230] <b>468</b>
36,001 to 38,000	[238] <b>485</b>
38,001 to 40,000	[253] <b>515</b>
40,001 to 42,000	[261] <b>532</b>
42,001 to 44,000	[276] <b>562</b>
44,001 to 46,000	[284] <b>578</b>

46,001	to	48,000	[291]	<b>593</b>
48,001	to	50,000	[307]	<b>625</b>
50,001	to	52,000	[322]	<b>656</b>
52,001	to	54,000	[330]	<b>672</b>
54,001	to	56,000	[337]	<b>686</b>
56,001	to	58,000	[352]	<b>717</b>
58,001	to	60,000	[368]	<b>750</b>
60,001	to	62,000	[383]	<b>780</b>
62,001	to	64,000	[398]	<b>811</b>
64,001	to	66,000	[406]	<b>827</b>
66,001	to	68,000	[421]	<b>857</b>
68,001	to	70,000	[429]	<b>874</b>
70,001	to	72,000	[444]	<b>904</b>
72,001	to	74,000	[452]	<b>921</b>
74,001	to	76,000	[467]	<b>951</b>
76,001	to	78,000	[475]	<b>967</b>
78,001	to	80,000	[490]	<b>998</b>
80,001	to	82,000	[498]	<b>1,014</b>
82,001	to	84,000	[513]	<b>1,045</b>
84,001	to	86,000	[521]	<b>1,061</b>
86,001	to	88,000	[536]	<b>1,092</b>
88,001	to	90,000	[544]	<b>1,108</b>
90,001	to	92,000	[559]	<b>1,139</b>
92,001	to	94,000	[567]	<b>1,155</b>
94,001	to	96,000	[582]	<b>1,185</b>
96,001	to	98,000	[590]	<b>1,202</b>
98,001	to	100,000	[598]	<b>1,218</b>
100,001	to	102,000	[613]	<b>1,249</b>
102,001	to	104,000	[621]	<b>1,265</b>
104,001	to	105,500	[636]	<b>1,295</b>

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

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Weight in Pounds		Fee
8,001	to 10,000	\$ 50
10,001	to 12,000	60
12,001	to 14,000	65
14,001	to 16,000	75
16,001	to 18,000	80
18,001	to 20,000	90
20,001	to 22,000	95
22,001	to 24,000	105
24,001	to 26,000	110
26,001	to 28,000	120
28,001	to 30,000	125
30,001	to 32,000	135
32,001	to 34,000	140

34,001 to	36,000	150
36,001 to	38,000	155
38,001 to	40,000	165
40,001 to	42,000	170
42,001 to	44,000	180
44,001 to	46,000	185
46,001 to	48,000	190
48,001 to	50,000	200
50,001 to	52,000	210
52,001 to	54,000	215
54,001 to	56,000	220
56,001 to	58,000	230
58,001 to	60,000	240
60,001 to	62,000	250
62,001 to	64,000	260
64,001 to	66,000	265
66,001 to	68,000	275
68,001 to	70,000	280
70,001 to	72,000	290
72,001 to	74,000	295
74,001 to	76,000	305
76,001 to	78,000	310
78,001 to	80,000	320
80,001 to	82,000	325
82,001 to	84,000	335
84,001 to	86,000	340
86,001 to	88,000	350
88,001 to	90,000	355
90,001 to	92,000	365
92,001 to	94,000	370
94,001 to	96,000	380
96,001 to	98,000	385
98,001 to	100,000	390
100,001 to	102,000	400
102,001 to	104,000	405
104,001 to	105,500	415

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

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<b>Weight in Pounds</b>	<b>Fee</b>
<b>8,001 to 10,000</b>	<b>\$ 102</b>
<b>10,001 to 12,000</b>	<b>122</b>
<b>12,001 to 14,000</b>	<b>132</b>
<b>14,001 to 16,000</b>	<b>153</b>
<b>16,001 to 18,000</b>	<b>163</b>
<b>18,001 to 20,000</b>	<b>183</b>
<b>20,001 to 22,000</b>	<b>193</b>
<b>22,001 to 24,000</b>	<b>214</b>

