

# House Bill 2278

Sponsored by Representative GREENLICK; Representative DEMBROW, Senator STEINER HAYWARD (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 **as introduced**.

Imposes fee on retail sale of studded tires and on installation of studs in tires. Provides exception.

Becomes operative May 1, 2014.

## A BILL FOR AN ACT

1  
2 Relating to studded tires.

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

4 **SECTION 1. (1) As used in this section, "tire dealer" means a person engaged in a busi-**  
5 **ness, trade, occupation, activity or enterprise that sells, transfers, exchanges or barters**  
6 **tires or tire-related products for consideration.**

7 **(2) Except as provided in subsection (3) of this section, in addition to any other fee im-**  
8 **posed by this state, a fee of \$10 is imposed on the retail sale of each new tire with studs and**  
9 **on the installation of studs in a tire. The fee is imposed on a tire dealer at the time the**  
10 **dealer sells a tire with studs or installs studs in a tire for the ultimate consumer.**

11 **(3) Subsection (2) of this section does not apply to retractable studded tires as described**  
12 **in ORS 815.045.**

13 **(4) On or before the last day of January, April, July and October, a tire dealer shall file**  
14 **a return with the Department of Revenue in such form and containing such information as**  
15 **the department prescribes by rule and shall pay to the department the fee imposed by sub-**  
16 **section (2) of this section for the preceding calendar quarter.**

17 **(5) At the written request of a tire dealer, the department may extend the time for filing**  
18 **a return and paying fees under this section. An extension granted under this subsection shall**  
19 **be for a period not to exceed one month and may be granted at any time if the request is**  
20 **filed with the department prior to the deadline for filing the return. When an extension is**  
21 **granted, interest at the rate established under ORS 305.220 shall be added and paid for each**  
22 **month, or fraction of a month, that the payment is late.**

23 **(6) The department shall adopt rules prescribing penalties and interest for the late pay-**  
24 **ment of fees for which the department has not granted an extension.**

25 **(7) The amount paid to the department by a tire dealer per quarter, as described in sub-**  
26 **section (4) of this section, shall be reduced by five percent of the total amount owed by the**  
27 **dealer to compensate the dealer for expenses incurred in collecting and remitting the fee.**

28 **(8) From the time liability is incurred and until paid, the fees, penalties and interest im-**  
29 **posed by this section shall be a personal debt owed by the tire dealer to the State of Oregon.**

30 **SECTION 2. After the payment of expenses of the Department of Revenue for adminis-**

**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 tration and collection of the studded tire fee imposed under section 1 of this 2013 Act, the  
2 department shall transfer the moneys collected under section 1 of this 2013 Act to the State  
3 Treasurer in accordance with ORS 366.510 for deposit in the State Highway Fund. Moneys  
4 deposited under this section shall be used for repair of damage caused by tires with studs  
5 to state, county and city highways, roads and streets.

6 SECTION 3. Sections 1 and 2 of this 2013 Act become operative on May 1, 2014.

7 SECTION 4. The Department of Revenue and the Department of Transportation may take  
8 any action before the operative date specified in section 3 of this 2013 Act that is necessary  
9 to enable the departments to exercise, on and after the operative date specified in section 3  
10 of this 2013 Act, all the duties, functions and powers conferred on the departments by  
11 sections 1 and 2 of this 2013 Act.

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