

**A-Engrossed**  
**Senate Bill 1591**

Ordered by the Senate February 15  
Including Senate Amendments dated February 15

Sponsored by Senators THOMSEN, COURTNEY; Senators BEYER, DEVLIN, EDWARDS, FERRIOLI, NELSON, OLSEN, ROSENBAUM, TELFER, VERGER, Representatives BERGER, GILLIAM, HICKS, HOYLE, HUFFMAN, JOHNSON, KENNEMER, SCHAUFLEER, SHEEHAN, WAND, WHISNANT, WITT (Presession 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.

Makes changes to membership and powers of Travel Information Council. Makes changes to policy of Oregon Motorist Information Act of 1971. Repeals provisions that sunset authority of council over rest areas. Increases, according to two-year schedule, number of rest areas over which council has managerial authority. Funds increase with certain moneys attributable to certain increases in fees and tax rates.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

Relating to travel; creating new provisions; amending ORS 366.490, 366.752, 377.705 and 377.835 and sections 32 and 33, chapter 865, Oregon Laws 2009; repealing sections 34 and 60, chapter 865, Oregon Laws 2009; and declaring an emergency.

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

**CHANGES TO MEMBERSHIP AND POWERS  
OF TRAVEL INFORMATION COUNCIL  
(Changes to Membership and General Powers)**

**SECTION 1.** ORS 377.835 is amended to read:

377.835. (1) The Travel Information Council is created as a semi-independent state agency.

(2) The Travel Information Council shall consist of 11 members. [*One shall be the chairperson of the Oregon Transportation Commission or a person within the Department of Transportation designated by the chairperson and 10 appointed members as follows: Two members from among the lodging, restaurant and recreation industries; one member from the vehicular service industry; one member from the outdoor advertising industry; one member from the electrical sign industry; and five members from the public at large. The public at-large members shall be appointed from among the residents of each congressional district. None of the public at-large members shall have any financial interest in any restaurant, hotel, motel, recreational facility, garage, oil company or other vehicular service industry, or in any advertising business other than shares of stock that are traded on a national stock exchange.*] **One shall be the chairperson of the Oregon Transportation Commission or a person designated by the chairperson. The Governor shall appoint the other 10 members from the public at large. The Governor shall appoint at least one member from each congressional**

**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 **district. The Governor shall select members for their knowledge of, experience with or in-**  
2 **terest in economic development, travel within Oregon, recreational opportunities in Oregon,**  
3 **Oregon history or Oregon natural history.**

4 (3) *[The 10 appointed members shall be appointed by the Governor. Each shall be appointed to]*  
5 **Each appointed member shall** serve for a term of four years *[but a]*, **but an appointed** member  
6 may be removed at the pleasure of the Governor. Before the expiration of the term of *[a]* **an ap-**  
7 **pointed** member, the Governor shall appoint a successor whose term begins on July 1 next follow-  
8 ing. *[A]* **An appointed** member is eligible for reappointment. If there is a vacancy for any cause,  
9 the Governor shall make an appointment to become effective immediately for the unexpired term.  
10 *[Five shall be appointed biennially on July 2 in odd-numbered years.]*

11 (4) The council shall select one of its members as chairperson, another as vice chairperson and  
12 a third as secretary. Six members shall constitute a quorum for the transaction of business. The  
13 council shall meet quarterly at a time and place to be determined by the chairperson. The chair-  
14 person or any three members of the council may call a special meeting upon not less than one  
15 week's written notice to the other members. All members are entitled to expenses as provided by  
16 ORS 292.495.

17 (5) The council may, in accordance with ORS chapter 183 and consistent with ORS 377.700 to  
18 377.840, adopt, *[and from time to time]* amend and repeal rules relating to tourist oriented directional  
19 signs, logo signs and motorist informational signs and all other matters necessary and appropriate  
20 to carry out its responsibilities under ORS 377.700 to 377.840. The sign rules for protected areas in  
21 effect on July 2, 1971, shall be continued in effect unless modified by the commission. All *[such]* rules  
22 **adopted under this subsection** shall be consistent with federal laws and regulations relating to  
23 highways. The Director of Transportation shall take appropriate action for the administration and  
24 enforcement of orders issued and rules adopted under ORS 377.700 to 377.840, **except rules adopted**  
25 **by the council under section 33, chapter 865, Oregon Laws 2009.**

26 (6) The commission may continue or amend any existing agreements and may enter into new  
27 agreements with the United States or any agency thereof authorized to make agreements under  
28 section 131, title 23, United States Code relating to the regulation, control and removal of signs  
29 within or adjacent to the Interstate and Federal Aid Systems.