24,001	to	26,000	224
26,001	to	28,000	244
28,001	to	30,000	255
30,001	to	32,000	275
32,001	to	34,000	285
34,001	to	36,000	306
36,001	to	38,000	316
38,001	to	40,000	336
40,001	to	42,000	346
42,001	to	44,000	367
44,001	to	46,000	377
46,001	to	48,000	387
48,001	to	50,000	407
50,001	to	52,000	428
52,001	to	54,000	438
54,001	to	56,000	448
56,001	to	58,000	468
58,001	to	60,000	489
60,001	to	62,000	509
62,001	to	64,000	530
64,001	to	66,000	540
66,001	to	68,000	560
68,001	to	70,000	570
70,001	to	72,000	591
72,001	to	74,000	601
74,001	to	76,000	621
76,001	to	78,000	631
78,001	to	80,000	652
80,001	to	82,000	662
82,001	to	84,000	682
84,001	to	86,000	692
86,001	to	88,000	713
88,001	to	90,000	723
90,001	to	92,000	743
92,001	to	94,000	754
94,001	to	96,000	774
96,001	to	98,000	784
98,001	to	100,000	794
100,001	to	102,000	815
102,001	to	104,000	825
104,001	to	105,500	845

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

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

(13) Fixed load vehicles as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Weight in Pounds	Fee
8,000 or less	\$ [27] <b>35</b>
8,001 to 10,000	[30] <b>46</b>
10,001 to 12,000	[35] <b>53</b>
12,001 to 14,000	[45] <b>68</b>
14,001 to 16,000	[50] <b>76</b>
16,001 to 18,000	[60] <b>91</b>
18,001 to 20,000	[65] <b>99</b>
20,001 to 22,000	[75] <b>114</b>
22,001 to 24,000	[80] <b>121</b>
24,001 to 26,000	[90] <b>137</b>
26,001 to 28,000	[95] <b>144</b>
28,001 to 30,000	[105] <b>159</b>
30,001 to 32,000	[110] <b>167</b>



32,001 to	34,000	[120] <b>182</b>
34,001 to	36,000	[125] <b>190</b>
36,001 to	38,000	[135] <b>205</b>
38,001 to	40,000	[140] <b>213</b>
40,001 to	42,000	[150] <b>228</b>
42,001 to	44,000	[155] <b>235</b>
44,001 to	46,000	[165] <b>251</b>
46,001 to	48,000	[170] <b>258</b>
48,001 to	50,000	[180] <b>273</b>
50,001 to	52,000	[185] <b>281</b>
52,001 to	54,000	[190] <b>288</b>
54,001 to	56,000	[200] <b>304</b>
56,001 to	58,000	[210] <b>319</b>
58,001 to	60,000	[215] <b>326</b>
60,001 to	62,000	[220] <b>334</b>
62,001 to	64,000	[230] <b>349</b>
64,001 to	66,000	[240] <b>364</b>
66,001 to	68,000	[245] <b>372</b>
68,001 to	70,000	[250] <b>380</b>
70,001 to	72,000	[260] <b>395</b>
72,001 to	74,000	[265] <b>402</b>
74,001 to	76,000	[275] <b>418</b>
76,001 to	78,000	[280] <b>425</b>
78,001 to	80,000	[290] <b>440</b>
80,001 to	82,000	[295] <b>448</b>
82,001 to	84,000	[305] <b>463</b>
84,001 to	86,000	[310] <b>471</b>
86,001 to	88,000	[320] <b>486</b>
88,001 to	90,000	[325] <b>493</b>
90,001 to	92,000	[335] <b>509</b>
92,001 to	94,000	[340] <b>516</b>
94,001 to	96,000	[350] <b>531</b>
96,001 to	98,000	[355] <b>539</b>
98,001 to	100,000	[365] <b>554</b>
100,001 to	102,000	[370] <b>562</b>
102,001 to	104,000	[380] <b>577</b>
104,001 to	105,500	[385] <b>585</b>

