



Oregon

Kate Brown, Governor

Department of Transportation

Director's Office

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DATE: March 16, 2015

TO: Senate Committee on Business and Transportation

FROM: Paul Mather, Administrator
ODOT Highway Division

SUBJECT: SB 117—Task Force on Jurisdictional Transfers

INTRODUCTION

Senate Bill 117 creates a task force on jurisdictional transfers. The bill indicates the task force will evaluate and make recommendations on the potential to transfer state highways to cities or counties.

DISCUSSION

Across Oregon, state highways, city streets and county road ownership patterns reflect remnants of history rather than what makes sense for today's community needs. The Oregon Department of Transportation has many miles of state highways classified as regional and district highway that do not provide a significant statewide function. They appear to the public to be city streets or county roads and, in many cases, function as city streets or county roads of comparable importance to local communities as their locally owned routes. There are also limited instances of locally owned routes carrying a much higher burden of through traffic than a city or county would customarily be responsible for, and, based on their function, would be more appropriately the responsibility of ODOT. These situations make road authorities consider the option of transferring jurisdiction.

Under current law, ODOT, cities and counties may transfer control of state highways, city streets and county roads. In the past, the state highway system was built by transferring roads from local jurisdiction to ODOT. In recent years, ODOT has transferred the jurisdiction of a number of highways, including segments of Lafayette Avenue in McMinnville, US 97 in Bend, Sandy Boulevard in Portland and Boones Ferry Road in Tualatin. These transfers were from ODOT to local governments and included funding for the routes. A key advantage for local governments is local control of policy decisions such as driveway spacing, design and land use.

We consider a number of factors to determine whether a transfer may be appropriate, including whether a highway serves a statewide purpose, whether most of the trips are local, and whether a local government wants to make improvements to support economic development and livability objectives. However, while appropriate authority exists today, funding the transfer becomes a stumbling block. The distribution of money between the state highway system, county roads and city streets is not based on road miles or road function. There is little motivation for a receiving jurisdiction to assume ownership and maintenance responsibility before a road is repaired to a certain standard and without ongoing funding to maintain the road.

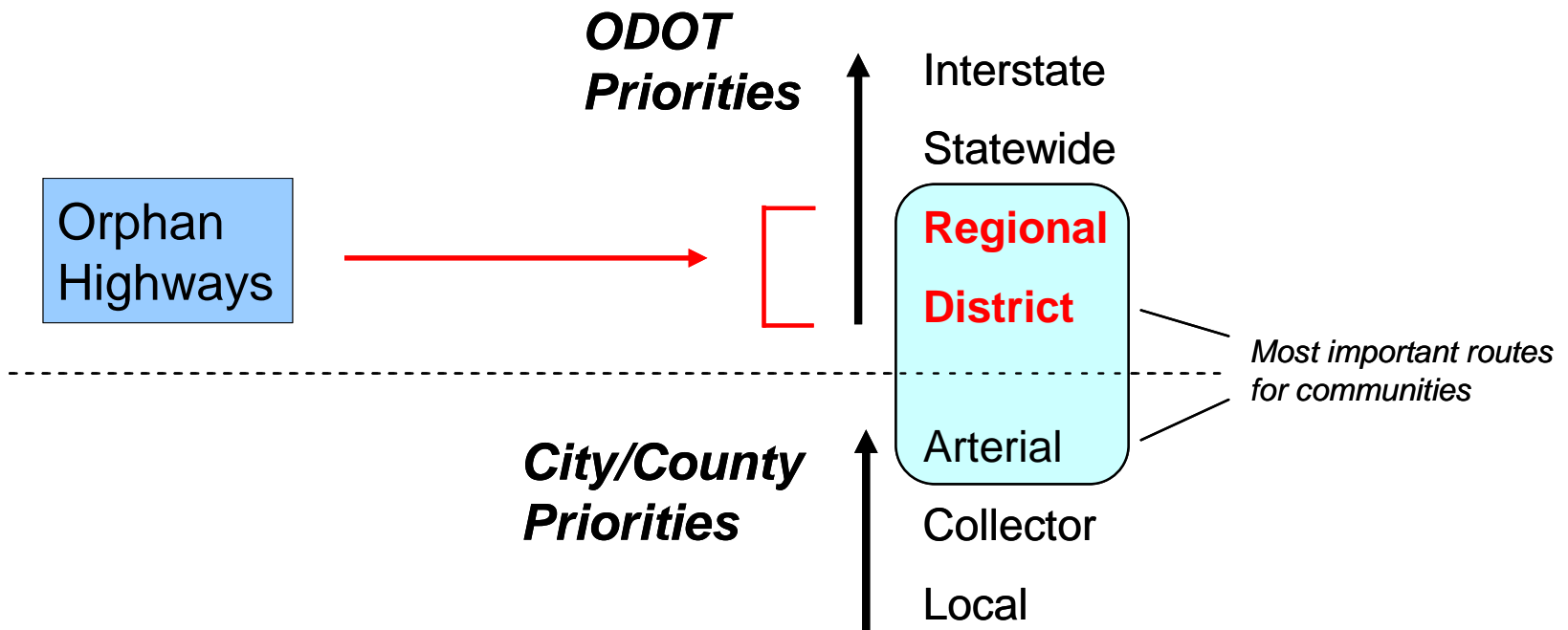
While we have not come up with specific criteria to screen potential jurisdictional transfers, transfers in growing communities seem to have the most advantages. We have found it best to evaluate each transfer individually to determine how the road functions and the options available to make the transfer beneficial to both parties. Some examples of segments under current discussion are shown on the attached maps.

