

HB 2328-11 Amendments

Section by section review.

Section 1. Definitions. Defines “electric motor vehicle,” “plug-in hybrid electric vehicle,” “highway,” “lessee,” and “registered owner” for purposes of this bill.

Section 2. Vehicle Road Usage Charge; transitional rate. Requires the registered owners and lessees of electric motor vehicles and plug-in hybrid motor vehicles to pay a *vehicle road usage charge (VRUC)*. Vehicles paying a *vehicle road usage charge (VRUC)* shall pay 0.85 cents per mile for use of Oregon highways. This requirement to pay a *vehicle road usage charge* does not apply to a vehicle dealer holding a vehicle dealer certificate as required by statute.

Sections 3 and 4. Vehicle Road Usage Charge; normalized rate. Increases the rate for the *vehicle road usage charge* to 1.56 cents per mile on July 1, 2018.

Section 5. Methods of reporting vehicle miles traveled. Requires ODOT to establish methods for identifying motor vehicles subject to the VRUC and establish methods for reporting the number of miles the vehicles traveled on the highway system. When establishing these methods, ODOT must take into account the accuracy of the data collected, privacy options for payers of the VRUC, adaptability of the technology, safe installation of the technology, resistance of the technology to tampering, ease and cost of compliance and cost efficiency of administration.

Requires at least one method of collecting and reporting the number of miles traveled by a motor vehicle must not use vehicle location technology. ODOT shall require a vehicle subject to the VRUC to be capable of electronically reporting the odometer reading or be equipped with technology capable of doing so. Requires ODOT to establish standards under an open system for technology used in methods for identifying vehicles subject to the VRUC and methods for reporting the number of miles traveled on the highway system. Defines “open system.” In developing the standards and systems, requires ODOT to collaborate with state agencies to integrate information systems currently in use or planned for future use.

Section 6. Collection by Department of Transportation. Requires ODOT to provide by rule for collection of the VRUC.

Section 7. Refund of VRUC for operation of vehicles on certain roads or property. Allows registered owner who pays the VRUC to apply for a refund for travel on private roads within a 15-month period after payment of the VRUC. The department could require additional information in addition to the signed statement.

Section 8. Investigation of refund applications. Allows the department to investigate refund claims to safeguard the state and prevent fraud. A refund applicant waives the

right to a refund if the applicant does not permit the department to investigate the refund application.

Section 9. Allocation of moneys. Allocates the revenue raised by the VRUC, net of collections cost, to ODOT (50 percent), to counties (30 percent) and to cities (20 percent).

Section 10. Reporting vehicle miles traveled. Requires a person subject to the VRUC to equip their electric motor vehicle or plug-in hybrid electric motor vehicle with ODOT approved technology for electronic reporting of miles traveled.

Requires ODOT by rule to establish the reporting periods for reporting miles driven. ODOT may vary the length of the reporting period based on the circumstances of each owner of lessee by considering circumstances such as the effort and cost required to pay the VRUC, the amount charged and the administrative cost to the department.

Unless a person subject to the VRUC presents evidence that a vehicle was driven outside Oregon, ODOT may assume all miles reported were driven within Oregon. The manner of presenting evidence shall be determined by ODOT rule.

Requires ODOT to provide a refund to a person who has overpaid the VRUC and this refund may be a credit against future charges, as provided by rule.

Sections 11. Prohibits making false statements in reports, petitions, or applications including for refunds.

Section 12: Protects the confidentiality of personally identifiable information.

Section 13: Provides the Sections 14 is added to the Oregon Vehicle Code.

Section 14. Provides that a person who tampers with a vehicle metering system commits a Class A traffic violation.

Section 15: Provides that owners of plug-in electric hybrids who have paid gas tax may get the gas tax amount paid refunded to them or it may be provided to them as a credit against future VRUC.

Section 16. Exempts a person who uses diesel fuel in a plug-in hybrid electric motor vehicle from obtaining a user's license.

Section 17. Provides that any diesel plug in hybrid could be issued an emblem that would allow the registered owner/driver to purchase diesel fuel without paying the use fuel tax. It would essentially create another class of use fuel user, without the reporting requirements that currently apply.

Section 18. Allows use fuel sellers to not collect the use fuel tax if the fuel (diesel) is dispensed into the fuel tank of a diesel plug in hybrid.

Section 19. Provides for refunds or credits if the owners of registered diesel plug-in hybrids pay the use fuel tax to a seller, upon proof of the payment of both the use fuel taxes and the vehicle road user charge.

Section 20. Adds facilitation of VRUC collection to the definition of “transportation project” under the Oregon Innovative Partnerships Program. This provision enables ODOT to establish public private partnerships for collection of mileage data and payment of the VRUC.

Section 21. Rules. Requires ODOT to adopt rules for implementation, administration and enforcement of the VRUC.

Section 22. The operative date for VRUC is July 1, 2015. Allows ODOT to take necessary action before the operative date to enable ODOT to exercise by the operative date all duties, functions and powers conferred on ODOT by this legislation.

Section 23. The VRUC first applies to 2016 model year vehicles. On July 1, 2018, the VRUC applies to all model years.

Section 24. Requires the department to report to interim legislative committees no later than October 1, 2012 on the likelihood the department could implement the VRUC prior to July 1, 2015.

Section 25. Requires the Road User Fee Task Force to report to interim legislative committees the progress of implementing the VRUC, examination on the effect of the VRUC on market penetration of electric and plug-in hybrid electric vehicles and the potential for application of the VRUC to hybrid electric vehicles and other vehicles types with emerging technologies and make recommendations regarding a voluntary “opt in” program, adding out-of-state motorists to the program and improving compliance with the VRUC.

Section 26. Captions in this legislation are not part of statutory law.