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

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

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

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

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

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

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

803.570. Except as otherwise specifically provided by law, the Department of Transportation shall collect the fee described by this section each time the department issues a registration plate

upon the registration of a vehicle or at other times when a registration plate is issued by the department. The following all apply to the fee established by this section:

- (1) The fee shall be in addition to any other fee collected upon issuance of a registration plate.
- (2) The fee for each registration plate issued and for each *[set of two]* **pair of plates** issued shall be determined by the department and shall be established by the department by rule. *[The fee may not exceed \$3 for one plate and \$5 for a set of two plates.]* **The department shall establish fees for a single plate and for a pair of plates under this section by:**

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

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

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

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

- (1) For a heavy motor vehicle trip permit, *[\$21]* **\$43**.
- (2) For a heavy trailer trip permit, \$10.
- (3) For a light vehicle trip permit, *[\$20]* **\$30**.
- (4) For a recreational vehicle trip permit, \$30.
- (5) For a registration weight trip permit, \$5.
- (6) For a registered vehicle trip permit, *[\$5]* **\$7.50**.
- (7) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer certificate or a towing business certificate, *[\$10]* **\$15**.

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

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

- (1) Amateur radio operator registration plates issued under ORS 805.230, \$5.
- (2) Customized registration plates issued under ORS 805.240:
  - (a) For original issuance or renewal, *[\$25]* **\$50** annual fee.
  - (b) For issuance of a duplicate or replacement plate, \$5 when the plate is issued at the time of renewal of registration or \$10 when the plate is issued at any other time.
- (3) Special interest registration plates approved under ORS 805.210 are approved without cost except as provided in this subsection, including without payment of the fee established under ORS 803.570. If identifying stickers are required, \$1 per sticker or pair of stickers.
- (4) Dealer plates issued under ORS 822.020 and 822.040 are as follows:
  - (a) For the original dealer plate, no fee except the fee established under ORS 803.570.
  - (b) For replacement dealer plates, \$10 for each plate except that persons dealing exclusively in motorcycles, mopeds, snowmobiles or any combination of those vehicles shall pay only \$3 for each replacement plate.
  - (c) For additional plates, or for renewal of registration, \$42, except that persons dealing exclusively in motorcycles, mopeds or snowmobiles or any combination of those vehicles shall pay only \$9 for each additional plate, or for renewal of registration.
- (5) Special vehicle transporter plates or devices issued under ORS 822.310, \$5 for each plate or device.

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

807.410. This section establishes the fees relating to identification cards. The following fees apply to identification cards unless otherwise provided by ORS 807.400 or otherwise provided by law:

- (1) For issuance of an original identification card, *[\$33.50]* **\$44.50**. This subsection does not require a fee for issuance when ORS 807.400 provides for issuance of an identification card without charge of a fee.
- (2) For renewal of an identification card, *[\$29.50]* **\$40.50**.
- (3) For replacement of an identification card, *[\$28.50]* **\$39.50**.

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

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

807.410. This section establishes the fees relating to identification cards. The following fees apply to identification cards unless otherwise provided by ORS 807.400 or otherwise provided by law:

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

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

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

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

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

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

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

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

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

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

(b) Except as provided in ORS 319.270, pay a license tax computed on the basis of [24] **30** cents per gallon on the first sale, use or distribution of such motor vehicle fuel or aircraft fuel so sold, used, distributed or withdrawn as shown by such statement in the manner and within the time provided in ORS 319.010 to 319.430.

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

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

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

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

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

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

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

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

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

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

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

(c) The miles of travel authorized by a single-trip nondivisible load permit shall be exempt from taxation under ORS chapter 825.

