

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 5047 - A

Seventy-Sixth Oregon Legislative Assembly – 2011 Regular Session
Legislative Fiscal Office

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Reviewed by: .
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Measure Description:

Approves certain new or increased fees adopted by Department of Transportation.

Government Unit(s) Affected:

Oregon Department of Transportation (ODOT)

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis: ORS.055(1)(e) requires all new state agency fees or fee increases adopted after July 1 of any odd-numbered year to be rescinded on July 1 of the next odd-numbered year, or upon adjournment of the regular session of the legislature meeting in that year, whichever is later, unless authorized by enabling legislation setting forth the approved fees. This bill provides the enabling legislation necessary to approve the new fees established by the Department of Transportation.

Outdoor Advertising Sign Fees: The 2009 Legislature restructured the outdoor advertising sign statute following a ruling by the Oregon Supreme Court that the permit requirement for outdoor advertising (off-premise) signs was unconstitutional on freedom of speech because the distinction between off-premise and on-premise signs inherently distinguishes between signs based on content. The proposed fees implement the 2009 legislation. The measure sunsets the outdoor advertising sign fee increases June 30, 2013.

The Nonprofit Registration plate surcharge is established in ORS 805.205. The statute provides a range of not less than \$2.50 per plate and not more than \$16 per plate for the surcharge a group may collect. The 2009 Legislature removed the statutory fee and directed ODOT to establish the fee by administrative rule within a specified range. ODOT established the fee of \$2.50 through the administrative rule process.

In 2009 the Legislature added the Fallen Public Safety Officer license plate to the specialty plate selection. ODOT updated the administrative rule to include the new plate establishing the surcharge at \$8 consistent with the request of the public safety group supporting the legislation. Proceeds from the plate are deposited into a fund managed by the Police Memorial Trust Fund and a special committee comprised of law enforcement, fire department, and citizen members.

The following fees were established during the 2009-11 biennium through the administrative rule process:

Fee Title/Description	ORS	Increase, Establish, Decrease	Current fee	Proposed fee	Proposed fee change	Impact on 2011-13 revenue	Impact on 2013-15 revenue
Outdoor Advertising - Fee paid by C&H permit applicants and current permit holders for renewal.	377.992	Eliminate	\$25-\$150	\$0	(-\$25-\$150)	(\$66,390)	0
Outdoor Advertising - Application and annual renewal fees for OAS signs on transit shelters visible to state highways.	377.992	Eliminate	\$10 - \$15	\$0	(-\$25 - \$150)	(\$560)	0
Outdoor advertising sign permit:							
Sign permit fee, small	377.992	Establish	\$125	\$200	\$75	\$150	\$150
Sign permit fee, medium	377.992	Establish	\$300	\$500	\$200	\$400	\$400
Sign permit fee, large	377.992	Establish	\$500	\$850	\$350	\$4,200	\$4,200
Sign permit fee largest	377.992	Establish	\$600	\$1,000	\$400	\$17,600	\$17,600
Permit renewal, sma../medium	377.992	Establish	\$70	\$120	\$50	\$17,900	\$17,900
Permit renewal, large	377.992	Establish	\$80	\$140	\$60	\$64,440	\$64,440
Permit renewal, largest	377.992	Establish	\$90	\$160	\$70	\$123,200	\$123,200
Conversion of standing sign permit to relocation	377.992	Establish		\$150	\$150	\$22,500	\$22,500
Relocation credit renewal	377.992	Establish	\$10	\$25	\$15	\$23,820	\$23,820
Annual outdoor advertising business license fees:							
Erect or maintain sign only	377.992	Establish	\$500	\$850	\$350	\$2,100	\$2,100
Owning 1 to 49 signs	377.992	Establish	\$375	\$650	\$275	\$26,400	\$26,400
Owning 50 to 499 signs	377.992	Establish	\$1,000	\$1,700	\$700	\$4,200	\$4,200
Owning 500 or more signs	377.992	Establish	\$1,500	\$2,500	\$1,000	\$4,000	\$4,000
Aggregation relocation credit	377.992	Establish		\$500	\$500	\$4,000	\$4,000
Transfer of ownership	377.992	Establish		\$150	\$150	\$7,200	\$7,200
Replacement Tag	377.992	Establish		\$100	\$100	\$5,600	\$5,600
Nonprofit Registration plate surcharge	805.205	Establish		\$2.50	\$2.50	\$49,855	\$49,855
Fallen Public Safety Officer plate fee	805.205	Establish		\$8.00	\$8.00	\$8,000	\$8,000
			Total Impact on Revenues			\$385,565	\$385,565