

**A-Engrossed**  
**House Bill 2017**

Ordered by the House July 4  
Including House Amendments dated July 4

Sponsored by JOINT COMMITTEE ON TRANSPORTATION PRESERVATION AND MODERNIZATION

**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.

*[Requires Department of Transportation to study improving this state's transportation system.]*  
**Modifies and adds laws related to transportation.**  
*[Sunsets January 2, 2020.]*  
**Takes effect on 91st day following adjournment sine die.**

**A BILL FOR AN ACT**

1  
2 Relating to transportation; creating new provisions; amending ORS 184.610, 184.612, 184.615, 184.617,  
3 184.619, 184.620, 184.621, 184.633, 184.639, 184.649, 184.740, 184.888, 184.891, 305.992, 316.164,  
4 316.169, 316.189, 316.197, 316.202, 316.207, 316.212, 319.020, 319.415, 319.530, 319.885, 319.890,  
5 366.155, 366.462, 366.505, 366.752, 366.772, 366.805, 367.080, 367.082, 367.084, 367.086, 367.620,  
6 367.806, 374.328, 377.841, 468A.275, 646.932, 777.267, 801.041, 801.042, 802.110, 803.090, 803.350,  
7 803.415, 803.420, 803.445, 803.585, 803.645, 805.047, 805.103, 805.105, 805.115, 805.205, 805.222,  
8 805.255, 805.260, 805.263, 805.266, 805.278, 805.283, 818.225, 818.270, 822.043, 822.213, 825.450,  
9 825.476, 825.480 and 826.023 and section 2, chapter 823, Oregon Laws 2009, section 18, chapter  
10 30, Oregon Laws 2010, section 1, chapter 637, Oregon Laws 2015, section 7, chapter 700, Oregon  
11 Laws 2015, section 7, chapter 62, Oregon Laws 2017 (Enrolled House Bill 2149), and sections 31  
12 and 32, chapter \_\_\_, Oregon Laws 2017 (Enrolled House Bill 2290); repealing ORS 184.613,  
13 184.616, 184.618, 184.889 and 367.017 and section 17, chapter 63, Oregon Laws 2012, section 6,  
14 chapter 62, Oregon Laws 2017 (Enrolled House Bill 2149), and sections 3, 6, 6a, 10, 11, 12, 13,  
15 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, chapter \_\_\_, Oregon Laws 2017 (En-  
16 rolled House Bill 2290); prescribing an effective date; and providing for revenue raising that  
17 requires approval by a three-fifths majority.

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

19  
20 **ACCOUNTABILITY**  
21 **(Definitions)**  
22

23 **SECTION 1.** ORS 184.610 is amended to read:

24 184.610. As used in ORS 184.610 to 184.656, unless the context requires otherwise:

- 25 (1) "Commission" means the Oregon Transportation Commission.  
26 (2) "Department" means the Department of Transportation.  
27 (3) "Director" means the Director of Transportation.

**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 (4) "STIP" means the Statewide Transportation Improvement Program, which is a list of trans-  
2 portation projects that:

3 (a) Are to be implemented within four years following adoption or modification of the list;

4 (b) Are consistent with the long-range transportation plan developed pursuant to ORS [184.618  
5 and with metropolitan plans] 184.617; and

6 (c) Can be implemented with resources reasonably expected to be available.  
7

8 (Oregon Transportation Commission)  
9

10 **SECTION 2.** ORS 184.612 is amended to read:

11 184.612. (1) There is established the Oregon Transportation Commission consisting of five mem-  
12 bers appointed by the Governor, subject to confirmation by the Senate pursuant to section 4, Article  
13 III, Oregon Constitution. **A member serves at the pleasure of the Governor.**

14 (2) The Governor shall appoint members of the commission in compliance with all of the fol-  
15 lowing:

16 (a) Members shall be appointed with consideration of the different geographic regions of the  
17 state with one member being a resident of the area east of the Cascade Range.

18 (b) Not more than three members [shall] **who** belong to one political party. Party affiliation shall  
19 be determined by the appropriate entry on official election registration cards.

20 (3) **At the time of appointment, a member may not have any direct or indirect financial  
21 or fiduciary interest related to the commission's duties. If a conflict arises after a member's  
22 appointment, the member shall declare the conflict and abstain from deliberations and voting  
23 on the matter under consideration by the commission.**

24 [(2)] (4) The term of office of each member is four years. Before the expiration of the term of  
25 a member, the Governor shall appoint a successor whose term begins on July 1 next following. A  
26 member is eligible for reappointment. In case of a vacancy for any cause, the Governor shall appoint  
27 a person to fill the office for the unexpired term.

28 (5) **The Governor shall appoint one of the members as chairperson. The chairperson shall  
29 appoint one of the other members as vice chairperson. The chairperson and vice chairperson  
30 shall have such terms, duties and powers as the Oregon Transportation Commission deter-  
31 mines are necessary for the performance of such offices.**

32 (6) **A majority of the members of the commission constitutes a quorum. If a quorum is  
33 present at a meeting, the commission may take action by an affirmative vote by a majority  
34 of the members who are present. An individual member may not exercise individually any  
35 administrative authority with respect to the Department of Transportation.**

36 (7) **The commission shall meet at least quarterly, at a time and place determined by the  
37 commission. The commission shall also meet at such other times and places as are specified  
38 by the call of the chairperson or of a majority of the commission.**

39 (8) **A vacancy does not impair the right of the remaining members to exercise all the  
40 powers of the commission, except that three members of the commission must agree in the  
41 selection, vacation or abandonment of state highways, and in case the members are unable  
42 to agree the Governor shall have the right to vote as a member of the commission.**

43 (9) **The commission shall keep complete and accurate records of all the meetings, trans-  
44 actions and business of the commission at the office of the department.**

45 (10) **The commission may provide an official seal.**

1       **(11) The commission may hire staff the commission deems necessary to assist the com-**  
2 **mission in carrying out its duties. The staff shall be considered employees of the department**  
3 **for purposes of the State Personnel Relations Law under ORS chapter 240.**

4       [(3)] **(12) A member of the commission is entitled to compensation and expenses as provided by**  
5 **ORS 292.495.**

6       **NOTE:** Sections 3 and 4 were deleted by amendment. Subsequent sections were not renumbered.

7       **SECTION 5.** ORS 184.619 is amended to read:

8       184.619. In accordance with the applicable provisions of ORS chapter 183, the Oregon Trans-  
9 portation Commission:

10       (1) Shall adopt [*such*] **any** rules and orders as it considers necessary and proper in performing  
11 the functions vested by law in the commission.

12       **(2) Notwithstanding any other provisions of law, the commission has the power to adopt**  
13 **any rules, establish any policy or exercise any other duty, function or power if a statute**  
14 **gives such power to the Department of Transportation.**

15       **SECTION 6.** ORS 184.617 is amended to read:

16       184.617. (1) [*It is the function of*] The Oregon Transportation Commission [*to*] **shall:**

17       **(a)** Establish the policies for the operation of the Department of Transportation in a manner  
18 consistent with the policies and purposes of ORS 184.610 to 184.656.

19       **(b) Develop and maintain state transportation policies, including but not limited to poli-**  
20 **cies related to the management, construction and maintenance of highways and other**  
21 **transportation systems in Oregon, including but not limited to aviation, ports and rail.**

22       **(c) Develop and maintain a comprehensive, 20-year long-range plan for a safe, multimodal**  
23 **transportation system for the state which encompasses economic efficiency, orderly eco-**  
24 **nomical development and environmental quality. The comprehensive, long-range plan:**

25       **(A) Must include, but not be limited to, aviation, highways, mass transit, ports, rails and**  
26 **waterways; and**

27       **(B) Must be used by all agencies and officers to guide and coordinate transportation ac-**  
28 **tivities and to ensure transportation planning utilizes the potential of all existing and devel-**  
29 **oping modes of transportation.**

30       **(d) In coordination with the State Marine Board, the Oregon Business Development De-**  
31 **partment, the State Aviation Board, cities, counties, mass transit districts organized under**  
32 **ORS 267.010 to 267.390 and transportation districts organized under ORS 267.510 to 267.650,**  
33 **develop plans for each mode of transportation and multimodal plans for the movement of**  
34 **people and freight. Subject to paragraph (c) of this subsection, the plans must include a list**  
35 **of projects needed to maintain and develop the transportation infrastructure of this state for**  
36 **at least 20 years in the future.**

37       **(e) For the plans developed under paragraph (d) of this subsection, include a list of**  
38 **projects for at least 20 years into the future that are capable of being accomplished using**  
39 **the resources reasonably expected to be available. As the plans are developed by the com-**  
40 **mission, the Director of Transportation shall prepare and submit implementation programs**  
41 **to the commission for approval. Work approved by the commission to carry out the plans**  
42 **shall be assigned to the appropriate unit of the Department of Transportation or other ap-**  
43 **propriate public body, as defined in ORS 174.109.**

44       **(f) Initiate studies, as it deems necessary, to guide the director concerning the trans-**  
45 **portation needs of Oregon.**

1 (g) Prescribe the administrative practices followed by the director in the performance  
2 of any duty imposed on the director by law.

3 (h) Seek to enter into intergovernmental agreements with local governments and local  
4 service districts, as those terms are defined in ORS 174.116, to encourage cooperation be-  
5 tween the department and local governments and local service districts to maximize the ef-  
6 ficiency of transportation systems in Oregon.

7 (i) Review and approve the department's:

8 (A) Proposed transportation projects, as described in the Statewide Transportation Im-  
9 provement Program, and any significant transportation project modifications, as determined  
10 by the commission;

11 (B) Proposed budget form prior to the department submitting the form to the Oregon  
12 Department of Administrative Services under ORS 291.208;

13 (C) Anticipated capital construction requirements;

14 (D) Construction priorities; and

15 (E) Selection, vacation or abandonment of state highways.

16 (j) Adopt a statewide transportation strategy on greenhouse gas emissions to aid in  
17 achieving the greenhouse gas emissions reduction goals set forth in ORS 468A.205. The  
18 commission shall focus on reducing greenhouse gas emissions resulting from transportation.  
19 In developing the strategy, the commission shall consider state and federal programs, poli-  
20 cies and incentives related to reducing greenhouse gas emissions. The commission shall  
21 consult and cooperate with metropolitan planning organizations, other state agencies, local  
22 governments and stakeholders and shall actively solicit public review and comment in the  
23 development of the strategy.

24 (k) *[In addition, the commission shall]* Perform any other duty vested in it by law.

25 *[(2) The commission shall keep complete and accurate records of all the meetings, transactions and*  
26 *business of the commission at the office of the department.]*

27 *[(3)]* (2) The commission *[shall have]* **has** general power to **take any action necessary to** co-  
28 ordinate and administer programs relating to highways, motor carriers, motor vehicles, public  
29 transit, rail, transportation safety and such other programs related to transportation *[as may be as-*  
30 *signed by law to the department].*

31 (3) **The commission may require the director to furnish whatever reports, statistics, in-**  
32 **formation or assistance the commission may request in order to study the department or**  
33 **transportation-related issues.**

34 *[(4) The Department of Transportation shall be the recipient of all federal funds paid to or to be*  
35 *paid to the state to enable the state to provide the programs and services assigned to the department,*  
36 *except that the Oregon Department of Aviation shall be the recipient of all federal funds paid to or to*  
37 *be paid to the state to enable the state to provide aviation programs and services.]*

38 **SECTION 7. Sections 8 to 13 of this 2017 Act and ORS 366.150 are added to and made a**  
39 **part of ORS 184.610 to 184.656.**

40 **SECTION 8. Authority to enter into agreements.** (1) **The Oregon Transportation Com-**  
41 **mission may:**

42 (a) **Enter into any written agreement or any configuration of written agreements relating**  
43 **to any duty, function or service of the commission or the Department of Transportation,**  
44 **relating to transportation projects or transportation research with any private entity or unit**  
45 **of government or any configuration of private entities and units of government, as those**

1 terms are defined in ORS 367.802. The subject of agreements entered into under this section  
2 may include, but need not be limited to, planning, acquisition, financing, development, design,  
3 construction, reconstruction, replacement, improvement, maintenance, management, repair,  
4 leasing and operation of transportation projects or transportation research.

5 (b) Include in any agreement entered into under this section any financing mechanisms,  
6 including but not limited to the imposition and collection of user fees and the development  
7 or use of other revenue sources.

8 (2) The agreements among the public and private sector partners entered into under this  
9 section must specify at least the following:

10 (a) At what point in the transportation project or transportation research the public and  
11 private sector partners will enter the project or research and which partners will assume  
12 responsibility for specific project or research elements;

13 (b) How the partners will share management of the risks of the project or research;

14 (c) How the partners will share the costs of development of the project or research;

15 (d) How the partners will allocate financial responsibility for cost overruns;

16 (e) The penalties for nonperformance;

17 (f) The incentives for performance; and

18 (g) The accounting and auditing standards to be used to evaluate work on the project or  
19 research.

20 **SECTION 9. Real property inventory.** (1) The Oregon Transportation Commission shall  
21 compile and keep current an inventory of real property, in excess of the operating needs of,  
22 and owned by the Department of Transportation.

23 (2) The inventory must include the following, for each parcel of real property:

24 (a) A description of the real property and its current use.

25 (b) An evaluation of future plans for the real property.

26 (c) An assessment of the value of the real property.

27 (3) This section does not apply to real property within a highway right-of-way that is used  
28 by the public.

29 (4) The commission shall periodically review the inventory of real property. If the com-  
30 mission determines that a parcel of real property is not anticipated for use for transporta-  
31 tion purposes in the reasonably foreseeable future and that disposition of the real property  
32 by sale, lease or other means would result in a substantial net benefit to the state to carry  
33 out the purposes of Article IX, section 3a, of the Oregon Constitution, the commission shall  
34 direct the department to dispose of the real property in the manner provided by rule by the  
35 department.

36 **SECTION 10. Continuous Improvement Advisory Committee.** (1) The Oregon Transpor-  
37 tation Commission shall appoint a Continuous Improvement Advisory Committee composed  
38 of members of the commission, employees of the Department of Transportation and trans-  
39 portation stakeholders. The committee shall be of such size and representation as the com-  
40 mission determines appropriate.

41 (2) The committee shall:

42 (a) Advise the commission on ways to maximize the efficiency of the department to allow  
43 increased investment in the transportation system over the short, medium and long term.

44 (b) Develop key performance measures, based on desired outcomes, for each division of  
45 the department. The committee shall submit key performance measures to the commission

1 for its approval. The committee shall report to the commission at least once per year on the  
2 status of key performance measures and what steps are being taken by the department to  
3 achieve the goals of the key performance measures.

4 (3) The committee shall periodically report to the commission. The reports must include  
5 recommendations on ways the commission and the department may execute their duties  
6 more efficiently.

7 (4) Each odd-numbered year, the commission shall submit a report, in the manner pro-  
8 vided by ORS 192.245, to the Joint Committee on Transportation established under section  
9 26 of this 2017 Act. The report must include information on the activities and recommen-  
10 dations of the committee and information on any actions taken by the commission or the  
11 department to implement recommendations of the committee.

12 (5) The committee shall meet regularly, at times and places fixed by the chairperson of  
13 the committee or a majority of members of the committee. The department shall provide  
14 office space and personnel to assist the committee as requested by the chairperson, within  
15 the limits of available funds.

16 **SECTION 11. Describing condition of transportation infrastructure.** (1) The Oregon  
17 Transportation Commission shall develop a set of uniform standards, in coordination with  
18 counties and cities, for the consistent description and reporting of the condition of the  
19 transportation infrastructure owned by the state, counties and cities. The infrastructure  
20 described must include pavement and bridges.

21 (2) By February 1 of each odd-numbered year, every city and county shall submit a report  
22 covering the condition of its transportation infrastructure.

23 (3) The commission shall periodically review the condition of the transportation  
24 infrastructure owned by the state and the reports submitted under this section. The com-  
25 mission shall post the reports and the commission's review of the reports on the website  
26 described in section 12 of this 2017 Act.

27 (4) Notwithstanding ORS 366.762 to 366.768 or 366.785 to 366.820, any city or county failing  
28 to file a report under this section may not receive any payments from the State Highway  
29 Fund until the report is filed.

30 (5) Not later than April 1 of each odd-numbered year, the commission shall submit a re-  
31 port about the state of the transportation infrastructure of Oregon, including the transpor-  
32 tation infrastructure of cities and counties, to:

33 (a) The Legislative Assembly in the manner provided by ORS 192.245; and

34 (b) The Joint Committee on Transportation established under section 26 of this 2017 Act.

35 **SECTION 12. Website.** (1) The Oregon Transportation Commission, through the Depart-  
36 ment of Transportation, shall develop a website.

37 (2) The website must include:

38 (a) A list of all transportation projects in the Statewide Transportation Improvement  
39 Program and for each project the website must include:

40 (A) A description of the project and the project benefits;

41 (B) The estimated cost and estimated completion date;

42 (C) Updated information about the projects as they proceed, including the actual amount  
43 spent to date on the project; and

44 (D) After a project is completed, updated information, including the amount a project is  
45 under or over the original estimated cost and whether a project was completed by the ori-

1 ginal estimated completion date.

2 (b) Information on the reports required under ORS 366.774 and 366.790 for all cities and  
3 counties in the state, including the amount of transportation funds collected by each county  
4 and city and the source of the funds and the amount of money spent on transportation  
5 projects by type of expenditure as listed in ORS 366.774 (2) and 366.790 (2). This information  
6 shall be displayed for the most current six-year period.

7 (c) Information on the condition of Oregon's transportation infrastructure, as required  
8 under section 11 of this 2017 Act.

9 (d) Information about the results the audits performed pursuant to ORS 184.639.

10 (e) Links to all available county and city transportation project websites.

11 (f) Links to websites about transportation projects receiving moneys from the Connect  
12 Oregon Fund.

13 SECTION 12a. The information required under section 12 (2)(b) of this 2017 Act is re-  
14 quired only for years beginning on or after January 1, 2018. Nothing in this section precludes  
15 a city or county from providing additional information.

16 SECTION 13. Written analysis of costs and benefits of proposed transportation projects.

17 (1) As used in this section, "transportation project" means a project:

18 (a) That is a highway modernization transportation project or capacity building trans-  
19 portation project proposed for construction in the Statewide Transportation Improvement  
20 Program; and

21 (b) That is estimated to cost at least \$15 million.

22 (2) As a part of the project scoping phase, the Department of Transportation shall pre-  
23 pare a written analysis of the costs and benefits of a transportation project. The analysis  
24 must state:

25 (a) The scope of the project;

26 (b) The period of analysis;

27 (c) The discount rate used in the analysis;

28 (d) The estimated costs to the department to undertake the project, including any costs  
29 for design, purchasing highway right-of-way and construction;

30 (e) The future costs to the department to preserve and maintain the project, discounted  
31 to present value;

32 (f) Any other costs to the department;

33 (g) The costs to highway users that are associated with the project, including loss of  
34 safety, delays in the time of travel and additional expenses for operating vehicles;

35 (h) The costs of any environmental impacts, including vehicle emissions and noise; and

36 (i) The value of the benefits of the project, including the value of any:

37 (A) Savings in the time of travel;

38 (B) Improvements to safety;

39 (C) Savings in the cost of operating vehicles; and

40 (D) Other social, economic or environmental benefits of the project.

41 (3) The analysis required by this section:

42 (a) Must include a discussion of increases in costs that would result from delays in the  
43 performance of routine maintenance scheduled by the department;

44 (b) May include a discussion of:

45 (A) The costs of the project for any other persons and governmental agencies; and

1       **(B) Any costs or benefits which may result from the use of alternative design, con-**  
2 **struction or financing practices; and**

3       **(c) Must be prepared in a format that allows for the comparison of proposed transpor-**  
4 **tation projects.**

5       **(4) The analysis required by this section must be made available to the commission and**  
6 **the public when the agenda is posted for the meeting at which the proposal will be submitted**  
7 **to the commission for its approval.**

8       **(5) This section does not apply to transportation projects listed in section 71a, 71d, 71f**  
9 **or 120 of this 2017 Act.**

10       **SECTION 14.** ORS 184.621 is amended to read:

11       184.621. The Oregon Transportation Commission shall work with stakeholders to review and  
12 update the criteria used to select projects within the Statewide Transportation Improvement Pro-  
13 gram. When revising the project selection criteria the commission shall consider whether the  
14 project:

15       (1) Improves the state highway system or major access routes to the state highway system on  
16 the local road system to relieve congestion by expanding capacity, enhancing operations or other-  
17 wise improving travel times within high-congestion corridors.

18       (2) Enhances the safety of the traveling public by decreasing traffic crash rates, promoting the  
19 efficient movement of people and goods and preserving the public investment in the transportation  
20 system.

21       *[(3) Increases the operational effectiveness and reliability of the existing system by using techno-*  
22 *logical innovation, providing linkages to other existing components of the transportation system and*  
23 *relieving congestion.]*

24       *[(4) Is capable of being implemented to reduce the need for additional highway projects.]*

25       *[(5) Improves the condition, connectivity and capacity of freight-reliant infrastructure serving the*  
26 *state.]*

27       *[(6)]* **(3)** Supports improvements necessary for *[this state's]* **Oregon's** economic growth and  
28 competitiveness, accessibility to industries and economic development.

29       *[(7)]* **(4)** Provides the greatest benefit in relation to project costs **as analyzed under section**  
30 **13 of this 2017 Act.**

31       *[(8)]* **(5)** Fosters livable communities by demonstrating that the investment does not undermine  
32 sustainable urban development.

33       *[(9)]* **(6)** Enhances the value of transportation projects through designs and development that  
34 reflect environmental stewardship and community sensitivity.

35       *[(10)]* **(7)** Is consistent with the state's greenhouse gas emissions reduction goals and reduces  
36 *[this state's]* **Oregon's** dependence on foreign oil.

37       **(8) To the extent practicable, ensures that the state's transportation infrastructure is**  
38 **resilient in the event of a natural disaster.**

39       **(9) Is located near operations conducted for mining aggregate or processing aggregate**  
40 **as described in ORS 215.213 (2)(d) or 215.283 (2)(b).**

41       **SECTION 15.** ORS 184.639 is amended to read:

42       184.639. *[The Director of Transportation shall designate an internal auditor for the Department*  
43 *of Transportation who shall perform internal audits of the department and report findings to the di-*  
44 *rector.]*

45       **(1) The Oregon Transportation Commission, in consultation with the Director of Trans-**



1 portation, shall designate an internal auditor for the Department of Transportation. The  
2 internal auditor shall be an employee of the department and shall report to the director. The  
3 director may remove the internal auditor only after a majority vote of the commission ap-  
4 proves the removal.

5 (2) The internal auditor shall perform internal audits of the department, in accordance  
6 with ORS 184.360, including but not limited to the following:

7 (a) Audits that assess the financial integrity of the department;

8 (b) Audits to determine the efficiency and effectiveness of the operations of the depart-  
9 ment;

10 (c) Audits of contracts entered into by the department; and

11 (d) Any audits required by federal law that are delegated to the commission or the de-  
12 partment to perform.

13 (3) The internal auditor shall submit all final audit reports to the commission. After  
14 redacting from the audit reports information that is exempted from disclosure under ORS  
15 192.410 to 192.505, the commission shall have the reports posted on the website described in  
16 section 12 of this 2017 Act.

17 (4) The commission or the director may request that the internal auditor conduct specific  
18 audits as the commission or director deems necessary.

19 (5) The internal auditor, after considering input from the commission or the director,  
20 shall make the final determination on which audits to perform.

21 (6) The internal auditor may also audit third party arrangements entered into by the  
22 department.

23 **NOTE:** Sections 16 and 17 were deleted by amendment. Subsequent sections were not renum-  
24 bered.

25 **SECTION 18.** ORS 184.649 is amended to read:

26 184.649. The [*Department of Transportation*] **Oregon Transportation Commission** shall [*appear*  
27 *before*] **report on audits of the Department of Transportation** to the Joint Legislative Audit  
28 Committee established by ORS 171.580 **and to the Joint Committee on Transportation estab-**  
29 **lished by section 26 of this 2017 Act** at least once each biennium [*to report on internal audits and*  
30 *federal audits of the department*].

31  
32 **(Department of Transportation)**

33  
34 **SECTION 19.** ORS 184.615 is amended to read:

35 184.615. (1) The Department of Transportation is established.