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

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

Declared Combined Weight Groups (Pounds)	MILEAGE TAX RATE TABLE "A"	
	Fee Rates Per Mile (Mills)	
26,001 to 28,000	[40.0]	<b>49.8</b>
28,001 to 30,000	[42.4]	<b>52.8</b>
30,001 to 32,000	[44.3]	<b>55.2</b>
32,001 to 34,000	[46.3]	<b>57.6</b>
34,001 to 36,000	[48.1]	<b>59.9</b>
36,001 to 38,000	[50.6]	<b>63.0</b>
38,001 to 40,000	[52.5]	<b>65.4</b>
40,001 to 42,000	[54.4]	<b>67.7</b>
42,001 to 44,000	[56.4]	<b>70.2</b>
44,001 to 46,000	[58.3]	<b>72.6</b>
46,001 to 48,000	[60.2]	<b>74.9</b>
48,001 to 50,000	[62.2]	<b>77.4</b>
50,001 to 52,000	[64.5]	<b>80.3</b>
52,001 to 54,000	[66.9]	<b>83.3</b>
54,001 to 56,000	[69.4]	<b>86.4</b>
56,001 to 58,000	[72.3]	<b>90.0</b>
58,001 to 60,000	[75.6]	<b>94.1</b>
60,001 to 62,000	[79.5]	<b>99.0</b>
62,001 to 64,000	[83.9]	<b>104.5</b>
64,001 to 66,000	[88.7]	<b>110.4</b>
66,001 to 68,000	[95.0]	<b>118.3</b>

68,001 to 70,000	[101.7]	<b>126.6</b>
70,001 to 72,000	[108.4]	<b>135.0</b>
72,001 to 74,000	[114.6]	<b>142.7</b>
74,001 to 76,000	[120.5]	<b>150.0</b>
76,001 to 78,000	[126.3]	<b>157.2</b>
78,001 to 80,000	[131.6]	<b>163.8</b>

AXLE-WEIGHT MILEAGE  
TAX RATE TABLE "B"

Declared Combined Weight Groups (Pounds)	Number of Axles				
	5	6 (Mills)	7	8	9 or more
80,001 to 82,000	[135.9]	124.3	116.2	110.4	104.1]
	<b>169.2</b>	<b>154.8</b>	<b>144.7</b>	<b>137.4</b>	<b>129.6</b>
82,001 to 84,000	[140.3]	126.3	118.1	111.8	105.5]
	<b>174.7</b>	<b>157.2</b>	<b>147.0</b>	<b>139.2</b>	<b>131.3</b>
84,001 to 86,000	[144.5]	129.2	120.0	113.2	107.0]
	<b>179.9</b>	<b>160.9</b>	<b>149.4</b>	<b>140.9</b>	<b>133.2</b>
86,001 to 88,000	[149.4]	132.0	121.9	115.2	108.4]
	<b>186.0</b>	<b>164.3</b>	<b>151.8</b>	<b>143.4</b>	<b>135.0</b>
88,001 to 90,000	[155.2]	135.4	123.9	117.1	110.4]
	<b>193.2</b>	<b>168.6</b>	<b>154.3</b>	<b>145.8</b>	<b>137.4</b>
90,001 to 92,000	[161.9]	139.3	125.7	119.0	112.3]
	<b>201.6</b>	<b>173.4</b>	<b>156.5</b>	<b>148.2</b>	<b>139.8</b>
92,001 to 94,000	[169.2]	143.1	127.7	120.9	113.8]
	<b>210.7</b>	<b>178.2</b>	<b>159.0</b>	<b>150.5</b>	<b>141.7</b>
94,001 to 96,000	[176.9]	147.5	130.1	122.9	115.6]
	<b>220.2</b>	<b>183.6</b>	<b>162.0</b>	<b>153.0</b>	<b>143.9</b>
96,001 to 98,000	[185.1]	152.8	133.0	124.9	117.6]
	<b>230.4</b>	<b>190.2</b>	<b>165.6</b>	<b>155.5</b>	<b>146.4</b>
98,001 to 100,000		[158.5]	135.9	127.2	119.5]
		<b>197.3</b>	<b>169.2</b>	<b>158.4</b>	<b>148.8</b>
100,001 to 102,000			[138.8]	130.1	121.5]
			<b>172.8</b>	<b>162.0</b>	<b>151.3</b>
102,001 to 104,000			[141.7]	133.0	123.9]
			<b>176.4</b>	<b>165.6</b>	<b>154.3</b>
104,001 to 105,500			[145.5]	135.9	126.3]
			<b>181.1</b>	<b>169.2</b>	<b>157.2</b>