30 (7) The council shall be under the administrative control of a director who is appointed by and  
31 who holds office at the pleasure of the council. The director of the *[Travel Information]* council may  
32 appoint all subordinate officers and employees of the council and may prescribe their duties and fix  
33 their compensation. The director of the *[Travel Information]* council may delegate to any subordi-  
34 nate officer or employee any administrative duty, function or power imposed upon the council by  
35 or pursuant to law.

36  
37 **(Transitional Provisions Relating to Changes in Membership)**

38  
39 **SECTION 2. (1) On May 1, 2012, the term of office of the current members of the Travel**  
40 **Information Council shall cease and the Governor shall appoint new members to the council.**  
41 **A member whose term of office has been terminated by this subsection is eligible for reap-**  
42 **pointment to the council.**

43 **(2) Notwithstanding the term of office specified by ORS 377.835, of the members appointed**  
44 **to the council on May 1, 2012, five shall serve for terms ending July 1, 2014, and five shall**  
45 **serve for terms ending July 1, 2016.**

(Powers Relating to Property)

**SECTION 3.** Section 4 of this 2012 Act is added to and made a part of ORS 377.700 to 377.840.

**SECTION 4.** The Travel Information Council created under ORS 377.835 may:

(1) Erect, improve, repair, maintain, equip and furnish buildings, structures and lands as the council determines is necessary to carry out its responsibilities under ORS 377.700 to 377.840; and

(2) Acquire, receive, hold, control, convey, sell, lease, lend, manage, operate, improve and develop any and all property, real or personal, as the council determines is necessary to carry out its responsibilities under ORS 377.700 to 377.840.

CHANGES TO POLICY STATEMENT IN  
OREGON MOTORIST INFORMATION ACT OF 1971

**SECTION 5.** ORS 377.705 is amended to read:

377.705. To promote the public safety; to preserve the recreational value of public travel on the state's highways; to preserve the natural beauty and aesthetic features of such highways and adjacent areas; to provide information about and direct travelers to public accommodations, services for the traveling public, campgrounds, parks, recreational areas[,] and points of scenic, historic, cultural and educational interest, it is the policy of this state and the purpose of ORS 377.700 to 377.840 and 377.992:

(1) To establish official information centers and motorist informational signs, including sign **plazas or travel** plazas in appropriate locations [*for the convenient arrangement of those signs*].

(2) To provide for publication and distribution of official guidebooks and other publications.

(3) To prohibit the indiscriminate use of other outdoor advertising.

(4) To provide motorists, where feasible, [*a telephone emergency, information and reservation system for lodging*] **with information and access to communications systems for emergency and travel-related purposes.**

CHANGES TO TRAVEL INFORMATION COUNCIL'S  
MANAGERIAL AUTHORITY OVER REST AREAS

(Repeal of Provisions That Sunset Authority of  
Travel Information Council Over Rest Areas)

**SECTION 6.** (1) Section 34, chapter 865, Oregon Laws 2009, as amended by section 2, chapter 328, Oregon Laws 2011, is repealed.

(2) Section 60, chapter 865, Oregon Laws 2009, is repealed.

(Council's Authority as of March 1, 2012)

**SECTION 7.** Sections 32 and 33, chapter 865, Oregon Laws 2009, are added to and made a part of ORS 377.700 to 377.840.