36 [(2) *The Department of Transportation shall consist of the Director of Transportation and all per-*  
37 *sonnel employed in the department. Except as otherwise provided in subsections (4) and (5) of this*  
38 *section, for purposes of administration, subject to the approval of the Oregon Transportation Commis-*  
39 *sion, the director may organize and reorganize the department as the director considers necessary to*  
40 *properly conduct the work of the department.*]

41 [(3)] (2) The department shall **perform the following duties:**

42 (a) Carry out policies adopted by the [*commission*] **Oregon Transportation Commission** and  
43 all duties and responsibilities vested in it by law including, but not necessarily limited to, duties and  
44 responsibilities concerning drivers and motor vehicles, highways, motor carriers, public transit, rail  
45 and transportation safety.

1 (b) Provide strategic planning for statewide transportation systems to meet the trans-  
2 portation challenges to be faced by Oregon at least 20 years into the future.

3 (c) Promote coordination between different modes of transportation.

4 (d) Promote coordination of major transportation projects, as determined by the com-  
5 mission, between the state, cities and counties.

6 (e) Integrate governmental functions to reduce the costs incurred by this state in  
7 transportation matters.

8 (f) Obtain the greatest benefit from state, local and federal transportation expenditures.

9 (g) Maximize the state's prospects to obtain federal funds by responding to federal man-  
10 dates for multimodal transportation planning.

11 (h) To the extent practicable, ensure that the state's transportation infrastructure is  
12 resilient in the event of a natural disaster.

13 (3) The department shall be the recipient of all federal funds paid to or to be paid to the  
14 state to enable the state to provide the programs and services assigned to the department,  
15 except that the Oregon Department of Aviation shall be the recipient of all federal funds paid  
16 to or to be paid to the state to enable the state to provide aviation programs and services.

17 [(4) The director shall appoint an administrator for each area of critical concern to the department.  
18 The administrator shall be responsible for planning and operations in that area, for relationships be-  
19 tween the department and persons affected by the operations of the area, for advocacy of the area within  
20 the department planning and operations processes and for such other duties as may be provided by law.  
21 For purposes of this subsection, "area of critical concern" includes, but is not necessarily limited to,  
22 driver and motor vehicle services, highways, motor carriers, public transit, rail and transportation  
23 safety. In appointing administrators under this subsection, the director shall consider recommendations  
24 of any advisory committee interested in the area of responsibility. Administrators appointed under this  
25 subsection are in the unclassified service for purposes of the State Personnel Relations Law.]

26 [(5) Whenever a duty or function is specifically given by statute to the director, and that duty or  
27 function involves day-to-day operations of an area of critical concern to the department, the director  
28 shall delegate the duty or function to the administrator of the area of critical concern.]

29 **SECTION 20.** ORS 184.620 is amended to read:

30 184.620. (1) The Department of Transportation shall be under the supervision of a Director of  
31 Transportation [who shall be appointed by and shall hold office at the pleasure of the Governor]. **The**  
32 **Oregon Transportation Commission shall appoint the director, after consultation with the**  
33 **Governor. The director serves at the pleasure of the commission.**

34 (2) The appointment of the director shall be subject to confirmation by the Senate in the manner  
35 provided by ORS 171.562 and 171.565.

36 (3) The director may appoint:

37 (a) Deputy directors with full authority to act for the director, but subject to the director's  
38 control. The appointment of a deputy director shall be by written order filed with the Secretary of  
39 State. A deputy director shall be in the unclassified services for purposes of the State Personnel  
40 Relations Law.

41 [(b) One executive assistant for each deputy director appointed under this section and one for each  
42 administrator appointed under ORS 184.615 (4). Executive assistants appointed under this paragraph  
43 are in the unclassified service for purposes of the State Personnel Relations Law.]

44 [(c)] (b) All subordinate officers and employees of the department and may prescribe their duties,  
45 assignments and reassignments and fix their compensation, subject to any applicable provisions of

1 the State Personnel Relations Law.

2 **(4) Subject to the approval of the commission, the director may organize and reorganize**  
3 **the department as the director considers necessary to properly conduct the work of the de-**  
4 **partment. As directed by the chairperson of the commission, the director shall assign em-**  
5 **ployees of the department to staff the commission.**

6 **(5) When service of summons or other process is required by statute to be served on the**  
7 **Director of Transportation, the Department of Transportation or the Oregon Transportation**  
8 **Commission, such service shall be made upon the office of the director.**

9 NOTE: Sections 21 to 24 were deleted by amendment. Subsequent sections were not renumbered.

10 SECTION 25. ORS 184.633 is amended to read:

11 184.633. (1) Subject to policy direction by the Oregon Transportation Commission, the Director  
12 of Transportation shall:

13 (a) Be the administrative head of the Department of Transportation;

14 (b) Have power, within applicable budgetary limitations, and in accordance with ORS chapter  
15 240, to hire, assign, reassign and coordinate personnel of the department and prescribe their duties  
16 and fix their compensation, subject to the State Personnel Relations Law;

17 (c) Administer the laws of the state concerning transportation; [*and*]

18 (d) Intervene, as authorized by the commission, pursuant to the rules of practice and procedure,  
19 in the proceedings of state and federal agencies which may substantially affect the interest of the  
20 consumers and providers of transportation within Oregon[.]; **and**

21 **(e) Construct, coordinate and promote an integrated transportation system in cooper-**  
22 **ation with any city, county, district, port or private entity, as defined in ORS 367.802.**

23 (2) In addition to duties otherwise required by law, the director shall prescribe regulations for  
24 the government of the department, the conduct of its employees, the assignment and performance  
25 of its business and the custody, use and preservation of its records, papers and property in a manner  
26 consistent with applicable law.

27 (3) The director may delegate to any of the employees of the department the exercise or dis-  
28 charge in the director's name of any power, duty or function of whatever character, vested in or  
29 imposed by law upon the director, including powers, duties or functions delegated to the director  
30 by the commission pursuant to ORS 184.635. The official act of any such person so acting in the  
31 director's name and by the authority of the director shall be considered to be an official act of the  
32 director.

33 (4) The director shall have authority to require a fidelity bond of any officer or employee of the  
34 department who has charge of, handles or has access to any state money or property, and who is  
35 not otherwise required by law to give a bond. The amounts of the bond shall be fixed by the direc-  
36 tor, except as otherwise provided by law, and the sureties shall be approved by the director. The  
37 department shall pay the premiums on the bonds.

38 (5)(a) Subject to local government requirements and the provisions of ORS 197.830 to 197.845,  
39 the director may participate in and seek review of a land use decision or limited land use decision  
40 as defined in ORS 197.015, or an expedited land division as defined in ORS 197.360. The director  
41 shall report to the commission on each case in which the department participates and on the posi-  
42 tions taken by the director in each case.

43 (b) If a meeting of the commission is scheduled prior to the close of the period for seeking re-  
44 view of a land use decision, expedited land division or limited land use decision, the director shall  
45 obtain formal approval from the commission prior to seeking review of the decision. However, if the

1 land use decision, expedited land division or limited land use decision becomes final less than 15  
2 days before a meeting of the commission, the director shall proceed as provided in paragraph (c) of  
3 this subsection. If the director requests approval from the commission, the applicant and the affected  
4 local government shall be notified in writing that the director is seeking commission approval. The  
5 director, the applicant and the affected local government shall be given reasonable time to address  
6 the commission regarding the director's request for approval to seek review. No other testimony  
7 shall be taken by the commission.

8 (c) If a meeting of the commission is not scheduled prior to the close of the period for seeking  
9 review of a land use decision, expedited land division or limited land use decision, at the next  
10 commission meeting the director shall report to the commission on each case for which the depart-  
11 ment has sought review. The director shall request formal approval to proceed with each appeal.  
12 The applicant and the affected local government shall be notified of the commission meeting in  
13 writing by the director. The director, the applicant and the affected local government shall be given  
14 reasonable time to address the commission regarding the director's request for approval to proceed  
15 with the appeal. No other testimony shall be taken by the commission. If the commission does not  
16 formally approve an appeal, the director shall file a motion with the appropriate tribunal to dismiss  
17 the appeal.

18 (d) A decision by the commission under this subsection is not subject to appeal.

19 (e) For purposes of this subsection, "applicant" means a person seeking approval of a permit,  
20 as defined in ORS 215.402 or 227.160, expedited land division or limited land use decision.

21 (6) The director may intervene in an appeal of a land use decision brought by another person  
22 in the manner provided for an appeal by the director under subsection (5) of this section.

23  
24 **(Joint Committee on Transportation)**

25  
26 **SECTION 26. (1) There is established the Joint Committee on Transportation.**

27 **(2) The joint committee consists of members of the Senate appointed by President of**  
28 **Senate and members of the House of Representatives appointed by the Speaker of the House**  
29 **of Representatives.**

30 **(3) The President of the Senate shall appoint one cochair for the joint committee and the**  
31 **Speaker of the House of Representatives shall appoint one cochair for the joint committee**  
32 **with the duties and powers necessary for the performance of the functions of the offices as**  
33 **the President and the Speaker determine.**

34 **(4) The joint committee has a continuing existence and may meet, act and conduct its**  
35 **business during sessions of the Legislative Assembly or any recess thereof and in the interim**  
36 **between sessions.**

37 **(5) The term of a member shall expire upon the date of the convening of the odd-**  
38 **numbered year regular session of the Legislative Assembly next following the commence-**  
39 **ment of the member's term. When a vacancy occurs in the membership of the joint**  
40 **committee in the interim between odd-numbered year regular sessions, until such vacancy**  
41 **is filled, the membership of the joint committee shall be considered not to include the vacant**  
42 **position for the purpose of determining whether a quorum is present and a quorum is a**  
43 **majority of the remaining members.**

44 **(6) If there is a vacancy for any cause, the appointing authority shall make an appoint-**  
45 **ment to become immediately effective.**

1 (7) Members of the joint committee shall receive an amount equal to that authorized  
2 under ORS 171.072 from funds appropriated to the Legislative Assembly for each day spent  
3 in the performance of their duties as members of the joint committee or any subcommittee  
4 thereof in lieu of reimbursement for in-state travel expenses. However, when engaged in  
5 out-of-state travel, members shall be entitled to receive their actual and necessary expenses  
6 therefor in lieu of the amount authorized by this subsection. Payment shall be made from  
7 funds appropriated to the Legislative Assembly.

8 (8) The joint committee may not transact business unless a quorum is present. A quorum  
9 consists of a majority of joint committee members from the House of Representatives and  
10 a majority of joint committee members from the Senate.

11 (9) Action by the joint committee requires the affirmative vote of a majority of joint  
12 committee members from the House of Representatives and a majority of joint committee  
13 members from the Senate.

14 (10) The joint committee may adopt rules necessary for the operation of the joint com-  
15 mittee.

16 (11) The Legislative Policy and Research Director may employ persons necessary for the  
17 performance of the functions of the joint committee. The Legislative Policy and Research  
18 Director shall fix the duties and amounts of compensation of the employees. The joint  
19 committee shall use the services of continuing legislative staff, without employing additional  
20 persons, to the greatest extent practicable.

21 (12) All agencies of state government, as defined in ORS 174.111, are directed to assist  
22 the joint committee in the performance of the duties of the joint committee and, to the ex-  
23 tent permitted by laws relating to confidentiality, to furnish information and advice the  
24 members of the joint committee consider necessary to perform their duties.

25 SECTION 27. The Joint Committee on Transportation shall examine transportation re-  
26 lated policy and transportation project expenditures and make recommendations related to  
27 transportation to the Joint Committee on Ways and Means. The Joint Committee on Trans-  
28 portation shall provide general legislative oversight of the Department of Transportation.

29 SECTION 27a. (1) The Joint Committee on Transportation established under section 26  
30 of this 2017 Act shall study the adequacy of funding provided under this 2017 Act in meeting  
31 the transportation infrastructure requirements of this state.

32 (2) The joint committee must complete the study required under subsection (1) of this  
33 section before the date of adjournment sine die of the 2023 regular session of the Legislative  
34 Assembly.

35 SECTION 27b. Section 27a of this 2017 Act is repealed on January 2, 2024.

36 SECTION 27c. The Oregon Transportation Commission shall conduct a study and make  
37 a report on its findings to the Joint Committee on Transportation established under section  
38 26 of this 2017 Act and to the appropriate fiscal and policy committees or interim committees  
39 of the Legislative Assembly as follows:

40 (1) No later than February 1, 2018, the costs to complete the Interstate 205 Abernethy  
41 Bridge Project and the Interstate 205 Freeway Widening Project.

42 (2) No later than February 1, 2020, the costs to complete the Interstate 5 Rose Quarter  
43 Project.

44 SECTION 27d. Section 27c of this 2017 Act is repealed on June 30, 2020.

45 SECTION 27e. The Oregon Transportation Commission shall conduct a study and make

1 a report on its findings no later than January 1, 2020, to the Joint Committee on Transpor-  
2 tation established under section 26 of this 2017 Act on the costs to:

3 (1) Upgrade the portion of Southeast Powell Boulevard beginning where it intersects with  
4 Southeast 9th Avenue and ending where it intersects with Interstate 205; and

5 (2) Transfer the upgraded portion to the City of Portland.

6 SECTION 27f. Section 27e of this 2017 Act is repealed on June 30, 2020.

7  
8 (Conforming Amendments)

9  
10 SECTION 28. ORS 366.752 is amended to read:

11 366.752. (1) The following moneys shall be allocated as described in subsections (2) and (3) of this  
12 section:

13 (a) The amount attributable to the fee increases by the amendments to ORS 803.090 by section  
14 42, chapter 865, Oregon Laws 2009.

15 (b) The amount attributable to the fee increases by the amendments to ORS 803.420 by section  
16 43, chapter 865, Oregon Laws 2009.

17 (c) The amount attributable to the fee increases by the amendments to ORS 803.420 by section  
18 43a, chapter 865, Oregon Laws 2009.

19 (d) The amount attributable to the fee increases by the amendments to ORS 803.570 by section  
20 44, chapter 865, Oregon Laws 2009.

21 (e) The amount attributable to the fee increase by the amendments to ORS 803.645 by section  
22 44a, chapter 865, Oregon Laws 2009.

23 (f) The amount attributable to the increase in fees and tax rates by the amendments to ORS  
24 319.020, 319.530, 818.225, 825.476 and 825.480 by sections 48, 49 and 51 to 53, chapter 865, Oregon  
25 Laws 2009.

26 (2) The moneys described in subsection (1) of this section shall be allocated first in an amount  
27 of \$24 million per year in monthly installments to the Department of Transportation for the purposes  
28 described in the long-range plan developed pursuant to ORS [184.618] **184.617**. The remainder of the  
29 moneys shall be allocated as provided in subsection (3) of this section.

30 (3) The moneys described in subsection (1) of this section that remain after the allocation of  
31 moneys described in subsection (2) of this section shall be allocated as follows:

32 (a) 50 percent to the Department of Transportation.

33 (b) 30 percent to counties for distribution as provided in ORS 366.762.

34 (c) 20 percent to cities for distribution as provided in ORS 366.800.

35 (4) Except as provided in subsection (5) of this section, the moneys described in subsection (3)(a)  
36 of this section or equivalent amounts that become available to the Department of Transportation  
37 shall be allocated as follows:

38 (a) 33 percent for maintenance, preservation and safety of highways.

39 (b) 15.75 percent for the state modernization program for highways as described in ORS 366.507.

40 (c) 51.25 percent for the purposes described in ORS 367.620 (3)(c) and section 64, chapter 865,  
41 Oregon Laws 2009.

42 (5) The moneys allocated in subsection (4) of this section may be used to secure and pay bond  
43 debt service on Highway User Tax Bonds under ORS 367.615.

44 (6) For the purposes of this section:

45 (a) "Bond" has the meaning given that term in ORS 367.010.

1 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

2 **SECTION 28a.** ORS 184.888 is amended to read:

3 184.888. As used in ORS [184.889] **184.617**, 184.893, 184.895, 184.897 and 184.899, "metropolitan  
4 planning organization" has the meaning given that term in ORS 197.629.

5 **SECTION 28b.** ORS 184.891 is amended to read:

6 184.891. ORS [184.889] **184.617** does not limit the authority of an agency, as defined in ORS  
7 183.310, to regulate air contaminants.

8 **SECTION 29.** ORS 367.806 is amended to read:

9 367.806. (1) As part of the Oregon Innovative Partnerships Program established under ORS  
10 367.804, the Department of Transportation may:

11 (a) Enter into any agreement or any configuration of agreements relating to transportation  
12 projects with any private entity or unit of government or any configuration of private entities and  
13 units of government. The subject of agreements entered into under this section may include, but  
14 need not be limited to, planning, acquisition, financing, development, design, construction, recon-  
15 struction, replacement, improvement, maintenance, management, repair, leasing and operation of  
16 transportation projects.

17 (b) Include in any agreement entered into under this section any financing mechanisms, includ-  
18 ing but not limited to the imposition and collection of franchise fees or user fees and the develop-  
19 ment or use of other revenue sources.

20 (2) As part of the Oregon Innovative Partnerships Program established under ORS 367.804, the  
21 department shall enter into agreements to undertake transportation projects the subjects of which  
22 include the application of technology standards to determine whether to certify technology, the  
23 collection of metered use data, tax processing and account management, as these subjects relate to  
24 the operation of a road usage charge system pursuant to ORS 319.883 to 319.945.

25 (3) The agreements among the public and private sector partners entered into under this section  
26 must specify at least the following:

27 (a) At what point in the transportation project public and private sector partners will enter the  
28 project and which partners will assume responsibility for specific project elements;

29 (b) How the partners will share management of the risks of the project;

30 (c) How the partners will share the costs of development of the project;

31 (d) How the partners will allocate financial responsibility for cost overruns;

32 (e) The penalties for nonperformance;

33 (f) The incentives for performance;

34 (g) The accounting and auditing standards to be used to evaluate work on the project; and

35 (h) Whether the project is consistent with the plan developed by the Oregon Transportation  
36 Commission under ORS [184.618] **184.617** and any applicable regional transportation plans or local  
37 transportation system programs and, if not consistent, how and when the project will become con-  
38 sistent with applicable plans and programs.

39 (4) The department may, either separately or in combination with any other unit of government,  
40 enter into working agreements, coordination agreements or similar implementation agreements to  
41 carry out the joint implementation of any transportation project selected under ORS 367.804.

42 (5) Except for ORS 383.015, 383.017 (1), (2), (3) and (5) and 383.019, the provisions of ORS 383.003  
43 to 383.075 apply to any tollway project entered into under ORS 367.800 to 367.824.

44 (6) The provisions of ORS 279.835 to 279.855 and ORS chapters 279A, 279B and 279C do not  
45 apply to concepts or proposals submitted under ORS 367.804, or to agreements entered into under

1 this section, except that if public moneys are used to pay any costs of construction of public works  
2 that is part of a project, the provisions of ORS 279C.800 to 279C.870 apply to the public works. In  
3 addition, if public moneys are used to pay any costs of construction of public works that is part of  
4 a project, the construction contract for the public works must contain provisions that require the  
5 payment of workers under the contract in accordance with ORS 279C.540 and 279C.800 to 279C.870.

6 (7)(a) The department may not enter into an agreement under this section until the agreement  
7 is reviewed and approved by the Oregon Transportation Commission.

8 (b) The department may not enter into, and the commission may not approve, an agreement  
9 under this section for the construction of a public improvement as part of a transportation project  
10 unless the agreement provides for bonding, financial guarantees, deposits or the posting of other  
11 security to secure the payment of laborers, subcontractors and suppliers who perform work or pro-  
12 vide materials as part of the project.

13 (c) Before presenting an agreement to the commission for approval under this subsection, the  
14 department must consider whether to implement procedures to promote competition among subcon-  
15 tractors for any subcontracts to be let in connection with the transportation project. As part of its  
16 request for approval of the agreement, the department shall report in writing to the commission its  
17 conclusions regarding the appropriateness of implementing such procedures.

18 (8)(a) Except as provided in paragraph (b) of this subsection, documents, communications and  
19 information developed, exchanged or compiled in the course of negotiating an agreement with a  
20 private entity under this section are exempt from disclosure under ORS 192.410 to 192.505.

21 (b) The documents, communications or information described in paragraph (a) of this subsection  
22 are subject to disclosure under ORS 192.410 to 192.505 when the documents, communications or in-  
23 formation are submitted to the commission in connection with its review and approval of a trans-  
24 portation project under subsection (7) of this section.

25 (9) The terms of a final agreement entered into under this section and the terms of a proposed  
26 agreement presented to the commission for review and approval under subsection (7) of this section  
27 are subject to disclosure under ORS 192.410 to 192.505.

28 (10) As used in this section:

29 (a) "Public improvement" has the meaning given that term in ORS 279A.010.

30 (b) "Public works" has the meaning given that term in ORS 279C.800.

31 **SECTION 30.** ORS 374.328 is amended to read:

32 374.328. The Oregon Transportation Commission shall periodically review, not less often than  
33 every six years, the classification of state highways, including the designation of highway segments  
34 as expressways, as a part of its comprehensive, long-range transportation plan developed pursuant  
35 to ORS [184.618] **184.617** to ensure that the classifications for the highways and designations of ex-  
36 pressways are appropriate to their uses.

37  
38 **HIGHWAY MAINTENANCE, PRESERVATION AND**  
39 **SEISMIC UPGRADES**  
40 **(Vehicle Registration Fees, Title Fees and Fuel Taxes)**

41  
42 **SECTION 31.** Sections 32 and 37 of this 2017 Act are added to and made a part of the  
43 Oregon Vehicle Code.

44 **SECTION 32.** (1) As used in this section, "miles per gallon" or "MPG" means the distance  
45 traveled in a vehicle powered by one gallon of fuel.



1       **(2) The Department of Transportation shall determine the combined MPG ratings for**  
2 **each motor vehicle pursuant to a method determined by the department.**

3       **(3) Except as provided in ORS 319.890 (3), in addition to the registration fees prescribed**  
4 **under ORS 803.420 (6)(a), during the period beginning on January 1, 2018, and ending on De-**  
5 **cember 31, 2019, there shall be paid for each year of the registration period an additional**  
6 **amount of \$13.**

7       **(4) Except as provided in ORS 319.890 (3), in addition to the registration fees prescribed**  
8 **under ORS 803.420 (6)(a), during the period beginning on January 1, 2020, and ending on De-**  
9 **cember 31, 2021, there shall be paid for each year of the registration period, an additional**  
10 **amount as follows:**

11       **(a) For vehicles that have a rating of 0-19 MPG, \$18.**

12       **(b) For vehicles that have a rating of 20-39 MPG, \$23.**

13       **(c) For vehicles that have a rating of 40 MPG or greater, \$33.**

14       **(d) For electric vehicles, \$110.**

15       **SECTION 33.** Section 32 of this 2017 Act is amended to read:

16       **Sec. 32.** (1) As used in this section, “miles per gallon” or “MPG” means the distance traveled  
17 in a vehicle powered by one gallon of fuel.

18       (2) The Department of Transportation shall determine the combined MPG ratings for each motor  
19 vehicle pursuant to a method determined by the department.

