

Senate Bill 326

Sponsored by Senator BEYER (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**.

Expands highway modernization program to include transportation projects that transfer jurisdiction of certain highways between state and local governments.

A BILL FOR AN ACT

1
2 Relating to transferring jurisdiction of highways; creating new provisions; and amending ORS
3 366.507.

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

5 **SECTION 1.** ORS 366.507 is amended to read:

6 366.507. The Department of Transportation shall use an amount equal to the amount of moneys
7 in the State Highway Fund that becomes available for its use from the increase in tax rates created
8 by the amendments to ORS 319.020, 319.530, 825.476 and 825.480 by sections 1, 2 and 10 to 15,
9 chapter 209, Oregon Laws 1985, and an amount equal to one-third of the amount of moneys in the
10 State Highway Fund that becomes available for its use from any increase in tax rates created by
11 the amendments to ORS 319.020, 319.530, 825.476 and 825.480 by sections 5, 6 and 8 to 15, chapter
12 899, Oregon Laws 1987, and from any increase in tax rates that results from the provisions of
13 sections 16 and 17, chapter 899, Oregon Laws 1987, to establish and operate a state modernization
14 program for highways. The program established under this section and the use of moneys in the
15 program are subject to the following:

16 (1) The moneys may be used by the department to retire bonds that the department issues for
17 the modernization program under bonding authority of the department.

18 (2) The intent of the modernization program is to increase highway safety, to accelerate im-
19 provements from the backlog of needs on the state highways and to fund modernization of highways
20 and local roads to support economic development in Oregon. Projects both on and off the state
21 highway system are eligible.

22 (3) Projects to be implemented by the modernization program shall be selected by the Oregon
23 Transportation Commission. The criteria for selection of projects will be established after public
24 hearings that allow citizens an opportunity to review the criteria. The commission may use up to
25 one-half of moneys available under this section for modernization projects selected by the commis-
26 sion from a list of projects of statewide significance.

27 (4) In developing criteria for selection of projects, the commission shall consider the following:

28 (a) Projects must be of significance to the state highway system.

29 (b) Except for projects that are of statewide significance, projects must be equitably distributed
30 throughout Oregon.

31 (c) Projects may be on county or city arterial roads connecting to or supporting a state highway.

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 (d) Priority may be given to projects that make a meaningful contribution to increased highway
2 safety.

3 (e) Priority may also be given to projects that encourage economic development where:

4 (A) There is commitment by private industry to construct a facility.

5 (B) There is support from other state agencies.

6 (f) Priority may be given where there is local government or private sector financial partic-
7 ipation, or both, in the improvement in addition to improvements adjacent to the project.

8 (g) Priority may be given where there is strong local support.

9 **(h) Priority may be given to projects that facilitate high priority transfers as described**
10 **in section 2 of this 2015 Act.**

11 (5) Except as otherwise provided in this subsection, federal moneys or moneys from the State
12 Highway Fund other than those described in this section may be used for the modernization program
13 as long as the total amount used is equal to the amount described in this section. Federal moneys
14 that are appropriated by Congress for specific projects and federal moneys that are allocated by the
15 United States Department of Transportation for specific projects may not be used for the modern-
16 ization program under this section.

17 **SECTION 2. (1) As used in this section, "highway" has the meaning given that term in**
18 **ORS 801.305.**

19 **(2) The Oregon Transportation Commission shall develop criteria, in consultation with**
20 **cities and counties, to create and maintain a list of highways that would be best served by**
21 **transferring jurisdiction from the state to the appropriate city or county or from a city or**
22 **county to the state. In creating the list of potential highways for jurisdictional transfer, the**
23 **commission shall identify:**

24 **(a) State highways that primarily serve a role in the local highway system and no longer**
25 **primarily serve a role within the state highway system; and**

26 **(b) City streets and county roads that primarily serve a role within the state highway**
27 **system and no longer primarily serve a role in the local highway system.**

28 **(3) In consultation with the affected cities and counties, the commission shall determine**
29 **which of the highways on the list created under subsection (2) of this section are high pri-**
30 **ority transfers.**

31 **(4) Nothing in this section authorizes a jurisdictional transfer without agreement of the**
32 **parties affected by the transfer.**

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