

HOUSE AMENDMENTS TO HOUSE BILL 2310

By COMMITTEE ON TRANSPORTATION AND ECONOMIC DEVELOPMENT

March 27

1 On page 1 of the printed bill, line 2, after “projects;” insert “creating new provisions; amending
2 ORS 367.080, 367.082, 367.084 and 367.086;”.

3 On page 2, line 1, delete “grants and”.

4 Delete lines 6 through 22 and insert:

5 **“SECTION 3. (1) To the extent that proposed transportation projects meet the qualifica-**
6 **tions established by the Oregon Transportation Commission by rule, the commission shall**
7 **allocate at least 10 percent of the net proceeds of the lottery bonds authorized by section 2**
8 **of this 2013 Act to each region described in this section.**

9 **“(2) For purposes of this section, the regions are as follows:**

10 **“(a) Region one consists of Clackamas, Hood River, Multnomah and Washington Coun-**
11 **ties.**

12 **“(b) Region two consists of Benton, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk,**
13 **Tillamook and Yamhill Counties.**

14 **“(c) Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties.**

15 **“(d) Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake,**
16 **Sherman, Wasco and Wheeler Counties.**

17 **“(e) Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and**
18 **Wallowa Counties.**

19 **“(3) Nothing in this section requires the commission to select a transportation project**
20 **for funding solely to meet the regional allocation requirement in subsection (1) of this sec-**
21 **tion.**

22 **“SECTION 4. ORS 367.080 is amended to read:**

23 **“367.080. (1) As used in ORS 367.080 to 367.086, ‘transportation project’ has the meaning given**
24 **that term in ORS 367.010.**

25 **“(2) The Multimodal Transportation Fund is established separate and distinct from the General**
26 **Fund. Earnings on moneys in the Multimodal Transportation Fund shall be deposited into the fund.**
27 **Moneys in the Multimodal Transportation Fund are continuously appropriated to the Department**
28 **of Transportation for the purposes described in subsection (3) of this section and in ORS 367.086.**

29 **“(3) The department shall use moneys in the Multimodal Transportation Fund to provide [*grants***
30 ***and*] loans for transportation projects as provided in ORS 367.080 to 367.086. [*Grants and*] Loans**
31 **may be provided only for projects that involve one or more of the following modes of transportation:**

32 **“(a) Air;**

33 **“(b) Marine;**

34 **“(c) Rail; [*and*]**

35 **“(d) Public transit[.];**

1 “(e) **Bicycle; and**

2 “(f) **Pedestrian.**

3 “(4) All moneys received by the department as interest on loans made under this section and
4 as repayment of principal of loans made under this section shall be deposited into the Multimodal
5 Transportation Fund.

6 “**SECTION 5.** ORS 367.082 is amended to read:

7 “367.082. (1) Except as provided in subsection (2) of this section, the Department of Transpor-
8 tation may provide, from moneys in the Multimodal Transportation Fund established by ORS
9 367.080[.]

10 “[(a) *Grants for transportation projects to public bodies, as defined in ORS 174.109, and to private*
11 *entities; and]*

12 “[(b) *Loans for transportation projects*], **loans** to public bodies, as defined in ORS 174.109, and
13 to private entities, **for transportation projects.**

14 “(2)(a) [*Grants and]* Loans may not be made from the Multimodal Transportation Fund for
15 transportation projects that could constitutionally be funded by revenues described in [*section 3a,*]
16 Article IX, **section 3a**, of the Oregon Constitution.

17 “(b) **Loans may not exceed 80 percent of the moneys required for the total cost of a**
18 **transportation project.**

19 “(3) **A loan recipient shall receive partial forgiveness of a loan received under this section**
20 **if the loan recipient submits an application to the department in accordance with rules**
21 **adopted by the department. The department shall forgive:**

22 “(a) **37.5 percent of the moneys lent for a transportation project if the recipient is a**
23 **public body.**

24 “(b) **25 percent of the moneys lent for a transportation project if the recipient meets**
25 **project delivery standards as established by the department by rule.**

26 “(c) **37.5 percent of the moneys lent for a transportation project if the recipient demon-**
27 **strates that the project meets the performance measures as established by the department**
28 **by rule.**

29 “[(3)] (4) The department [*of Transportation*] shall adopt rules[.]

