

**A-Engrossed**  
**House Bill 2179**

Ordered by the House April 18  
Including House Amendments dated April 18

Sponsored by Representative TOMEI, Senator ROSENBAUM; Representative BAILEY (Presession filed.)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Permits county to use local registration fees to pay for debt service and costs related to bonds or other obligations.]*

**Specifies that ordinances by county with population of 350,000 or more may impose, until July 1, 2013, registration fees only for purposes related to funding bridge that crosses Willamette River. Restricts use of bridge until July 1, 2013.**

**Deletes, until July 1, 2013, provision authorizing counties with population of less than 350,000 to establish registration fees upon referral of ordinance to county electorate.**

**Requires, on and after July 1, 2013, ordinance imposing registration fees to provide for disbursement of specified amount of moneys to cities within county.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to vehicle registration fees imposed by counties; creating new provisions; amending ORS  
3 801.041; repealing section 41, chapter 865, Oregon Laws 2009; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. The amendments to ORS 801.041 by section 3 of this 2011 Act apply only to**  
6 **ordinances that take effect on or after July 1, 2013. Ordinances establishing a registration**  
7 **fee that are enacted pursuant to ORS 801.041 that are in effect prior to July 1, 2013, shall**  
8 **continue to be governed by ORS 801.041 as in effect immediately before July 1, 2013.**

9 **SECTION 2. ORS 801.041, as amended by section 40a, chapter 865, Oregon Laws 2009, is**  
10 **amended to read:**

11 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish  
12 registration fees for vehicles:

13 (1) An ordinance establishing registration fees under this section must be enacted by the county  
14 imposing the registration fee and filed with the Department of Transportation. Notwithstanding  
15 ORS 203.055 or any provision of a county charter, the governing body of a county with a population  
16 of 350,000 or more may enact an ordinance establishing registration fees **for the purpose of de-**  
17 **signing, replacing, acquiring necessary property for, engineering and constructing a bridge**  
18 **that crosses the Willamette River in the City of Portland and its approaches, and for pay-**  
19 **ment of debt service and costs related to bonds or other obligations for such purposes.** *[The*  
20 *governing body of a county with a population of less than 350,000 may enact an ordinance establishing*  
21 *registration fees after submitting the ordinance to the electors of the county for their approval.]* The  
22 governing body of the county imposing the registration fee shall enter into an intergovernmental  
23 agreement under ORS 190.010 with the department by which the department shall collect the regis-

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 tration fees, pay them over to the county and, if necessary, allow the credit or credits described in  
2 ORS 803.445 (5). The intergovernmental agreement must state the date on which the department  
3 shall begin collecting registration fees for the county.

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

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

11 (a) Snowmobiles and Class I all-terrain vehicles.

12 (b) Fixed load vehicles.

13 (c) Vehicles registered under ORS 805.100 to disabled veterans.

14 (d) Vehicles registered as antique vehicles under ORS 805.010.

15 (e) Vehicles registered as vehicles of special interest under ORS 805.020.

16 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.

17 (g) School buses or school activity vehicles registered under ORS 805.050.

18 (h) Law enforcement undercover vehicles registered under ORS 805.060.

19 (i) Vehicles registered on a proportional basis for interstate operation.

20 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10)  
21 or (11).

22 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

23 (L) Travel trailers, campers and motor homes.

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

27 (5) Moneys from registration fees established under this section must be paid to the county es-  
28 tablishing the registration fees as provided in ORS 802.110. *[The county ordinance shall provide for*  
29 *payment of at least 40 percent of the moneys to cities within the county unless a different distribution*  
30 *is agreed upon by the county and the cities within the jurisdiction of the county. The moneys shall be*  
31 *used for any purpose for which moneys from registration fees may be used.]*

32 **(6) Except for motor vehicles registered as government-owned vehicles under ORS**  
33 **805.040, a bridge described in subsection (1) of this section shall be restricted to motor vehi-**  
34 **cles with a gross vehicle weight rating of 26,000 pounds or less.**

35 [(6)] (7) Two or more counties may act jointly to impose a registration fee under this section.  
36 The ordinance of each county acting jointly with another under this subsection must provide for the  
37 distribution of moneys collected through a joint registration fee.

38 **SECTION 3.** ORS 801.041, as amended by section 40a, chapter 865, Oregon Laws 2009, and  
39 section 2 of this 2011 Act, is amended to read:

40 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish  
41 registration fees for vehicles:

42 (1) An ordinance establishing registration fees under this section must be enacted by the county  
43 imposing the registration fee and filed with the Department of Transportation. Notwithstanding  
44 ORS 203.055 or any provision of a county charter, the governing body of a county with a population  
45 of 350,000 or more may enact an ordinance establishing registration fees *[for the purpose of design-*

1 *ing, replacing, acquiring necessary property for, engineering and constructing a bridge that crosses the*  
 2 *Willamette River in the City of Portland and its approaches, and for payment of debt service and costs*  
 3 *related to bonds or other obligations for such purposes].* **The governing body of a county with a**  
 4 **population of less than 350,000 may enact an ordinance establishing registration fees after**  
 5 **submitting the ordinance to the electors of the county for their approval.** The governing body  
 6 of the county imposing the registration fee shall enter into an intergovernmental agreement under  
 7 ORS 190.010 with the department by which the department shall collect the registration fees, pay  
 8 them over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5).  
 9 The intergovernmental agreement must state the date on which the department shall begin collect-  
 10 ing registration fees for the county.

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

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

18 (a) Snowmobiles and Class I all-terrain vehicles.

19 (b) Fixed load vehicles.

20 (c) Vehicles registered under ORS 805.100 to disabled veterans.

21 (d) Vehicles registered as antique vehicles under ORS 805.010.

22 (e) Vehicles registered as vehicles of special interest under ORS 805.020.

23 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.

24 (g) School buses or school activity vehicles registered under ORS 805.050.

25 (h) Law enforcement undercover vehicles registered under ORS 805.060.

26 (i) Vehicles registered on a proportional basis for interstate operation.

27 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10)  
 28 or (11).

29 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

30 (L) Travel trailers, campers and motor homes.

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

34 (5) Moneys from registration fees established under this section must be paid to the county es-  
 35 tablishing the registration fees as provided in ORS 802.110. **The county ordinance shall provide**  
 36 **for payment of at least 40 percent of the moneys to cities within the county unless a differ-**  
 37 **ent distribution is agreed upon by the county and the cities within the jurisdiction of the**  
 38 **county. The moneys for the cities and the county shall be used for any purpose for which**  
 39 **moneys from registration fees may be used, including the payment of debt service and costs**  
 40 **related to bonds or other obligations issued for such purposes.**

41 *[(6) Except for motor vehicles registered as government-owned vehicles under ORS 805.040, a*  
 42 *bridge described in subsection (1) of this section shall be restricted to motor vehicles with a gross ve-*  
 43 *hicle weight rating of 26,000 pounds or less.]*

44 *[(7)]* (6) Two or more counties may act jointly to impose a registration fee under this section.  
 45 The ordinance of each county acting jointly with another under this subsection must provide for the

1 distribution of moneys collected through a joint registration fee.

2 **SECTION 4. The amendments to ORS 801.041 by section 3 of this 2011 Act become oper-**  
3 **ative on July 1, 2013.**

4 **SECTION 5. Section 41, chapter 865, Oregon Laws 2009, is repealed.**

5 **SECTION 6. This 2011 Act being necessary for the immediate preservation of the public**  
6 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
7 **on its passage.**

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