SUMMARY

ODOT, counties and cities have statutory authority to transfer jurisdictional control over highways, roads, and streets. The department and local government make transfers from time to time and have ongoing discussions. The task force created by SB 117 provides a legislative forum for these discussions. ODOT welcomes the opportunity to engage in this conversation.

Attachment

Overall Approach



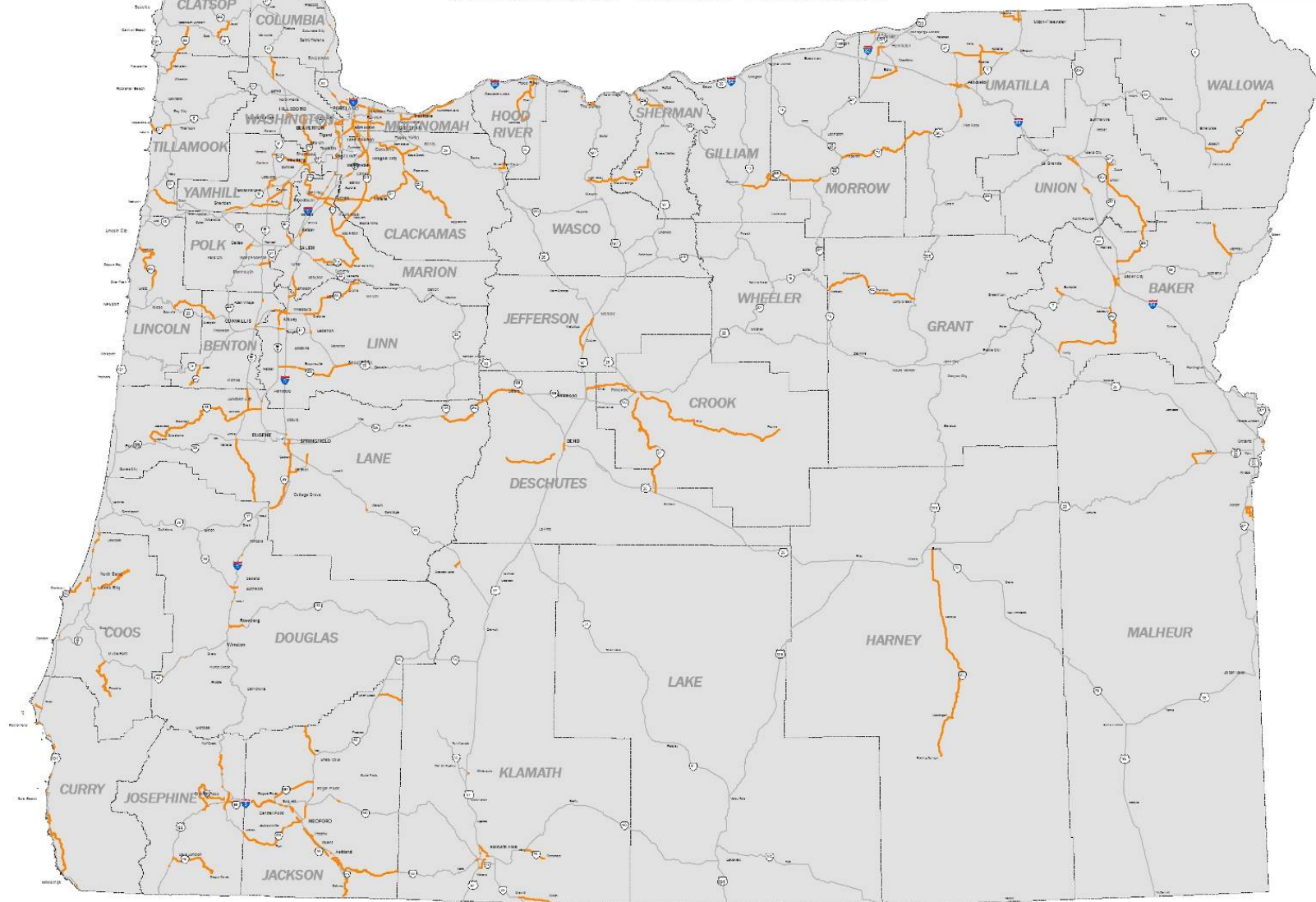


Oregon Department of Transportation

Jurisdictional Transfer Discussion

PRODUCED BY ODOT - GIS UNIT
 (503) 956-3154 - NOVEMBER 2012
 GIS No. 23-02

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Legend

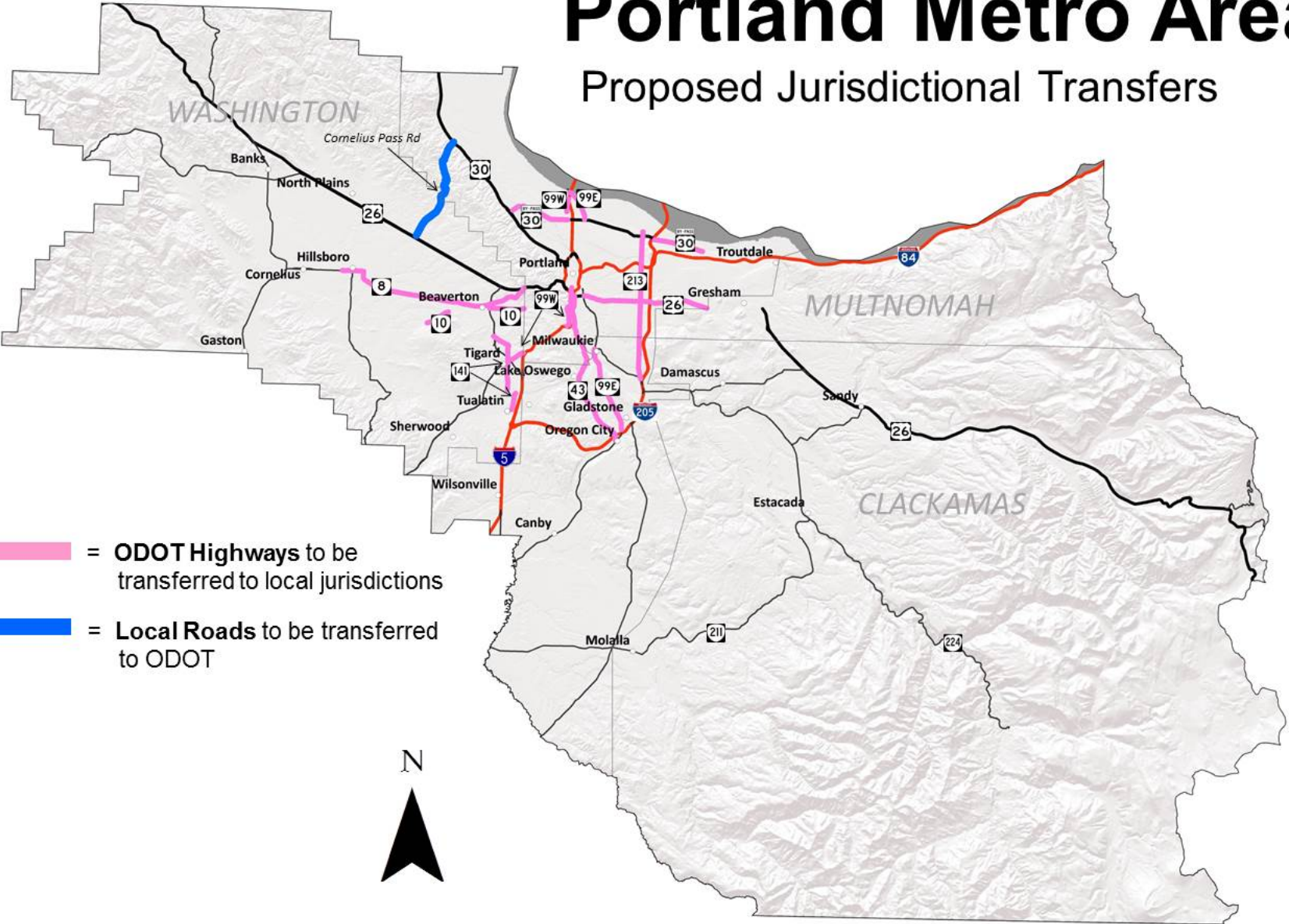
— Candidates for Jurisdictional Transfer — Highway