30 “[(a)] specifying the process by which a public body or private entity may apply for a loan, **or**
31 **partial forgiveness of a loan**, under this section and prescribing the terms and conditions of loans,
32 including but not necessarily limited to **the delivery standards or performance measures that**
33 **a loan recipient or project must meet to qualify for partial forgiveness of a loan**, interest rates
34 and repayment schedules[; and].

35 “[(b) *Specifying the process by which a public body or private entity may apply for a grant under*
36 *this section and prescribing the terms and conditions of grants, including but not necessarily limited*
37 *to a requirement that the public body or private entity receiving the grant provide at least 20 percent*
38 *of the moneys required for the transportation project.*]

39 “**SECTION 6.** ORS 367.084 is amended to read:

40 “367.084. (1) The Oregon Transportation Commission shall select transportation projects to be
41 funded with moneys in the Multimodal Transportation Fund established by ORS 367.080.

42 “(2)(a) Prior to selecting aeronautic and airport transportation projects, the commission shall
43 solicit recommendations from the State Aviation Board.

44 “(b) Prior to selecting freight transportation projects, the commission shall solicit recommen-
45 dations from the Freight Advisory Committee.

1 “(c) Prior to selecting public transit and rail projects, the commission shall solicit recommen-
2 dations from its public transit and rail advisory committees.

3 “(d) Prior to selecting marine projects, the commission shall solicit recommendations from the
4 Oregon Business Development Department.

5 “(e) **Prior to selecting bicycle and pedestrian projects, the commission shall solicit rec-
6 ommendations from the advisory committee created by ORS 366.112.**

7 “(3) In selecting transportation projects the commission shall consider:

8 “(a) **Whether a proposed transportation project is a statewide transportation priority;**

9 “(b) **Whether there is an urgent need for the proposed transportation project;**

10 “[a] (c) Whether a proposed transportation project reduces transportation costs for Oregon
11 businesses or improves access to jobs and sources of labor;

12 “[b] (d) Whether a proposed transportation project results in an economic benefit to this state;

13 “[c] (e) Whether a proposed transportation project is a critical link connecting elements of
14 Oregon’s transportation system that will measurably improve utilization and efficiency of the system;

15 “[d] (f) How much of the cost of a proposed transportation project can be borne by the appli-
16 cant for the [grant or] loan from any source other than the Multimodal Transportation Fund; and

17 “[e] (g) Whether a proposed transportation project is ready for construction.

18 “(4) **When selecting transportation projects, the commission shall give priority to the
19 considerations described in subsection (3)(a) and (b) of this section.**

20 “**SECTION 7.** ORS 367.086 is amended to read:

21 “367.086. [(1) *The Oregon Transportation Commission shall transfer moneys for aeronautic and
22 airport transportation projects selected under ORS 367.084 from the Multimodal Transportation Fund
23 to the Oregon Department of Aviation, which shall administer the projects. The amount transferred
24 shall include moneys to pay administrative costs incurred by the Oregon Department of Aviation in
25 carrying out the provisions of ORS 367.080 to 367.086.*]

26 “[2] (1) Except as provided in subsection [(1)] (2) of this section, the Department of Transpor-
27 tation shall administer all transportation projects that are selected under ORS 367.084. The de-
28 partment may use moneys from the Multimodal Transportation Fund to pay administrative costs
29 incurred by the department in carrying out the provisions of ORS 367.080 to 367.086.

30 “(2) **The Department of Transportation, in cooperation with the Oregon Department of
31 Aviation, shall administer aeronautic and airport transportation projects selected under ORS
32 367.084 for funding, using moneys from the Multimodal Transportation Fund. The Oregon
33 Department of Aviation may use moneys from the Multimodal Transportation Fund to pay
34 administrative costs incurred by the Oregon Department of Aviation in carrying out the
35 provisions of ORS 367.080 to 367.086.**

36 “**SECTION 8.** This 2013 Act being necessary for the immediate preservation of the public
37 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
38 on its passage.”.