

**REVENUE:** No revenue impact  
**FISCAL:** Fiscal statement issued

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<b>Action:</b>	Do Pass with Amendments to the A-Engrossed Bill. (Printed B-Engrossed)
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	George, Schrader, Starr, Verger, Metsger
<b>Nays:</b>	-
<b>Exc.:</b>	-
<b>Prepared By:</b>	Jim Stembridge, Administrator
<b>Meeting Dates:</b>	2/15, 2/17

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**WHAT THE MEASURE DOES:** Eliminates the required contribution for a statewide multimodal study after December 31, 2009. Revises formula for distribution of heavy vehicle registration fees. Deletes requirement that standards for medium-speed electric vehicles be consistent with federal standards for such vehicles. Eliminates requirement that funds derived from the Pacific Wonderland vehicle registration plate be used to establish and maintain an Oregon History Center at the State Capitol. Authorizes Department of Administrative Services to make available, sell, distribute and dispense alternative fuel to private entities. Authorizes the Travel Information Council to borrow money. Clarifies requirement that vehicles change lanes or slow down to designated speed when passing emergency vehicles, ambulances and tow trucks. Clarifies that all-terrain vehicle seat belt requirements apply only on public lands and private lands open to the general public for all-terrain vehicle recreation. Requires Department of Transportation to make quarterly reports to Legislative Revenue Office and legislative committees on revenue regarding estimates of revenue raised by House Bill 2001 (2009). Allows rural airports to receive Multimodal Transportation Funds for transportation projects completed or underway, if the project received a federal grant on or after July 1, 2009. Applies highway work zone violation minimum fines to times when highway workers are actually present. Requires photo-radar enforcement of school zone speed limits to post when school is in session if not otherwise marked with a flashing light. Declares an emergency, effective upon passage.

**ISSUES DISCUSSED:**

- Provisions of the measure and its similarity to SB 1019-A (2010)
- Construction work-zone violation fines

**EFFECT OF COMMITTEE AMENDMENT:** Replaces the measure. Adds provisions that allow rural airports to receive Multimodal Transportation Funds for transportation projects completed or underway, if the project received a federal grant on or after July 1, 2009; applies highway work zone violation minimum fines to times when highway workers are actually present; and requires photo-radar enforcement of school zone speed limits to post when school is in session if not otherwise marked with a flashing light.

**BACKGROUND:** House Bill 3676-B makes numerous technical changes to several measures from the 2009-Legislative Assembly. House Bill 2001 increased vehicle registration and title fees and fuel and flat-fee taxes and required the new revenues be distributed 50 percent to the State of Oregon, 30 percent to counties and 20 percent to cities. However, the registration fee increase for heavy vehicles was not included in the new formula. Another provision of House Bill 2001 inadvertently carried forward was a requirement from *ConnectOregon II* to pay for a multimodal study. Finally, House Bill 2001 created a statutory definition of medium-speed electric vehicles and directed the Oregon Department of Transportation (ODOT) to adopt safety standards for such vehicles that are consistent with federal standards; however, no such federal standards exist.

Senate Bill 961 (2009) authorized the re-issuance of the Pacific Wonderland vehicle registration plate and allocated half of the revenue raised from the plate to the Oregon State Capitol Foundation and half to the Oregon Historical

Society, with both the Foundation's share and the Oregon Historical Society's share to be used for that purpose. HB 3676-B allows the Oregon Historical Society to spend its share for other purposes.

House Bill 2040 (2009) expanded Oregon's "Move Over" law, created by the passage of House Bill 2176 (2003), to also apply the law to tow trucks and other roadside assistance vehicles. House Bill 2040 also clarified that a vehicle must either move to a different lane or slow to at least five miles per hour below the posted speed limit in order to comply. However, there are roads in Oregon where there is no posted speed limit. House Bill 3676-B clarifies that compliance requires vehicles to slow down at least five miles per hour below the speed limit established in ORS 810.111 or a designated speed posted under ORS 810.180.

Senate Bill 579 (2009) required that all children under age 16 be secured with a seat belt or harness when riding in or operating a Class I or Class II all-terrain vehicle (ATV) when on "premises open to the public." House Bill 3676-B revises the requirement to apply only when on public lands or private lands open to the general public for ATV recreation.

With the increase in vehicles that operate on fuels other than gasoline and diesel, some vehicles that operate on fuels such as compressed natural gas (CNG) do not have many options for where to purchase fuel. House Bill 3676-B authorizes the Department of Administrative Services (DAS) to sell, dispense and distribute alternative fuels to private entities.

The Travel Information Council (TIC), created by the Legislative Assembly in 1972, is a semi-independent state agency that connects motorists with businesses through highway signs, rest area information kiosks, business listings on [www.tripcheck.com](http://www.tripcheck.com) and on the Statewide Interactive Heritage Map. TIC currently lacks the statutory authority to borrow money; House Bill 3676-B provides that authorization to allow the Council to make improvements to rest areas.

House Bill 3676-B also provides specific statutory authority for persons holding variance permits to operate over-dimension vehicles to use exclusive-use lanes such as bike lanes, center refuge lanes and dedicated turn lanes. This change makes statute consistent with current practice.

House Bill 3676-B also changes the provisions for work-zone traffic violation penalties so that they apply only when at least one highway worker is present.

House Bill 3676-B also allows rural airport eligibility for Multi Modal transportation Funds to be used as matching funds for federal grants awarded after July 1, 2009.

Finally, House Bill 3676-B requires jurisdictions enforcing school zone speed limits using photo-radar include, on the required posting, that school is in session, if the school zone is not otherwise marked by a flashing light.