

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: George, Schrader, Starr, Verger, Metsger

Nays: -

Exc.: -

Prepared By: Jim Stembridge, Administrator

Meeting Dates: 2/3, 2/8

WHAT THE MEASURE DOES: Establishes criteria for requiring new approach permits for highway access issued by the Oregon Department of Transportation (ODOT) when there are changes of use. Requires ODOT to adopt rules that are less stringent for highway segments averaging 5,000 vehicles or fewer daily. Requires ODOT to develop proposed legislation for access management based on objective standards. Requires ODOT to report to the Legislative Assembly on the proposed highway access management legislation prior to January 2011. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Measure’s purpose of clear and objective rules, implemented uniformly
- History of highway access issues
- Applicability to county roads
- Risk of losing permit when a new permit is required and/or applied for when there is a change of use
- Resulting damper on redevelopment
- Balance of access, safety, and traffic movement
- Reasons for fiscal impact on original bill (development, with stakeholders, of access management system)

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: Current ODOT administrative rule (OAR 734-051-0020 and following) state that the purpose of the department’s access management program is “...to provide a safe and efficient transportation system through the preservation of public safety, the improvement and development of transportation facilities, the protection of highway traffic from the hazards of unrestricted and unregulated entry from adjacent property, and the elimination of hazards due to highway grade intersections. These rules establish procedures and criteria used by the Department to govern highway approaches, access control, spacing standards, medians and restriction of turning movements in compliance with statewide planning goals and in a manner compatible with acknowledged comprehensive plans and consistent with Oregon Revised Statutes (ORS), Oregon Administrative Rules (OAR), and the 1999 Oregon Highway Plan (OHP).”

Currently, a change of use of an approach including any change in zoning or comprehensive plan designation of the property; construction of new buildings of the property, increase in floor space of existing buildings, division or consolidation of property boundaries, change in the character of the traffic using the approach, change in internal or inter-parcel circulation design, or reestablishment of a property’s use after a period of two or more years may require a new approach permit application.

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This summary has not been adopted or officially endorsed by action of the committee.