

SB 202 STAFF MEASURE SUMMARY

Senate Committee On Finance and Revenue

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Meeting Dates: 3/8

WHAT THE MEASURE DOES:

Prohibits a city from imposing upon any public body, local government or local service district a license fee, privilege tax, rent or any other charge for the use of the city's rights of way in an amount that exceeds the city's actual costs directly related to administering the use for which the license fee, privilege tax, rent or other charge is imposed. Limitations apply to charges that are first imposed on or after effective date of act. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Public rights of way generally include areas above and below city streets, alleys and sidewalks. Most cities in Oregon have some kind of right of way management policy that controls how fees are charged for use of city's rights of ways. Users of rights of ways are generally charged for their use of the right of way. Utilities are common payers of rights of way charges, however, public users of rights of ways such as local governments are generally also subject to charge. Where franchise agreements exist, franchise fees are charged, in other instances a privilege tax or fee may be charged for use of the right of way.