**SECTION 8.** Section 32, chapter 865, Oregon Laws 2009, is amended to read:

**Sec. 32.** (1) [*The Department of Transportation shall enter into an intergovernmental agreement*

1 *with the Travel Information Council under which the council shall manage, maintain and improve*  
2 *roadside rest areas mutually agreed upon by the department and council and the following roadside*  
3 *rest areas along Interstate 5 and Interstate 84] **The Travel Information Council shall manage,***  
4 **maintain, improve and develop for local economic development and other purposes identified**  
5 **in ORS 377.705 roadside rest areas along the following highways:**

6 **(a) Interstate 5, northbound, near milepost 63.**

7 [(a)] **(b) Interstate 5, southbound, near milepost 63.**

8 [(b)] **(c) Interstate 5, northbound, near milepost 241.**

9 [(c)] **(d) Interstate 5, southbound, near milepost 241.**

10 [(d)] **(e) Interstate 5, northbound, near milepost 281.**

11 [(e)] **(f) Interstate 5, southbound, near milepost 281.**

12 [(f)] **(g) Interstate 84, eastbound, near milepost 160.**

13 **(h) Interstate 84, westbound, near milepost 160.**

14 [(g)] **(i) Interstate 84, westbound, near milepost 377.**

15 **(j) U.S. Highway 26, westbound, near milepost 54.**

16 (2) Subject to subsection (4) of this section, in carrying out the provisions of subsection (1) of  
17 this section, the council may enter into contracts necessary to accomplish the purposes of sub-  
18 section (1) of this section.

19 [(3) *The department shall maintain ownership of any roadside rest area the council manages,*  
20 *maintains and improves under an intergovernmental agreement entered into under subsection (1) of this*  
21 *section.*]

22 **(3) The Department of Transportation shall:**

23 **(a) Maintain ownership of any roadside rest area the council manages, maintains, im-**  
24 **proves and develops pursuant to subsection (1) of this section; and**

25 **(b) Enter into an intergovernmental agreement with the council under which the council**  
26 **has the authority to manage, maintain, improve and develop those rest areas listed in sub-**  
27 **section (1) of this section.**

28 (4) Under the intergovernmental agreement entered into under subsection [(1)] (3) of this sec-  
29 tion, the council shall conduct public contracting activities in accordance with the provisions of  
30 ORS 377.836.

31 **SECTION 9.** ORS 366.752, as amended by section 59, chapter 865, Oregon Laws 2009, and sec-  
32 tion 5, chapter 30, Oregon Laws 2010, is amended to read:

33 366.752. (1) The following moneys shall be allocated as described in subsections (2) and (3) of this  
34 section:

35 (a) The amount attributable to the fee increases by the amendments to ORS 803.090 by section  
36 42, chapter 865, Oregon Laws 2009.

37 (b) The amount attributable to the fee increases by the amendments to ORS 803.420 by section  
38 43, chapter 865, Oregon Laws 2009.

39 (c) The amount attributable to the fee increases by the amendments to ORS 803.420 by section  
40 43a, chapter 865, Oregon Laws 2009.

41 (d) The amount attributable to the fee increases by the amendments to ORS 803.570 by section  
42 44, chapter 865, Oregon Laws 2009.

43 (e) The amount attributable to the fee increase by the amendments to ORS 803.645 by section  
44 44a, chapter 865, Oregon Laws 2009.

45 (f) The amount attributable to the increase in fees and tax rates by the amendments to ORS

1 319.020, 319.530, 818.225, 825.476 and 825.480 by sections 48, 49 and 51 to 53, chapter 865, Oregon  
2 Laws 2009.

3 (2) The moneys described in subsection (1) of this section shall be allocated first in an amount  
4 of \$24 million per year in monthly installments to the Department of Transportation for the purposes  
5 described in the long-range plan developed pursuant to ORS 184.618. The remainder of the moneys  
6 shall be allocated as provided in subsection (3) of this section.

7 (3) The moneys described in subsection (1) of this section that remain after the allocation of  
8 moneys described in subsection (2) of this section shall be allocated as follows:

9 (a) 50 percent to the Department of Transportation.

10 (b) 30 percent to counties for distribution as provided in ORS 366.762.

11 (c) 20 percent to cities for distribution as provided in ORS 366.800.