20       *[(3) Except as provided in ORS 319.890 (3), in addition to the registration fees prescribed under*  
21 *ORS 803.420 (6)(a), during the period beginning on January 1, 2018, and ending on December 31, 2019,*  
22 *there shall be paid for each year of the registration period an additional amount of \$13.]*

23       *[(4) Except as provided in ORS 319.890 (3), in addition to the registration fees prescribed under*  
24 *ORS 803.420 (6)(a), during the period beginning on January 1, 2020, and ending on December 31, 2021,*  
25 *there shall be paid for each year of the registration period, an additional amount as follows:]*

26       *[(a) For vehicles that have a rating of 0-19 MPG, \$18.]*

27       *[(b) For vehicles that have a rating of 20-39 MPG, \$23.]*

28       *[(c) For vehicles that have a rating of 40 MPG or greater, \$33.]*

29       *[(d) For electric vehicles, \$110.]*

30       **(3) Except as provided in ORS 319.890 (3), in addition to the registration fees prescribed**  
31 **under ORS 803.420 (6)(a), there shall be paid for each year of the registration period, an ad-**  
32 **ditional amount as follows:**

33       **(a) For vehicles that have a rating of 0-19 MPG, \$20.**

34       **(b) For vehicles that have a rating of 20-39 MPG, \$25.**

35       **(c) For vehicles that have a rating of 40 MPG or greater, \$35.**

36       **(d) For electric vehicles, \$115.**

37       **SECTION 34.** ORS 803.420 is amended to read:

38       803.420. *[This section establishes registration fees for vehicles. If there is uncertainty as to the*  
39 *classification of a vehicle for purposes of the payment of registration fees under the vehicle code, the*  
40 *Department of Transportation may classify the vehicle to assure that registration fees for the vehicle*  
41 *are the same as for vehicles the department determines to be comparable. The registration fees for the*  
42 *vehicle shall be those based on the classification determined by the department. Except as otherwise*  
43 *provided in this section, or unless the vehicle is registered quarterly, the fees described in this section*  
44 *are for an entire registration period for the vehicle as described under ORS 803.415. The department*  
45 *shall apportion any fee under this section to reflect the number of quarters registered for a vehicle*

1 registered for a quarterly registration period under ORS 803.415. The fees are payable when a vehicle  
2 is registered and upon renewal of registration. Except as provided in ORS 801.041 (3) and 801.042 (7),  
3 the fee shall be increased by any amount established by the governing body of a county or by the  
4 governing body of a district, as defined in ORS 801.237, under ORS 801.041 or 801.042 as an addi-  
5 tional registration fee for the vehicle. The fees for registration of vehicles are as follows:]

6 (1) **The vehicle registration fees imposed under this section shall be based on the classi-**  
7 **fications determined by the Department of Transportation by rule. The department may**  
8 **classify a vehicle to ensure that registration fees for the vehicle are the same as for other**  
9 **vehicles the department determines to be comparable.**

10 (2) **Except as otherwise provided in this section, or unless the vehicle is registered**  
11 **quarterly, the fees described in this section are for an entire registration period for the ve-**  
12 **hicle as described under ORS 803.415. For a vehicle registered for a quarterly registration**  
13 **period under ORS 803.415, the department shall apportion any fee under this section to re-**  
14 **fect the number of quarters registered.**

15 (3) **Vehicle registration fees are due when a vehicle is registered and when the registered**  
16 **owner renews the registration.**

17 (4) **In addition to the registration fees listed in this section, a county or a district may**  
18 **impose an additional registration fee as provided under ORS 801.041 and 801.042.**

19 (5) **A rental or leasing company, as defined in ORS 221.275, that elects to initially register**  
20 **a vehicle for an annual or biennial registration period shall pay a fee of \$2 in addition to the**  
21 **vehicle registration fee provided under this section.**

22 (6) **The registration fees for each year of the registration period for vehicles subject to**  
23 **biennial registration are as follows:**

24 [(1)] (a) **Passenger** vehicles not otherwise provided for in this section or ORS 821.320, \$43 [for  
25 each year of the registration period].

26 (b) **Utility trailers or light trailers, as those terms are defined by rule by the department,**  
27 **\$58.**

28 [(2)] (c) **Mopeds and motorcycles, [\$24 for each year of the registration period.] \$39.**

29 [(3)] **Motorcycles, \$24 for each year of the registration period.]**

30 [(4)] **Government-owned vehicles registered under ORS 805.040, \$3.50.]**

31 [(5)] **State-owned vehicles registered under ORS 805.045, \$3.50 on registration or renewal.]**

32 [(6)] **Undercover vehicles registered under ORS 805.060, \$3.50 on registration or renewal.]**

33 (d) **Low-speed vehicles, \$58.**

34 (e) **Medium-speed electric vehicles, \$58.**

35 (7) **The registration fees for vehicles that are subject to biennial registration and that**  
36 **are listed in this subsection are as follows:**

37 (a) **State-owned vehicles registered under ORS 805.045 and undercover vehicles registered**  
38 **under ORS 805.060, \$10 upon registration or renewal.**

39 (b) **Fixed load vehicles:**

40 (A) **If a declaration of weight described under ORS 803.435 is submitted establishing the**  
41 **weight of the vehicle at 3,000 pounds or less, \$61.**

42 (B) **If no declaration of weight is submitted or if the weight of the vehicles is in excess**  
43 **of 3,000 pounds, \$82.**

44 (c) **Travel trailers, special use trailers, campers and motor homes, based on length as**  
45 **determined under ORS 803.425:**

1 (A) Trailers or campers that are 6 to 10 feet in length, \$81.

2 (B) Trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of length  
3 over the first 10 feet.

4 (C) Motor homes that are 6 to 14 feet in length, \$86.

5 (D) Motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over  
6 the first 10 feet.

7 (8) The registration fee for trailers for hire that are equipped with pneumatic tires made  
8 of an elastic material and that are not travel trailers or trailers registered under permanent  
9 registration is \$30.

10 (9) The registration fees for vehicles subject to ownership registration are as follows:

11 (a) Government-owned vehicles registered under ORS 805.040, \$5.

12 (b) Vehicles registered with special registration for disabled veterans under ORS 805.100  
13 or for former prisoners of war under ORS 805.110, \$15.

14 (c) School vehicles registered under ORS 805.050, \$5.

15 (10) The registration fees for vehicles subject to permanent registration are as follows:

16 [(7)] (a) Antique vehicles registered under ORS 805.010, [\$54] \$100.

17 [(8)] (b) Vehicles of special interest registered under ORS 805.020, [\$81] \$100.

18 (c) Racing activity vehicles registered under ORS 805.035, \$100.

19 (d) Trailers, \$10.

20 (11) The registration fee for trailers registered as part of a fleet under an agreement  
21 reached pursuant to ORS 802.500 is the same fee as the fee for vehicles of the same type  
22 registered under other provisions of the Oregon Vehicle Code.

23 (12) The registration fee for vehicles with proportional registration under ORS 826.009,  
24 or proportional fleet registration under ORS 826.011, is the same fee as the fee for vehicles  
25 of the same type under this section except that the fees shall be fixed on an apportioned  
26 basis as provided under the agreement established under ORS 826.007.

27 (13) In addition to any other registration fees charged for registration of vehicles in fleets  
28 under ORS 805.120, the department may charge the following fees:

29 (a) Service charge for each vehicle entered into a fleet, \$3.

30 (b) Service charge for each vehicle in the fleet at the time of renewal, \$2.

31 [(9) *Electric vehicles and hybrid vehicles that use electricity and another source of motive power,*  
32 *as follows:*]

33 [(a) *The registration fee for an electric or hybrid vehicle not otherwise described in this subsection*  
34 *is \$43 for each year of the registration period.*]

35 [(b) *The registration fee for electric or hybrid vehicles that have two or three wheels is \$43. This*  
36 *paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are subject to the*  
37 *same registration fee as otherwise provided for mopeds under this section.*]

38 [(c) *The registration fees for the following electric or hybrid vehicles are the same as for compa-*  
39 *rable nonelectric vehicles described in this section plus 50 percent of such fee:*]

40 [(A) *Motor homes.*]

41 [(B) *Commercial buses.*]

42 [(C) *Vehicles registered as farm vehicles under ORS 805.300.*]

43 [(D) *Vehicles required to establish registration weight under ORS 803.430 or 826.013.*]

44 [(10)] (14)(a)(A) **For the period beginning January 1, 2018, and ending December 31, 2019,**  
45 **the registration fee for motor vehicles required to establish a registration weight under ORS**

1 803.430 or 826.013, tow vehicles used to transport property for hire other than as described in ORS  
 2 822.210[,] and commercial buses[,] is as provided in the following chart, based upon the weight sub-  
 3 mitted in the declaration of weight prepared under ORS 803.435 or 826.015:

---

Weight in Pounds			Fee
8,000	or	less	\$ [55] <b>63</b>
8,001	to	10,000	[344] <b>396</b>
10,001	to	12,000	[391] <b>450</b>
12,001	to	14,000	[438] <b>504</b>
14,001	to	16,000	[485] <b>558</b>
16,001	to	18,000	[532] <b>612</b>
18,001	to	20,000	[593] <b>682</b>
20,001	to	22,000	[640] <b>736</b>
22,001	to	24,000	[703] <b>808</b>
24,001	to	26,000	[764] <b>879</b>
26,001	to	28,000	375
28,001	to	30,000	391
30,001	to	32,000	422
32,001	to	34,000	438
34,001	to	36,000	468
36,001	to	38,000	485
38,001	to	40,000	515
40,001	to	42,000	532
42,001	to	44,000	562
44,001	to	46,000	578
46,001	to	48,000	593
48,001	to	50,000	625
50,001	to	52,000	656
52,001	to	54,000	672
54,001	to	56,000	686
56,001	to	58,000	717
58,001	to	60,000	750
60,001	to	62,000	780
62,001	to	64,000	811
64,001	to	66,000	827
66,001	to	68,000	857
68,001	to	70,000	874
70,001	to	72,000	904
72,001	to	74,000	921
74,001	to	76,000	951
76,001	to	78,000	967
78,001	to	80,000	998
80,001	to	82,000	1,014
82,001	to	84,000	1,045

1	84,001	to	86,000	1,061
2	86,001	to	88,000	1,092
3	88,001	to	90,000	1,108
4	90,001	to	92,000	1,139
5	92,001	to	94,000	1,155
6	94,001	to	96,000	1,185
7	96,001	to	98,000	1,202
8	98,001	to	100,000	1,218
9	100,001	to	102,000	1,249
10	102,001	to	104,000	1,265
11	104,001	to	105,500	1,295

12

13

14 **(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, the**  
 15 **registration fee for motor vehicles required to establish a registration weight under ORS**  
 16 **803.430 or 826.013, tow vehicles used to transport property for hire other than as described**  
 17 **in ORS 822.210 and commercial buses is as provided in the following chart, based upon the**  
 18 **weight submitted in the declaration of weight prepared under ORS 803.435 or 826.015:**

19

20

21	<b>Weight in Pounds</b>		<b>Fee</b>	
22	<b>8,000</b>	<b>or less</b>	<b>\$</b>	<b>70</b>
23	<b>8,001</b>	<b>to 10,000</b>		<b>437</b>
24	<b>10,001</b>	<b>to 12,000</b>		<b>497</b>
25	<b>12,001</b>	<b>to 14,000</b>		<b>556</b>
26	<b>14,001</b>	<b>to 16,000</b>		<b>616</b>
27	<b>16,001</b>	<b>to 18,000</b>		<b>676</b>
28	<b>18,001</b>	<b>to 20,000</b>		<b>753</b>
29	<b>20,001</b>	<b>to 22,000</b>		<b>813</b>
30	<b>22,001</b>	<b>to 24,000</b>		<b>893</b>
31	<b>24,001</b>	<b>to 26,000</b>		<b>970</b>
32	<b>26,001</b>	<b>to 28,000</b>		<b>375</b>
33	<b>28,001</b>	<b>to 30,000</b>		<b>391</b>
34	<b>30,001</b>	<b>to 32,000</b>		<b>422</b>
35	<b>32,001</b>	<b>to 34,000</b>		<b>438</b>
36	<b>34,001</b>	<b>to 36,000</b>		<b>468</b>
37	<b>36,001</b>	<b>to 38,000</b>		<b>485</b>
38	<b>38,001</b>	<b>to 40,000</b>		<b>515</b>
39	<b>40,001</b>	<b>to 42,000</b>		<b>532</b>
40	<b>42,001</b>	<b>to 44,000</b>		<b>562</b>
41	<b>44,001</b>	<b>to 46,000</b>		<b>578</b>
42	<b>46,001</b>	<b>to 48,000</b>		<b>593</b>
43	<b>48,001</b>	<b>to 50,000</b>		<b>625</b>
44	<b>50,001</b>	<b>to 52,000</b>		<b>656</b>
45	<b>52,001</b>	<b>to 54,000</b>		<b>672</b>

1	<b>54,001</b>	<b>to</b>	<b>56,000</b>	<b>686</b>
2	<b>56,001</b>	<b>to</b>	<b>58,000</b>	<b>717</b>
3	<b>58,001</b>	<b>to</b>	<b>60,000</b>	<b>750</b>
4	<b>60,001</b>	<b>to</b>	<b>62,000</b>	<b>780</b>
5	<b>62,001</b>	<b>to</b>	<b>64,000</b>	<b>811</b>
6	<b>64,001</b>	<b>to</b>	<b>66,000</b>	<b>827</b>
7	<b>66,001</b>	<b>to</b>	<b>68,000</b>	<b>857</b>
8	<b>68,001</b>	<b>to</b>	<b>70,000</b>	<b>874</b>
9	<b>70,001</b>	<b>to</b>	<b>72,000</b>	<b>904</b>
10	<b>72,001</b>	<b>to</b>	<b>74,000</b>	<b>921</b>
11	<b>74,001</b>	<b>to</b>	<b>76,000</b>	<b>951</b>
12	<b>76,001</b>	<b>to</b>	<b>78,000</b>	<b>967</b>
13	<b>78,001</b>	<b>to</b>	<b>80,000</b>	<b>998</b>
14	<b>80,001</b>	<b>to</b>	<b>82,000</b>	<b>1,014</b>
15	<b>82,001</b>	<b>to</b>	<b>84,000</b>	<b>1,045</b>
16	<b>84,001</b>	<b>to</b>	<b>86,000</b>	<b>1,061</b>
17	<b>86,001</b>	<b>to</b>	<b>88,000</b>	<b>1,092</b>
18	<b>88,001</b>	<b>to</b>	<b>90,000</b>	<b>1,108</b>
19	<b>90,001</b>	<b>to</b>	<b>92,000</b>	<b>1,139</b>
20	<b>92,001</b>	<b>to</b>	<b>94,000</b>	<b>1,155</b>
21	<b>94,001</b>	<b>to</b>	<b>96,000</b>	<b>1,185</b>
22	<b>96,001</b>	<b>to</b>	<b>98,000</b>	<b>1,202</b>
23	<b>98,001</b>	<b>to</b>	<b>100,000</b>	<b>1,218</b>
24	<b>100,001</b>	<b>to</b>	<b>102,000</b>	<b>1,249</b>
25	<b>102,001</b>	<b>to</b>	<b>104,000</b>	<b>1,265</b>
26	<b>104,001</b>	<b>to</b>	<b>105,500</b>	<b>1,295</b>

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29 **[(11)(a)] (b)(A)(i) For the period beginning January 1, 2018, and ending December 31, 2019,**  
30 **the registration fee for** motor vehicles with a registration weight of more than 8,000 pounds that  
31 are described in ORS 825.015, that are operated by a charitable organization as defined in ORS  
32 825.017 (13), **is** as provided in the following chart:

33  
34

---

	Weight in Pounds		Fee
36	8,001 to 10,000	\$	[50] <b>64</b>
37	10,001 to 12,000		[60] <b>76</b>
38	12,001 to 14,000		[65] <b>83</b>
39	14,001 to 16,000		[75] <b>95</b>
40	16,001 to 18,000		[80] <b>102</b>
41	18,001 to 20,000		[90] <b>114</b>
42	20,001 to 22,000		[95] <b>121</b>
43	22,001 to 24,000		[105] <b>133</b>
44	24,001 to 26,000		[110] <b>140</b>
45	26,001 to 28,000		[120] <b>152</b>

1	28,001	to	30,000	[125] 159
2	30,001	to	32,000	[135] 171
3	32,001	to	34,000	[140] 178
4	34,001	to	36,000	[150] 191
5	36,001	to	38,000	[155] 197
6	38,001	to	40,000	[165] 210
7	40,001	to	42,000	[170] 216
8	42,001	to	44,000	[180] 229
9	44,001	to	46,000	[185] 235
10	46,001	to	48,000	[190] 241
11	48,001	to	50,000	[200] 254
12	50,001	to	52,000	[210] 267
13	52,001	to	54,000	[215] 273
14	54,001	to	56,000	[220] 279
15	56,001	to	58,000	[230] 292
16	58,001	to	60,000	[240] 305
17	60,001	to	62,000	[250] 318
18	62,001	to	64,000	[260] 330
19	64,001	to	66,000	[265] 337
20	66,001	to	68,000	[275] 349
21	68,001	to	70,000	[280] 356
22	70,001	to	72,000	[290] 368
23	72,001	to	74,000	[295] 375
24	74,001	to	76,000	[305] 387
25	76,001	to	78,000	[310] 394
26	78,001	to	80,000	[320] 406
27	80,001	to	82,000	[325] 413
28	82,001	to	84,000	[335] 425
29	84,001	to	86,000	[340] 432
30	86,001	to	88,000	[350] 445
31	88,001	to	90,000	[355] 451
32	90,001	to	92,000	[365] 464
33	92,001	to	94,000	[370] 470
34	94,001	to	96,000	[380] 483
35	96,001	to	98,000	[385] 489
36	98,001	to	100,000	[390] 495
37	100,001	to	102,000	[400] 508
38	102,001	to	104,000	[405] 514
39	104,001	to	105,500	[415] 527

40

41

42 (ii) For the period beginning on January 1, 2020, and ending on December 31, 2021, the  
43 registration fee for motor vehicles with a registration weight of more than 8,000 pounds that  
44 are described in ORS 825.015, that are operated by a charitable organization as defined in  
45 ORS 825.017 (13), is as provided in the following chart:

---

	<b>Weight in Pounds</b>	<b>Fee</b>
4	<b>8,001 to 10,000</b>	<b>\$ 68</b>
5	<b>10,001 to 12,000</b>	<b>81</b>
6	<b>12,001 to 14,000</b>	<b>88</b>
7	<b>14,001 to 16,000</b>	<b>101</b>
8	<b>16,001 to 18,000</b>	<b>108</b>
9	<b>18,001 to 20,000</b>	<b>122</b>
10	<b>20,001 to 22,000</b>	<b>128</b>
11	<b>22,001 to 24,000</b>	<b>142</b>
12	<b>24,001 to 26,000</b>	<b>149</b>
13	<b>26,001 to 28,000</b>	<b>162</b>
14	<b>28,001 to 30,000</b>	<b>169</b>
15	<b>30,001 to 32,000</b>	<b>182</b>
16	<b>32,001 to 34,000</b>	<b>189</b>
17	<b>34,001 to 36,000</b>	<b>203</b>
18	<b>36,001 to 38,000</b>	<b>209</b>
19	<b>38,001 to 40,000</b>	<b>223</b>
20	<b>40,001 to 42,000</b>	<b>230</b>
21	<b>42,001 to 44,000</b>	<b>243</b>
22	<b>44,001 to 46,000</b>	<b>250</b>
23	<b>46,001 to 48,000</b>	<b>257</b>
24	<b>48,001 to 50,000</b>	<b>270</b>
25	<b>50,001 to 52,000</b>	<b>284</b>
26	<b>52,001 to 54,000</b>	<b>290</b>
27	<b>54,001 to 56,000</b>	<b>297</b>
28	<b>56,001 to 58,000</b>	<b>311</b>
29	<b>58,001 to 60,000</b>	<b>324</b>
30	<b>60,001 to 62,000</b>	<b>338</b>
31	<b>62,001 to 64,000</b>	<b>351</b>
32	<b>64,001 to 66,000</b>	<b>358</b>
33	<b>66,001 to 68,000</b>	<b>371</b>
34	<b>68,001 to 70,000</b>	<b>378</b>
35	<b>70,001 to 72,000</b>	<b>392</b>
36	<b>72,001 to 74,000</b>	<b>398</b>
37	<b>74,001 to 76,000</b>	<b>412</b>
38	<b>76,001 to 78,000</b>	<b>419</b>
39	<b>78,001 to 80,000</b>	<b>432</b>
40	<b>80,001 to 82,000</b>	<b>439</b>
41	<b>82,001 to 84,000</b>	<b>452</b>
42	<b>84,001 to 86,000</b>	<b>459</b>
43	<b>86,001 to 88,000</b>	<b>473</b>
44	<b>88,001 to 90,000</b>	<b>479</b>
45	<b>90,001 to 92,000</b>	<b>493</b>



1	<b>92,001 to 94,000</b>	<b>500</b>
2	<b>94,001 to 96,000</b>	<b>513</b>
3	<b>96,001 to 98,000</b>	<b>520</b>
4	<b>98,001 to 100,000</b>	<b>527</b>
5	<b>100,001 to 102,000</b>	<b>540</b>
6	<b>102,001 to 104,000</b>	<b>547</b>
7	<b>104,001 to 105,500</b>	<b>560</b>

8

9

10        **[(b)] (B)(i) For the period beginning January 1, 2018, and ending December 31, 2019, the**  
 11 **registration fee for** motor vehicles with a registration weight of more than 8,000 pounds that are  
 12 certified under ORS 822.205, unless the motor *[vehicle is]* **vehicles are** registered under *[subsection*  
 13 *(10)] paragraph (a)* of this *[section]* **subsection**, or that are used exclusively to transport manufac-  
 14 tured structures, **is** as provided in the following chart:

15

16

17	Weight in Pounds	Fee
18	8,001 to 10,000	\$ <del>[102]</del> <b>130</b>
19	10,001 to 12,000	<del>[122]</del> <b>155</b>
20	12,001 to 14,000	<del>[132]</del> <b>168</b>
21	14,001 to 16,000	<del>[153]</del> <b>194</b>
22	16,001 to 18,000	<del>[163]</del> <b>207</b>
23	18,001 to 20,000	<del>[183]</del> <b>232</b>
24	20,001 to 22,000	<del>[193]</del> <b>245</b>
25	22,001 to 24,000	<del>[214]</del> <b>272</b>
26	24,001 to 26,000	<del>[224]</del> <b>284</b>
27	26,001 to 28,000	<del>[244]</del> <b>310</b>
28	28,001 to 30,000	<del>[255]</del> <b>324</b>
29	30,001 to 32,000	<del>[275]</del> <b>349</b>
30	32,001 to 34,000	<del>[285]</del> <b>362</b>
31	34,001 to 36,000	<del>[306]</del> <b>389</b>
32	36,001 to 38,000	<del>[316]</del> <b>401</b>
33	38,001 to 40,000	<del>[336]</del> <b>427</b>
34	40,001 to 42,000	<del>[346]</del> <b>439</b>
35	42,001 to 44,000	<del>[367]</del> <b>466</b>
36	44,001 to 46,000	<del>[377]</del> <b>479</b>
37	46,001 to 48,000	<del>[387]</del> <b>491</b>
38	48,001 to 50,000	<del>[407]</del> <b>517</b>
39	50,001 to 52,000	<del>[428]</del> <b>544</b>
40	52,001 to 54,000	<del>[438]</del> <b>556</b>
41	54,001 to 56,000	<del>[448]</del> <b>569</b>
42	56,001 to 58,000	<del>[468]</del> <b>594</b>
43	58,001 to 60,000	<del>[489]</del> <b>621</b>
44	60,001 to 62,000	<del>[509]</del> <b>646</b>
45	62,001 to 64,000	<del>[530]</del> <b>673</b>

1	64,001	to	66,000	[540] 686
2	66,001	to	68,000	[560] 711
3	68,001	to	70,000	[570] 724
4	70,001	to	72,000	[591] 751
5	72,001	to	74,000	[601] 763
6	74,001	to	76,000	[621] 789
7	76,001	to	78,000	[631] 801
8	78,001	to	80,000	[652] 828
9	80,001	to	82,000	[662] 841
10	82,001	to	84,000	[682] 866
11	84,001	to	86,000	[692] 879
12	86,001	to	88,000	[713] 906
13	88,001	to	90,000	[723] 918
14	90,001	to	92,000	[743] 944
15	92,001	to	94,000	[754] 958
16	94,001	to	96,000	[774] 983
17	96,001	to	98,000	[784] 996
18	98,001	to	100,000	[794] 1,008
19	100,001	to	102,000	[815] 1,035
20	102,001	to	104,000	[825] 1,048
21	104,001	to	105,500	[845] 1,073

22

23

24 (ii) For the period beginning on January 1, 2020, and ending on December 31, 2021, the  
 25 registration fee for motor vehicles with a registration weight of more than 8,000 pounds that  
 26 are certified under ORS 822.205, unless the motor vehicles are registered under paragraph  
 27 (a) of this subsection, or that are used exclusively to transport manufactured structures, is  
 28 as provided in the following chart:

29

30

31	Weight in Pounds		Fee
32	8,001	to 10,000	\$ 138
33	10,001	to 12,000	165
34	12,001	to 14,000	178
35	14,001	to 16,000	207
36	16,001	to 18,000	220
37	18,001	to 20,000	247
38	20,001	to 22,000	261
39	22,001	to 24,000	289
40	24,001	to 26,000	302
41	26,001	to 28,000	329
42	28,001	to 30,000	344
43	30,001	to 32,000	371
44	32,001	to 34,000	385
45	34,001	to 36,000	413

1	<b>36,001</b>	<b>to</b>	<b>38,000</b>	<b>427</b>
2	<b>38,001</b>	<b>to</b>	<b>40,000</b>	<b>454</b>
3	<b>40,001</b>	<b>to</b>	<b>42,000</b>	<b>467</b>
4	<b>42,001</b>	<b>to</b>	<b>44,000</b>	<b>495</b>
5	<b>44,001</b>	<b>to</b>	<b>46,000</b>	<b>509</b>
6	<b>46,001</b>	<b>to</b>	<b>48,000</b>	<b>522</b>
7	<b>48,001</b>	<b>to</b>	<b>50,000</b>	<b>549</b>
8	<b>50,001</b>	<b>to</b>	<b>52,000</b>	<b>578</b>
9	<b>52,001</b>	<b>to</b>	<b>54,000</b>	<b>591</b>
10	<b>54,001</b>	<b>to</b>	<b>56,000</b>	<b>605</b>
11	<b>56,001</b>	<b>to</b>	<b>58,000</b>	<b>632</b>
12	<b>58,001</b>	<b>to</b>	<b>60,000</b>	<b>660</b>
13	<b>60,001</b>	<b>to</b>	<b>62,000</b>	<b>687</b>
14	<b>62,001</b>	<b>to</b>	<b>64,000</b>	<b>716</b>
15	<b>64,001</b>	<b>to</b>	<b>66,000</b>	<b>729</b>
16	<b>66,001</b>	<b>to</b>	<b>68,000</b>	<b>756</b>
17	<b>68,001</b>	<b>to</b>	<b>70,000</b>	<b>770</b>
18	<b>70,001</b>	<b>to</b>	<b>72,000</b>	<b>798</b>
19	<b>72,001</b>	<b>to</b>	<b>74,000</b>	<b>811</b>
20	<b>74,001</b>	<b>to</b>	<b>76,000</b>	<b>838</b>
21	<b>76,001</b>	<b>to</b>	<b>78,000</b>	<b>852</b>
22	<b>78,001</b>	<b>to</b>	<b>80,000</b>	<b>880</b>
23	<b>80,001</b>	<b>to</b>	<b>82,000</b>	<b>894</b>
24	<b>82,001</b>	<b>to</b>	<b>84,000</b>	<b>921</b>
25	<b>84,001</b>	<b>to</b>	<b>86,000</b>	<b>934</b>
26	<b>86,001</b>	<b>to</b>	<b>88,000</b>	<b>963</b>
27	<b>88,001</b>	<b>to</b>	<b>90,000</b>	<b>976</b>
28	<b>90,001</b>	<b>to</b>	<b>92,000</b>	<b>1,003</b>
29	<b>92,001</b>	<b>to</b>	<b>94,000</b>	<b>1,018</b>
30	<b>94,001</b>	<b>to</b>	<b>96,000</b>	<b>1,045</b>
31	<b>96,001</b>	<b>to</b>	<b>98,000</b>	<b>1,058</b>
32	<b>98,001</b>	<b>to</b>	<b>100,000</b>	<b>1,072</b>
33	<b>100,001</b>	<b>to</b>	<b>102,000</b>	<b>1,100</b>
34	<b>102,001</b>	<b>to</b>	<b>104,000</b>	<b>1,114</b>
35	<b>104,001</b>	<b>to</b>	<b>105,500</b>	<b>1,141</b>

36

37

38        [(c)] (C) The owner of a vehicle described in [paragraphs (a) and (b) of this subsection] **subpar-**  
39 **agraph (A) or (B) of this paragraph** must certify at the time of initial registration, in a manner  
40 determined by the department by rule, that the motor vehicle will be used exclusively to transport  
41 manufactured structures or exclusively as described in ORS 822.210, unless the motor vehicle is  
42 registered under [subsection (10) of this section] **paragraph (a) of this subsection**, or as described  
43 in ORS 825.015 or 825.017 (13). Registration of a vehicle described in [paragraphs (a) and (b) of this  
44 subsection] **subparagraph (A) or (B) of this paragraph** is invalid if the vehicle is operated in any  
45 manner other than that described in the certification under this [paragraph] **subparagraph**.

