

House Bill 2860

Sponsored by Representative NATHANSON; Representatives BARKER, BARNHART, BERGER, DEMBROW, DOHERTY, GELSER, HUNT, KENNEMER, Senator MONROE (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**.

Creates Rail Advisory Council for purpose of advising Department of Transportation and Oregon Transportation Commission on matters related to state rail system.

Directs council to study development of bi-state rail authority to plan improvements and operations of passenger rail system that serves Cascadia Corridor. Sunsets study on February 4, 2013.

Directs commission to solicit recommendations from council prior to selecting rail projects to be funded with moneys from Multimodal Transportation Fund.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Rail Advisory Council; creating new provisions; amending ORS 367.084; and declar-
3 ing an emergency.

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

5 **SECTION 1. (1) There is created the Rail Advisory Council. The council shall:**

6 **(a) Advise the Oregon Transportation Commission and the Department of Transportation**
7 **on current and future needs for freight and passenger rail, including but not limited to:**

8 **(A) Infrastructure and service;**

9 **(B) Connections between main and short line rail;**

10 **(C) Freight hub facilities;**

11 **(D) Connections to private and rental automobiles and public transportation; and**

12 **(E) Connections to airports and marine ports;**

13 **(b) Make recommendations to the commission and the department for improving coordi-**
14 **nation of freight and passenger rail and intermodal services; and**

15 **(c) Recommend strategies for improving passenger rail services in the Cascadia Corridor,**
16 **including greater frequency and reliability and shorter trip times for passenger service**
17 **within Oregon. Strategies shall include operational changes and selection of routes and**
18 **equipment.**

19 **(2) The council established under this section shall consist of five members appointed by**
20 **the Governor on the recommendation of the commission. The term of office of each member**
21 **is four years. Before the expiration of the term of a member, the Governor shall appoint a**
22 **successor. A member is eligible for reappointment. In case of a vacancy for any cause, the**
23 **Governor shall appoint a person to fill the office for the unexpired term.**

24 **(3) The Governor shall appoint one member of the council established under this section**
25 **as chairperson and another member as vice chairperson.**

26 **(4) A member of the council established under this section is entitled to compensation**
27 **and expenses as provided under ORS 292.495.**

28 **(5) The Director of Transportation may appoint assistants, consultants, clerical staff and**

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 other employees needed to carry out the purposes of the council but shall, as much as possible, consolidate the staff and coordinate the activities of the council with other staff and
 2 activities of the department.
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4 (6) As used in this section, "Cascadia Corridor" means the transportation corridor between Eugene and Vancouver, British Columbia.
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6 **SECTION 2.** Notwithstanding the term of office specified by section 1 of this 2011 Act, of the members first appointed to the Rail Advisory Council:
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8 (1) One shall serve for a term ending December 31, 2012.

9 (2) One shall serve for a term ending December 31, 2013.

10 (3) One shall serve for a term ending December 31, 2014.

11 (4) Two shall serve for terms ending December 31, 2015.

12 **SECTION 3.** (1) The Rail Advisory Council shall study the feasibility of developing a bi-state passenger rail authority, in conjunction with the State of Washington, that would collaboratively plan improvements and operations for the Cascadia Corridor, as defined in section 1 of this 2011 Act.
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16 (2) The council may conduct the study required by subsection (1) of this section jointly with appropriate committees or agencies from other states and the federal government, including the State of Washington.
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19 (3) The council shall submit a report on the study required by subsection (1) of this section to the Oregon Transportation Commission no later than March 31, 2012.
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21 **SECTION 4.** Section 3 of this 2011 Act is repealed on February 4, 2013.

22 **SECTION 5.** ORS 367.084 is amended to read:

23 367.084. (1) The Oregon Transportation Commission shall select transportation projects to be funded with moneys in the Multimodal Transportation Fund established by ORS 367.080.
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25 (2)(a) Prior to selecting aeronautic and airport transportation projects, the commission shall solicit recommendations from the State Aviation Board.
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27 (b) Prior to selecting freight transportation projects, the commission shall solicit recommendations from the Freight Advisory Committee.
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29 (c) Prior to selecting public transit [*and rail projects*], the commission shall solicit recommendations from its public transit [*and rail*] advisory committees.
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31 (d) Prior to selecting marine projects, the commission shall solicit recommendations from the Oregon Business Development Department.
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33 **(e) Prior to selecting rail projects, the commission shall solicit recommendations from the Rail Advisory Council.**
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35 (3) In selecting transportation projects the commission shall consider:

36 (a) Whether a proposed transportation project reduces transportation costs for Oregon businesses or improves access to jobs and sources of labor;
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38 (b) Whether a proposed transportation project results in an economic benefit to this state;

39 (c) Whether a proposed transportation project is a critical link connecting elements of Oregon's transportation system that will measurably improve utilization and efficiency of the system;
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41 (d) How much of the cost of a proposed transportation project can be borne by the applicant for the grant or loan from any source other than the Multimodal Transportation Fund; and
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43 (e) Whether a proposed transportation project is ready for construction.

44 **SECTION 6.** This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
 45

1 **on its passage.**

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