

HB 2328-A14
(LC 1440)
5/4/11 (HE/ps)

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2328**

1 On page 1 of the printed A-engrossed bill, line 2, after “vehicles;” delete
2 the rest of the line.

3 In line 3, delete “367.802 and 807.250;”.

4 Delete lines 5 through 11 and insert:

5 “Whereas the citizens of the State of Oregon rely heavily on an extensive
6 multimodal transportation system for all aspects of living in a civil society,
7 including economic opportunities, community engagement, educational op-
8 portunities, maintenance of public health, enjoyment of life and disaster
9 management; and

10 “Whereas Oregon’s multimodal transportation system has 19,128 lane
11 miles of state highways, 26,737 miles of county roads and 10,799 miles of city
12 streets; and

13 “Whereas Oregon depends on fuel taxes for the bulk of the revenue re-
14 quired to preserve, maintain and modernize the state’s highway system; and

15 “Whereas as an alternative to the fuel tax, Oregon has developed systems
16 with the capability for participating vehicle operators to pay a vehicle road
17 usage charge based on miles traveled; and

18 “Whereas highly fuel efficient vehicles are now common in the market-
19 place, the operators of which pay much lower fuel taxes than the preceding
20 vehicle fleet, and new technologies will continue to improve fuel efficiencies
21 in these vehicles; and

22 “Whereas among the emerging fleet of highly fuel efficient vehicles are

1 electric motor vehicles and plug-in hybrid motor vehicles that pay no fuel
2 tax or a small amount; and

3 “Whereas the federal government requires auto manufacturers to intro-
4 duce a fleet of new vehicles that will meet a corporate average fuel economy
5 standard of 35.5 miles per gallon in 2016; and

6 “Whereas the Legislative Assembly recognizes the potential for applying
7 a new vehicle road usage charge based on miles traveled for the operation
8 of vehicles that pay less than the median amount of fuel taxes; and

9 “Whereas the state should develop and deploy a vehicle road usage charge
10 for a small group of vehicles to ensure operational availability of the charge
11 when the Legislative Assembly finds it is necessary to expand the number
12 of vehicles paying the charge; and

13 “Whereas the state’s constitutional requirement for cost responsibility
14 requires that a road usage charge be applied in a manner that ensures the
15 share of revenues paid for the use of motor vehicles is fair and proportionate
16 to the costs incurred for the highway system for each class of vehicle; and

17 “Whereas as a strategy to reduce emissions, reduce reliance on foreign
18 oil and protect the environment, Oregon wants to encourage market pene-
19 tration of electric vehicles and other highly fuel efficient vehicles by pro-
20 viding a transitional rate for a vehicle road usage charge during the early
21 years of introduction into the marketplace; now, therefore,”.

22 Delete lines 13 through 22 and delete pages 2 through 12 and insert:

23 **“SECTION 1. Definitions. As used in section 2 of this 2011 Act:**

24 **“(1) ‘Electric motor vehicle’ means a motor vehicle that uses elec-**
25 **tricity as its only source of motive power.**

26 **“(2) ‘Highway’ means every public way, road, street, thoroughfare**
27 **and place, including bridges, viaducts and other structures within the**
28 **boundaries of this state, open, used or intended for use of the general**
29 **public for vehicles or vehicular traffic as a matter of right.**

30 **“(3) ‘Lessee’ means a person who leases a motor vehicle that is**

1 registered in Oregon and who is subject to the vehicle road usage
2 charge under section 2 of this 2011 Act.

3 “(4) ‘Plug-in hybrid electric motor vehicle’ means a motor vehicle
4 that uses electricity and another source of motive power and is de-
5 signed for electric plug-in charging.

6 “(5) ‘Registered owner’ means a person who is the registered owner
7 of a motor vehicle that is registered in Oregon and who is subject to
8 the vehicle road usage charge under section 2 of this 2011 Act.

9 **SECTION 2. Vehicle road usage charge; transitional rate.**

10 “(1) Except as provided in subsection (2) of this section, the regis-
11 tered owner of an electric motor vehicle or plug-in hybrid electric
12 motor vehicle shall pay a vehicle road usage charge.

