

Senate Bill 580

Sponsored by Senators STARR, METSGER

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**.

Directs Department of Transportation to impose and collect toll on Interstate 5 bridges that cross Columbia River and use moneys collected to fund Columbia River Crossing Project.

Creates Columbia River Crossing Project Fund. Continuously appropriates moneys in fund to Department of Transportation.

A BILL FOR AN ACT

1
2 Relating to the Columbia River Crossing Project; creating new provisions; amending ORS 291.055
3 and 383.035; and appropriating money.

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

5 **SECTION 1. (1) Notwithstanding ORS 383.004, no later than January 1, 2011, the Depart-**
6 **ment of Transportation shall impose and collect a toll on the Interstate 5 bridges that cross**
7 **the Columbia River.**

8 **(2) The department shall deposit amounts collected under subsection (1) of this section**
9 **into the Columbia River Crossing Project Fund established under section 2 of this 2009 Act.**

10 **SECTION 2. (1) The Columbia River Crossing Project Fund is established separate and**
11 **distinct from the General Fund. Interest earned by the Columbia River Crossing Project**
12 **Fund shall be credited to the fund. The fund consists of all moneys that are collected by the**
13 **Department of Transportation under section 1 of this 2009 Act.**

14 **(2) Moneys in the Columbia River Crossing Project Fund are continuously appropriated**
15 **to the Department of Transportation for the purpose of carrying out the Columbia River**
16 **Crossing Project.**

17 **SECTION 3. ORS 291.055 is amended to read:**

18 291.055. (1) Notwithstanding any other law that grants to a state agency the authority to es-
19 tablish fees, all new state agency fees or fee increases adopted after July 1 of any odd-numbered
20 year:

21 (a) Are not effective for agencies in the executive department of government unless approved
22 in writing by the Director of the Oregon Department of Administrative Services;

23 (b) Are not effective for agencies in the judicial department of government unless approved in
24 writing by the Chief Justice of the Supreme Court;

25 (c) Are not effective for agencies in the legislative department of government unless approved
26 in writing by the President of the Senate and the Speaker of the House of Representatives;

27 (d) Shall be reported by the state agency to the Oregon Department of Administrative Services
28 within 10 days of their adoption; and

29 (e) Are rescinded on July 1 of the next following odd-numbered year, or on adjournment sine
30 die of the regular session of the Legislative Assembly meeting in that year, whichever is later, un-

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 less otherwise authorized by enabling legislation setting forth the approved fees.

2 (2) This section does not apply to:

3 (a) Any tuition or fees charged by the State Board of Higher Education and state institutions
4 of higher education.

5 (b) Taxes or other payments made or collected from employers for unemployment insurance re-
6 quired by ORS chapter 657 or premium assessments required by ORS 656.612 and 656.614 or contri-
7 butions and assessments calculated by cents per hour for workers' compensation coverage required
8 by ORS 656.506.

9 (c) Fees or payments required for:

10 (A) Health care services provided by the Oregon Health and Science University, by the Oregon
11 Veterans' Homes and by other state agencies and institutions pursuant to ORS 179.610 to 179.770.

12 (B) Assessments and premiums paid to the Oregon Medical Insurance Pool established by ORS
13 735.614 and 735.625.

14 (C) Copayments and premiums paid to the Oregon medical assistance program.

15 (d) Fees created or authorized by statute that have no established rate or amount but are cal-
16 culated for each separate instance for each fee payer and are based on actual cost of services pro-
17 vided.

18 (e) State agency charges on employees for benefits and services.

19 (f) Any intergovernmental charges.

20 (g) Forest protection district assessment rates established by ORS 477.210 to 477.265 and the
21 Oregon Forest Land Protection Fund fees established by ORS 477.760.

22 (h) State Department of Energy assessments required by ORS 469.421 (8) and 469.681.

23 (i) Any charges established by the State Parks and Recreation Director in accordance with ORS
24 565.080 (3).

25 (j) Assessments on premiums charged by the Insurance Division of the Department of Consumer
26 and Business Services pursuant to ORS 731.804 or fees charged by the Division of Finance and
27 Corporate Securities of the Department of Consumer and Business Services to banks, trusts and
28 credit unions pursuant to ORS 706.530 and 723.114.

29 (k) Public Utility Commission operating assessments required by ORS 756.310 or charges paid
30 to the Residential Service Protection Fund required by chapter 290, Oregon Laws 1987.

31 (L) Fees charged by the Housing and Community Services Department for intellectual property
32 pursuant to ORS 456.562.

33 (m) New or increased fees that are anticipated in the legislative budgeting process for an
34 agency, revenues from which are included, explicitly or implicitly, in the legislatively adopted
35 budget for the agency.

36 (n) Tolls approved by the Oregon Transportation Commission pursuant to ORS 383.004.

37 **(o) Tolls imposed and collected by the Department of Transportation pursuant to section**
38 **1 of this 2009 Act.**

39 (3)(a) Fees temporarily decreased for competitive or promotional reasons or because of unex-
40 pected and temporary revenue surpluses may be increased to not more than their prior level without
41 compliance with subsection (1) of this section if, at the time the fee is decreased, the state agency
42 specifies the following:

43 (A) The reason for the fee decrease; and

44 (B) The conditions under which the fee will be increased to not more than its prior level.

45 (b) Fees that are decreased for reasons other than those described in paragraph (a) of this sub-

1 section may not be subsequently increased except as allowed by ORS 291.050 to 291.060 and 294.160.

2 **SECTION 4.** ORS 383.035 is amended to read:

3 383.035. (1) A person who fails to pay a toll, established pursuant to ORS 383.004 **or imposed**
4 **and collected pursuant to section 1 of this 2009 Act**, shall pay to the Department of Transpor-
5 tation the amount of the toll, a civil penalty of not more than \$25 and an administrative fee estab-
6 lished by the tollway operator not to exceed the actual cost of collecting the unpaid toll.

7 (2) In addition to any other penalty, the Department of Transportation shall refuse to renew the
8 motor vehicle registration of the motor vehicle owned by a person who has not paid the toll, the
9 civil penalty and any administrative fee charged under this section.

10 (3) This section does not apply to:

11 (a) A person operating a vehicle owned by a unit of government or the tollway operator;

12 (b) A person who is a member of a category of persons exempted by the Oregon Transportation
13 Commission from paying a toll; or

14 (c) A person who is a member of a category of persons made eligible by the commission for
15 paying a reduced toll, to the extent of the reduction.

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