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) 50 percent to the Department of Transportation.
- (b) 30 percent to counties for distribution as provided in ORS 366.762.
- (c) 20 percent to cities for distribution as provided in ORS 366.800.

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

- (a) 68 percent for maintenance, preservation and safety of highways.
- (b) 32 percent for the state modernization program for highways as described in ORS 366.507.

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

(6) For the purposes of this section:

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

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

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

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

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

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

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

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

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

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

- (a) 50 percent to the Department of Transportation.
- (b) 30 percent to counties for distribution as provided in ORS 366.762.
- (c) 20 percent to cities for distribution as provided in ORS 366.800.

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

- (a) [68] **33** percent for maintenance, preservation and safety of highways.
- (b) [32] **15.75** percent for the state modernization program for highways as described in ORS 366.507.

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

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

(6) For the purposes of this section:

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

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

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

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

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

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

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

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

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

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

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

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

(a) 50 percent to the Department of Transportation.

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

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

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

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

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

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

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

(6) For the purposes of this section:

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

**(3) The amount of moneys determined by the department under subsection (2)(c) of this section may be allocated by the Oregon Transportation Commission pursuant to a request of the department, in an amount that does not exceed the amount determined by the department, under subsection (2)(c) of this section, to the following projects in the following order of priority:**

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

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

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

**(4) To reasonably estimate the amount necessary to pay bond debt service on Highway User Tax Bonds described in ORS 367.620 (3)(c), the department shall include in its computation:**

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

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

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

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

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

(4) For the purposes of this section:

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

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

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

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

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

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(a)	U.S. Highway 26 at the Glencoe Road Interchange.....	\$ 32 million
(b)	Interstate 84 at the 257th Avenue Interchange.....	\$ 24 million
(c)	State Highway 212: Sunrise Corridor, Phase I, Units 1, 2 and 3 .....	\$ 100 million
(d)	U.S. Highway 26 at the Shute Road Interchange, Phase I.....	\$ 45 million
(e)	Interstate 5 at the Interstate 205 Interchange .....	\$ 11 million
(f)	U.S. Highway 26: 185th Avenue to Cornell Road .....	\$ 20 million
(g)	Interstate 205 and State Highway 213 at the Washington Street Interchange .....	\$ 22 million
(h)	Interstate 84 at the Hood River Interchange.....	\$ 10 million
(i)	State Highway 43 at the Sellwood Bridge Interchange....	\$ 30 million
(j)	State Highway 6 at U.S. Highway 101 .....	\$ 27 million
(k)	State Highway 99W: Newberg and Dundee Bypass, Phase I ....	\$ 192 million
(L)	Interstate 5 at the State Highway 214 Interchange .....	\$ 43 million
(m)	Interstate 5 at Beltline Highway, Units 3, 4, 5, 6 and 7 .....	\$ 80 million
(n)	Beltline Highway at Delta Highway .....	\$ 2 million
(o)	Interstate 5 at Kuebler Road, Phase I .....	\$ 15 million

