

**PROPOSED AMENDMENTS TO
HOUSE BILL 2179**

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

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

5 **“SECTION 1. The amendments to ORS 801.041 by section 3 of this**
6 **2011 Act apply only to ordinances that take effect on or after July 1,**
7 **2013. Ordinances establishing a registration fee that are enacted pur-**
8 **suant to ORS 801.041 that are in effect prior to July 1, 2013, shall con-**
9 **tinue to be governed by ORS 801.041 as that statute was in effect**
10 **immediately before July 1, 2013.**

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

13 “801.041. The following apply to the authority granted to counties by ORS
14 801.040 to establish registration fees for vehicles:

15 “(1) An ordinance establishing registration fees under this section must
16 be enacted by the county imposing the registration fee and filed with the
17 Department of Transportation. Notwithstanding ORS 203.055 or any pro-
18 vision of a county charter, the governing body of a county with a population
19 of 350,000 or more may enact an ordinance establishing registration fees **for**
20 **the purpose of designing, acquiring necessary property for, engineering**
21 **and constructing a bridge and its approaches to replace the Sellwood**
22 **Bridge that crosses the Willamette River in the City of Portland and**

1 **may be used to pay debt service and costs related to bonds or other**
2 **obligations for such purposes.** [*The governing body of a county with a*
3 *population of less than 350,000 may enact an ordinance establishing registra-*
4 *tion fees after submitting the ordinance to the electors of the county for their*
5 *approval.*] The governing body of the county imposing the registration fee
6 shall enter into an intergovernmental agreement under ORS 190.010 with the
7 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 de-
9 scribed in ORS 803.445 (5). The intergovernmental agreement must state the
10 date on which the department shall begin collecting registration fees for the
11 county.

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

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

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

22 “(b) Fixed load vehicles.

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

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

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

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

1 “(j) Vehicles with a registration weight of 26,001 pounds or more de-
2 scribed in ORS 803.420 (10) or (11).

3 “(k) Vehicles registered as farm vehicles under the provisions of ORS
4 805.300.

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

6 “(4) Any registration fee imposed by a county must be a fixed amount not
7 to exceed, with respect to any vehicle class, the registration fee established
8 under ORS 803.420 (1). For vehicles on which a flat fee is imposed under ORS
9 803.420, the fee must be a whole dollar amount.

10 “(5) Moneys from registration fees established under this section must be
11 paid to the county establishing the registration fees as provided in ORS
12 802.110. *[The county ordinance shall provide for payment of at least 40 percent*
13 *of the moneys to cities within the county unless a different distribution is*
14 *agreed upon by the county and the cities within the jurisdiction of the county.*
15 *The moneys shall be used for any purpose for which moneys from registration*
16 *fees may be used, including the payment of debt service and costs related to*
17 *bonds or other obligations issued for such purposes.]* **The moneys shall be**
18 **used for the necessary property acquisition for and the design, engi-**
19 **neering and construction of a bridge and its approaches to replace the**
20 **Sellwood Bridge that crosses the Willamette River in the City of**
21 **Portland. Except for motor vehicles registered as government-owned**
22 **vehicles under ORS 805.040, the bridge shall be restricted to motor**
23 **vehicles with a gross vehicle weight rating of 26,000 pounds or less.**

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

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

30 “801.041. The following apply to the authority granted to counties by ORS

1 801.040 to establish registration fees for vehicles:

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

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

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

30 “(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
6 or 805.045.

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

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

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

10 “(j) Vehicles with a registration weight of 26,001 pounds or more de-
11 scribed in ORS 803.420 (10) or (11).

12 “(k) Vehicles registered as farm vehicles under the provisions of ORS
13 805.300.

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

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

19 “(5) Moneys from registration fees established under this section must be
20 paid to the county establishing the registration fees as provided in ORS
21 802.110. *[The moneys shall be used for the necessary property acquisition for*
22 *and the design, engineering and construction of a bridge and its approaches*
23 *to replace the Sellwood Bridge that crosses the Willamette River in the City*
24 *of Portland. Except for motor vehicles registered as government-owned vehicles*
25 *under ORS 805.040, the bridge shall be restricted to motor vehicles with a*
26 *gross vehicle weight rating of 26,000 pounds or less.]* **The county ordinance**
27 **shall provide for payment of at least 40 percent of the moneys to cities**
28 **within the county unless a different distribution is agreed upon by the**
29 **county and the cities within the jurisdiction of the county. The mon-**
30 **eys for the cities and the county shall be used for any purpose for**

1 **which moneys from registration fees may be used, including the pay-**
2 **ment of debt service and costs related to bonds or other obligations**
3 **issued for such purposes.**

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

8 **“SECTION 4. The amendments to ORS 801.041 by section 3 of this**
9 **2011 Act become operative on July 1, 2013.**

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

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

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