1 (c)(A) For the period beginning on January 1, 2018, and ending on December 31, 2019,  
 2 subject to paragraph (d) of this subsection, the registration fee for motor vehicles registered  
 3 as farm vehicles under ORS 805.300 is as provided in the following chart, based upon the  
 4 registration weight given in the declaration of weight submitted under ORS 803.435:  
 5

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Weight in Pounds			Fee
8	8,000	or less	\$ 44
9	8,001	to 10,000	58
10	10,001	to 12,000	67
11	12,001	to 14,000	86
12	14,001	to 16,000	97
13	16,001	to 18,000	116
14	18,001	to 20,000	126
15	20,001	to 22,000	145
16	22,001	to 24,000	154
17	24,001	to 26,000	174
18	26,001	to 28,000	183
19	28,001	to 30,000	202
20	30,001	to 32,000	212
21	32,001	to 34,000	231
22	34,001	to 36,000	241
23	36,001	to 38,000	260
24	38,001	to 40,000	271
25	40,001	to 42,000	290
26	42,001	to 44,000	298
27	44,001	to 46,000	319
28	46,001	to 48,000	328
29	48,001	to 50,000	347
30	50,001	to 52,000	357
31	52,001	to 54,000	366
32	54,001	to 56,000	386
33	56,001	to 58,000	405
34	58,001	to 60,000	414
35	60,001	to 62,000	424
36	62,001	to 64,000	443
37	64,001	to 66,000	462
38	66,001	to 68,000	472
39	68,001	to 70,000	483
40	70,001	to 72,000	502
41	72,001	to 74,000	511
42	74,001	to 76,000	531
43	76,001	to 78,000	540
44	78,001	to 80,000	559
45	80,001	to 82,000	569

1	<b>82,001</b>	<b>to</b>	<b>84,000</b>	<b>588</b>
2	<b>84,001</b>	<b>to</b>	<b>86,000</b>	<b>598</b>
3	<b>86,001</b>	<b>to</b>	<b>88,000</b>	<b>617</b>
4	<b>88,001</b>	<b>to</b>	<b>90,000</b>	<b>626</b>
5	<b>90,001</b>	<b>to</b>	<b>92,000</b>	<b>646</b>
6	<b>92,001</b>	<b>to</b>	<b>94,000</b>	<b>655</b>
7	<b>94,001</b>	<b>to</b>	<b>96,000</b>	<b>674</b>
8	<b>96,001</b>	<b>to</b>	<b>98,000</b>	<b>685</b>
9	<b>98,001</b>	<b>to</b>	<b>100,000</b>	<b>704</b>
10	<b>100,001</b>	<b>to</b>	<b>102,000</b>	<b>714</b>
11	<b>102,001</b>	<b>to</b>	<b>104,000</b>	<b>733</b>
12	<b>104,001</b>	<b>to</b>	<b>105,500</b>	<b>743</b>

13

14

15 **(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, subject**  
 16 **to paragraph (d) of this subsection, the registration fee for motor vehicles registered as farm**  
 17 **vehicles under ORS 805.300 is as provided in the following chart, based upon the registration**  
 18 **weight given in the declaration of weight submitted under ORS 803.435:**

19

20

	<b>Weight in Pounds</b>		<b>Fee</b>
21			
22	<b>8,000</b>	<b>or less</b>	<b>\$ 47</b>
23	<b>8,001</b>	<b>to 10,000</b>	<b>62</b>
24	<b>10,001</b>	<b>to 12,000</b>	<b>72</b>
25	<b>12,001</b>	<b>to 14,000</b>	<b>92</b>
26	<b>14,001</b>	<b>to 16,000</b>	<b>103</b>
27	<b>16,001</b>	<b>to 18,000</b>	<b>123</b>
28	<b>18,001</b>	<b>to 20,000</b>	<b>134</b>
29	<b>20,001</b>	<b>to 22,000</b>	<b>154</b>
30	<b>22,001</b>	<b>to 24,000</b>	<b>163</b>
31	<b>24,001</b>	<b>to 26,000</b>	<b>185</b>
32	<b>26,001</b>	<b>to 28,000</b>	<b>194</b>
33	<b>28,001</b>	<b>to 30,000</b>	<b>215</b>
34	<b>30,001</b>	<b>to 32,000</b>	<b>225</b>
35	<b>32,001</b>	<b>to 34,000</b>	<b>246</b>
36	<b>34,001</b>	<b>to 36,000</b>	<b>257</b>
37	<b>36,001</b>	<b>to 38,000</b>	<b>277</b>
38	<b>38,001</b>	<b>to 40,000</b>	<b>288</b>
39	<b>40,001</b>	<b>to 42,000</b>	<b>308</b>
40	<b>42,001</b>	<b>to 44,000</b>	<b>317</b>
41	<b>44,001</b>	<b>to 46,000</b>	<b>339</b>
42	<b>46,001</b>	<b>to 48,000</b>	<b>348</b>
43	<b>48,001</b>	<b>to 50,000</b>	<b>369</b>
44	<b>50,001</b>	<b>to 52,000</b>	<b>379</b>
45	<b>52,001</b>	<b>to 54,000</b>	<b>389</b>

1	<b>54,001</b>	<b>to</b>	<b>56,000</b>	<b>410</b>
2	<b>56,001</b>	<b>to</b>	<b>58,000</b>	<b>431</b>
3	<b>58,001</b>	<b>to</b>	<b>60,000</b>	<b>440</b>
4	<b>60,001</b>	<b>to</b>	<b>62,000</b>	<b>451</b>
5	<b>62,001</b>	<b>to</b>	<b>64,000</b>	<b>471</b>
6	<b>64,001</b>	<b>to</b>	<b>66,000</b>	<b>491</b>
7	<b>66,001</b>	<b>to</b>	<b>68,000</b>	<b>502</b>
8	<b>68,001</b>	<b>to</b>	<b>70,000</b>	<b>513</b>
9	<b>70,001</b>	<b>to</b>	<b>72,000</b>	<b>533</b>
10	<b>72,001</b>	<b>to</b>	<b>74,000</b>	<b>543</b>
11	<b>74,001</b>	<b>to</b>	<b>76,000</b>	<b>564</b>
12	<b>76,001</b>	<b>to</b>	<b>78,000</b>	<b>574</b>
13	<b>78,001</b>	<b>to</b>	<b>80,000</b>	<b>594</b>
14	<b>80,001</b>	<b>to</b>	<b>82,000</b>	<b>605</b>
15	<b>82,001</b>	<b>to</b>	<b>84,000</b>	<b>625</b>
16	<b>84,001</b>	<b>to</b>	<b>86,000</b>	<b>636</b>
17	<b>86,001</b>	<b>to</b>	<b>88,000</b>	<b>656</b>
18	<b>88,001</b>	<b>to</b>	<b>90,000</b>	<b>666</b>
19	<b>90,001</b>	<b>to</b>	<b>92,000</b>	<b>687</b>
20	<b>92,001</b>	<b>to</b>	<b>94,000</b>	<b>697</b>
21	<b>94,001</b>	<b>to</b>	<b>96,000</b>	<b>717</b>
22	<b>96,001</b>	<b>to</b>	<b>98,000</b>	<b>728</b>
23	<b>98,001</b>	<b>to</b>	<b>100,000</b>	<b>748</b>
24	<b>100,001</b>	<b>to</b>	<b>102,000</b>	<b>759</b>
25	<b>102,001</b>	<b>to</b>	<b>104,000</b>	<b>779</b>
26	<b>104,001</b>	<b>to</b>	<b>105,500</b>	<b>790</b>

27  
28

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**(d) For any vehicle that is registered under a quarterly registration period, the registration fee is a minimum of \$15 for each quarter registered plus an additional fee of \$2.**

31 *[(12) Trailers registered under permanent registration, \$10.]*

32 *[(13) Fixed load vehicles as follows:]*

33 *[(a) If a declaration of weight described under ORS 803.435 is submitted establishing the weight of the vehicle at 3,000 pounds or less, \$54.]*

35 *[(b) If no declaration of weight is submitted or if the weight of the vehicle is in excess of 3,000 pounds, \$75.]*

37 *[(14) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that are not travel trailers or trailers registered under permanent registration, \$27.]*

39 *[(15) Trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500, the same as the fee for vehicles of the same type registered under other provisions of the Oregon Vehicle Code.]*

42 *[(16) Travel trailers, campers and motor homes as follows, based on length as determined under ORS 803.425:]*

44 *[(a) For travel trailers or campers that are 6 to 10 feet in length, \$81.]*

45 *[(b) For travel trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of*

1 *length over the first 10 feet.]*

2 *[(c) For motor homes that are 6 to 14 feet in length, \$54.]*

3 *[(d) For motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over the*  
 4 *first 10 feet.]*

5 *[(17) Special use trailers as follows, based on length as determined under ORS 803.425:]*

6 *[(a) For lengths 6 to 10 feet, \$54.]*

7 *[(b) For special use trailers over 10 feet in length, \$54 plus \$3 a foot for each foot of length over*  
 8 *the first 10 feet.]*

9 *[(18) Fees for vehicles with proportional registration under ORS 826.009, or proportioned fleet*  
 10 *registration under ORS 826.011, are as provided for vehicles of the same type under this section except*  
 11 *that the fees shall be fixed on an apportioned basis as provided under the agreement established under*  
 12 *ORS 826.007.]*

13 *[(19) For any vehicle that is registered under a quarterly registration period, a minimum of \$15 for*  
 14 *each quarter registered plus an additional fee of \$1.]*

15 *[(20) In addition to any other fees charged for registration of vehicles in fleets under ORS 805.120,*  
 16 *the department may charge the following fees:]*

17 *[(a) A \$2 service charge for each vehicle entered into a fleet.]*

18 *[(b) A \$1 service charge for each vehicle in the fleet at the time of renewal.]*

19 *[(21) The registration fee for vehicles with special registration for disabled veterans under ORS*  
 20 *805.100 is a fee of \$15.]*

21 *[(22) Subject to subsection (19) of this section, the registration fee for motor vehicles registered as*  
 22 *farm vehicles under ORS 805.300 is as follows based upon the registration weight given in the decla-*  
 23 *ration of weight submitted under ORS 803.435:]*

24 [ \_\_\_\_\_ ]

25

<i>Weight in Pounds</i>	<i>Fee</i>
<i>8,000 or less</i>	<i>\$ 35</i>
<i>8,001 to 10,000</i>	<i>46</i>
<i>10,001 to 12,000</i>	<i>53</i>
<i>12,001 to 14,000</i>	<i>68</i>
<i>14,001 to 16,000</i>	<i>76</i>
<i>16,001 to 18,000</i>	<i>91</i>
<i>18,001 to 20,000</i>	<i>99</i>
<i>20,001 to 22,000</i>	<i>114</i>
<i>22,001 to 24,000</i>	<i>121</i>
<i>24,001 to 26,000</i>	<i>137</i>
<i>26,001 to 28,000</i>	<i>144</i>
<i>28,001 to 30,000</i>	<i>159</i>
<i>30,001 to 32,000</i>	<i>167</i>
<i>32,001 to 34,000</i>	<i>182</i>
<i>34,001 to 36,000</i>	<i>190</i>
<i>36,001 to 38,000</i>	<i>205</i>
<i>38,001 to 40,000</i>	<i>213</i>
<i>40,001 to 42,000</i>	<i>228</i>
<i>42,001 to 44,000</i>	<i>235</i>

1	44,001	to	46,000	251
2	46,001	to	48,000	258
3	48,001	to	50,000	273
4	50,001	to	52,000	281
5	52,001	to	54,000	288
6	54,001	to	56,000	304
7	56,001	to	58,000	319
8	58,001	to	60,000	326
9	60,001	to	62,000	334
10	62,001	to	64,000	349
11	64,001	to	66,000	364
12	66,001	to	68,000	372
13	68,001	to	70,000	380
14	70,001	to	72,000	395
15	72,001	to	74,000	402
16	74,001	to	76,000	418
17	76,001	to	78,000	425
18	78,001	to	80,000	440
19	80,001	to	82,000	448
20	82,001	to	84,000	463
21	84,001	to	86,000	471
22	86,001	to	88,000	486
23	88,001	to	90,000	493
24	90,001	to	92,000	509
25	92,001	to	94,000	516
26	94,001	to	96,000	531
27	96,001	to	98,000	539
28	98,001	to	100,000	554
29	100,001	to	102,000	562
30	102,001	to	104,000	577
31	104,001	to	105,500	585

32 [ \_\_\_\_\_ ]

33

34 [(23) *The registration fee for school vehicles registered under ORS 805.050 is \$7.50.*]

35 [(24) *The registration fee for a low-speed vehicle is \$43, for each year of the registration period.*]

36 [(25) *A rental or leasing company, as defined in ORS 221.275, that elects to initially register a*  
 37 *vehicle for an annual or biennial registration period shall pay a fee of \$1 in addition to the vehicle*  
 38 *registration fee provided under this section.*]

39 [(26) *Racing activity vehicles registered under ORS 805.035, \$81.*]

40 [(27) *Medium-speed electric vehicles, \$43 for each year of the registration period.*]

41 **SECTION 35.** ORS 803.420, as amended by section 34 of this 2017 Act, is amended to read:

42 803.420. (1) The vehicle registration fees imposed under this section shall be based on the clas-  
 43 sifications determined by the Department of Transportation by rule. The department may classify a  
 44 vehicle to ensure that registration fees for the vehicle are the same as for other vehicles the de-  
 45 partment determines to be comparable.



1 (2) Except as otherwise provided in this section, or unless the vehicle is registered quarterly,  
2 the fees described in this section are for an entire registration period for the vehicle as described  
3 under ORS 803.415. For a vehicle registered for a quarterly registration period under ORS 803.415,  
4 the department shall apportion any fee under this section to reflect the number of quarters regis-  
5 tered.

6 (3) Vehicle registration fees are due when a vehicle is registered and when the registered owner  
7 renews the registration.

8 (4) In addition to the registration fees listed in this section, a county or a district may impose  
9 an additional registration fee as provided under ORS 801.041 and 801.042.

10 (5) A rental or leasing company, as defined in ORS 221.275, that elects to initially register a  
11 vehicle for an annual or biennial registration period shall pay a fee of \$2 in addition to the vehicle  
12 registration fee provided under this section.

13 (6) The registration fees for each year of the registration period for vehicles subject to biennial  
14 registration are as follows:

15 (a) Passenger vehicles not otherwise provided for in this section or ORS 821.320, \$43.

16 (b) Utility trailers or light trailers, as those terms are defined by rule by the department, [~~\$58~~]  
17 **\$63**.

18 (c) Mopeds and motorcycles, [~~\$39~~] **\$44**.

19 (d) Low-speed vehicles, [~~\$58~~] **\$63**.

20 (e) Medium-speed electric vehicles, [~~\$58~~] **\$63**.

21 (7) The registration fees for vehicles that are subject to biennial registration and that are listed  
22 in this subsection are as follows:

23 (a) State-owned vehicles registered under ORS 805.045 and undercover vehicles registered under  
24 ORS 805.060, \$10 upon registration or renewal.

25 (b) Fixed load vehicles:

26 (A) If a declaration of weight described under ORS 803.435 is submitted establishing the weight  
27 of the vehicle at 3,000 pounds or less, \$61.

28 (B) If no declaration of weight is submitted or if the weight of the vehicles is in excess of 3,000  
29 pounds, \$82.

30 (c) Travel trailers, special use trailers, campers and motor homes, based on length as determined  
31 under ORS 803.425:

32 (A) Trailers or campers that are 6 to 10 feet in length, \$81.

33 (B) Trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of length over  
34 the first 10 feet.

35 (C) Motor homes that are 6 to 14 feet in length, \$86.

36 (D) Motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over the  
37 first 10 feet.

38 (8) The registration fee for trailers for hire that are equipped with pneumatic tires made of an  
39 elastic material and that are not travel trailers or trailers registered under permanent registration  
40 is \$30.

41 (9) The registration fees for vehicles subject to ownership registration are as follows:

42 (a) Government-owned vehicles registered under ORS 805.040, \$5.

43 (b) Vehicles registered with special registration for disabled veterans under ORS 805.100 or for  
44 former prisoners of war under ORS 805.110, \$15.

45 (c) School vehicles registered under ORS 805.050, \$5.

(10) The registration fees for vehicles subject to permanent registration are as follows:

- (a) Antique vehicles registered under ORS 805.010, \$100.
- (b) Vehicles of special interest registered under ORS 805.020, \$100.
- (c) Racing activity vehicles registered under ORS 805.035, \$100.
- (d) Trailers, \$10.

(11) The registration fee for trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500 is the same fee as the fee for vehicles of the same type registered under other provisions of the Oregon Vehicle Code.

(12) The registration fee for vehicles with proportional registration under ORS 826.009, or proportional fleet registration under ORS 826.011, is the same fee as the fee for vehicles of the same type under this section except that the fees shall be fixed on an apportioned basis as provided under the agreement established under ORS 826.007.

(13) In addition to any other registration fees charged for registration of vehicles in fleets under ORS 805.120, the department may charge the following fees:

- (a) Service charge for each vehicle entered into a fleet, \$3.
- (b) Service charge for each vehicle in the fleet at the time of renewal, \$2.

*[(14)(a)(A) For the period beginning January 1, 2018, and ending December 31, 2019, the registration fee for motor vehicles required to establish a registration weight under ORS 803.430 or 826.013, tow vehicles used to transport property for hire other than as described in ORS 822.210 and commercial buses is as provided in the following chart, based upon the weight submitted in the declaration of weight prepared under ORS 803.435 or 826.015:]*

[ \_\_\_\_\_ ]

<i>Weight in Pounds</i>	<i>Fee</i>
<i>8,000 or less</i>	<i>\$ 63</i>
<i>8,001 to 10,000</i>	<i>396</i>
<i>10,001 to 12,000</i>	<i>450</i>
<i>12,001 to 14,000</i>	<i>504</i>
<i>14,001 to 16,000</i>	<i>558</i>
<i>16,001 to 18,000</i>	<i>612</i>
<i>18,001 to 20,000</i>	<i>682</i>
<i>20,001 to 22,000</i>	<i>736</i>
<i>22,001 to 24,000</i>	<i>808</i>
<i>24,001 to 26,000</i>	<i>879</i>
<i>26,001 to 28,000</i>	<i>375</i>
<i>28,001 to 30,000</i>	<i>391</i>
<i>30,001 to 32,000</i>	<i>422</i>
<i>32,001 to 34,000</i>	<i>438</i>
<i>34,001 to 36,000</i>	<i>468</i>
<i>36,001 to 38,000</i>	<i>485</i>
<i>38,001 to 40,000</i>	<i>515</i>
<i>40,001 to 42,000</i>	<i>532</i>
<i>42,001 to 44,000</i>	<i>562</i>
<i>44,001 to 46,000</i>	<i>578</i>
<i>46,001 to 48,000</i>	<i>593</i>

1	48,001	to	50,000	625
2	50,001	to	52,000	656
3	52,001	to	54,000	672
4	54,001	to	56,000	686
5	56,001	to	58,000	717
6	58,001	to	60,000	750
7	60,001	to	62,000	780
8	62,001	to	64,000	811
9	64,001	to	66,000	827
10	66,001	to	68,000	857
11	68,001	to	70,000	874
12	70,001	to	72,000	904
13	72,001	to	74,000	921
14	74,001	to	76,000	951
15	76,001	to	78,000	967
16	78,001	to	80,000	998
17	80,001	to	82,000	1,014
18	82,001	to	84,000	1,045
19	84,001	to	86,000	1,061
20	86,001	to	88,000	1,092
21	88,001	to	90,000	1,108
22	90,001	to	92,000	1,139
23	92,001	to	94,000	1,155
24	94,001	to	96,000	1,185
25	96,001	to	98,000	1,202
26	98,001	to	100,000	1,218
27	100,001	to	102,000	1,249
28	102,001	to	104,000	1,265
29	104,001	to	105,500	1,295

30 [ \_\_\_\_\_ ]

31

32 *[(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, the regis-*  
 33 *tration fee for motor vehicles required to establish a registration weight under ORS 803.430 or 826.013,*  
 34 *tow vehicles used to transport property for hire other than as described in ORS 822.210 and commer-*  
 35 *cial buses is as provided in the following chart, based upon the weight submitted in the declaration*  
 36 *of weight prepared under ORS 803.435 or 826.015:]*

37 [ \_\_\_\_\_ ]

38

	<i>Weight in Pounds</i>		<i>Fee</i>
39	8,000	or less	\$ 70
40	8,001	to 10,000	437
41	10,001	to 12,000	497
42	12,001	to 14,000	556
43	14,001	to 16,000	616
44	16,001	to 18,000	676