12 (4) Except as provided in [subsection (5)] **subsections (5) and (6)** of this section, the moneys  
13 described in subsection (3)(a) of this section or equivalent amounts that become available to the  
14 Department of Transportation shall be allocated as follows:

15 (a) 33 percent for maintenance, preservation and safety of highways.

16 (b) 15.75 percent for the state modernization program for highways as described in ORS 366.507.

17 (c) 51.25 percent for the purposes described in ORS 367.620 (3)(c) and section 64, chapter 865,  
18 Oregon Laws 2009.

19 **(5) The moneys described in subsection (4)(a) of this section or equivalent amounts that**  
20 **become available to the Department of Transportation shall be allocated first in an amount**  
21 **of \$167,000 to the Travel Information Council for the management, maintenance, improve-**  
22 **ment and development of the roadside rest areas for which the council is responsible under**  
23 **section 32, chapter 865, Oregon Laws 2009.**

24 [(5)] **(6) Except for moneys allocated to the council as provided in subsection (5) of this**  
25 **section,** the moneys allocated in subsection (4) of this section may be used to secure and pay bond  
26 debt service on Highway User Tax Bonds under ORS 367.615.

27 [(6)] **(7)** For the purposes of this section:

28 (a) "Bond" has the meaning given that term in ORS 367.010.

29 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

30 **SECTION 10.** ORS 366.490 is amended to read:

31 366.490. (1) The Department of Transportation shall establish by rule a permit program allowing  
32 nonprofit organizations to provide free coffee or other nonalcoholic beverages and cookies at  
33 roadside rest areas **managed by the department**. Cookies offered under the program must come  
34 from a licensed facility. Rules adopted under this section may not restrict the program to any par-  
35 ticular days of the year.

36 (2) An organization may apply for a permit to provide coffee, other beverages and cookies **at a**  
37 **rest area managed by the department** by submitting a written request to an employee of the de-  
38 partment designated by the department. The request shall specify the day on which the organization  
39 wishes to offer the beverages and cookies and the specific rest area where they will be offered. The  
40 request shall be submitted not more than 60 days prior to the date requested.

41 (3) The department shall issue a permit to the selected organization not less than 30 days in  
42 advance of the date for which the permit is issued. If there is more than one request for the same  
43 date and the same place, the department shall select one organization by random drawing and shall  
44 issue the permit to that organization.

45 (4) The department may not issue more than one permit for the same time and place.

1 (5) An organization that receives a permit shall confine distribution of coffee, other beverages  
2 or cookies to an area of the rest area designated in the permit or by the rest area attendant. The  
3 organization may not obstruct access to any building or other structure in the rest area.

4 (6) An organization providing coffee, other beverages or cookies may receive donations.

5 (7) An organization may post signs identifying the organization and the activity, provided that  
6 each sign is not more than 10 square feet in area and there are not more than two signs. The signs  
7 may be placed only on vehicles used in connection with the provision of beverages and cookies or  
8 located in the area designated for the activity.

9 (8) The department may revoke the permit of any organization that fails to comply with the  
10 provisions of this section or with rules adopted by the department to implement the provisions.

11 **(9) Rules adopted by the department under this section do not apply to roadside rest**  
12 **areas managed by the Travel Information Council pursuant to section 32, chapter 865,**  
13 **Oregon Laws 2009.**

14 **SECTION 11.** Section 33, chapter 865, Oregon Laws 2009, is amended to read:

15 **Sec. 33.** (1) [*Notwithstanding ORS 366.490,*] The Travel Information Council shall establish by  
16 rule a permit program allowing nonprofit organizations to provide free coffee or other nonalcoholic  
17 beverages and cookies at roadside rest areas [*the council is responsible for under section 32 of this*  
18 *2009 Act*] **managed by the council pursuant to section 32, chapter 865, Oregon Laws 2009.**  
19 Cookies offered under the program must come from a licensed facility. Rules adopted under this  
20 section may not restrict the program to any particular days of the year.

21 (2) [*In lieu of applying to the Department of Transportation for a permit under ORS 366.490,*] An  
22 organization may apply for a permit to provide coffee, other nonalcoholic beverages and cookies at  
23 a rest area [*maintained*] **managed** by the council by submitting a written request to the council. The  
24 request shall specify the day on which the organization wishes to offer the nonalcoholic beverages  
25 and cookies and the specific rest area where they will be offered. The request shall be submitted  
26 not less than 60 days prior to the date requested.

