

HOUSE AMENDMENTS TO HOUSE BILL 2179

By COMMITTEE ON REVENUE

April 18

1 On page 1 of the printed bill, line 2, after “counties;” insert “creating new provisions;” and after
2 “801.041;” insert “repealing section 41, chapter 865, Oregon Laws 2009;”.

3 Delete lines 5 through 31 and delete pages 2 and 3 and insert:

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

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

10 “801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
11 registration fees for vehicles:

12 “(1) An ordinance establishing registration fees under this section must be enacted by the
13 county imposing the registration fee and filed with the Department of Transportation.
14 Notwithstanding ORS 203.055 or any provision of a county charter, the governing body of a county
15 with a population of 350,000 or more may enact an ordinance establishing registration fees **for the**
16 **purpose of designing, replacing, acquiring necessary property for, engineering and con-**
17 **structing a bridge that crosses the Willamette River in the City of Portland and its ap-**
18 **proaches, and for payment of debt service and costs related to bonds or other obligations for**
19 **such purposes.** *[The governing body of a county with a population of less than 350,000 may enact an*
20 *ordinance establishing registration fees after submitting the ordinance to the electors of the county for*
21 *their approval.]* The governing body of the county imposing the registration fee shall enter into an
22 intergovernmental agreement under ORS 190.010 with the department by which the department shall
23 collect the registration fees, pay them over to the county and, if necessary, allow the credit or
24 credits described in ORS 803.445 (5). The intergovernmental agreement must state the date on which
25 the department shall begin collecting registration fees for the county.

26 “(2) The authority granted by this section allows the establishment of registration fees in addi-
27 tion to those described in ORS 803.420. There is no authority under this section to affect registration
28 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-
29 tration under the vehicle code.

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

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

34 “(b) Fixed load vehicles.

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

1 “(d) Vehicles registered as antique vehicles under ORS 805.010.
2 “(e) Vehicles registered as vehicles of special interest under ORS 805.020.
3 “(f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
4 “(g) School buses or school activity vehicles registered under ORS 805.050.
5 “(h) Law enforcement undercover vehicles registered under ORS 805.060.
6 “(i) Vehicles registered on a proportional basis for interstate operation.
7 “(j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10)
8 or (11).
9 “(k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
10 “(L) Travel trailers, campers and motor homes.
11 “(4) Any registration fee imposed by a county must be a fixed amount not to exceed, with re-
12 spect to any vehicle class, the registration fee established under ORS 803.420 (1). For vehicles on
13 which a flat fee is imposed under ORS 803.420, the fee must be a whole dollar amount.
14 “(5) Moneys from registration fees established under this section must be paid to the county
15 establishing the registration fees as provided in ORS 802.110. [*The county ordinance shall provide for*
16 *payment of at least 40 percent of the moneys to cities within the county unless a different distribution*
17 *is agreed upon by the county and the cities within the jurisdiction of the county. The moneys shall be*
18 *used for any purpose for which moneys from registration fees may be used.*]
19 “(6) **Except for motor vehicles registered as government-owned vehicles under ORS**
20 **805.040, a bridge described in subsection (1) of this section shall be restricted to motor vehi-**
21 **cles with a gross vehicle weight rating of 26,000 pounds or less.**
22 “[6] (7) Two or more counties may act jointly to impose a registration fee under this section.
23 The ordinance of each county acting jointly with another under this subsection must provide for the
24 distribution of moneys collected through a joint registration fee.
25 “**SECTION 3.** ORS 801.041, as amended by section 40a, chapter 865, Oregon Laws 2009, and
26 section 2 of this 2011 Act, is amended to read:
27 “801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
28 registration fees for vehicles:
29 “(1) An ordinance establishing registration fees under this section must be enacted by the
30 county imposing the registration fee and filed with the Department of Transportation.
31 Notwithstanding ORS 203.055 or any provision of a county charter, the governing body of a county
32 with a population of 350,000 or more may enact an ordinance establishing registration fees [*for the*
33 *purpose of designing, replacing, acquiring necessary property for, engineering and constructing a*
34 *bridge that crosses the Willamette River in the City of Portland and its approaches, and for payment*
35 *of debt service and costs related to bonds or other obligations for such purposes*]. **The governing body**
36 **of a county with a population of less than 350,000 may enact an ordinance establishing reg-**
37 **istration fees after submitting the ordinance to the electors of the county for their approval.**
38 The governing body of the county imposing the registration fee shall enter into an intergovern-
39 mental agreement under ORS 190.010 with the department by which the department shall collect the
40 registration fees, pay them over to the county and, if necessary, allow the credit or credits described
41 in ORS 803.445 (5). The intergovernmental agreement must state the date on which the department
42 shall begin collecting registration fees for the county.
43 “(2) The authority granted by this section allows the establishment of registration fees in addi-
44 tion to those described in ORS 803.420. There is no authority under this section to affect registration
45 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-

1 tration under the vehicle code.

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

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

6 “(b) Fixed load vehicles.

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

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

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

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

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

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

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

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

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

17 “(L) Travel trailers, campers and motor homes.

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

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

28 “[6] *Except for motor vehicles registered as government-owned vehicles under ORS 805.040, a*
29 *bridge described in subsection (1) of this section shall be restricted to motor vehicles with a gross ve-*
30 *hicle weight rating of 26,000 pounds or less.]*

31 “[7] (6) Two or more counties may act jointly to impose a registration fee under this section.
32 The ordinance of each county acting jointly with another under this subsection must provide for the
33 distribution of moneys collected through a joint registration fee.

34 “**SECTION 4. The amendments to ORS 801.041 by section 3 of this 2011 Act become op-**
35 **erative on July 1, 2013.**

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

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