

# House Bill 2043

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Transportation for Association of Oregon Counties)

## SUMMARY

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

Removes requirement that ordinance establishing county registration fees for vehicles be approved by electors of county.

Adds low-speed vehicles and racing activity vehicles to list of vehicles that may not be charged additional registration fee by county.

## A BILL FOR AN ACT

1  
2 Relating to vehicle registration fees imposed by counties; creating new provisions; and amending  
3 ORS 801.041.

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

5 **SECTION 1.** ORS 801.041 is amended to read:

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

8 (1) **Notwithstanding ORS 203.055 or any provision of a county charter**, an ordinance estab-  
9 lishing registration fees under this section must be enacted by the county imposing the registration  
10 fee and filed with the Department of Transportation. [*Any ordinance establishing registration fees*  
11 *that is enacted by the governing body of a county must be submitted to the electors of the county for*  
12 *their approval.*] The governing body of the county imposing the registration fee shall enter into an  
13 intergovernmental agreement under ORS 190.010 with the department by which the department shall  
14 collect the registration fees, pay them over to the county and, if necessary, allow the credit or  
15 credits described in ORS 803.445 (5). The intergovernmental agreement must state the date on which  
16 the department shall begin collecting registration fees for the county.

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

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

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

25 (b) Fixed load vehicles.

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

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

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

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

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

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

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

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

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

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

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

7 **(m) Low-speed vehicles.**

8 **(n) Racing activity vehicles registered under ORS 805.035.**

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

12 (5) Moneys from registration fees established under this section must be paid to the county es-  
13 tablishing the registration fees as provided in ORS 802.110. The county ordinance shall provide for  
14 payment of at least 40 percent of the money to cities within the county unless a different distrib-  
15 ution is agreed to between the county and the cities within the jurisdiction of the county. The  
16 moneys shall be used for any purpose for which moneys from registration fees may be used.

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

20 (7) Before the governing body of a county that overlaps a district can impose a registration fee  
21 under this section, it must enter into an intergovernmental agreement under ORS 190.010 with the  
22 governing bodies of that district and all counties, other districts and cities with populations of over  
23 300,000 that overlap the district. The intergovernmental agreement must state the registration fees  
24 and, if necessary, how the revenue from the fees are to be apportioned among the counties and the  
25 districts. Before the governing body of a county can enter into such an intergovernmental agree-  
26 ment, the county shall consult with the cities in its jurisdiction.

27 **SECTION 2. The amendments to ORS 801.041 by section 1 of this 2009 Act apply to ordi-**  
28 **nances enacted by the governing body of a county on or after the effective date of this 2009**  
29 **Act.**

30 \_\_\_\_\_