27 (3) The council shall issue a permit to the selected organization not less than 30 days in advance  
28 of the date for which the permit is issued. If there is more than one request for the same date and  
29 the same place, the council shall select one organization by random drawing and shall issue the  
30 permit to that organization.

31 (4) The council may not issue more than one permit for the same time and place.

32 (5) An organization that receives a permit shall confine distribution of coffee, other nonalcoholic  
33 beverages or cookies to an area of the rest area designated in the permit or by the rest area at-  
34 tendant. The organization may not obstruct access to any building or other structure in the rest  
35 area.

36 (6) An organization providing coffee, other nonalcoholic beverages or cookies may accept do-  
37 nations at the rest area while providing coffee, other nonalcoholic beverages or cookies.

38 (7) An organization may post signs identifying the organization and the activity, provided that  
39 each sign is not more than 10 square feet in area and there are not more than two signs. The signs  
40 may be placed only on vehicles used in connection with the provision of nonalcoholic beverages and  
41 cookies or located in the area designated for the activity.

42 (8) The council may revoke the permit of any organization that fails to comply with the pro-  
43 visions of this section or with rules adopted by the council to implement the provisions of this sec-  
44 tion.

45 **SECTION 11a.** **The Travel Information Council may not use any moneys originating from**

1 a local transient lodging tax or a state transient lodging tax, as those terms are defined in  
2 ORS 320.300, for managing, maintaining, improving or developing roadside rest areas for  
3 which the council is responsible under section 32, chapter 865, Oregon Laws 2009.

4 **SECTION 12.** Sections 7 and 11a of this 2012 Act and the amendments to ORS 366.490 and  
5 366.752 and sections 32 and 33, chapter 865, Oregon Laws 2009, by sections 8, 9, 10 and 11 of  
6 this 2012 Act become operative on March 1, 2012.

7  
8 (Council's Authority as of January 1, 2013)  
9

10 **SECTION 13.** Section 32, chapter 865, Oregon Laws 2009, as amended by section 8 of this 2012  
11 Act, is amended to read:

12 **Sec. 32.** (1) The Travel Information Council shall manage, maintain, improve and develop for  
13 local economic development and other purposes identified in ORS 377.705 roadside rest areas along  
14 the following highways:

15 (a) Interstate 5, northbound, near milepost 63.

16 (b) Interstate 5, southbound, near milepost 63.

17 (c) Interstate 5, northbound, near milepost 241.

18 (d) Interstate 5, southbound, near milepost 241.

19 (e) Interstate 5, northbound, near milepost 281.

20 (f) Interstate 5, southbound, near milepost 281.

21 **(g) Interstate 84, eastbound, near milepost 73.**

22 **(h) Interstate 84, westbound, near milepost 73.**

23 [(g)] (i) Interstate 84, eastbound, near milepost 160.

24 [(h)] (j) Interstate 84, westbound, near milepost 160.

25 **(k) Interstate 84, eastbound, near milepost 187.**

26 **(L) Interstate 84, westbound, near milepost 187.**

27 **(m) Interstate 84, eastbound, near milepost 229.**

28 **(n) Interstate 84, westbound, near milepost 229.**

29 **(o) Interstate 84, eastbound, near milepost 269.**

30 **(p) Interstate 84, westbound, near milepost 269.**

31 **(q) Interstate 84, eastbound, near milepost 295.**

32 **(r) Interstate 84, westbound, near milepost 295.**

33 **(s) Interstate 84, westbound, near milepost 336.**

34 [(i)] (t) Interstate 84, westbound, near milepost 377.

35 [(j)] (u) U.S. Highway 26, westbound, near milepost 54.

36 (2) Subject to subsection (4) of this section, in carrying out the provisions of subsection (1) of  
37 this section, the council may enter into contracts necessary to accomplish the purposes of sub-  
38 section (1) of this section.

