

HOUSE AMENDMENTS TO HOUSE BILL 3379

By COMMITTEE ON TRANSPORTATION

May 1

1 On page 1 of the printed bill, line 2, delete “appropriating money; and prescribing an effective
2 date” and insert “and declaring an emergency”.

3 After line 2, insert:

4 “Whereas in March 2005, the Land Conservation and Development Commission, responding in
5 part to a decision of the Oregon Court of Appeals, amended OAR 660-012-0060, the transportation
6 planning rule, to require assurance of planned transportation system projects and reasonably likely
7 funding mechanisms to ensure that the transportation system’s mobility standards are satisfied if a
8 proposed comprehensive plan or land use regulation amendment would result in an existing or
9 planned transportation facility failing to meet adopted performance standards at any time during the
10 local jurisdiction’s 15- to 20-year planning period; and

11 “Whereas lack of state funding for transportation system projects has precluded state partic-
12 ipation in funding mechanisms and funding responsibility for necessary improvements to the state
13 highway system identified in the transportation system plans of local jurisdictions seeking to expand
14 urban growth boundaries or rezone parcels necessary to increase land supply to accommodate eco-
15 nomic development projects; and

16 “Whereas local government entities are limited in their ability to provide the transportation
17 infrastructure necessary to support economic development associated with amendments to their
18 comprehensive plans, including zone changes and urban growth boundary expansions, because of the
19 limited availability of federal, state and local funding for planned transportation projects as called
20 for in the transportation planning rule, and these limitations have led to a loss in jobs and a failure
21 to attract needed economic development projects in many communities throughout Oregon; now,
22 therefore,”.

23 Delete lines 4 through 24 and delete pages 2 through 4 and insert:

24 “**SECTION 1. (1) Subject to the limitations in subsection (2) of this section, if a local
25 government is unable to meet the funding requirements of the transportation planning rule
26 adopted by the Land Conservation and Development Commission, the local government may:**

27 “(a) **Apply for an extension of time to meet the requirements;**

28 “(b) **Submit a plan to the Oregon Transportation Commission and the Department of
29 Transportation proposing alternative methods of funding that will meet the standards
30 adopted by the Oregon Transportation Commission; or**

31 “(c) **Apply to the Department of Transportation:**

32 “(A) **To adjust various traffic performance measures during an interim period prior to
33 completion of construction of the development in question for a period of no more than 20
34 years; or**

35 “(B) **To allow various types of traffic performance measures other than a volume to ca-**

1 **capacity ratio.**

2 **“(2) The Oregon Transportation Commission may not approve more than four applica-**
3 **tions for extension or alternative plans in each Department of Transportation region in a**
4 **calendar year. For purposes of this subsection, the regions are as follows:**

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

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

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

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

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

14 **“(3) The Oregon Transportation Commission shall adopt rules for the administration of**
15 **this section.**

16 **“SECTION 2. This 2009 Act being necessary for the immediate preservation of the public**
17 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
18 **on its passage.”.**

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