0 25 50 Miles



Portland Metro Area

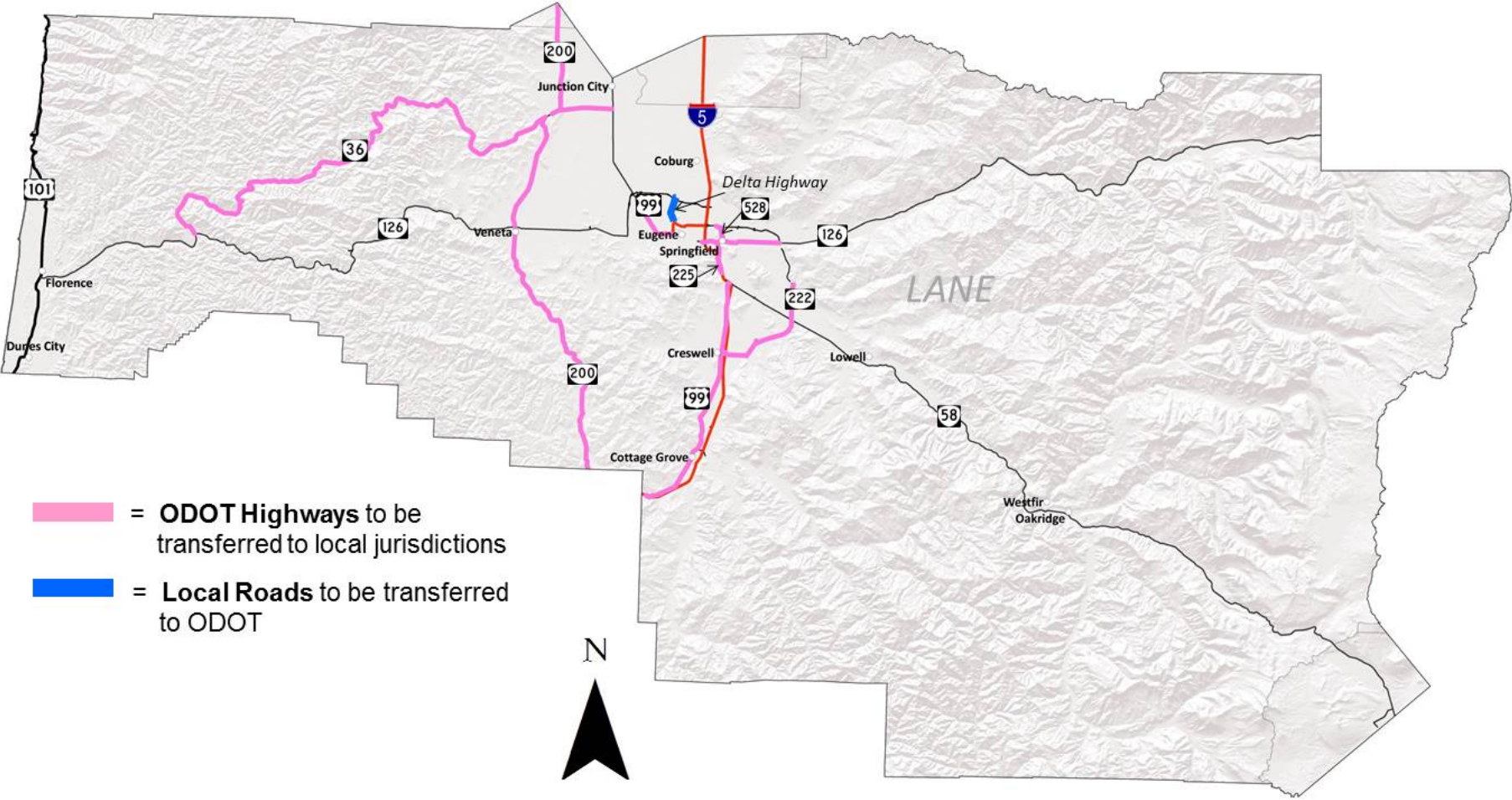
Proposed Jurisdictional Transfers



-  = **ODOT Highways** to be transferred to local jurisdictions
-  = **Local Roads** to be transferred to ODOT