39 (3) The Department of Transportation shall:

40 (a) Maintain ownership of any roadside rest area the council manages, maintains, improves and  
41 develops pursuant to subsection (1) of this section; and

42 (b) Enter into an intergovernmental agreement with the council under which the council has the  
43 authority to manage, maintain, improve and develop those rest areas listed in subsection (1) of this  
44 section.

45 (4) Under the intergovernmental agreement entered into under subsection (3) of this section, the

1 council shall conduct public contracting activities in accordance with the provisions of ORS 377.836.

2 **SECTION 14.** ORS 366.752, as amended by section 59, chapter 865, Oregon Laws 2009, section  
3 5, chapter 30, Oregon Laws 2010, and section 9 of this 2012 Act, is amended to read:

4 366.752. (1) The following moneys shall be allocated as described in subsections (2) and (3) of this  
5 section:

6 (a) The amount attributable to the fee increases by the amendments to ORS 803.090 by section  
7 42, chapter 865, Oregon Laws 2009.

8 (b) The amount attributable to the fee increases by the amendments to ORS 803.420 by section  
9 43, chapter 865, Oregon Laws 2009.

10 (c) The amount attributable to the fee increases by the amendments to ORS 803.420 by section  
11 43a, chapter 865, Oregon Laws 2009.

12 (d) The amount attributable to the fee increases by the amendments to ORS 803.570 by section  
13 44, chapter 865, Oregon Laws 2009.

14 (e) The amount attributable to the fee increase by the amendments to ORS 803.645 by section  
15 44a, chapter 865, Oregon Laws 2009.

16 (f) The amount attributable to the increase in fees and tax rates by the amendments to ORS  
17 319.020, 319.530, 818.225, 825.476 and 825.480 by sections 48, 49 and 51 to 53, chapter 865, Oregon  
18 Laws 2009.

19 (2)(a) The moneys described in subsection (1) of this section shall be allocated first:

20 (A) In an amount of \$24 million per year in monthly installments to the Department of Trans-  
21 portation for the purposes described in the long-range plan developed pursuant to ORS 184.618; and

22 (B) **In an amount of \$3 million on January 2 of each year to the Travel Information**  
23 **Council for the management, maintenance, improvement and development of the roadside**  
24 **rest areas for which the council is responsible under section 32, chapter 865, Oregon Laws**  
25 **2009.**

26 (b) The remainder of the moneys shall be allocated as provided in subsection (3) of this section.

27 (3) The moneys described in subsection (1) of this section that remain after the allocation of  
28 moneys described in subsection (2) of this section shall be allocated as follows:

29 (a) 50 percent to the Department of Transportation.

30 (b) 30 percent to counties for distribution as provided in ORS 366.762.

31 (c) 20 percent to cities for distribution as provided in ORS 366.800.

32 (4) Except as provided in subsections (5) and (6) of this section, the moneys described in sub-  
33 section (3)(a) of this section or equivalent amounts that become available to the Department of  
34 Transportation shall be allocated as follows:

35 (a) 33 percent for maintenance, preservation and safety of highways.

36 (b) 15.75 percent for the state modernization program for highways as described in ORS 366.507.

37 (c) 51.25 percent for the purposes described in ORS 367.620 (3)(c) and section 64, chapter 865,  
38 Oregon Laws 2009.

39 (5) The moneys described in subsection (4)(a) of this section or equivalent amounts that become  
40 available to the Department of Transportation shall be allocated first in an amount of [*\$167,000*]  
41 **\$1.96 million** to the [*Travel Information*] council for the management, maintenance, improvement  
42 and development of the roadside rest areas for which the council is responsible under section 32,  
43 chapter 865, Oregon Laws 2009.

44 (6) Except for moneys allocated to the council as provided in subsection (5) of this section, the  
45 moneys allocated in subsection (4) of this section may be used to secure and pay bond debt service



1 on Highway User Tax Bonds under ORS 367.615.

2 **(7) The Secretary of State shall enter into agreements with the council to set an appropriate financial review schedule for the council. In lieu of conducting a financial review as**  
3 **required by that schedule, the Secretary of State may:**  
4

5 **(a) Contract for the financial review with an independent certified public accountant; or**

6 **(b) Accept a financial review conducted by an independent certified public accountant.**

7 [(7)] **(8) For the purposes of this section:**

8 (a) "Bond" has the meaning given that term in ORS 367.010.

