

B-Engrossed
Senate Bill 260

Ordered by the Senate July 8
Including Senate Amendments dated April 4 and July 8

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Business, Transportation and Economic Development)

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.

[Authorizes issuance of lottery bonds for transportation projects funded from Multimodal Transportation Fund. Specifies allocation of lottery bond proceeds.]

Provides that qualifying bicycle and pedestrian projects may receive loans from Multimodal Transportation Fund.

Prohibits railroad company from receiving grant or loan from fund under certain circumstances.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Multimodal Transportation Fund; creating new provisions; amending ORS 367.080,
3 367.084 and 367.086; and declaring an emergency.

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

5 **SECTION 1.** ORS 367.080 is amended to read:

6 367.080. (1) As used in ORS 367.080 to 367.086, "transportation project" has the meaning given
7 that term in ORS 367.010.

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

12 (3) The department shall use moneys in the Multimodal Transportation Fund to provide grants
13 and loans for transportation projects as provided in ORS 367.080 to 367.086. Grants and loans may
14 be provided only for projects that involve one or more of the following modes of transportation:

15 (a) Air;

16 (b) Marine;

17 (c) Rail; *[and]*

18 (d) Public transit~~[.]~~; **and**

19 (e) **Bicycle and pedestrian.**

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

23 **SECTION 2.** ORS 367.084 is amended to read:

24 367.084. (1) The Oregon Transportation Commission shall select transportation projects to be
25 funded with moneys in the Multimodal Transportation Fund established by ORS 367.080.

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

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

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

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

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

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

12 (a) Whether a proposed transportation project reduces transportation costs for Oregon busi-
13 nesses or improves access to jobs and sources of labor;

14 (b) Whether a proposed transportation project results in an economic benefit to this state;

15 (c) Whether a proposed transportation project is a critical link connecting elements of Oregon's
16 transportation system that will measurably improve utilization and efficiency of the system;

17 (d) How much of the cost of a proposed transportation project can be borne by the applicant for
18 the grant or loan from any source other than the Multimodal Transportation Fund; and

19 (e) Whether a proposed transportation project is ready for construction.

20 **SECTION 3.** 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 **(1) The Department of Transportation, in cooperation with the Oregon Department of**
27 **Aviation, shall administer aeronautic and airport transportation projects selected under ORS**
28 **367.084 for funding with moneys in the Multimodal Transportation Fund. The Oregon De-**
29 **partment of Aviation may use moneys from the Multimodal Transportation Fund to pay ad-**
30 **ministrative costs incurred by the Oregon Department of Aviation in carrying out the**
31 **provisions of ORS 367.080 to 367.086.**

32 (2) Except as provided in subsection (1) of this section, the Department of Transportation shall
33 administer all transportation projects that are selected under ORS 367.084. The Department of
34 **Transportation** may use moneys from the Multimodal Transportation Fund to pay administrative
35 costs incurred by the Department of **Transportation** in carrying out the provisions of ORS 367.080
36 to 367.086.

37 **SECTION 4.** Section 5 of this 2013 Act is added to and made a part of ORS 824.200 to
38 **824.256.**

39 **SECTION 5.** (1) Notwithstanding ORS 367.082, a railroad company may not receive, di-
40 rectly or indirectly, a grant or loan of moneys from the Multimodal Transportation Fund
41 established in ORS 367.080 if the railroad company charges a landowner for an easement to
42 cross a railroad that is necessary for the landowner to access the landowner's property.

43 **(2)(a) This section applies only to a railroad company that operates a railroad located**
44 **wholly within the boundaries of Benton and Linn Counties.**

45 **(b) The provisions of this section do not apply to a railroad company that was imposing**

1 and collecting the charge before January 1, 2013.

2 (3) Rules adopted by the Department of Transportation under ORS 367.082 relating to
3 applications for grants or loans of moneys from the Multimodal Transportation Fund must
4 provide for notice to applicants of the restrictions imposed by this section.

5 (4) If the department determines that a railroad company has charged a landowner for
6 an easement in violation of this section, the department may not thereafter make any fur-
7 ther grants or loans of moneys from the Multimodal Transportation Fund that would benefit
8 the railroad company.

9 SECTION 6. Section 5 of this 2013 Act applies to all grants and loans of moneys from the
10 Multimodal Transportation Fund made on or after the effective date of this 2013 Act.

11 SECTION 7. This 2013 Act being necessary for the immediate preservation of the public
12 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
13 on its passage.

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