

House Bill 2179

Sponsored by Representative TOMEI, Senator ROSENBAUM (Pre-session 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 **as introduced**.

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

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to vehicle registration fees imposed by counties; amending ORS 801.041; and declaring an
3 emergency.

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

5 **SECTION 1.** ORS 801.041 is amended to read:

6 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
7 registration fees for vehicles:

8 (1) An ordinance establishing registration fees under this section must be enacted by the county
9 imposing the registration fee and filed with the Department of Transportation. Notwithstanding
10 ORS 203.055 or any provision of a county charter, the governing body of a county with a population
11 of 350,000 or more may enact an ordinance establishing registration fees for the purpose of design-
12 ing, replacing, acquiring necessary property for, engineering and constructing a bridge and its ap-
13 proach that crosses the Willamette River in the City of Portland. Except for motor vehicles
14 registered as government-owned vehicles under ORS 805.040, the bridge shall be restricted to motor
15 vehicles with a gross vehicle weight rating of 26,000 pounds or less. The governing body of the
16 county imposing the registration fee shall enter into an intergovernmental agreement under ORS
17 190.010 with the department by which the department shall collect the registration fees, pay them
18 over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5). The
19 intergovernmental agreement must state the date on which the department shall begin collecting
20 registration fees for the county.

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

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

- 28 (a) Snowmobiles and Class I all-terrain vehicles.
29 (b) Fixed load vehicles.
30 (c) Vehicles registered under ORS 805.100 to disabled veterans.
31 (d) Vehicles registered as antique vehicles under ORS 805.010.

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

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

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

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

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

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

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

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

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

13 (5) Moneys from registration fees established under this section must be paid to the county es-
14 tablishing the registration fees as provided in ORS 802.110. The moneys shall be used for the nec-
15 essary property acquisition for and the design, replacement, engineering and construction of a
16 bridge and its approach that crosses the Willamette River in the City of Portland **and may be used**
17 **to pay debt service and costs related to bonds or other obligations issued for such purposes.**
18 Except for motor vehicles registered as government-owned vehicles under ORS 805.040, the bridge
19 shall be restricted to motor vehicles with a gross vehicle weight rating of 26,000 pounds or less.

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

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

25 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
26 registration fees for vehicles:

27 (1) An ordinance establishing registration fees under this section must be enacted by the county
28 imposing the registration fee and filed with the Department of Transportation. Notwithstanding
29 ORS 203.055 or any provision of a county charter, the governing body of a county with a population
30 of 350,000 or more may enact an ordinance establishing registration fees. The governing body of a
31 county with a population of less than 350,000 may enact an ordinance establishing registration fees
32 after submitting the ordinance to the electors of the county for their approval. The governing body
33 of the county imposing the registration fee shall enter into an intergovernmental agreement under
34 ORS 190.010 with the department by which the department shall collect the registration fees, pay
35 them over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5).
36 The intergovernmental agreement must state the date on which the department shall begin collect-
37 ing registration fees for the county.

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

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

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

- 1 (b) Fixed load vehicles.
- 2 (c) Vehicles registered under ORS 805.100 to disabled veterans.
- 3 (d) Vehicles registered as antique vehicles under ORS 805.010.
- 4 (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- 5 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- 6 (g) School buses or school activity vehicles registered under ORS 805.050.
- 7 (h) Law enforcement undercover vehicles registered under ORS 805.060.
- 8 (i) Vehicles registered on a proportional basis for interstate operation.
- 9 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10)
- 10 or (11).
- 11 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
- 12 (L) Travel trailers, campers and motor homes.

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

16 (5) Moneys from registration fees established under this section must be paid to the county es-
17 tablishing the registration fees as provided in ORS 802.110. The county ordinance shall provide for
18 payment of at least 40 percent of the moneys to cities within the county unless a different distrib-
19 ution is agreed upon by the county and the cities within the jurisdiction of the county. The moneys
20 shall be used for any purpose for which moneys from registration fees may be used, **including the**
21 **payment of debt service and costs related to bonds or other obligations issued for such pur-**
22 **poses.**

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

26 **SECTION 3. This 2011 Act being necessary for the immediate preservation of the public**
27 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
28 **on its passage.**

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