9 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

10 **SECTION 15. The amendments to ORS 366.752 and section 32, chapter 865, Oregon Laws**  
11 **2009, by sections 13 and 14 of this 2012 Act become operative on January 1, 2013.**

12  
13 **(Council's Authority as of January 1, 2014)**  
14

15 **SECTION 16.** Section 32, chapter 865, Oregon Laws 2009, as amended by sections 8 and 13 of  
16 this 2012 Act, is amended to read:

17 **Sec. 32.** (1) The Travel Information Council shall manage, maintain, improve and develop for  
18 local economic development and other purposes identified in ORS 377.705 roadside rest areas along  
19 the following highways:

20 **(a) Interstate 5, southbound, near milepost 22.**

21 [(a)] **(b) Interstate 5, northbound, near milepost 63.**

22 [(b)] **(c) Interstate 5, southbound, near milepost 63.**

23 **(d) Interstate 5, northbound, near milepost 143.**

24 **(e) Interstate 5, southbound, near milepost 143.**

25 **(f) Interstate 5, northbound, near milepost 178.**

26 **(g) Interstate 5, southbound, near milepost 178.**

27 **(h) Interstate 5, northbound, near milepost 206.**

28 **(i) Interstate 5, southbound, near milepost 206.**

29 [(c)] **(j) Interstate 5, northbound, near milepost 241.**

30 [(d)] **(k) Interstate 5, southbound, near milepost 241.**

31 [(e)] **(L) Interstate 5, northbound, near milepost 281.**

32 [(f)] **(m) Interstate 5, southbound, near milepost 281.**

33 [(g)] **(n) Interstate 84, eastbound, near milepost 73.**

34 [(h)] **(o) Interstate 84, westbound, near milepost 73.**

35 [(i)] **(p) Interstate 84, eastbound, near milepost 160.**

36 [(j)] **(q) Interstate 84, westbound, near milepost 160.**

37 [(k)] **(r) Interstate 84, eastbound, near milepost 187.**

38 [(L)] **(s) Interstate 84, westbound, near milepost 187.**

39 [(m)] **(t) Interstate 84, eastbound, near milepost 229.**

40 [(n)] **(u) Interstate 84, westbound, near milepost 229.**

41 [(o)] **(v) Interstate 84, eastbound, near milepost 269.**

42 [(p)] **(w) Interstate 84, westbound, near milepost 269.**

43 [(q)] **(x) Interstate 84, eastbound, near milepost 295.**

44 [(r)] **(y) Interstate 84, westbound, near milepost 295.**

45 [(s)] **(z) Interstate 84, westbound, near milepost 336.**

1 [(t)] (aa) Interstate 84, westbound, near milepost 377.

2 [(u)] (bb) U.S. Highway 26, westbound, near milepost 54.

3 (2) Subject to subsection (4) of this section, in carrying out the provisions of subsection (1) of  
4 this section, the council may enter into contracts necessary to accomplish the purposes of sub-  
5 section (1) of this section.

6 (3) The Department of Transportation shall:

7 (a) Maintain ownership of any roadside rest area the council manages, maintains, improves and  
8 develops pursuant to subsection (1) of this section; and

9 (b) Enter into an intergovernmental agreement with the council under which the council has the  
10 authority to manage, maintain, improve and develop those rest areas listed in subsection (1) of this  
11 section.

12 (4) Under the intergovernmental agreement entered into under subsection (3) of this section, the  
13 council shall conduct public contracting activities in accordance with the provisions of ORS 377.836.

14 **SECTION 17.** ORS 366.752, as amended by section 59, chapter 865, Oregon Laws 2009, section  
15 5, chapter 30, Oregon Laws 2010, and sections 9 and 14 of this 2012 Act, is amended to read:

16 366.752. (1) The following moneys shall be allocated as described in subsections (2) and (3) of this  
17 section:

18 (a) The amount attributable to the fee increases by the amendments to ORS 803.090 by section  
19 42, chapter 865, Oregon Laws 2009.