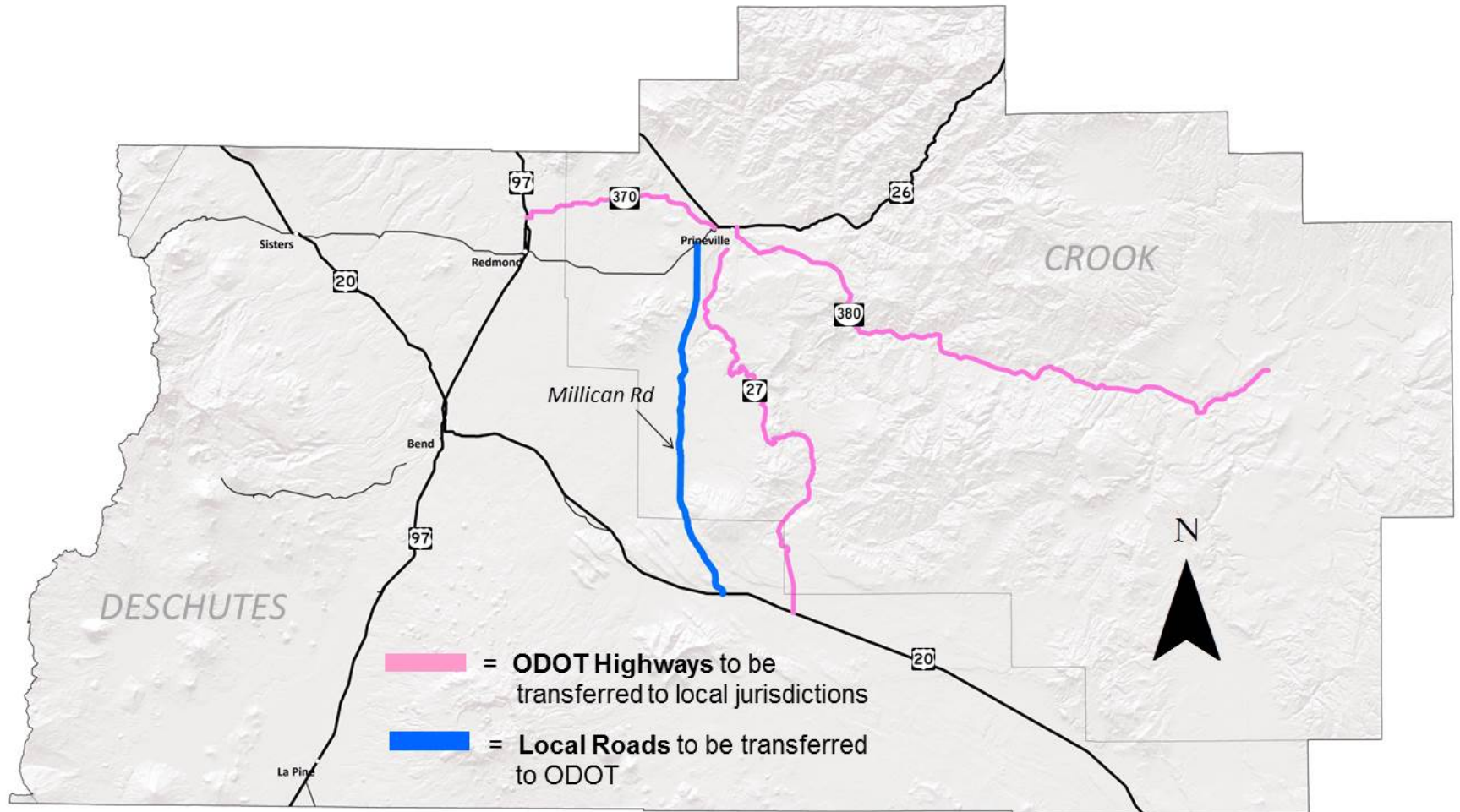
Lane County

Proposed Jurisdictional Transfers



Crook & Deschutes Counties

Proposed Jurisdictional Transfers



Klamath County

Proposed Jurisdictional Transfers

-  = **ODOT Highways** to be transferred to local jurisdictions
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