1	18,001	to	20,000	753
2	20,001	to	22,000	813
3	22,001	to	24,000	893
4	24,001	to	26,000	970
5	26,001	to	28,000	375
6	28,001	to	30,000	391
7	30,001	to	32,000	422
8	32,001	to	34,000	438
9	34,001	to	36,000	468
10	36,001	to	38,000	485
11	38,001	to	40,000	515
12	40,001	to	42,000	532
13	42,001	to	44,000	562
14	44,001	to	46,000	578
15	46,001	to	48,000	593
16	48,001	to	50,000	625
17	50,001	to	52,000	656
18	52,001	to	54,000	672
19	54,001	to	56,000	686
20	56,001	to	58,000	717
21	58,001	to	60,000	750
22	60,001	to	62,000	780
23	62,001	to	64,000	811
24	64,001	to	66,000	827
25	66,001	to	68,000	857
26	68,001	to	70,000	874
27	70,001	to	72,000	904
28	72,001	to	74,000	921
29	74,001	to	76,000	951
30	76,001	to	78,000	967
31	78,001	to	80,000	998
32	80,001	to	82,000	1,014
33	82,001	to	84,000	1,045
34	84,001	to	86,000	1,061
35	86,001	to	88,000	1,092
36	88,001	to	90,000	1,108
37	90,001	to	92,000	1,139
38	92,001	to	94,000	1,155
39	94,001	to	96,000	1,185
40	96,001	to	98,000	1,202
41	98,001	to	100,000	1,218
42	100,001	to	102,000	1,249
43	102,001	to	104,000	1,265
44	104,001	to	105,500	1,295

45 [ \_\_\_\_\_ ]

1  
2       **[(b)(A)(i) For the period beginning January 1, 2018, and ending December 31, 2019, the registration**  
3 **fee for motor vehicles with a registration weight of more than 8,000 pounds that are described in ORS**  
4 **825.015, that are operated by a charitable organization as defined in ORS 825.017 (13), is as provided**  
5 **in the following chart:]**

6 [ \_\_\_\_\_ ]

Weight in Pounds		Fee
8,001 to 10,000	\$	64
10,001 to 12,000		76
12,001 to 14,000		83
14,001 to 16,000		95
16,001 to 18,000		102
18,001 to 20,000		114
20,001 to 22,000		121
22,001 to 24,000		133
24,001 to 26,000		140
26,001 to 28,000		152
28,001 to 30,000		159
30,001 to 32,000		171
32,001 to 34,000		178
34,001 to 36,000		191
36,001 to 38,000		197
38,001 to 40,000		210
40,001 to 42,000		216
42,001 to 44,000		229
44,001 to 46,000		235
46,001 to 48,000		241
48,001 to 50,000		254
50,001 to 52,000		267
52,001 to 54,000		273
54,001 to 56,000		279
56,001 to 58,000		292
58,001 to 60,000		305
60,001 to 62,000		318
62,001 to 64,000		330
64,001 to 66,000		337
66,001 to 68,000		349
68,001 to 70,000		356
70,001 to 72,000		368
72,001 to 74,000		375
74,001 to 76,000		387
76,001 to 78,000		394
78,001 to 80,000		406
80,001 to 82,000		413

1	82,001	to	84,000	425
2	84,001	to	86,000	432
3	86,001	to	88,000	445
4	88,001	to	90,000	451
5	90,001	to	92,000	464
6	92,001	to	94,000	470
7	94,001	to	96,000	483
8	96,001	to	98,000	489
9	98,001	to	100,000	495
10	100,001	to	102,000	508
11	102,001	to	104,000	514
12	104,001	to	105,500	527

13 [ \_\_\_\_\_ ]

14

15 *[(ii) For the period beginning on January 1, 2020, and ending on December 31, 2021, the registra-*  
 16 *tion fee for motor vehicles with a registration weight of more than 8,000 pounds that are described in*  
 17 *ORS 825.015, that are operated by a charitable organization as defined in ORS 825.017 (13), is as*  
 18 *provided in the following chart:]*

19 [ \_\_\_\_\_ ]

20

	<i>Weight in Pounds</i>		<i>Fee</i>
22	8,001 to 10,000	\$	68
23	10,001 to 12,000		81
24	12,001 to 14,000		88
25	14,001 to 16,000		101
26	16,001 to 18,000		108
27	18,001 to 20,000		122
28	20,001 to 22,000		128
29	22,001 to 24,000		142
30	24,001 to 26,000		149
31	26,001 to 28,000		162
32	28,001 to 30,000		169
33	30,001 to 32,000		182
34	32,001 to 34,000		189
35	34,001 to 36,000		203
36	36,001 to 38,000		209
37	38,001 to 40,000		223
38	40,001 to 42,000		230
39	42,001 to 44,000		243
40	44,001 to 46,000		250
41	46,001 to 48,000		257
42	48,001 to 50,000		270
43	50,001 to 52,000		284
44	52,001 to 54,000		290
45	54,001 to 56,000		297

1	56,001	to	58,000	311
2	58,001	to	60,000	324
3	60,001	to	62,000	338
4	62,001	to	64,000	351
5	64,001	to	66,000	358
6	66,001	to	68,000	371
7	68,001	to	70,000	378
8	70,001	to	72,000	392
9	72,001	to	74,000	398
10	74,001	to	76,000	412
11	76,001	to	78,000	419
12	78,001	to	80,000	432
13	80,001	to	82,000	439
14	82,001	to	84,000	452
15	84,001	to	86,000	459
16	86,001	to	88,000	473
17	88,001	to	90,000	479
18	90,001	to	92,000	493
19	92,001	to	94,000	500
20	94,001	to	96,000	513
21	96,001	to	98,000	520
22	98,001	to	100,000	527
23	100,001	to	102,000	540
24	102,001	to	104,000	547
25	104,001	to	105,500	560

26 [ \_\_\_\_\_ ]  
 27

28 *[(B)(i) For the period beginning January 1, 2018, and ending December 31, 2019, the registration*  
 29 *fee for motor vehicles with a registration weight of more than 8,000 pounds that are certified under*  
 30 *ORS 822.205, unless the motor vehicles are registered under paragraph (a) of this subsection, or that*  
 31 *are used exclusively to transport manufactured structures, is as provided in the following chart:]*

32 [ \_\_\_\_\_ ]

Weight in Pounds		Fee
35	8,001 to 10,000	\$ 130
36	10,001 to 12,000	155
37	12,001 to 14,000	168
38	14,001 to 16,000	194
39	16,001 to 18,000	207
40	18,001 to 20,000	232
41	20,001 to 22,000	245
42	22,001 to 24,000	272
43	24,001 to 26,000	284
44	26,001 to 28,000	310
45	28,001 to 30,000	324

1	30,001	to	32,000	349
2	32,001	to	34,000	362
3	34,001	to	36,000	389
4	36,001	to	38,000	401
5	38,001	to	40,000	427
6	40,001	to	42,000	439
7	42,001	to	44,000	466
8	44,001	to	46,000	479
9	46,001	to	48,000	491
10	48,001	to	50,000	517
11	50,001	to	52,000	544
12	52,001	to	54,000	556
13	54,001	to	56,000	569
14	56,001	to	58,000	594
15	58,001	to	60,000	621
16	60,001	to	62,000	646
17	62,001	to	64,000	673
18	64,001	to	66,000	686
19	66,001	to	68,000	711
20	68,001	to	70,000	724
21	70,001	to	72,000	751
22	72,001	to	74,000	763
23	74,001	to	76,000	789
24	76,001	to	78,000	801
25	78,001	to	80,000	828
26	80,001	to	82,000	841
27	82,001	to	84,000	866
28	84,001	to	86,000	879
29	86,001	to	88,000	906
30	88,001	to	90,000	918
31	90,001	to	92,000	944
32	92,001	to	94,000	958
33	94,001	to	96,000	983
34	96,001	to	98,000	996
35	98,001	to	100,000	1,008
36	100,001	to	102,000	1,035
37	102,001	to	104,000	1,048
38	104,001	to	105,500	1,073

39 [ \_\_\_\_\_ ]

40

41 *[(ii) For the period beginning on January 1, 2020, and ending on December 31, 2021, the registra-*  
 42 *tion fee for motor vehicles with a registration weight of more than 8,000 pounds that are certified under*  
 43 *ORS 822.205, unless the motor vehicles are registered under paragraph (a) of this subsection, or that*  
 44 *are used exclusively to transport manufactured structures, is as provided in the following chart:]*

45 [ \_\_\_\_\_ ]



1			
2	<i>Weight in Pounds</i>	<i>Fee</i>	
3	8,001 to 10,000	\$	138
4	10,001 to 12,000		165
5	12,001 to 14,000		178
6	14,001 to 16,000		207
7	16,001 to 18,000		220
8	18,001 to 20,000		247
9	20,001 to 22,000		261
10	22,001 to 24,000		289
11	24,001 to 26,000		302
12	26,001 to 28,000		329
13	28,001 to 30,000		344
14	30,001 to 32,000		371
15	32,001 to 34,000		385
16	34,001 to 36,000		413
17	36,001 to 38,000		427
18	38,001 to 40,000		454
19	40,001 to 42,000		467
20	42,001 to 44,000		495
21	44,001 to 46,000		509
22	46,001 to 48,000		522
23	48,001 to 50,000		549
24	50,001 to 52,000		578
25	52,001 to 54,000		591
26	54,001 to 56,000		605
27	56,001 to 58,000		632
28	58,001 to 60,000		660
29	60,001 to 62,000		687
30	62,001 to 64,000		716
31	64,001 to 66,000		729
32	66,001 to 68,000		756
33	68,001 to 70,000		770
34	70,001 to 72,000		798
35	72,001 to 74,000		811
36	74,001 to 76,000		838
37	76,001 to 78,000		852
38	78,001 to 80,000		880
39	80,001 to 82,000		894
40	82,001 to 84,000		921
41	84,001 to 86,000		934
42	86,001 to 88,000		963
43	88,001 to 90,000		976
44	90,001 to 92,000		1,003
45	92,001 to 94,000		1,018

1	94,001 to 96,000	1,045
2	96,001 to 98,000	1,058
3	98,001 to 100,000	1,072
4	100,001 to 102,000	1,100
5	102,001 to 104,000	1,114
6	104,001 to 105,500	1,141

7 [ \_\_\_\_\_ ]  
8

9 (14)(a) The registration fee for motor vehicles required to establish a registration weight  
10 under ORS 803.430 or 826.013, tow vehicles used to transport property for hire other than as  
11 described in ORS 822.210 and commercial buses is as provided in the following chart, based  
12 upon the weight submitted in the declaration of weight prepared under ORS 803.435 or  
13 826.015:  
14

---

Weight in Pounds		Fee
17	8,000 or less	\$ 74
18	8,001 to 10,000	464
19	10,001 to 12,000	528
20	12,001 to 14,000	591
21	14,001 to 16,000	655
22	16,001 to 18,000	718
23	18,001 to 20,000	801
24	20,001 to 22,000	864
25	22,001 to 24,000	949
26	24,001 to 26,000	1,031
27	26,001 to 28,000	375
28	28,001 to 30,000	391
29	30,001 to 32,000	422
30	32,001 to 34,000	438
31	34,001 to 36,000	468
32	36,001 to 38,000	485
33	38,001 to 40,000	515
34	40,001 to 42,000	532
35	42,001 to 44,000	562
36	44,001 to 46,000	578
37	46,001 to 48,000	593
38	48,001 to 50,000	625
39	50,001 to 52,000	656
40	52,001 to 54,000	672
41	54,001 to 56,000	686
42	56,001 to 58,000	717
43	58,001 to 60,000	750
44	60,001 to 62,000	780
45	62,001 to 64,000	811

1	<b>64,001</b>	<b>to</b>	<b>66,000</b>	<b>827</b>
2	<b>66,001</b>	<b>to</b>	<b>68,000</b>	<b>857</b>
3	<b>68,001</b>	<b>to</b>	<b>70,000</b>	<b>874</b>
4	<b>70,001</b>	<b>to</b>	<b>72,000</b>	<b>904</b>
5	<b>72,001</b>	<b>to</b>	<b>74,000</b>	<b>921</b>
6	<b>74,001</b>	<b>to</b>	<b>76,000</b>	<b>951</b>
7	<b>76,001</b>	<b>to</b>	<b>78,000</b>	<b>967</b>
8	<b>78,001</b>	<b>to</b>	<b>80,000</b>	<b>998</b>
9	<b>80,001</b>	<b>to</b>	<b>82,000</b>	<b>1,014</b>
10	<b>82,001</b>	<b>to</b>	<b>84,000</b>	<b>1,045</b>
11	<b>84,001</b>	<b>to</b>	<b>86,000</b>	<b>1,061</b>
12	<b>86,001</b>	<b>to</b>	<b>88,000</b>	<b>1,092</b>
13	<b>88,001</b>	<b>to</b>	<b>90,000</b>	<b>1,108</b>
14	<b>90,001</b>	<b>to</b>	<b>92,000</b>	<b>1,139</b>
15	<b>92,001</b>	<b>to</b>	<b>94,000</b>	<b>1,155</b>
16	<b>94,001</b>	<b>to</b>	<b>96,000</b>	<b>1,185</b>
17	<b>96,001</b>	<b>to</b>	<b>98,000</b>	<b>1,202</b>
18	<b>98,001</b>	<b>to</b>	<b>100,000</b>	<b>1,218</b>
19	<b>100,001</b>	<b>to</b>	<b>102,000</b>	<b>1,249</b>
20	<b>102,001</b>	<b>to</b>	<b>104,000</b>	<b>1,265</b>
21	<b>104,001</b>	<b>to</b>	<b>105,500</b>	<b>1,295</b>

22

23

24           **(b)(A) The registration fee for motor vehicles with a registration weight of more than**  
 25 **8,000 pounds that are described in ORS 825.015, that are operated by a charitable organization**  
 26 **as defined in ORS 825.017 (13), is as provided in the following chart:**

27

28

29	<b>Weight in Pounds</b>		<b>Fee</b>
30	<b>8,001</b>	<b>to</b>	<b>10,000</b> \$ <b>71</b>
31	<b>10,001</b>	<b>to</b>	<b>12,000</b> <b>85</b>
32	<b>12,001</b>	<b>to</b>	<b>14,000</b> <b>92</b>
33	<b>14,001</b>	<b>to</b>	<b>16,000</b> <b>107</b>
34	<b>16,001</b>	<b>to</b>	<b>18,000</b> <b>114</b>
35	<b>18,001</b>	<b>to</b>	<b>20,000</b> <b>128</b>
36	<b>20,001</b>	<b>to</b>	<b>22,000</b> <b>135</b>
37	<b>22,001</b>	<b>to</b>	<b>24,000</b> <b>149</b>
38	<b>24,001</b>	<b>to</b>	<b>26,000</b> <b>156</b>
39	<b>26,001</b>	<b>to</b>	<b>28,000</b> <b>170</b>
40	<b>28,001</b>	<b>to</b>	<b>30,000</b> <b>178</b>
41	<b>30,001</b>	<b>to</b>	<b>32,000</b> <b>192</b>
42	<b>32,001</b>	<b>to</b>	<b>34,000</b> <b>199</b>
43	<b>34,001</b>	<b>to</b>	<b>36,000</b> <b>213</b>
44	<b>36,001</b>	<b>to</b>	<b>38,000</b> <b>220</b>
45	<b>38,001</b>	<b>to</b>	<b>40,000</b> <b>234</b>

1	40,001	to	42,000	241
2	42,001	to	44,000	256
3	44,001	to	46,000	263
4	46,001	to	48,000	270
5	48,001	to	50,000	284
6	50,001	to	52,000	298
7	52,001	to	54,000	305
8	54,001	to	56,000	312
9	56,001	to	58,000	327
10	58,001	to	60,000	341
11	60,001	to	62,000	355
12	62,001	to	64,000	369
13	64,001	to	66,000	376
14	66,001	to	68,000	391
15	68,001	to	70,000	398
16	70,001	to	72,000	412
17	72,001	to	74,000	419
18	74,001	to	76,000	433
19	76,001	to	78,000	440
20	78,001	to	80,000	454
21	80,001	to	82,000	462
22	82,001	to	84,000	476
23	84,001	to	86,000	483
24	86,001	to	88,000	497
25	88,001	to	90,000	504
26	90,001	to	92,000	518
27	92,001	to	94,000	525
28	94,001	to	96,000	540
29	96,001	to	98,000	547
30	98,001	to	100,000	554
31	100,001	to	102,000	568
32	102,001	to	104,000	575
33	104,001	to	105,500	589

34

35

36 (B) The registration fee for motor vehicles with a registration weight of more than 8,000  
37 pounds that are certified under ORS 822.205, unless the motor vehicles are registered under  
38 paragraph (a) of this subsection, or that are used exclusively to transport manufactured  
39 structures, is as provided in the following chart:

40

41

42	Weight in Pounds	Fee
43	8,001 to 10,000	\$ 145
44	10,001 to 12,000	173
45	12,001 to 14,000	187

1	14,001	to	16,000	217
2	16,001	to	18,000	231
3	18,001	to	20,000	260
4	20,001	to	22,000	274
5	22,001	to	24,000	304
6	24,001	to	26,000	318
7	26,001	to	28,000	346
8	28,001	to	30,000	362
9	30,001	to	32,000	391
10	32,001	to	34,000	405
11	34,001	to	36,000	435
12	36,001	to	38,000	449
13	38,001	to	40,000	477
14	40,001	to	42,000	491
15	42,001	to	44,000	521
16	44,001	to	46,000	535
17	46,001	to	48,000	550
18	48,001	to	50,000	578
19	50,001	to	52,000	608
20	52,001	to	54,000	622
21	54,001	to	56,000	636
22	56,001	to	58,000	665
23	58,001	to	60,000	694
24	60,001	to	62,000	723
25	62,001	to	64,000	753
26	64,001	to	66,000	767
27	66,001	to	68,000	795
28	68,001	to	70,000	809
29	70,001	to	72,000	839
30	72,001	to	74,000	853
31	74,001	to	76,000	882
32	76,001	to	78,000	896
33	78,001	to	80,000	926
34	80,001	to	82,000	940
35	82,001	to	84,000	968
36	84,001	to	86,000	983
37	86,001	to	88,000	1,012
38	88,001	to	90,000	1,027
39	90,001	to	92,000	1,055
40	92,001	to	94,000	1,071
41	94,001	to	96,000	1,099
42	96,001	to	98,000	1,113
43	98,001	to	100,000	1,127
44	100,001	to	102,000	1,157
45	102,001	to	104,000	1,172

1 **104,001 to 105,500** **1,200**

2  
3  
4 (C) The owner of a vehicle described in subparagraph (A) or (B) of this paragraph must certify  
5 at the time of initial registration, in a manner determined by the department by rule, that the motor  
6 vehicle will be used exclusively to transport manufactured structures or exclusively as described in  
7 ORS 822.210, unless the motor vehicle is registered under paragraph (a) of this subsection, or as  
8 described in ORS 825.015 or 825.017 (13). Registration of a vehicle described in subparagraph (A) or  
9 (B) of this paragraph is invalid if the vehicle is operated in any manner other than that described  
10 in the certification under this subparagraph.

11 (c)(A) *For the period beginning on January 1, 2018, and ending on December 31, 2019,* Subject  
12 to paragraph (d) of this subsection, the registration fee for motor vehicles registered as farm vehi-  
13 cles under ORS 805.300 is as provided in the following chart, based upon the registration weight  
14 given in the declaration of weight submitted under ORS 803.435:

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<i>Weight in Pounds</i>	<i>Fee</i>
<i>8,000 or less</i>	<i>\$ 44</i>
<i>8,001 to 10,000</i>	<i>58</i>
<i>10,001 to 12,000</i>	<i>67</i>
<i>12,001 to 14,000</i>	<i>86</i>
<i>14,001 to 16,000</i>	<i>97</i>
<i>16,001 to 18,000</i>	<i>116</i>
<i>18,001 to 20,000</i>	<i>126</i>
<i>20,001 to 22,000</i>	<i>145</i>
<i>22,001 to 24,000</i>	<i>154</i>
<i>24,001 to 26,000</i>	<i>174</i>
<i>26,001 to 28,000</i>	<i>183</i>
<i>28,001 to 30,000</i>	<i>202</i>
<i>30,001 to 32,000</i>	<i>212</i>
<i>32,001 to 34,000</i>	<i>231</i>
<i>34,001 to 36,000</i>	<i>241</i>
<i>36,001 to 38,000</i>	<i>260</i>
<i>38,001 to 40,000</i>	<i>271</i>
<i>40,001 to 42,000</i>	<i>290</i>
<i>42,001 to 44,000</i>	<i>298</i>
<i>44,001 to 46,000</i>	<i>319</i>
<i>46,001 to 48,000</i>	<i>328</i>
<i>48,001 to 50,000</i>	<i>347</i>
<i>50,001 to 52,000</i>	<i>357</i>
<i>52,001 to 54,000</i>	<i>366</i>
<i>54,001 to 56,000</i>	<i>386</i>
<i>56,001 to 58,000</i>	<i>405</i>
<i>58,001 to 60,000</i>	<i>414</i>
<i>60,001 to 62,000</i>	<i>424</i>

1	62,001	to	64,000	443
2	64,001	to	66,000	462
3	66,001	to	68,000	472
4	68,001	to	70,000	483
5	70,001	to	72,000	502
6	72,001	to	74,000	511
7	74,001	to	76,000	531
8	76,001	to	78,000	540
9	78,001	to	80,000	559
10	80,001	to	82,000	569
11	82,001	to	84,000	588
12	84,001	to	86,000	598
13	86,001	to	88,000	617
14	88,001	to	90,000	626
15	90,001	to	92,000	646
16	92,001	to	94,000	655
17	94,001	to	96,000	674
18	96,001	to	98,000	685
19	98,001	to	100,000	704
20	100,001	to	102,000	714
21	102,001	to	104,000	733
22	104,001	to	105,500	743

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	<b>Weight in Pounds</b>		<b>Fee</b>
27	<b>8,000</b>	<b>or less</b>	<b>\$ 50</b>
28	<b>8,001</b>	<b>to 10,000</b>	<b>65</b>
29	<b>10,001</b>	<b>to 12,000</b>	<b>75</b>
30	<b>12,001</b>	<b>to 14,000</b>	<b>97</b>
31	<b>14,001</b>	<b>to 16,000</b>	<b>108</b>
32	<b>16,001</b>	<b>to 18,000</b>	<b>129</b>
33	<b>18,001</b>	<b>to 20,000</b>	<b>141</b>
34	<b>20,001</b>	<b>to 22,000</b>	<b>162</b>
35	<b>22,001</b>	<b>to 24,000</b>	<b>172</b>
36	<b>24,001</b>	<b>to 26,000</b>	<b>195</b>
37	<b>26,001</b>	<b>to 28,000</b>	<b>204</b>
38	<b>28,001</b>	<b>to 30,000</b>	<b>226</b>
39	<b>30,001</b>	<b>to 32,000</b>	<b>237</b>
40	<b>32,001</b>	<b>to 34,000</b>	<b>258</b>
41	<b>34,001</b>	<b>to 36,000</b>	<b>270</b>
42	<b>36,001</b>	<b>to 38,000</b>	<b>291</b>
43	<b>38,001</b>	<b>to 40,000</b>	<b>302</b>
44	<b>40,001</b>	<b>to 42,000</b>	<b>324</b>

1	<b>42,001</b>	<b>to</b>	<b>44,000</b>	<b>334</b>
2	<b>44,001</b>	<b>to</b>	<b>46,000</b>	<b>356</b>
3	<b>46,001</b>	<b>to</b>	<b>48,000</b>	<b>366</b>
4	<b>48,001</b>	<b>to</b>	<b>50,000</b>	<b>388</b>
5	<b>50,001</b>	<b>to</b>	<b>52,000</b>	<b>399</b>
6	<b>52,001</b>	<b>to</b>	<b>54,000</b>	<b>409</b>
7	<b>54,001</b>	<b>to</b>	<b>56,000</b>	<b>432</b>
8	<b>56,001</b>	<b>to</b>	<b>58,000</b>	<b>453</b>
9	<b>58,001</b>	<b>to</b>	<b>60,000</b>	<b>463</b>
10	<b>60,001</b>	<b>to</b>	<b>62,000</b>	<b>474</b>
11	<b>62,001</b>	<b>to</b>	<b>64,000</b>	<b>496</b>
12	<b>64,001</b>	<b>to</b>	<b>66,000</b>	<b>517</b>
13	<b>66,001</b>	<b>to</b>	<b>68,000</b>	<b>528</b>
14	<b>68,001</b>	<b>to</b>	<b>70,000</b>	<b>540</b>
15	<b>70,001</b>	<b>to</b>	<b>72,000</b>	<b>561</b>
16	<b>72,001</b>	<b>to</b>	<b>74,000</b>	<b>571</b>
17	<b>74,001</b>	<b>to</b>	<b>76,000</b>	<b>594</b>
18	<b>76,001</b>	<b>to</b>	<b>78,000</b>	<b>604</b>
19	<b>78,001</b>	<b>to</b>	<b>80,000</b>	<b>625</b>
20	<b>80,001</b>	<b>to</b>	<b>82,000</b>	<b>636</b>
21	<b>82,001</b>	<b>to</b>	<b>84,000</b>	<b>657</b>
22	<b>84,001</b>	<b>to</b>	<b>86,000</b>	<b>669</b>
23	<b>86,001</b>	<b>to</b>	<b>88,000</b>	<b>690</b>
24	<b>88,001</b>	<b>to</b>	<b>90,000</b>	<b>700</b>
25	<b>90,001</b>	<b>to</b>	<b>92,000</b>	<b>723</b>
26	<b>92,001</b>	<b>to</b>	<b>94,000</b>	<b>733</b>
27	<b>94,001</b>	<b>to</b>	<b>96,000</b>	<b>754</b>
28	<b>96,001</b>	<b>to</b>	<b>98,000</b>	<b>765</b>
29	<b>98,001</b>	<b>to</b>	<b>100,000</b>	<b>787</b>
30	<b>100,001</b>	<b>to</b>	<b>102,000</b>	<b>798</b>
31	<b>102,001</b>	<b>to</b>	<b>104,000</b>	<b>819</b>
32	<b>104,001</b>	<b>to</b>	<b>105,500</b>	<b>831</b>

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35        *[(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, subject to*  
 36 *paragraph (d) of this subsection, the registration fee for motor vehicles registered as farm vehicles un-*  
 37 *der ORS 805.300 is as provided in the following chart, based upon the registration weight given in the*  
 38 *declaration of weight submitted under ORS 803.435:]*

39 [ \_\_\_\_\_ ]

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<i>Weight in Pounds</i>	<i>Fee</i>
<i>8,000 or less</i>	<i>\$ 47</i>
<i>8,001 to 10,000</i>	<i>62</i>
<i>10,001 to 12,000</i>	<i>72</i>
<i>12,001 to 14,000</i>	<i>92</i>



1	14,001	to	16,000	103
2	16,001	to	18,000	123
3	18,001	to	20,000	134
4	20,001	to	22,000	154
5	22,001	to	24,000	163
6	24,001	to	26,000	185
7	26,001	to	28,000	194
8	28,001	to	30,000	215
9	30,001	to	32,000	225
10	32,001	to	34,000	246
11	34,001	to	36,000	257
12	36,001	to	38,000	277
13	38,001	to	40,000	288
14	40,001	to	42,000	308
15	42,001	to	44,000	317
16	44,001	to	46,000	339
17	46,001	to	48,000	348
18	48,001	to	50,000	369
19	50,001	to	52,000	379
20	52,001	to	54,000	389
21	54,001	to	56,000	410
22	56,001	to	58,000	431
23	58,001	to	60,000	440
24	60,001	to	62,000	451
25	62,001	to	64,000	471
26	64,001	to	66,000	491
27	66,001	to	68,000	502
28	68,001	to	70,000	513
29	70,001	to	72,000	533
30	72,001	to	74,000	543
31	74,001	to	76,000	564
32	76,001	to	78,000	574
33	78,001	to	80,000	594
34	80,001	to	82,000	605
35	82,001	to	84,000	625
36	84,001	to	86,000	636
37	86,001	to	88,000	656
38	88,001	to	90,000	666
39	90,001	to	92,000	687
40	92,001	to	94,000	697
41	94,001	to	96,000	717
42	96,001	to	98,000	728
43	98,001	to	100,000	748
44	100,001	to	102,000	759
45	102,001	to	104,000	779

1 104,001 to 105,500

790

2 [ \_\_\_\_\_ ]

3  
4 (d) For any vehicle that is registered under a quarterly registration period, the registration fee  
5 is a minimum of \$15 for each quarter registered plus an additional fee of \$2.