13 “(2) A lessee of an electric motor vehicle or plug-in hybrid electric
14 motor vehicle shall pay a vehicle road usage charge.

15 “(3) A person subject to the vehicle road usage charge shall pay 0.85
16 cents per mile for metered use of the highways in Oregon.

17 “(4) Notwithstanding subsections (1) to (3) of this section, in lieu
18 of paying the vehicle road usage charge based on miles traveled, a
19 person who is the registered owner or lessee of an electric motor ve-
20 hicle may pay the vehicle road usage charge as an annual fee of \$300.
21 If a person opts to pay the annual fee, the person shall notify the
22 Department of Transportation in the manner provided by rule by the
23 department.

24 “(5) This section does not apply to a vehicle dealer that holds a
25 certificate issued under ORS 822.020.

26 **SECTION 3.** Section 2 of this 2011 Act is amended to read:

27 **Sec. 2. Vehicle road usage charge; normalized rate.** (1) Except as
28 provided in subsection (2) of this section, the registered owner of an electric
29 motor vehicle or plug-in hybrid electric motor vehicle shall pay a vehicle
30 road usage charge.

1 “(2) A lessee of an electric motor vehicle or plug-in hybrid electric motor
2 vehicle shall pay a vehicle road usage charge.

3 “(3) A person subject to the vehicle road usage charge shall pay [0.85] **1.56**
4 cents per mile for metered use of the highways in Oregon.

5 “[(4) *Notwithstanding subsections (1) to (3) of this section, in lieu of paying*
6 *the vehicle road usage charge based on miles traveled, a person who is the*
7 *registered owner or lessee of an electric motor vehicle may pay the vehicle road*
8 *usage charge as an annual fee of \$300. If a person opts to pay the annual fee,*
9 *the person shall notify the Department of Transportation in the manner pro-*
10 *vided by rule by the department.*]

11 “[(5)] (4) This section does not apply to a vehicle dealer that holds a
12 certificate issued under ORS 822.020.

13 “**SECTION 4. The amendments to section 2 of this 2011 Act by sec-**
14 **tion 3 of this 2011 Act become operative on July 1, 2018.**

15 “**SECTION 5. Allocation of moneys.** The moneys that the Depart-
16 ment of Transportation collects from the vehicle road usage charge
17 imposed under section 2 of this 2011 Act shall be allocated as follows:

18 “(1) 50 percent to the Department of Transportation.

19 “(2) 30 percent to counties for distribution as provided in ORS
20 **366.762.**

21 “(3) 20 percent to cities for distribution as provided in ORS 366.800.

22 “**SECTION 6. Rules.** In accordance with ORS chapter 183, the De-
23 partment of Transportation shall adopt rules for the implementation,
24 administration and enforcement of section 2 of this 2011 Act.

25 “**SECTION 7. Operative date.** (1) Sections 1, 2, 5 and 6 of this 2011
26 Act become operative on July 1, 2015.

27 “(2) The Department of Transportation may take any action before
28 the operative date specified in subsection (1) of this section that is
29 necessary to enable the department to exercise, on and after the op-
30 erative date specified in subsection (1) of this section, all the duties,

1 functions and powers conferred on the department by sections 1, 2, 5
2 and 6 of this 2011 Act.

3 **SECTION 8. Applicability.** (1) Sections 1, 2 and 5 of this 2011 Act
4 first apply to 2016 model year electric motor vehicles and plug-in hy-
5 brid electric motor vehicles.

6 **“(2) The amendments to section 2 of this 2011 Act by section 3 of**
7 **this 2011 Act apply to all electric motor vehicles and plug-in hybrid**
8 **motor vehicles, regardless of the model year of the motor vehicle.**

9 **SECTION 9. Captions.** The section captions used in this 2011 Act
10 are provided only for the convenience of the reader and do not become
11 part of the statutory law of this state or express any legislative intent
12 in the enactment of this 2011 Act.”.

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