

**76TH OREGON LEGISLATIVE ASSEMBLY  
STAFF MEASURE SUMMARY  
HOUSE REVENUE COMMITTEE**

**MEASURE: 2179-3  
CARRIER:**

**REVENUE: No statement was issued  
FISCAL: no statement was issued**

**PRELIMINARY**

**Action:**

**Vote:**

Yeas:  
Nays:  
Exc.:

**Prepared By:** Mazen Malik, Economist  
**Meeting Dates:** March-31, April-12

**WHAT THE BILL DOES:** Allows for county motor vehicle registration fees to be used to pay off county bonds and debts.

**ISSUES DISCUSSED:**

- The policy established by HB 2001 of the 2009 session.
- Prohibition of Local registration Fees.
- Registration fees before and after 2013. Double amendments in HB 2001 and this measure
- Distribution of revenue with cities after 2013.
- The safety and urgency of replacing the Sell wood bridge.
- Discussion of language fixes verses policy fixes.

**EFFECT OF COMMITTEE AMENDMENTS:** The "-3" amendment makes the registration fees enacted for the purpose of financing the bridge not subject to revenue distribution to cities after 2013. It also aligns bonding language before and after 2013.

**BACKGROUND:**

The measure allows county motor vehicle registration fees to be used to pay off the bonding and obligations from the Willamette river bridge in the city of Portland. The statutes created by HB 2001 did not give counties the explicit ability to use revenue from local registration fees to pay for bonds.

**SECTION 40.** ORS 801.041 is amended to read:

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

(1) An ordinance establishing registration fees under this section must be enacted by the county imposing the registration fee and filed with the Department of Transportation. *[Any]* **Notwithstanding ORS 203.055 or any provision of a county charter, the governing body of a county with a population of 350,000 or more may enact an ordinance establishing registration fees [that is enacted by the governing body of a county must be submitted to the electors of the county for their approval.] for the purpose of designing, replacing, acquiring necessary property for, engineering and constructing a bridge and its approach that crosses the Willamette River in the City of Portland. Except for motor vehicles registered as government-owned vehicles under ORS 805.040, the bridge shall be restricted to motor vehicles with a gross vehicle weight rating of 26,000 pounds or less.** The governing body of the county imposing the registration fee shall enter into an intergovernmental agreement under ORS 190.010 with the department by which the department shall collect the registration fees, pay them over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5). The intergovernmental agreement must state the date on which the department shall begin collecting registration fees for the county.

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

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

- (a) Snowmobiles and Class I all-terrain vehicles.
- (b) Fixed load vehicles.
- (c) Vehicles registered under ORS 805.100 to disabled veterans.
- (d) Vehicles registered as antique vehicles under ORS 805.010.
- (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- (g) School buses or school activity vehicles registered under ORS 805.050.
- (h) Law enforcement undercover vehicles registered under ORS 805.060.
- (i) Vehicles registered on a proportional basis for interstate operation.
- (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS

803.420 (10) or (11).

- (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
- (L) Travel trailers, campers and motor homes.

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

(5) Moneys from registration fees established under this section must be paid to the county establishing the registration fees as provided in ORS 802.110. *[The county ordinance shall provide for payment of at least 40 percent of the money to cities within the county unless a different distribution is agreed to between the county and the cities within the jurisdiction of the county. The moneys shall be used for any purpose for which moneys from registration fees may*

*be used.] The moneys shall be used for the necessary property acquisition for and the design, replacement, engineering and construction of a bridge and its approach that crosses the Willamette River in the City of Portland. Except for motor vehicles registered as government-owned vehicles under ORS 805.040, the bridge shall be restricted to motor vehicles with a gross vehicle weight rating of 26,000 pounds or less.*

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

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

**SECTION 40a.** ORS 801.041, as amended by section 40 of this 2009 Act, is amended to read:

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

(1) An ordinance establishing registration fees under this section must be enacted by the county imposing the registration fee and filed with the Department of Transportation. Notwithstanding ORS 203.055 or any provision of a county charter, the governing body of a county with a population of 350,000 or more may enact an ordinance establishing registration fees *[for the purpose of designing, replacing, acquiring necessary property for, engineering and constructing a bridge and its approach that crosses the Willamette River in the City of Portland. Except for motor vehicles registered as government-owned vehicles under ORS 805.040, the bridge shall be restricted to motor vehicles with a gross vehicle weight rating of 26,000 pounds or less.]* **The governing body of a county with a population of less than 350,000 may enact an ordinance establishing registration fees after submitting the ordinance to the electors of the county for their approval.** The governing body of the county imposing the registration fee shall enter into an intergovernmental agreement under ORS 190.010 with the department by which the department shall collect the registration fees, pay them over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5). The intergovernmental agreement must state the date on which the department shall begin collecting registration fees for the county.

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

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

- (a) Snowmobiles and Class I all-terrain vehicles.
- (b) Fixed load vehicles.
- (c) Vehicles registered under ORS 805.100 to disabled veterans.

- (d) Vehicles registered as antique vehicles under ORS 805.010.
- (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- (g) School buses or school activity vehicles registered under ORS 805.050.
- (h) Law enforcement undercover vehicles registered under ORS 805.060.
- (i) Vehicles registered on a proportional basis for interstate operation.
- (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10) or (11).
- (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
- (L) Travel trailers, campers and motor homes.

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

(5) Moneys from registration fees established under this section must be paid to the county establishing the registration fees as provided in ORS 802.110. *[The moneys shall be used for the necessary property acquisition for and the design, replacement, engineering and construction of a bridge and its approach that crosses the Willamette River in the City of Portland. Except for motor vehicles registered as government-owned vehicles under ORS 805.040, the bridge shall be restricted to motor vehicles with a gross vehicle weight rating of 26,000 pounds or less.]* **The county ordinance shall provide for payment of at least 40 percent of the moneys to cities within the county unless a different distribution is agreed upon by the county and the cities within the jurisdiction of the county. The moneys shall be used for any purpose for which moneys from registration fees may be used.**

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

**SECTION 40b.** ORS 267.001 is amended to read:

267.001. Subject to ORS 801.040, [801.041,] 801.042, 801.237 and 803.445, for the purpose of exercising any power the district, as defined in ORS 801.237, is authorized to exercise, the district may impose registration fees on vehicles under ORS 803.445.

**SECTION 40c.** ORS 268.503 is amended to read:

268.503. Subject to ORS 801.040, [801.041,] 801.042, 801.237 and 803.445, for the purpose of providing any service that the district, as defined in ORS 801.237, has power to provide, the district may impose registration fees on vehicles under ORS 803.445.

**SECTION 40d.** ORS 801.237 is amended to read:

801.237. As used in this section and ORS 267.001, 268.503, 801.040, [801.041,] 801.042, 802.110, 803.420, 803.445 and 803.585, "district" means a mass transit or transportation district of over 400,000 persons established under ORS chapter 267 and a metropolitan service district of over 400,000 persons established under ORS chapter 268.

**SECTION 41.** The amendments to ORS 801.041 by section 40a of this 2009 Act become operative July 1, 2013.