6 **SECTION 36.** The amendments to ORS 803.420 by section 35 of this 2017 Act apply to  
7 registration fees imposed on or after January 1, 2022.

8 **SECTION 37.** (1) As used in this section, “miles per gallon” or “MPG” means the distance  
9 traveled in a vehicle powered by one gallon of fuel.

10 (2) The Department of Transportation shall determine the combined MPG ratings for  
11 each motor vehicle pursuant to a method determined by the department.

12 (3) In addition to the title fees prescribed under ORS 803.090 (1)(c), during the period  
13 beginning on January 1, 2018, and ending on December 31, 2019, there shall be paid an addi-  
14 tional amount of \$16.

15 (4) In addition to the title fees prescribed under ORS 803.090 (1)(c), during the period  
16 beginning on January 1, 2020, and ending on December 31, 2021, there shall be paid an addi-  
17 tional amount as follows:

18 (a) For vehicles that have a rating of 0-19 MPG or nonmotorized vehicles, \$21.

19 (b) For vehicles that have a rating of 20-39 MPG, \$26.

20 (c) For vehicles that have a rating of 40 MPG or greater, \$36.

21 (d) For electric vehicles, \$110.

22 **SECTION 38.** Section 37 of this 2017 Act is amended to read:

23 **Sec. 37.** (1) As used in this section, “miles per gallon” or “MPG” means the distance traveled  
24 in a vehicle powered by one gallon of fuel.

25 (2) The Department of Transportation shall determine the combined MPG ratings for each motor  
26 vehicle pursuant to a method determined by the department.

27 [(3) In addition to the title fees prescribed under ORS 803.090 (1)(c), during the period beginning  
28 on January 1, 2018, and ending on December 31, 2019, there shall be paid an additional amount of  
29 \$16.]

30 [(4) In addition to the title fees prescribed under ORS 803.090 (1)(c), during the period beginning  
31 on January 1, 2020, and ending on December 31, 2021, there shall be paid an additional amount as  
32 follows:]

33 [(a) For vehicles that have a rating of 0-19 MPG or nonmotorized vehicles, \$21.]

34 [(b) For vehicles that have a rating of 20-39 MPG, \$26.]

35 [(c) For vehicles that have a rating of 40 MPG or greater, \$36.]

36 [(d) For electric vehicles, \$110.]

37 (3) In addition to the title fees prescribed under ORS 803.090 (1)(c), there shall be paid  
38 an additional amount as follows:

39 (a) For vehicles that have a rating of 0-19 MPG or nonmotorized vehicles, \$24.

40 (b) For vehicles that have a rating of 20-39 MPG, \$29.

41 (c) For vehicles that have a rating of 40 MPG or greater, \$39.

42 (d) For electric vehicles, \$115.

43 **SECTION 39.** The amendments to section 32 of this 2017 Act by section 33 of this 2017  
44 Act, and the amendments to section 37 of this 2017 Act by section 38 of this 2017 Act, apply  
45 to fees imposed on or after January 1, 2022.

1       **SECTION 39a.** ORS 803.090 is amended to read:

2       803.090. *[The following fees are the fees for the transaction described:]*

3       *[(1) The transfer fee under ORS 803.092:]*

4       *[(a) For a salvage title, \$27.]*

5       *[(b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with*  
6 *a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.]*

7       *[(c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this*  
8 *subsection, \$77.]*

9       *[(2) The fee for issuance of a certificate of title under ORS 803.045:]*

10       *[(a) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with*  
11 *a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.]*

12       *[(b) For vehicles other than vehicles for which the title fee is described in paragraph (a) of this*  
13 *subsection, \$77.]*

14       *[(3) The fee for issuance of a salvage title certificate under ORS 803.140, \$27.]*

15       *[(4) The fee for issuance of a duplicate or replacement certificate of title under ORS 803.065:]*

16       *[(a) For a duplicate or replacement salvage title certificate, \$27.]*

17       *[(b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with*  
18 *a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.]*

19       *[(c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this*  
20 *subsection, \$77.]*

21       *[(5) The fee under subsection (4) of this section may not be paid at the same time as a transfer fee*  
22 *under this section if application is made at the same time as application for transfer.]*

23       *[(6) The fee for issuance of a new certificate of title under ORS 803.220 indicating a change of*  
24 *name or address:]*

25       *[(a) For a new salvage title certificate, \$27.]*

26       *[(b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with*  
27 *a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.]*

28       *[(c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this*  
29 *subsection, \$77.]*

30       **(1) Except as provided in subsection (2) of this section, the fee to issue a certificate of**  
31 **title under ORS 803.045 or 803.140, to transfer title under ORS 803.092, to issue a duplicate**  
32 **or replacement certificate of title under ORS 803.065 or to issue a new title due to name or**  
33 **address change under ORS 803.220 is as follows:**

34       **(a) For a salvage title, \$27.**

35       **(b) For a vehicle title for trailers eligible for permanent registration under ORS 803.415**  
36 **(1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor**  
37 **homes, \$90.**

38       **(c) For a vehicle title for vehicles other than those vehicles described in paragraph (b)**  
39 **of this subsection, \$77.**

40       **(2) If an application for a duplicate or replacement certificate of title is filed at the same**  
41 **time as an application for a transfer of title for the same vehicle, the applicant is required**  
42 **to pay only the transfer of title fee.**

43       **[(7)] (3) The fee for late presentation of certificate of title under ORS 803.105[,] is \$25 from the**  
44 **31st day after the transfer through the 60th day after the transfer and \$50 thereafter.**

45       **[(8)] (4) The fees for title transactions involving a form of title other than a certificate shall be**

1 the amounts established by the Department of Transportation by rule under ORS 803.012.

2  
3 **CONFORMING AMENDMENTS**  
4

5 **SECTION 39b.** ORS 801.041 is amended to read:

6 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish  
7 registration fees for vehicles:

8 (1) An ordinance establishing registration fees under this section must be enacted by the county  
9 imposing the registration fee and filed with the Department of Transportation. Notwithstanding  
10 ORS 203.055 or any provision of a county charter, the governing body of a county with a population  
11 of 350,000 or more may enact an ordinance establishing registration fees. The governing body of a  
12 county with a population of less than 350,000 may enact an ordinance establishing registration fees  
13 after submitting the ordinance to the electors of the county for their approval. The governing body  
14 of the county imposing the registration fee shall enter into an intergovernmental agreement under  
15 ORS 190.010 with the department by which the department shall collect the registration fees, pay  
16 them over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5).  
17 The intergovernmental agreement must state the date on which the department shall begin collect-  
18 ing registration fees for the county.

19 (2) The authority granted by this section allows the establishment of registration fees in addition  
20 to those described in ORS 803.420. There is no authority under this section to affect registration  
21 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-  
22 tration under the vehicle code.

23 (3) Except as otherwise provided for in this subsection, when registration fees are imposed under  
24 this section, they must be imposed on all vehicle classes. Registration fees as provided under this  
25 section may not be imposed on the following:

26 (a) Snowmobiles and Class I all-terrain vehicles.

27 (b) Fixed load vehicles.

28 (c) Vehicles registered under ORS 805.100 to disabled veterans.

29 (d) Vehicles registered as antique vehicles under ORS 805.010.

30 (e) Vehicles registered as vehicles of special interest under ORS 805.020.

31 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.

32 (g) School buses or school activity vehicles registered under ORS 805.050.

33 (h) Law enforcement undercover vehicles registered under ORS 805.060.

34 (i) Vehicles registered on a proportional basis for interstate operation.

35 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 [(10)  
36 or (11)] **(14)(a) or (b)**.

37 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

38 (L) Travel trailers, campers and motor homes.

39 (m) Vehicles registered to an employment address as provided in ORS 802.250 when the eligible  
40 public employee or household member's residence address is not within the county of the employ-  
41 ment address. The department may adopt rules it considers necessary for the administration of this  
42 paragraph.

43 (4) Any registration fee imposed by a county must be a fixed amount not to exceed, with respect  
44 to any vehicle class, the registration fee established under ORS 803.420 [(1)] **(6)(a)**. For vehicles on  
45 which a flat fee is imposed under ORS 803.420, the fee must be a whole dollar amount.

1 (5) Moneys from registration fees established under this section must be paid to the county es-  
2 tablishing the registration fees as provided in ORS 802.110. The county ordinance shall provide for  
3 payment of at least 40 percent of the moneys to cities within the county unless a different distrib-  
4 ution is agreed upon by the county and the cities within the jurisdiction of the county. The moneys  
5 for the cities and the county shall be used for any purpose for which moneys from registration fees  
6 may be used, including the payment of debt service and costs related to bonds or other obligations  
7 issued for such purposes.

8 (6) Two or more counties may act jointly to impose a registration fee under this section. The  
9 ordinance of each county acting jointly with another under this subsection must provide for the  
10 distribution of moneys collected through a joint registration fee.

11 **SECTION 39c.** ORS 801.042 is amended to read:

12 801.042. The following apply to the authority granted to a district by ORS 801.040 to establish  
13 registration fees for vehicles:

14 (1) Before the governing body of a district can impose a registration fee under this section, it  
15 must submit the proposal to the electors of the district for their approval and, if the proposal is  
16 approved, enter into an intergovernmental agreement under ORS 190.010 with the governing bodies  
17 of all counties, other districts and cities with populations of over 300,000 that overlap the district.  
18 The intergovernmental agreement must state the registration fees and, if necessary, how the revenue  
19 from the fees shall be apportioned among counties and the districts. Before the governing body of  
20 a county can enter into such an intergovernmental agreement, the county shall consult with the  
21 cities in its jurisdiction.

22 (2) If a district raises revenues from a registration fee for purposes related to highways, roads,  
23 streets and roadside rest areas, the governing body of that district shall establish a Regional Ar-  
24 terial Fund and shall deposit in the Regional Arterial Fund all such registration fees.

25 (3) Interest received on moneys credited to the Regional Arterial Fund shall accrue to and be-  
26 come a part of the Regional Arterial Fund.

27 (4) The Regional Arterial Fund must be administered by the governing body of the district re-  
28 ferred to in subsection (2) of this section and such governing body by ordinance may disburse mon-  
29 eys in the Regional Arterial Fund. Moneys within the Regional Arterial Fund may be disbursed only  
30 for a program of projects recommended by a joint policy advisory committee on transportation  
31 consisting of local officials and state agency representatives designated by the district referred to  
32 in subsection (2) of this section. The projects for which the joint policy advisory committee on  
33 transportation can recommend funding must concern arterials, collectors or other improvements  
34 designated by the joint policy advisory committee on transportation.

35 (5) Ordinances establishing registration fees under this section must be filed with the Depart-  
36 ment of Transportation. The governing body of the district imposing the registration fee shall enter  
37 into an intergovernmental agreement under ORS 190.010 with the department by which the depart-  
38 ment shall collect the registration fees, pay them over to the district and, if necessary, allow the  
39 credit or credits described in ORS 803.445 (5). The intergovernmental agreement must state the date  
40 on which the department shall begin collecting registration fees for the district.

41 (6) The authority granted by this section allows the establishment of registration fees in addition  
42 to those described in ORS 803.420. There is no authority under this section to affect registration  
43 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-  
44 tration under the vehicle code.

45 (7) Except as otherwise provided for in this subsection, when registration fees are imposed under

1 this section, the fees must be imposed on all vehicle classes. Registration fees as provided under this  
2 section may not be imposed on the following:

3 (a) Snowmobiles and Class I all-terrain vehicles.

4 (b) Fixed load vehicles.

5 (c) Vehicles registered under ORS 805.100 to disabled veterans.

6 (d) Vehicles registered as antique vehicles under ORS 805.010.

7 (e) Vehicles registered as vehicles of special interest under ORS 805.020.

8 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.

9 (g) School buses or school activity vehicles registered under ORS 805.050.

10 (h) Law enforcement undercover vehicles registered under ORS 805.060.

11 (i) Vehicles registered on a proportional basis for interstate operation.

12 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 [(10)  
13 or (11)] **(14)(a) or (b)**.

14 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

15 (L) Travel trailers, campers and motor homes.

16 (m) Vehicles registered to an employment address as provided in ORS 802.250 when the eligible  
17 public employee or household member's residence address is not within the county of the employ-  
18 ment address. The department may adopt rules it considers necessary for the administration of this  
19 paragraph.

20 (8) Any registration fee imposed by the governing body of a district must be a fixed amount not  
21 to exceed, with respect to any vehicle class, the registration fee established under ORS 803.420  
22 [(1)] **(6)(a)**. For vehicles on which a flat fee is imposed under ORS 803.420, the fee must be a whole  
23 dollar amount.

24 **SECTION 39d.** ORS 803.350 is amended to read:

25 803.350. This section establishes the requirements for qualification for registration. The De-  
26 partment of Transportation shall not issue registration to a vehicle if the requirements under this  
27 section are not met. The department, in the absence of just cause for refusing to register a vehicle  
28 upon application, shall assign a distinctive number or other distinctive means of identification and  
29 shall issue registration for a vehicle if all of the following requirements are met:

30 (1) The applicant applies for and is granted title in the applicant's name at the same time the  
31 person makes application for registration, or presents satisfactory evidence that title covering the  
32 vehicle has been previously issued to the applicant.

33 (2) The applicant completes an application described under ORS 803.370. If the vehicle is a re-  
34 constructed or assembled vehicle or a replica, the person must indicate that fact in the application  
35 or be subject to ORS 803.225.

36 (3) The applicant pays the department the registration fee established under ORS 803.420 and  
37 any applicable fees for issuance of registration plates.

38 (4) For motor vehicles, proof of compliance with pollution control equipment requirements is  
39 provided to the department. Proof required to comply with this subsection is described under ORS  
40 815.310. This subsection does not apply if the vehicle is exempt from the requirements for proof of  
41 compliance under ORS 815.300.

42 (5) The applicant is domiciled in this state, as described in ORS 803.355, if required by ORS  
43 803.360 to be domiciled in the state in order to register a vehicle. If the department has reason to  
44 believe that the applicant is not domiciled in this state and is required to be in order to register a  
45 vehicle, the department may require the person to submit proof of domicile. The department shall

1 determine by rule what constitutes proof of domicile.

2 (6) The applicant owns a vehicle that qualifies under ORS 803.360 (2) for registration in this  
3 state, if the owner is not domiciled in this state and is not required by ORS 803.200, or any other  
4 provision of law, to register the vehicle in this state.

5 (7) The applicant surrenders all evidence of any former registration or title as required by ORS  
6 803.380.

7 (8)(a) Beginning with 2009 model year new motor vehicles, the applicant provides proof of com-  
8 pliance with low emission motor vehicle standards adopted pursuant to ORS 468A.360. The depart-  
9 ment shall determine by rule what constitutes proof of compliance with low emission motor vehicle  
10 standards.

11 (b) The department shall determine by rule which new motor vehicles are exempt from the re-  
12 quirements of this subsection. Any rules adopted pursuant to this paragraph shall be consistent with  
13 the Environmental Quality Commission standards adopted pursuant to ORS 468A.360.

14 (c) For purposes of this subsection, "new motor vehicle" means a motor vehicle with 7,500 miles  
15 or less on the odometer when the vehicle is initially registered under ORS 803.420 [(1)] (6)(a),  
16 805.100 or 805.120.

17 (9) If required to do so by the department, the applicant provides the department with satisfac-  
18 tory proof that the vehicle was designed to be operated on highways and meets equipment require-  
19 ments imposed by statute or rule for the lawful operation of a vehicle on highways. The department  
20 may adopt rules specifying the kinds of vehicles that are subject to this subsection and what con-  
21 stitutes satisfactory proof under this subsection.

22 **SECTION 39e.** ORS 803.415 is amended to read:

23 803.415. This section establishes registration periods for vehicles. The registration periods are  
24 periods described under ORS 803.400. Except as provided in the following, the registration period for  
25 any vehicle registered in this state by the Department of Transportation is a biennial registration  
26 period:

27 (1) The following vehicles have permanent registration:

28 (a) Antique vehicles registered under ORS 805.010.

29 (b) Vehicles of special interest registered under ORS 805.020.

30 (c) Trailers that will be operated on the highways at a loaded weight of more than 8,000 pounds  
31 and are not travel trailers, fixed load vehicles or special use trailers.

32 (2) Government-owned vehicles registered under ORS 805.040 have ownership registration.

33 (3) The following vehicles may be registered under annual or quarterly registration unless the  
34 vehicles are registered under proportional registration under ORS 826.009 or proportional fleet  
35 registration under ORS 826.011:

36 (a) Vehicles required to establish a registration weight under ORS 803.430.

37 (b) Commercial buses.

38 (c) Vehicles registered as farm vehicles under ORS 805.300.

39 (4) Snowmobiles are registered as provided in ORS 821.080.

40 (5) Vehicles operated by dealers who hold certificates under ORS 822.020 are as provided under  
41 ORS 822.040.

42 (6) Trailers for hire that will be operated at a loaded weight of 8,000 pounds or less may be  
43 registered as follows:

44 (a) Annual registration; or

45 (b) If registered under an agreement pursuant to ORS 802.500, for a period of time determined

1 as specified in the agreement or as determined by the department.

2 (7) Except as otherwise provided in subsection (10) of this section, the registration period for  
3 electric vehicles and hybrid vehicles that use electricity and another source of motive power is a  
4 biennial registration period except that the registration period for the following electric or hybrid  
5 vehicles is an annual registration period:

6 (a) Commercial buses.

7 (b) Electric or hybrid vehicles registered as farm vehicles under ORS 805.300.

8 (c) Vehicles required to establish registration weight under ORS 803.430.

9 (8) Vehicles registered under ORS 805.100 have an ownership registration period.

10 (9) School vehicles registered under ORS 805.050 have ownership registration except that the  
11 registration shall continue to be valid if ownership of the vehicle is transferred to a person who  
12 continues to use the vehicle for purposes authorized by ORS 805.050.

13 (10) The following vehicles have a four-year registration period:

14 (a) New vehicles registered under ORS 803.420 [(1)] **(6)(a)** for which new registration plates will  
15 be issued;

16 (b) New mopeds **or motorcycles** registered under ORS 803.420 [(2)] **(6)(c)** for which new regis-  
17 tration plates will be issued; **and**

18 **(c) New trailers registered under ORS 803.420 (6)(b), for which new registration plates**  
19 **will be issued.**

20 *[(c) New motorcycles registered under ORS 803.420 (3) for which new registration plates will be*  
21 *issued; and]*

22 *[(d) New vehicles registered under ORS 803.420 (9)(a) for which new registration plates will be*  
23 *issued.]*

24 (11) A rental or leasing company, as defined in ORS 221.275, may elect an annual, a biennial or  
25 a four-year registration period for the initial registration of a new vehicle registered under ORS  
26 803.420 [(1) or (9)(a)] **(6)(a)** for which new registration plates will be issued if the company owns the  
27 vehicle that is being registered. The subsequent renewal or reregistration periods for the vehicle  
28 are biennial.

29 **SECTION 39f.** ORS 803.445 is amended to read:

30 803.445. (1) The governing body of a county may impose registration fees for vehicles as pro-  
31 vided in ORS 801.041.

32 (2) The governing body of a district may impose registration fees for vehicles as provided in ORS  
33 801.042.

34 (3) The Department of Transportation shall provide by rule for the administration of laws au-  
35 thORIZING county and district registration fees and for the collection of those fees.

36 (4) Any registration fee imposed under this section shall be imposed in a manner consistent with  
37 ORS 803.420.

38 (5) No county or district may impose a vehicle registration fee that would by itself, or in com-  
39 bination with any other vehicle registration fee imposed under this section, exceed the amount of  
40 the fee imposed under ORS 803.420 [(1)] **(6)(a)**. The owner of any vehicle subject to multiple fees  
41 under this section shall be allowed a credit or credits with respect to one or more of such fees so  
42 that the total of such fees does not exceed the amount of the fee imposed under ORS 803.420 [(1)]  
43 **(6)(a)**.

44 **SECTION 39g.** ORS 805.047 is amended to read:

45 805.047. (1) Upon request of any county, the Department of Transportation may issue registra-



1 tion plates or other evidence of registration from any regular series rather than from any specially  
2 designed government series for a vehicle owned or operated by the county. The registration period  
3 for a vehicle described under this section shall be the same as the regular registration period for  
4 the type of vehicle registered. The fee for registration or renewal of registration of a vehicle under  
5 this section shall be the fee established under ORS 803.420 [(1) or (9)] **(6)(a)**.

6 (2) Any vehicle registered under this section and not exempted under ORS 815.300 must meet  
7 the requirements for certification of compliance with pollution control under ORS 815.310.

8 **SECTION 39h.** ORS 805.103 is amended to read:

9 805.103. (1) The Department of Transportation shall provide for issuance of registration plates  
10 for a motor vehicle registered under ORS 803.420 [(1) or (9)(a)] **(6)(a)**, in a manner consistent with  
11 this section, to motor vehicle owners who qualify for the plates as Congressional Medal of Honor  
12 recipients under subsection (2) this section.

13 (2) A person who is a Congressional Medal of Honor recipient qualifies for registration plates  
14 under this section if the person provides the department with a certificate from the United States  
15 Department of Veterans Affairs attesting to the person's status as a Congressional Medal of Honor  
16 recipient.

