

SENATE AMENDMENTS TO SENATE BILL 128

By COMMITTEE ON BUSINESS, TRANSPORTATION AND ECONOMIC DEVELOPMENT

April 20

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest of the line and delete
2 line 3 and insert “creating new provisions; amending ORS 184.843, 367.620 and 801.041; repealing
3 sections 3, 4 and 41, chapter 865, Oregon Laws 2009; and declaring an emergency.”.

4 On page 2, delete lines 35 through 45 and delete pages 3 through 7 and insert:

5 **“SECTION 2.** ORS 367.620 is amended to read:

6 **“367.620. (1)** The principal amount of Highway User Tax Bonds issued under ORS 367.615 shall
7 be subject to the provisions of ORS 286A.035.

8 **“(2)** Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described in
9 ORS 367.622 in an aggregate principal amount sufficient to produce net proceeds of not more than
10 \$500 million.

11 **“(3)(a)** Highway User Tax Bonds may be issued under ORS 367.615 for bridge purposes described
12 in section 10 (1), chapter 618, Oregon Laws 2003, in an aggregate principal amount sufficient to
13 produce net proceeds of not more than \$1.6 billion.

14 **“(b)** Highway User Tax Bonds may be issued under ORS 367.615 for modernization purposes
15 described in sections 10 (2) and 11, chapter 618, Oregon Laws 2003, in an aggregate principal amount
16 sufficient to produce net proceeds of not more than \$300 million.

17 **“(c)** Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described
18 section 64, chapter 865, Oregon Laws 2009, in an aggregate principal amount sufficient to produce
19 net proceeds of not more than \$840 million. **The proceeds from bonds issued as described in this**
20 **paragraph that are not required for the purposes described in section 64, chapter 865, Oregon**
21 **Laws 2009, shall be allocated to transportation projects, as defined in ORS 367.010, that are**
22 **approved by the Legislative Assembly by law.**

23 **“(d)** The Department of Transportation, with the approval of the State Treasurer, may designate
24 the extent to which a series of bonds authorized under this subsection is secured and payable on a
25 parity of lien or on a subordinate basis to existing or future Highway User Tax Bonds.

26 **“SECTION 3. (1)** **The Department of Transportation shall consult with the legislative**
27 **committees related to transportation during a session of the Legislative Assembly, or the**
28 **interim legislative committees related to transportation, prior to expending federal funds**
29 **received under a federal law that provides general economic stimulus moneys to this state**
30 **that may be used by the department for transportation projects.**

31 **“(2)** **As used in this section, ‘transportation project’ has the meaning given that term in**
32 **ORS 367.010.**

33 **“SECTION 4.** ORS 801.041, as amended by section 40a, chapter 865, Oregon Laws 2009, is
34 amended to read:

35 **“801.041.** The following apply to the authority granted to counties by ORS 801.040 to establish

1 registration fees for vehicles:

2 “(1) An ordinance establishing registration fees under this section must be enacted by the
3 county imposing the registration fee and filed with the Department of Transportation.
4 Notwithstanding ORS 203.055 or any provision of a county charter, the governing body of a county
5 with a population of 350,000 or more may enact an ordinance establishing registration fees **for the**
6 **purpose of designing, acquiring necessary property for, engineering and constructing a bridge**
7 **and its approaches to replace the Sellwood Bridge that crosses the Willamette River in the**
8 **City of Portland.** *[The governing body of a county with a population of less than 350,000 may enact*
9 *an ordinance establishing registration fees after submitting the ordinance to the electors of the county*
10 *for their approval.]* The governing body of the county imposing the registration fee shall enter into
11 an intergovernmental agreement under ORS 190.010 with the department by which the department
12 shall collect the registration fees, pay them over to the county and, if necessary, allow the credit
13 or credits described in ORS 803.445 (5). The intergovernmental agreement must state the date on
14 which the department shall begin collecting registration fees for the county.

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

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

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

23 “(b) Fixed load vehicles.

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

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

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

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

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

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

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

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

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

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

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

38 “(5) Moneys from registration fees established under this section must be paid to the county
39 establishing the registration fees as provided in ORS 802.110. **The moneys shall be used for the**
40 **necessary property acquisition for and the design, replacement, engineering and construction**
41 **of a bridge and its approaches to replace the Sellwood Bridge that crosses the Willamette**
42 **River in the City of Portland. Except for motor vehicles registered as government-owned**
43 **vehicles under ORS 805.040, the bridge shall be restricted to motor vehicles with a gross ve-**
44 **hicle weight rating of 26,000 pounds or less.** *[The county ordinance shall provide for payment of*
45 *at least 40 percent of the moneys to cities within the county unless a different distribution is agreed*

1 upon by the county and the cities within the jurisdiction of the county. The moneys shall be used for
2 any purpose for which moneys from registration fees may be used.]

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

6 “**SECTION 5.** ORS 801.041, as amended by section 40a, chapter 865, Oregon Laws 2009, and
7 section 4 of this 2011 Act, is amended to read:

8 “801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
9 registration fees for vehicles:

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

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

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

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

31 “(b) Fixed load vehicles.

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

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

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

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

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

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

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

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

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

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

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

1 “(5) Moneys from registration fees established under this section must be paid to the county
2 establishing the registration fees as provided in ORS 802.110. [*The moneys shall be used for the*
3 *necessary property acquisition for and the design, replacement, engineering and construction of a*
4 *bridge and its approaches to replace the Sellwood Bridge that crosses the Willamette River in the City*
5 *of Portland. Except for motor vehicles registered as government-owned vehicles under ORS 805.040, the*
6 *bridge shall be restricted to motor vehicles with a gross vehicle weight rating of 26,000 pounds or*
7 *less.*] **The county ordinance shall provide for payment of at least 40 percent of the moneys**
8 **to cities within the county unless a different distribution is agreed upon by the county and**
9 **the cities within the jurisdiction of the county. The moneys for the cities and the county**
10 **shall be used for any purpose for which moneys from registration fees may be used.**

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

14 “**SECTION 6. The amendments to ORS 801.041 by section 5 of this 2011 Act become op-**
15 **erative on July 1, 2013.**

16 “**SECTION 7. The Director of Transportation shall:**

17 “(1) **Appoint an employee of the Department of Transportation to participate in meetings**
18 **held by the cooperating committee created pursuant to the Multistate Highway Transporta-**
19 **tion Agreement under ORS 802.560.**

20 “(2) **Pay any membership fee required by the Multistate Highway Transportation Agree-**
21 **ment from funds appropriated to the department.**

22 “**SECTION 8. Sections 3, 4 and 41, chapter 865, Oregon Laws 2009, are repealed.**

23 “**SECTION 9. Section 3 of this 2011 Act applies to federal laws that provide economic**
24 **stimulus funds to states that take effect on or after the effective date of this 2011 Act.**

25 “**SECTION 10. This 2011 Act being necessary for the immediate preservation of the public**
26 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
27 **on its passage.”.**

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