

**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, replacing, acquiring necessary property for,**
21 **engineering and constructing a bridge and its approaches that crosses**
22 **the Willamette River in the City of Portland and may be used to pay**

1 **debt service and costs related to bonds or other obligations for such**
2 **purposes.** [*The governing body of a county with a population of less than*
3 *350,000 may enact an ordinance establishing registration fees after submitting*
4 *the ordinance to the electors of the county for their approval.*] The governing
5 body of the county imposing the registration fee shall enter into an inter-
6 governmental agreement under ORS 190.010 with the department by which
7 the department shall collect the registration fees, pay them over to the
8 county and, if necessary, allow the credit or credits described in ORS 803.445
9 (5). The intergovernmental agreement must state the date on which the de-
10 partment shall begin collecting registration fees for the county.

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

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

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

21 “(b) Fixed load vehicles.

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

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

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

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

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

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

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

30 “(j) Vehicles with a registration weight of 26,001 pounds or more de-

1 scribed in ORS 803.420 (10) or (11).

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

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

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

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

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

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

29 “801.041. The following apply to the authority granted to counties by ORS
30 801.040 to establish registration fees for vehicles:

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

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

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

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
4 or 805.045.
5 “(g) School buses or school activity vehicles registered under ORS 805.050.
6 “(h) Law enforcement undercover vehicles registered under ORS 805.060.
7 “(i) Vehicles registered on a proportional basis for interstate operation.
8 “(j) Vehicles with a registration weight of 26,001 pounds or more de-
9 scribed in ORS 803.420 (10) or (11).
10 “(k) Vehicles registered as farm vehicles under the provisions of ORS
11 805.300.
12 “(L) Travel trailers, campers and motor homes.
13 “(4) Any registration fee imposed by a county must be a fixed amount not
14 to exceed, with respect to any vehicle class, the registration fee established
15 under ORS 803.420 (1). For vehicles on which a flat fee is imposed under ORS
16 803.420, the fee must be a whole dollar amount.
17 “(5) Moneys from registration fees established under this section must be
18 paid to the county establishing the registration fees as provided in ORS
19 802.110. *[The moneys shall be used for the necessary property acquisition for*
20 *and the design, replacement, engineering and construction of a bridge and its*
21 *approaches that crosses the Willamette River in the City of Portland. Except*
22 *for motor vehicles registered as government-owned vehicles under ORS 805.040,*
23 *the bridge shall be restricted to motor vehicles with a gross vehicle weight*
24 *rating of 26,000 pounds or less.] **The county ordinance shall provide for***
25 **payment of at least 40 percent of the moneys to cities within the**
26 **county unless a different distribution is agreed upon by the county and**
27 **the cities within the jurisdiction of the county. The moneys for the**
28 **cities and the county shall be used for any purpose for which moneys**
29 **from registration fees may be used, including the payment of debt**
30 **service and costs related to bonds or other obligations issued for such**

1 **purposes.**

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

6 **“SECTION 4. The amendments to ORS 801.041 by section 3 of this
7 2011 Act become operative on July 1, 2013.**

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

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

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