17 (3) Registration plates issued under this section shall be considered customized registration  
18 plates for purposes of the fee required in ORS 805.250. The department may waive the fee required  
19 in ORS 805.250.

20 (4) The department may not issue registration plates for a motor vehicle under this section if  
21 another motor vehicle owned by the applicant has been issued registration plates under this section.

22 (5) The registration plates issued under this section shall:

- 23 (a) Be issued with a unique background design determined by the department;
- 24 (b) Be issued with a specific configuration as determined by the department;
- 25 (c) Contain the words "Medal of Honor";
- 26 (d) Contain the image of the Congressional Medal of Honor; and
- 27 (e) Meet the requirements for registration plates under ORS 803.535.

28 (6) If there is a transfer of interest in the motor vehicle to which the registration plate under  
29 this section is assigned, or if the motor vehicle is totaled and not reconstructed, the motor vehicle  
30 owner shall remove the registration plate. The Congressional Medal of Honor recipient may retain  
31 the registration plate, but the registration plate may not be placed on any other motor vehicle un-  
32 less the registration plate is transferred as set forth in subsection (7) of this section.

33 (7) If the motor vehicle owner qualifies for the registration plates under subsection (2) of this  
34 section, the department may transfer registration plates issued under this section to another motor  
35 vehicle registered under ORS 803.420 [(1) or (9)(a)] **(6)(a)**, as set forth in ORS 805.242.

36 (8) The department shall cancel any registration plates issued under this section if the depart-  
37 ment determines that the motor vehicle is owned by a person who does not qualify for the regis-  
38 tration plates under subsection (2) of this section or that the motor vehicle is not registered under  
39 ORS 803.420 [(1) or (9)(a)] **(6)(a)**.

40 (9) The department may adopt rules necessary to carry out the provisions of this section.

41 **SECTION 39i.** ORS 805.105 is amended to read:

42 805.105. (1) The Department of Transportation shall establish a veterans' recognition registra-  
43 tion plate program to issue registration plates called "veterans' recognition registration plates"  
44 upon request to an owner of any motor vehicle registered under ORS 803.420 [(1) or (9)(a)] **(6)(a)** if  
45 the owner of the motor vehicle qualifies for the plates. Rules adopted under this section shall in-

1 clude, but need not be limited to, rules that:

2 (a) Describe general qualifications to be met by any veterans' group in order to be eligible for  
3 a veterans' recognition registration plate issued under this section.

4 (b) Specify circumstances under which the department may cease to issue veterans' recognition  
5 registration plates.

6 (c) Specify what constitutes proof of veteran status for issuance of a veterans' recognition reg-  
7 istration plate, if such proof is required by a veterans' group or by the Director of Veterans' Affairs.

8 (d) Specify what constitutes proof that a person is a surviving family member of a person who  
9 was killed in action during an armed conflict while serving in the Armed Forces of the United  
10 States. The department may only issue a veteran's recognition registration plate displaying a gold  
11 star decal and the words "Gold Star Family" to a person who is a parent, sibling, spouse or de-  
12 pendent of a person who was killed in action during an armed conflict while serving in the Armed  
13 Forces of the United States.

14 (2)(a) In addition to any other fee authorized by law, upon issuance of a veterans' recognition  
15 registration plate under this section and upon renewal of registration for a vehicle that has plates  
16 issued under this section, the department shall collect a surcharge of \$2.50 per plate for each year  
17 of the registration period for the vehicle as described under ORS 803.415.

18 (b) Except as otherwise provided in paragraph (c) of this subsection, net proceeds of the sur-  
19 charge collected by the department for the veterans' recognition registration plate shall be deposited  
20 in the trust fund established under ORS 406.050 for paying the expenses of operating the Oregon  
21 Veterans' Home.

22 (c) If the department issues a veterans' recognition registration plate that names, describes or  
23 represents a veterans' group, that veterans' group may designate an account into which the net  
24 proceeds of the surcharge collected by the department under this section are to be deposited. The  
25 department shall keep accurate records of the number of plates issued under this paragraph for each  
26 veterans' group and, after payment of administrative expenses of the department, shall deposit  
27 moneys collected under this subsection into the specified account.

28 (d) Deposits under this subsection shall be made quarterly.

29 (3)(a) In consultation with the Department of Transportation, the Director of Veterans' Affairs  
30 shall design the veterans' recognition registration plate.

31 (b) If the department issues a veterans' recognition registration plate to recognize a veterans'  
32 group, the department shall, in consultation with the requesting veterans' group, add words or a  
33 military-related decal to the veterans' recognition registration plate that names, describes or re-  
34 presents the veterans' group.

35 (c) The department shall add a gold star decal and the words "Gold Star Family" to a veterans'  
36 recognition registration plate background to recognize surviving family members of persons killed  
37 in action during an armed conflict while serving in the Armed Forces of the United States.

38 (d) Except as otherwise required by the design, veterans' recognition registration plates must  
39 comply with the requirements of ORS 803.535.

40 (4) The department shall determine how many sets of veterans' recognition registration plates  
41 will be manufactured. If the department does not sell or issue renewal for 500 sets of veterans' re-  
42 cognition registration plates in any one year, the department shall cease production of veterans'  
43 recognition registration plates. For the purposes of this section, veterans' recognition registration  
44 plates that name, describe or represent a veterans' group are included in the total number of  
45 veterans' recognition registration plates issued.

1 (5) For the purposes of this section, “sibling” includes siblings of the whole or half blood and  
2 siblings by adoption, marriage or domestic partnership.

3 **SECTION 39j.** ORS 805.115 is amended to read:

4 805.115. (1) In the absence of just cause for refusal, the Department of Transportation shall  
5 provide for registration in a manner consistent with this section for persons who qualify under this  
6 section as active members of the Oregon National Guard. The special registration provisions under  
7 this section are subject to the following:

8 (a) The fee to register or renew registration under this section shall be the regular registration  
9 fee for the vehicle.

10 (b) Any motor vehicle registered under ORS 803.420 [(1) and (16)(c) and (d)] **(6)(a) or (7)(c)(C)**  
11 **or (D)** may be registered under this section.

12 (2) A person is eligible for registration under this section if the person is issued a certificate  
13 by the Oregon Military Department certifying that the person is an active member of the Oregon  
14 National Guard.

15 (3) The department may suspend, revoke or refuse to renew any registration issued under this  
16 section if the department determines that the vehicle is owned by a person not qualified for regis-  
17 tration under this section or that the vehicle is not eligible for registration under this section.

18 (4) The Oregon Military Department shall notify the Department of Transportation within 30  
19 days if a person issued a certificate described in subsection (2) of this section ceases to be an active  
20 member of the Oregon National Guard.

21 **SECTION 39k.** ORS 805.205 is amended to read:

22 805.205. (1) Except as provided in subsection (7) of this section, the Department of Transporta-  
23 tion shall provide for issuance of registration plates described in this section for nonprofit groups  
24 meeting the qualifications for tax exempt status under section 501(c)(3) of the Internal Revenue Code  
25 and for institutions of higher education. Plates issued under this section may be issued to owners  
26 of motor vehicles registered under the provisions of ORS 803.420 [(1)] **(6)(a)**. Plates issued under this  
27 section may not contain expressions of political opinion or religious belief. Rules adopted under this  
28 section shall include, but need not be limited to, rules that:

29 (a) Specify circumstances under which the department may cease to issue plates for any partic-  
30 ular group.

31 (b) Require each group for which plates are issued to file an annual statement on a form de-  
32 signed by the department showing that the group is a nonprofit group or is an institution of higher  
33 education and that the group or institution otherwise meets the qualifications imposed for eligibility  
34 for plates issued under this section. The statement shall include names and addresses of current  
35 directors or officers of the group or institution or of other persons authorized to speak for the group  
36 or institution on matters affecting plates issued under this section.

37 (2)(a) Except as otherwise provided in paragraphs (b) and (c) of this subsection, in addition to  
38 any other fee authorized by law, upon issuance of a plate under this section and upon renewal of  
39 registration for a vehicle that has plates issued under this section, the department shall collect a  
40 surcharge for each year of the registration period. The surcharge shall be determined by the de-  
41 partment by rule and may not be less than \$2.50 per plate or more than \$16 per plate. In setting the  
42 amount of the surcharge, the department shall consult with the nonprofit group for which the plates  
43 are issued.

44 (b) In addition to any other fee authorized by law, upon issuance of a plate under this section  
45 that recognizes an institution of higher education in this state, and upon renewal of registration for

1 a vehicle that has such plates, the department shall collect a surcharge of \$8 per plate for each year  
2 of the registration period.

3 (c) In addition to any other fee authorized by law, upon issuance of a Share the Road registra-  
4 tion plate the department shall collect a surcharge of \$5 per year of registration.

5 (3) Plates issued under this section shall be from the current regular issue of plates except that:

6 (a) If the group requesting the plates is an institution of higher education, the plates shall, upon  
7 request, contain words that indicate the plates are issued to recognize the institution or shall con-  
8 tain the institution's logo or an image of the institution's mascot; or

9 (b) If the group requesting the plates is a group that recognizes fallen public safety officers, the  
10 plates shall, upon request, contain a decal that indicates the plates are issued to recognize fallen  
11 public safety officers.

12 (4) Except as otherwise required by the design chosen, the plates shall comply with the re-  
13 quirements of ORS 803.535. The department shall determine how many sets of plates shall be man-  
14 ufactured for each group approved under this section. If the department does not sell or issue  
15 renewal for 500 sets of plates for a particular group in any one year, the department shall cease  
16 production of those plates.

17 (5) Except as otherwise provided in subsection (6) of this section, each group that is found by  
18 the department to be eligible for plates issued under this section may designate an account into  
19 which the net proceeds of the surcharge collected by the department under subsection (2) of this  
20 section are to be deposited. The department shall keep accurate records of the number of plates is-  
21 sued for each group that qualifies. After payment of administrative expenses of the department,  
22 moneys collected under this section for each group shall be deposited by the department into an  
23 account specified by that group. If any group does not specify an account for the moneys collected  
24 from the sale of plates issued under this section, the department shall deposit moneys collected for  
25 those plates into the Passenger Rail Transportation Account established under ORS 802.100 to be  
26 used as other moneys in the account are used. Deposits under this subsection shall be made at least  
27 quarterly.

28 (6)(a) Each institution of higher education that requests a plate under this section shall desig-  
29 nate an account in the general fund of the institution, and the proceeds in the account shall be used  
30 for the purpose of academic enrichment at the institution.

31 (b) Net proceeds of the surcharge collected by the department for Share the Road registration  
32 plates shall be deposited into two accounts designated by the Bicycle Transportation Alliance and  
33 Cycle Oregon. The department shall evenly distribute the net proceeds to each account. Deposits  
34 under this paragraph shall be made at least quarterly. At any time that the department determines  
35 that the accounts designated by the Bicycle Transportation Alliance and Cycle Oregon cease to  
36 exist, the department may deposit the proceeds into the Passenger Rail Transportation Account es-  
37 tablished under ORS 802.100.

38 (c) Net proceeds of the surcharge collected by the department for Keep Kids Safe registration  
39 plates shall be deposited into an account designated by the Children's Trust Fund of Oregon Foun-  
40 dation to fund strategies and approaches shown to prevent or reduce child abuse. Deposits made  
41 under this paragraph shall be made at least quarterly. At any time that the department determines  
42 that the account designated by the Children's Trust Fund of Oregon Foundation ceases to exist, the  
43 department shall deposit the proceeds into the Keep Kids Safe Registration Plate Account estab-  
44 lished in ORS 805.207. At the beginning of each biennium, the Early Learning Council shall evenly  
45 distribute the moneys in the Keep Kids Safe Registration Plate Account to the counties in this state,

1 until each county receives \$1,000. After each county has received \$1,000, the council shall distribute  
2 any remaining moneys to each county in an amount equal to the percentage of Keep Kids Safe  
3 registration plates sold in that county. Each county shall use the moneys received under this para-  
4 graph solely for the purpose of funding strategies and approaches shown to prevent or reduce child  
5 abuse.

6 (7) The department may not accept applications to create new group registration plates on or  
7 after August 12, 2015.

8 **SECTION 39L.** ORS 805.222 is amended to read:

9 805.222. (1) The Department of Transportation shall establish a special registration program and  
10 provide for issuance of special registration plates for nonprofit groups meeting the qualifications for  
11 tax exempt status under section 501(c)(3) of the Internal Revenue Code, for institutions of higher  
12 education and for public bodies, as defined in ORS 174.109.

13 (2) Plates issued under this section may be issued to owners of motor vehicles registered under  
14 the provisions of ORS 803.420 [(1)] **(6)(a)**. In addition, the department may adopt rules for issuance  
15 of special registration plates issued pursuant to this section for vehicles not registered under ORS  
16 803.420 [(1)] **(6)(a)**.

17 (3) Plates issued under this section may not contain expressions of political opinion or religious  
18 belief.

19 (4) Rules adopted under this section shall include, but need not be limited to, rules that:

20 (a) Describe general qualifications to be met by any nonprofit group, institution of higher edu-  
21 cation or public body in order to be eligible for plates issued under this section.

22 (b) Specify circumstances under which the department may cease to issue plates under this  
23 section.

24 (c) Require each nonprofit group, institution of higher education or public body for which plates  
25 are issued to file an annual statement on a form designed by the department showing that the group  
26 is a nonprofit group, institution of higher education or public body and that the nonprofit group,  
27 institution of higher education or public body otherwise meets the qualifications imposed for eligi-  
28 bility for plates issued under this section. The statement shall include names and addresses of cur-  
29 rent directors or officers of the nonprofit group, institution of higher education or public body or  
30 of other persons authorized to speak for the nonprofit group, institution of higher education or  
31 public body on matters affecting plates issued under this section.

32 (d) Specify the manner in which a nonprofit group, institution of higher education or public body  
33 may apply for a special registration plate.

34 (5) In addition to any other fee authorized by law, for each set of special registration plates is-  
35 sued pursuant to this section, the department shall collect a surcharge of \$40 payable when the  
36 plates are issued and upon each subsequent renewal of registration of a vehicle bearing the plates.  
37 The department shall distribute the moneys from the surcharge as provided in subsection (8) of this  
38 section.

39 (6) The department, in consultation with the nonprofit group, institution of higher education or  
40 public body requesting the special registration plate, shall develop a unique design for each plate  
41 issued under this section. Any design must comply with requirements described under ORS 803.535.

42 (7) The department shall determine how many sets of plates shall be manufactured for each plate  
43 approved under this section. If the department does not issue 2,000 sets of plates for a particular  
44 nonprofit group, institution of higher education or public body in any one year, the department shall  
45 cease production of those plates.

1 (8) Each nonprofit group, institution of higher education or public body that is found by the  
 2 department to be eligible for plates issued under this section may designate an account into which  
 3 the net proceeds of the surcharge collected by the department under subsection (5) of this section  
 4 are to be deposited. The department shall keep accurate records of the number of plates issued for  
 5 each nonprofit group, institution of higher education or public body that qualifies. After payment  
 6 of administrative expenses of the department, moneys collected under this section for a nonprofit  
 7 group, institution of higher education or public body shall be deposited by the department into an  
 8 account specified by that nonprofit group, institution of higher education or public body. If any  
 9 nonprofit group, institution of higher education or public body does not specify an account for the  
 10 moneys collected from the sale of plates issued under this section, the department shall deposit  
 11 moneys collected for those plates into the Passenger Rail Transportation Account established under  
 12 ORS 802.100 to be used as other moneys in the account are used. Deposits under this subsection  
 13 shall be made at least quarterly.

14 **SECTION 39m.** ORS 805.255 is amended to read:

15 805.255. (1) The Department of Transportation shall establish a salmon registration plate pro-  
 16 gram to issue special registration plates called “salmon registration plates” upon request to owners  
 17 of motor vehicles registered under the provisions of ORS 803.420 [(1)] **(6)(a)** to observe the impor-  
 18 tance of salmonid to Oregon. In addition, the department may adopt rules for issuance of salmon  
 19 registration plates for vehicles not registered under the provisions of ORS 803.420 [(1)] **(6)(a)**.

20 (2) In addition to any other fee authorized by law, for each salmon registration plate issued  
 21 under subsection (1) of this section, the department shall collect a surcharge of \$7.50 for each year  
 22 of the registration period, payable when the plate is issued and upon each subsequent renewal of  
 23 registration of a vehicle bearing the plate. The department shall distribute the surcharge as pro-  
 24 vided in ORS 805.256.

25 **SECTION 39n.** ORS 805.260 is amended to read:

26 805.260. (1) The Department of Transportation shall establish a cultural registration plate pro-  
 27 gram to issue special registration plates called “cultural registration plates” upon request to owners  
 28 of motor vehicles registered under the provisions of ORS 803.420 [(1)] **(6)(a)** to observe the impor-  
 29 tance of culture to Oregon. In addition, the department may adopt rules for issuance of cultural  
 30 registration plates for vehicles not registered under the provisions of ORS 803.420 [(1)] **(6)(a)**.

31 (2) In addition to any other fee authorized by law, for each cultural registration plate issued  
 32 under subsection (1) of this section, the department shall collect a surcharge of \$15 payable when  
 33 the plate is issued and upon each subsequent renewal of registration of a vehicle bearing the plate.  
 34 The department shall distribute the surcharge as provided in ORS 805.261.

35 (3) The department, in consultation with the Trust for Cultural Development Board, shall design  
 36 the cultural registration plates. The plates shall meet the requirements for registration plates de-  
 37 scribed in ORS 803.535.

38 **SECTION 39o.** ORS 805.263 is amended to read:

39 805.263. (1) The Department of Transportation shall establish a Crater Lake National Park reg-  
 40 istration plate program to issue special registration plates called “Crater Lake National Park reg-  
 41 istration plates” upon request to owners of motor vehicles registered under the provisions of ORS  
 42 803.420 [(1)] **(6)(a)** to commemorate the 100th anniversary of Crater Lake National Park. The de-  
 43 partment may adopt rules for issuance of Crater Lake National Park registration plates for vehicles  
 44 that are not registered under the provisions of ORS 803.420 [(1)] **(6)(a)**.

45 (2) In addition to any other fee authorized by law, for each Crater Lake National Park regis-

1 tration plate issued under subsection (1) of this section, the department shall collect a surcharge  
2 of \$10 payable when the plate is issued. The department shall distribute the surcharge as provided  
3 in ORS 805.264.

4 **SECTION 39p.** ORS 805.266 is amended to read:

5 805.266. (1) The Department of Transportation shall establish a wine country registration plate  
6 program to issue special registration plates called “wine country registration plates” upon request  
7 to owners of motor vehicles registered under the provisions of ORS 803.420 [(1)] **(6)(a)**.

8 (2) In addition to any other fee authorized by law, for each set of wine country registration  
9 plates issued under subsection (1) of this section, the department shall collect a surcharge of \$30  
10 payable when the plates are issued and upon each subsequent renewal of registration of a vehicle  
11 bearing the plates. The department shall transfer the moneys from the surcharge as provided in ORS  
12 805.272.

13 **SECTION 39q.** ORS 805.278 is amended to read:

14 805.278. (1) The Department of Transportation shall establish a Portland Trail Blazers registra-  
15 tion plate program to issue special registration plates to support charitable initiatives through the  
16 Trail Blazers Foundation established by the Portland Trail Blazers. The special registration plates  
17 shall be issued upon request to owners of motor vehicles registered under ORS 803.420 [(1)] **(6)(a)**.  
18 In addition, the department may adopt rules for issuance of Portland Trail Blazers registration  
19 plates for vehicles not registered under ORS 803.420 [(1)] **(6)(a)**.

20 (2) In addition to any other fee authorized by law, for each set of Portland Trail Blazers regis-  
21 tration plates issued under subsection (1) of this section, the department shall collect a surcharge  
22 of \$40 payable when the plates are issued and upon each subsequent renewal of registration of a  
23 vehicle bearing the plates. The department shall distribute the moneys from the surcharge as pro-  
24 vided in ORS 805.279.

25 (3) Notwithstanding ORS 803.530, Portland Trail Blazers registration plates may be transferred  
26 from vehicle to vehicle if the department stops issuing the plates, as long as the plates are not too  
27 old, damaged, mutilated or otherwise rendered illegible to be useful for purposes of identification.

28 (4) The Portland Trail Blazers registration plate must include the name or logo of the Portland  
29 Trail Blazers basketball team. The department shall design the plate in consultation with the  
30 Portland Trail Blazers. The final design of the plate is subject to approval by the Portland Trail  
31 Blazers. The department may enter into agreements necessary for the use of the logo, name, marks  
32 or slogans associated with the Portland Trail Blazers or the National Basketball Association.

33 (5) Except as otherwise required by the design approved by the department, Portland Trail  
34 Blazers registration plates must comply with the requirements of ORS 803.535.

35 **SECTION 39r.** ORS 805.283 is amended to read:

36 805.283. (1) The Department of Transportation shall establish a breast cancer awareness regis-  
37 tration plate program to issue special registration plates called “breast cancer awareness registra-  
38 tion plates” upon request to owners of motor vehicles registered under ORS 803.420 [(1)] **(6)(a)**. In  
39 addition, the department may adopt rules for issuance of breast cancer awareness registration plates  
40 for vehicles not registered under ORS 803.420 [(1)] **(6)(a)**.

41 (2) In addition to any other fee authorized by law, for each set of breast cancer awareness regis-  
42 tration plates issued under subsection (1) of this section, the department shall collect a surcharge  
43 of \$40 payable when the plates are issued and upon each subsequent renewal of registration of a  
44 vehicle bearing the plates. The department shall distribute the surcharge as provided in ORS  
45 805.285.

1 (3) Notwithstanding ORS 803.530, breast cancer awareness registration plates may be trans-  
2 ferred from vehicle to vehicle if the department stops issuing the plates, as long as the plates are  
3 not too old, damaged, mutilated or otherwise rendered illegible to be useful for purposes of iden-  
4 tification.

5 **SECTION 39s.** Section 2, chapter 823, Oregon Laws 2009, as amended by section 8, chapter 709,  
6 Oregon Laws 2011, section 1, chapter 390, Oregon Laws 2015, and section 18, chapter 806, Oregon  
7 Laws 2015, is amended to read:

8 **Sec. 2.** (1) The Department of Transportation shall establish a Pacific Wonderland registration  
9 plate program to issue special registration plates called "Pacific Wonderland registration plates"  
10 upon request to owners of motor vehicles registered under the provisions of ORS 803.420 [(1)]  
11 **(6)(a)**. In addition, the department may adopt rules for issuance of Pacific Wonderland registration  
12 plates for vehicles not registered under the provisions of ORS 803.420 [(1)] **(6)(a)**.

13 (2) In addition to any other fee authorized by law, for each set of Pacific Wonderland registra-  
14 tion plates issued under subsection (1) of this section, the department shall collect a surcharge of  
15 \$100 payable when the plates are issued. The department shall transfer the moneys from the sur-  
16 charge as provided in section 3, chapter 823, Oregon Laws 2009.

17 (3) Notwithstanding ORS 803.530, Pacific Wonderland registration plates may be transferred  
18 from vehicle to vehicle if the department stops issuing the plates, as long as the plates are not so  
19 old, damaged, mutilated or otherwise rendered illegible as to be not useful for purposes of identifi-  
20 cation.

21 (4) The department shall limit the total number of Pacific Wonderland registration plates to  
22 80,000 sets of plates.

23 **SECTION 39t.** ORS 822.213 is amended to read:

24 822.213. (1) In addition to the privileges described under ORS 822.210, the holder of a current,  
25 valid towing business certificate issued under ORS 822.205 may use a tow vehicle to transport  
26 property for hire other than as described in ORS 822.210 if:

27 (a) The tow vehicle is used primarily for the purposes described in ORS 822.210 in a manner  
28 specified by the department by rule;

29 (b) The tow vehicle has a combined weight of 26,001 pounds or more;

30 (c) The holder of the towing business certificate has submitted a declaration of weight under  
31 ORS 803.435 and has registered the tow vehicle under ORS 803.420 [(10)] **(14)(a)**; and

32 (d) The holder of the towing business certificate operates in accordance with the provisions of  
33 ORS chapter 825.

34 (2) A tow vehicle that is used to transport property for hire other than as described in ORS  
35 822.210 is subject to the weight-mile tax imposed under ORS 825.474.