(p)	Interstate 5 at Kuebler Road, Phase II (Mill Creek).....	\$ 4 million
(q)	State Highway 42, county line curves .....	\$ 10 million
(r)	State Highway 62: Corridor Solution, Phase II.....	\$ 100 million
(s)	Interstate 5 at the Fern Valley Road Interchange .....	\$ 25 million
(t)	Interstate 5 Sutherlin truck climbing lanes.....	\$ 4.1 million
(u)	Interstate 5 Sexton truck climbing lanes.....	\$ 10 million
(v)	Interstate 84 at the U.S. Highway 97 Interchange .....	\$ 19 million
(w)	U.S. Highway 97: Crooked River Bridge to Redmond .....	\$ 2 million
(x)	State Highway 140: Klamath Falls to the Nevada state line.....	\$ 23 million
(y)	Murphy Road at the U.S. Highway 97 Interchange .....	\$ 25 million
(z)	U.S. Highway 97: Redmond reroute, Phase II.....	\$ 5 million
(aa)	Chico Road reconstruction in Baker County .....	\$ 1 million
(bb)	Chandler Lane reconstruction in Baker County .....	\$ 4.6 million
(cc)	Interstate 84 Spring Creek climbing lane in Union County.....	\$ 5.7 million
(dd)	Northwest Washington Avenue in Malheur County.....	\$ 4.5 million
(ee)	Pierce Road improvements in Union County .....	\$ 5 million
(ff)	State Highway 82 alternate route in Wallowa County .....	\$ 5 million
(gg)	Westland Road in Umatilla County .....	\$ 1.1 million
(hh)	State Highway 207 and State Highway 206 intersections .....	\$ 0.5 million
(ii)	Vehicle chain-up areas east of Pendleton on Interstate 84 .....	\$ 4.7 million
(jj)	Izee-Paulina Highway in Grant County.....	\$ 4.5 million
(kk)	Monroe Street and U.S. Highway 20 Intersection in Harney County .....	\$ 0.9 million

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(3) Prior to June 1, 2010, in addition to the projects listed in subsection (2) of this section, if projects are recommended to the Oregon Transportation Commission by the applicable local area commission on transportation after consultation with the local governments listed

in this subsection, the Oregon Transportation Commission may also approve and allocate funds to the following local governments for projects approved by the commission in the following amounts:

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- (a) Baker County.....\$ 4.5 million
  - (b) Grant County.....\$ 1.1 million
  - (c) Harney County.....\$ 4.1 million
  - (d) Malheur County.....\$ 5.8 million
  - (e) Union County.....\$ 1.3 million
  - (f) Umatilla County.....\$ 2.5 million
  - (g) City of Nyssa .....\$ 1 million
  - (h) City of Heppner .....\$ 3 million
  - (i) City of Milton-Freewater.....\$ 3 million
  - (j) City of Ontario .....\$ 1.2 million
  - (k) Port of Umatilla .....\$ 4.5 million
  - (L) Port of Morrow.....\$10.7 million
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**SECTION 65.** Nothing in this 2009 Act is intended to impair and may not impair the interests of the owners of any Highway User Tax Bonds that are outstanding on the effective date of this 2009 Act or any obligations of the agreements of the Department of Transportation under its Amended and Restated Master Highway User Tax Revenue Bond Declaration dated June 1, 2006, as amended and supplemented.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION 70.** Section 6, chapter 862, Oregon Laws 2001, is repealed.  
**SECTION 71.** This 2009 Act takes effect on the 91st day after the date on which the regular session of the Seventy-fifth Legislative Assembly adjourns sine die.

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**Passed by House May 27, 2009**

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Chief Clerk of House

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Speaker of House

**Passed by Senate May 29, 2009**

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President of Senate

**Received by Governor:**

.....M,....., 2009

**Approved:**

.....M,....., 2009

.....  
Governor

**Filed in Office of Secretary of State:**

.....M,....., 2009

.....  
Secretary of State