20 (b) The amount attributable to the fee increases by the amendments to ORS 803.420 by section  
21 43, chapter 865, Oregon Laws 2009.

22 (c) The amount attributable to the fee increases by the amendments to ORS 803.420 by section  
23 43a, chapter 865, Oregon Laws 2009.

24 (d) The amount attributable to the fee increases by the amendments to ORS 803.570 by section  
25 44, chapter 865, Oregon Laws 2009.

26 (e) The amount attributable to the fee increase by the amendments to ORS 803.645 by section  
27 44a, chapter 865, Oregon Laws 2009.

28 (f) The amount attributable to the increase in fees and tax rates by the amendments to ORS  
29 319.020, 319.530, 818.225, 825.476 and 825.480 by sections 48, 49 and 51 to 53, chapter 865, Oregon  
30 Laws 2009.

31 (2)(a) The moneys described in subsection (1) of this section shall be allocated first:

32 (A) In an amount of \$24 million per year in monthly installments to the Department of Trans-  
33 portation for the purposes described in the long-range plan developed pursuant to ORS 184.618; and

34 (B) In an amount of \$3 million on January 2 of each year to the Travel Information Council for  
35 the management, maintenance, improvement and development of the roadside rest areas for which  
36 the council is responsible under section 32, chapter 865, Oregon Laws 2009.

37 (b) The remainder of the moneys shall be allocated as provided in subsection (3) of this section.

38 (3) The moneys described in subsection (1) of this section that remain after the allocation of  
39 moneys described in subsection (2) of this section shall be allocated as follows:

40 (a) 50 percent to the Department of Transportation.

41 (b) 30 percent to counties for distribution as provided in ORS 366.762.

42 (c) 20 percent to cities for distribution as provided in ORS 366.800.

43 (4) Except as provided in subsections (5) and (6) of this section, the moneys described in sub-  
44 section (3)(a) of this section or equivalent amounts that become available to the Department of  
45 Transportation shall be allocated as follows:

1 (a) 33 percent for maintenance, preservation and safety of highways.

2 (b) 15.75 percent for the state modernization program for highways as described in ORS 366.507.

3 (c) 51.25 percent for the purposes described in ORS 367.620 (3)(c) and section 64, chapter 865,  
4 Oregon Laws 2009.

5 (5) The moneys described in subsection (4)(a) of this section or equivalent amounts that become  
6 available to the Department of Transportation shall be allocated first in an amount of [~~\$1.96~~] **\$3.55**  
7 million to the council for the management, maintenance, improvement and development of the  
8 roadside rest areas for which the council is responsible under section 32, chapter 865, Oregon Laws  
9 2009.

10 (6) Except for moneys allocated to the council as provided in subsection (5) of this section, the  
11 moneys allocated in subsection (4) of this section may be used to secure and pay bond debt service  
12 on Highway User Tax Bonds under ORS 367.615.

13 (7) The Secretary of State shall enter into agreements with the council to set an appropriate  
14 financial review schedule for the council. In lieu of conducting a financial review as required by that  
15 schedule, the Secretary of State may:

16 (a) Contract for the financial review with an independent certified public accountant; or

17 (b) Accept a financial review conducted by an independent certified public accountant.

18 (8) For the purposes of this section:

19 (a) "Bond" has the meaning given that term in ORS 367.010.

20 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

21 **SECTION 18. The amendments to ORS 366.752 and section 32, chapter 865, Oregon Laws**  
22 **2009, by sections 16 and 17 of this 2012 Act become operative on January 1, 2014.**

23  
24 **UNIT CAPTIONS**

25  
26 **SECTION 19. The unit captions used in this 2012 Act are provided only for the conven-**  
27 **ience of the reader and do not become part of the statutory law of this state or express any**  
28 **legislative intent in the enactment of this 2012 Act.**

29  
30 **EMERGENCY CLAUSE**

31  
32 **SECTION 20. This 2012 Act being necessary for the immediate preservation of the public**  
33 **peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect**  
34 **on its passage.**