36 **SECTION 40.** ORS 319.020 is amended to read:

37 319.020. (1) Subject to subsections (2) to (4) of this section, in addition to the taxes otherwise  
38 provided for by law, every dealer engaging in the dealer's own name, or in the name of others, in  
39 the first sale, use or distribution of motor vehicle fuel or aircraft fuel or withdrawal of motor vehicle  
40 fuel or aircraft fuel for sale, use or distribution within areas in this state within which the state  
41 lacks the power to tax the sale, use or distribution of motor vehicle fuel or aircraft fuel, shall:

42 (a) Not later than the 25th day of each calendar month, render a statement to the Department  
43 of Transportation of all motor vehicle fuel or aircraft fuel sold, used, distributed or so withdrawn  
44 by the dealer in the State of Oregon as well as all such fuel sold, used or distributed in this state  
45 by a purchaser thereof upon which sale, use or distribution the dealer has assumed liability for the



1 applicable license tax during the preceding calendar month. The dealer shall render the statement  
2 to the department in the manner provided by the department by rule.

3 (b) Except as provided in ORS 319.270, pay a license tax computed on the basis of [30] 34 cents  
4 per gallon on the first sale, use or distribution of such motor vehicle fuel or aircraft fuel so sold,  
5 used, distributed or withdrawn as shown by such statement in the manner and within the time pro-  
6 vided in ORS 319.010 to 319.430.

7 (2) When aircraft fuel is sold, used or distributed by a dealer, the license tax shall be computed  
8 on the basis of 11 cents per gallon of fuel so sold, used or distributed, except that when aircraft fuel  
9 usable in aircraft operated by turbine engines (turbo-prop or jet) is sold, used or distributed, the tax  
10 rate shall be three cents per gallon.

11 (3) In lieu of claiming refund of the tax paid on motor vehicle fuel consumed by such dealer in  
12 nonhighway use as provided in ORS 319.280, 319.290 and 319.320, or of any prior erroneous payment  
13 of license tax made to the state by such dealer, the dealer may show such motor vehicle fuel as a  
14 credit or deduction on the monthly statement and payment of tax.

15 (4) The license tax computed on the basis of the sale, use, distribution or withdrawal of motor  
16 vehicle or aircraft fuel may not be imposed wherever such tax is prohibited by the Constitution or  
17 laws of the United States with respect to such tax.

18 **SECTION 41.** ORS 319.020, as amended by section 4, chapter 700, Oregon Laws 2015, is  
19 amended to read:

20 319.020. (1) Subject to subsections (2) to (4) of this section, in addition to the taxes otherwise  
21 provided for by law, every dealer engaging in the dealer's own name, or in the name of others, in  
22 the first sale, use or distribution of motor vehicle fuel or aircraft fuel or withdrawal of motor vehicle  
23 fuel or aircraft fuel for sale, use or distribution within areas in this state within which the state  
24 lacks the power to tax the sale, use or distribution of motor vehicle fuel or aircraft fuel, shall:

25 (a) Not later than the 25th day of each calendar month, render a statement to the Department  
26 of Transportation of all motor vehicle fuel or aircraft fuel sold, used, distributed or so withdrawn  
27 by the dealer in the State of Oregon as well as all such fuel sold, used or distributed in this state  
28 by a purchaser thereof upon which sale, use or distribution the dealer has assumed liability for the  
29 applicable license tax during the preceding calendar month. The dealer shall render the statement  
30 to the department in the manner provided by the department by rule.

31 (b) Except as provided in ORS 319.270, pay a license tax computed on the basis of [30] 34 cents  
32 per gallon on the first sale, use or distribution of such motor vehicle fuel or aircraft fuel so sold,  
33 used, distributed or withdrawn as shown by such statement in the manner and within the time pro-  
34 vided in ORS 319.010 to 319.430.

35 (2) When aircraft fuel is sold, used or distributed by a dealer, the license tax shall be computed  
36 on the basis of nine cents per gallon of fuel so sold, used or distributed, except that when aircraft  
37 fuel usable in aircraft operated by turbine engines (turbo-prop or jet) is sold, used or distributed, the  
38 tax rate shall be one cent per gallon.

39 (3) In lieu of claiming refund of the tax paid on motor vehicle fuel consumed by such dealer in  
40 nonhighway use as provided in ORS 319.280, 319.290 and 319.320, or of any prior erroneous payment  
41 of license tax made to the state by such dealer, the dealer may show such motor vehicle fuel as a  
42 credit or deduction on the monthly statement and payment of tax.

43 (4) The license tax computed on the basis of the sale, use, distribution or withdrawal of motor  
44 vehicle or aircraft fuel may not be imposed wherever such tax is prohibited by the Constitution or  
45 laws of the United States with respect to such tax.

1       **SECTION 42.** ORS 319.530 is amended to read:

2       319.530. (1) To compensate this state partially for the use of its highways, an excise tax hereby  
3 is imposed at the rate of [30] **34** cents per gallon on the use of fuel in a motor vehicle.

4       (2) Except as otherwise provided in subsections (3) and (4) of this section, 100 cubic feet of fuel  
5 used or sold in a gaseous state, measured at 14.73 pounds per square inch of pressure at 60 degrees  
6 Fahrenheit, is taxable at the same rate as a gallon of liquid fuel.

7       (3) One hundred twenty cubic feet of compressed natural gas used or sold in a gaseous state,  
8 measured at 14.73 pounds per square inch of pressure at 60 degrees Fahrenheit, is taxable at the  
9 same rate as a gallon of liquid fuel.

10       (4) One and three-tenths liquid gallons of propane at 60 degrees Fahrenheit is taxable at the  
11 same rate as a gallon of other liquid fuel.

12       (5)(a) Except as provided in paragraph (b) of this subsection, the excise tax imposed under sub-  
13 section (1) of this section does not apply to diesel fuel blended with a minimum of 20 percent  
14 biodiesel that is derived from used cooking oil.

15       (b) The exemption provided under paragraph (a) of this subsection does not apply to fuel:

16       (A) Used in motor vehicles that have a gross vehicle weight rating of 26,001 pounds or more;

17       (B) That is not sold in retail operations; or

18       (C) That is sold in operations involving fleet fueling or bulk sales.

19       **SECTION 43.** ORS 319.530, as amended by section 3, chapter 648, Oregon Laws 2013, is  
20 amended to read:

21       319.530. (1) To compensate this state partially for the use of its highways, an excise tax hereby  
22 is imposed at the rate of [30] **34** cents per gallon on the use of fuel in a motor vehicle.

23       (2) Except as otherwise provided in subsections (3) and (4) of this section, 100 cubic feet of fuel  
24 used or sold in a gaseous state, measured at 14.73 pounds per square inch of pressure at 60 degrees  
25 Fahrenheit, is taxable at the same rate as a gallon of liquid fuel.

26       (3) One hundred twenty cubic feet of compressed natural gas used or sold in a gaseous state,  
27 measured at 14.73 pounds per square inch of pressure at 60 degrees Fahrenheit, is taxable at the  
28 same rate as a gallon of liquid fuel.

29       (4) One and three-tenths liquid gallons of propane at 60 degrees Fahrenheit is taxable at the  
30 same rate as a gallon of other liquid fuel.

31       **SECTION 44.** (1) **The amendments to ORS 319.020 by sections 40 and 41 of this 2017 Act**  
32 **apply to motor vehicle fuel sold, used, distributed or withdrawn on or after January 1, 2018.**

33       (2) **The amendments to ORS 319.530 by sections 42 and 43 of this 2017 Act apply to fuel**  
34 **used in motor vehicles on or after January 1, 2018.**

35       **SECTION 45. Fuel tax increases conditional on Oregon Transportation Commission re-**  
36 **ports.** (1)(a) **For calendar years beginning on or after January 1, 2020, the rates determined**  
37 **under ORS 319.020 (1)(b) and 319.530 (1) shall each be increased by two cents only if the**  
38 **Oregon Transportation Commission submits a report in the manner provided by ORS 192.245**  
39 **on or before December 1, 2019, to the Joint Committee on Transportation established under**  
40 **section 26 of this 2017 Act stating that:**

41       **(A) The commission has identified sufficient shovel-ready highway projects and highway**  
42 **maintenance or operational uses of the increased fuel tax revenue to justify the increase;**

43       **(B) The set of uniform standards required under section 11 (1) of this 2017 Act has been**  
44 **developed and the standards are being followed;**

45       **(C) The reports required from cities and counties under section 11 (2) of this 2017 Act**

1 have been submitted and posted by the commission as required under section 11 (3) of this  
2 2017 Act;

3 (D) The Department of Transportation is implementing the registration fees and title fees  
4 described in sections 32 and 37 of this 2017 Act; and

5 (E) The Interstate 205 Active Traffic Management Project and the Interstate 205 Corridor  
6 Bottleneck Project have been completed.

7 (b) In addition to the facts stated in the report required under paragraph (a) of this  
8 subsection, the Oregon Transportation Commission shall also submit with the report:

9 (A) A list of the shovel-ready highway projects the commission expects to undertake with  
10 the revenue that will become available as a result of the increase;

11 (B) The amount of bonds the commission considers necessary to be issued to complete  
12 shovel-ready highway projects scheduled to be commenced after January 1, 2020;

13 (C) The construction and financial status of uncompleted in-progress projects exceeding  
14 \$20 million identified in this 2017 Act;

15 (D) The status of the Treasure Valley Intermodal Facility Project and the Value Pricing  
16 Set-Up Project;

17 (E) Design, cost analysis and construction option packages for the Interstate 5 Rose  
18 Quarter Project for consideration by the Legislative Assembly; and

19 (F) The design, construction, financial status and progress of projects costing more than  
20 \$20 million that are identified in this 2017 Act, including, but not limited to, the Interstate  
21 205 Abernethy Bridge Project, the Interstate 205 Freeway Widening Project, the State High-  
22 way 217 Northbound Project and the State Highway 217 Southbound Project, and any other  
23 state transportation projects implemented after the effective date of this 2017 Act.

24 (2)(a) For calendar years beginning on or after January 1, 2022, the rates determined  
25 under ORS 319.020 (1)(b) and 319.530 (1) and subsection (1) of this section shall each be in-  
26 creased by two cents only if the Oregon Transportation Commission submits a report in the  
27 manner provided by ORS 192.245 on or before December 1, 2021, to the Joint Committee on  
28 Transportation established under section 26 of this 2017 Act stating that:

29 (A) The Continuous Improvement Advisory Committee appointed under section 10 of this  
30 2017 Act has reviewed and reported to the commission on all transportation projects costing  
31 \$50 million or more and completed not less than six months prior to the date of the report  
32 required under this paragraph;

33 (B) The recommendations for improvement reported by the Continuous Improvement  
34 Advisory Committee to the commission at least six months prior to the date of the report  
35 required under this paragraph have been implemented;

36 (C) The commission has identified sufficient shovel-ready highway projects and highway  
37 maintenance or operational uses of the increased fuel tax revenue to justify the increase;

38 (D) The set of uniform standards required under section 11 (1) of this 2017 Act has been  
39 developed and are being followed;

40 (E) The reports required from cities and counties under section 11 (2) of this 2017 Act  
41 have been submitted and posted by the commission as required under section 11 (3) of this  
42 2017 Act;

43 (F) Under section 11 (4) of this 2017 Act, payments from the State Highway Fund have  
44 been withheld from cities and counties that failed to submit reports as required under sec-  
45 tion 11 (2) of this 2017 Act;

1 (G) To the best knowledge of the commission, all bodies scheduled to receive fuel tax  
2 revenue pursuant to this 2017 Act after the operative date of the increase are in compliance  
3 with ORS 279C.305 or under review by the Bureau of Labor and Industries for compliance  
4 with ORS 279C.305, or the commission has requested from the bureau confirmation of such  
5 compliance; and

6 (H) The Department of Transportation is implementing the registration fees and title fees  
7 described in sections 32 and 37 of this 2017 Act.

8 (b) In addition to the facts stated in the report required under paragraph (a) of this  
9 subsection, the Oregon Transportation Commission shall also identify in the report:

10 (A) A list of the shovel-ready highway projects the commission expects to undertake with  
11 the revenue that will become available as a result of the increase;

12 (B) The amount of bonds the commission considers necessary to be issued to complete  
13 shovel-ready highway projects scheduled to be commenced after January 1, 2022; and

14 (C) The construction and financial status of uncompleted in-progress projects exceeding  
15 \$50 million identified in this 2017 Act; and

16 (D) The design, construction, financial status and progress of projects costing more than  
17 \$20 million that are identified in this 2017 Act, including, but not limited to, the Interstate  
18 5 Rose Quarter Project, the Interstate 205 Abernethy Bridge Project, the Interstate 205  
19 Freeway Widening Project, the State Highway 217 Northbound Project and the State Highway  
20 217 Southbound Project, and any other state transportation projects implemented after the  
21 effective date of this 2017 Act.

22 (3)(a) For calendar years beginning on or after January 1, 2024, the rates determined  
23 under ORS 319.020 (1)(b) and 319.530 (1) and subsections (1) and (2) of this section shall each  
24 be increased by two cents only if the Oregon Transportation Commission submits a report  
25 in the manner provided by ORS 192.245 on or before December 1, 2023, to the Joint Commit-  
26 tee on Transportation established under section 26 of this 2017 Act stating that:

27 (A) The Continuous Improvement Advisory Committee appointed under section 10 of this  
28 2017 Act has reviewed and reported to the commission on all transportation projects costing  
29 \$50 million or more and completed not less than six months prior to the date of the report  
30 required under this paragraph;

31 (B) The recommendations for improvement reported by the Continuous Improvement  
32 Advisory Committee to the commission at least six months prior to the date of the report  
33 required under this paragraph have been implemented;

34 (C) The commission has identified sufficient shovel-ready highway projects and highway  
35 maintenance or operational uses of the increased fuel tax revenue to justify the increase;

36 (D) The set of uniform standards required under section 11 (1) of this 2017 Act has been  
37 developed and are being followed;

38 (E) The reports required from cities and counties under section 11 (2) of this 2017 Act  
39 have been submitted and posted by the commission as required under section 11 (3) of this  
40 2017 Act;

41 (F) Under section 11 (4) of this 2017 Act, payments from the State Highway Fund have  
42 been withheld from cities and counties that failed to submit reports as required under sec-  
43 tion 11 (2) of this 2017 Act; and

44 (G) To the best knowledge of the commission, all bodies scheduled to receive fuel tax  
45 revenue pursuant to this 2017 Act after the operative date of the increase are in compliance

1 with ORS 279C.305 or under review by the Bureau of Labor and Industries for compliance  
2 with ORS 279C.305, or the commission has requested from the bureau confirmation of such  
3 compliance.

4 (b) In addition to the facts stated in the report required under paragraph (a) of this  
5 subsection, the Oregon Transportation Commission shall also submit with the report:

6 (A) A list of the shovel-ready highway projects the commission expects to undertake with  
7 the revenue that will become available as a result of the increase;

8 (B) The amount of bonds the commission considers necessary to be issued to complete  
9 shovel-ready highway projects scheduled to be commenced after January 1, 2024; and

10 (C) The design, construction, financial status and progress of projects costing more than  
11 \$20 million that are identified in this 2017 Act, including, but not limited to, the Interstate  
12 5 Rose Quarter Project, the Interstate 205 Abernethy Bridge Project, the Interstate 205  
13 Freeway Widening Project, the State Highway 217 Northbound Project and the State Highway  
14 217 Southbound Project, and any other state transportation projects implemented after the  
15 effective date of this 2017 Act.

16 **NOTE:** Sections 46 and 47 were deleted by amendment. Subsequent sections were not renum-  
17 bered.

18  
19 (Fees Related to Heavy Trucks)

20  
21 **SECTION 48.** ORS 803.645 is amended to read:

22 803.645. (1) **For the period beginning on January 1, 2018, and ending on December 31, 2019,**  
23 fees for trip permits issued under ORS 803.600 are as follows:

24 [(1)] (a) For a heavy motor vehicle trip permit, \$43.

25 [(2)] (b) For a heavy trailer trip permit, \$10.

26 [(3)] (c) For a light vehicle trip permit, [~~\$30~~] **\$32.**

27 [(4)] (d) For a recreational vehicle trip permit, [~~\$30~~] **\$32.**

28 [(5)] (e) For a registration weight trip permit, \$5.

29 [(6)] (f) For a registered vehicle trip permit, \$7.50.

30 [(7)] (g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer  
31 certificate or a towing business certificate, \$15.

32 (2) **For the period beginning on January 1, 2020, and ending on December 31, 2021, fees**  
33 **for trip permits issued under ORS 803.600 are as follows:**

34 (a) **For a heavy motor vehicle trip permit, \$43.**

35 (b) **For a heavy trailer trip permit, \$10.**

36 (c) **For a light vehicle trip permit, \$33.**

37 (d) **For a recreational vehicle trip permit, \$33.**

38 (e) **For a registration weight trip permit, \$5.**

39 (f) **For a registered vehicle trip permit, \$7.50.**

40 (g) **For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer**  
41 **certificate or a towing business certificate, \$15.**

42 (3) **For the period beginning on January 1, 2022, and ending on December 31, 2023, fees**  
43 **for trip permits issued under ORS 803.600 are as follows:**

44 (a) **For a heavy motor vehicle trip permit, \$43.**

45 (b) **For a heavy trailer trip permit, \$10.**

1 (c) For a light vehicle trip permit, \$34.

2 (d) For a recreational vehicle trip permit, \$34.

3 (e) For a registration weight trip permit, \$5.

4 (f) For a registered vehicle trip permit, \$7.50.

5 (g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer  
6 certificate or a towing business certificate, \$15.

7 **SECTION 49.** ORS 803.645, as amended by section 48 of this 2017 Act, is amended to read:

8 803.645. (1) *[For the period beginning on January 1, 2018, and ending on December 31, 2019,]* Fees  
9 for trip permits issued under ORS 803.600 are as follows:

10 (1) For a heavy motor vehicle trip permit, \$43.

11 (2) For a heavy trailer trip permit, \$10.

12 (3) For a light vehicle trip permit, \$35.

13 (4) For a recreational vehicle trip permit, \$35.

14 (5) For a registration weight trip permit, \$5.

15 (6) For a registered vehicle trip permit, \$7.50.

16 (7) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer  
17 certificate or a towing business certificate, \$15.

18 *[(a) For a heavy motor vehicle trip permit, \$43.]*

19 *[(b) For a heavy trailer trip permit, \$10.]*

20 *[(c) For a light vehicle trip permit, \$32.]*

21 *[(d) For a recreational vehicle trip permit, \$32.]*

22 *[(e) For a registration weight trip permit, \$5.]*

23 *[(f) For a registered vehicle trip permit, \$7.50. ]*

24 *[(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer cer-*  
25 *tificate or a towing business certificate, \$15.]*

26 *[(2) For the period beginning on January 1, 2020, and ending on December 31, 2021, fees for trip*  
27 *permits issued under ORS 803.600 are as follows:]*

28 *[(a) For a heavy motor vehicle trip permit, \$43.]*

29 *[(b) For a heavy trailer trip permit, \$10.]*

30 *[(c) For a light vehicle trip permit, \$33.]*

31 *[(d) For a recreational vehicle trip permit, \$33.]*

32 *[(e) For a registration weight trip permit, \$5.]*

33 *[(f) For a registered vehicle trip permit, \$7.50.]*

34 *[(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer cer-*  
35 *tificate or a towing business certificate, \$15.]*

36 *[(3) For the period beginning on January 1, 2022, and ending on December 31, 2023, fees for trip*  
37 *permits issued under ORS 803.600 are as follows:]*

38 *[(a) For a heavy motor vehicle trip permit, \$43.]*

39 *[(b) For a heavy trailer trip permit, \$10.]*

40 *[(c) For a light vehicle trip permit, \$34.]*

41 *[(d) For a recreational vehicle trip permit, \$34.]*

42 *[(e) For a registration weight trip permit, \$5.]*

43 *[(f) For a registered vehicle trip permit, \$7.50.]*

44 *[(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer cer-*  
45 *tificate or a towing business certificate, \$15.]*

1       **SECTION 50.** The amendments to ORS 803.645 by section 49 of this 2017 Act apply to fees  
2 imposed on or after January 1, 2024.

3       **SECTION 51.** ORS 818.225 is amended to read:

4       818.225. (1) As used in this section, “equivalent single-axle load” means the relationship  
5 between actual or requested weight and an 18,000 pound single-axle load as determined by the  
6 American Association of State Highway and Transportation Officials Road Tests reported at  
7 the Proceedings Conference of 1962.

8       [(1)(a)] (2)(a) In addition to any fee for a single-trip nondivisible load permit, a person who is  
9 issued the permit or who operates a vehicle in a manner that requires the permit is liable for pay-  
10 ment of a road use assessment fee [*of seven and one-tenths cents*] **computed on the basis of the**  
11 **following rates** per equivalent single-axle load mile traveled[.]:

12       **(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, eight**  
13 **and five-tenths cents.**

14       **(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, nine**  
15 **and five-tenths cents.**

16       **(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, ten**  
17 **and five-tenths cents.** [*As used in this subsection, “equivalent single-axle load” means the relation-*  
18 *ship between actual or requested weight and an 18,000 pound single-axle load as determined by the*  
19 *American Association of State Highway and Transportation Officials Road Tests reported at the Pro-*  
20 *ceedings Conference of 1962. The Department of Transportation may adopt rules to standardize the*  
21 *determination of equivalent single-axle load computation based on average highway conditions.]*

22       (b) If the road use assessment fee is not collected at the time of issuance of the permit, the de-  
23 partment shall bill the permittee for the amount due. The account shall be considered delinquent if  
24 not paid within 60 days of billing.

25       (c) The miles of travel authorized by a single-trip nondivisible load permit shall be exempt from  
26 taxation under ORS chapter 825.

27       [(2) *The department by rule may establish procedures for payment, collection and enforcement of*  
28 *the fees and assessments established by this chapter.*]

29       **(3) The department may adopt rules:**

30       **(a) To standardize the determination of equivalent single-axle load computation based on**  
31 **average highway conditions; and**

32       **(b) To establish procedures for payment, collection and enforcement of the fees and as-**  
33 **sessments established by this chapter.**

34       **SECTION 52.** ORS 818.225, as amended by section 51 of this 2017 Act, is amended to read:

35       818.225. (1) As used in this section, “equivalent single-axle load” means the relationship between  
36 actual or requested weight and an 18,000 pound single-axle load as determined by the American  
37 Association of State Highway and Transportation Officials Road Tests reported at the Proceedings  
38 Conference of 1962.

39       (2)(a) In addition to any fee for a single-trip nondivisible load permit, a person who is issued the  
40 permit or who operates a vehicle in a manner that requires the permit is liable for payment of a  
41 road use assessment fee **of eleven and eight-tenths cents** [*computed on the basis of the following*  
42 *rates*] per equivalent single-axle load mile traveled[.]:

43       [(A) *For the period beginning on January 1, 2018, and ending on December 31, 2019, eight and*  
44 *five-tenths cents.*]

45       [(B) *For the period beginning on January 1, 2020, and ending on December 31, 2021, nine and*

1 *five-tenths cents.]*

2 [(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, ten and  
3 *five-tenths cents.]*

4 (b) If the road use assessment fee is not collected at the time of issuance of the permit, the de-  
5 partment shall bill the permittee for the amount due. The account shall be considered delinquent if  
6 not paid within 60 days of billing.

7 (c) The miles of travel authorized by a single-trip nondivisible load permit shall be exempt from  
8 taxation under ORS chapter 825.

9 (3) The department may adopt rules:

10 (a) To standardize the determination of equivalent single-axle load computation based on aver-  
11 age highway conditions; and

12 (b) To establish procedures for payment, collection and enforcement of the fees and assessments  
13 established by this chapter.

14 **SECTION 53. The amendments to ORS 818.225 by section 52 of this 2017 Act apply to road**  
15 **use assessment fees imposed on or after January 1, 2024.**

16 **SECTION 54.** ORS 818.270 is amended to read:

17 818.270. (1) **For the period beginning on January 1, 2018, and ending on December 31, 2019:**

18 [(1)] (a) The fee for issuance of a variance permit under ORS 818.200 may be any amount de-  
19 termined by a road authority, not to exceed [\$8] **\$8.50**. If the variance permit is issued by a private  
20 contractor, the contractor may charge an additional fee not to exceed [\$5] **\$5.50**.

21 [(2)] (b) The fee for issuance of a sifting or leaking load permit under ORS 818.230 is [\$8]  
22 **\$8.50**.

23 [(3)] (c) The fee for issuance of a dragging permit under ORS 818.240 is [\$8] **\$8.50**.

24 (2) **For the period beginning on January 1, 2020, and ending on December 31, 2021:**

25 (a) **The fee for issuance of a variance permit under ORS 818.200 may be any amount de-**  
26 **termined by a road authority, not to exceed \$9. If the variance permit is issued by a private**  
27 **contractor, the contractor may charge an additional fee not to exceed \$6.**

28 (b) **The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$9.**

29 (c) **The fee for issuance of a dragging permit under ORS 818.240 is \$9.**

30 (3) **For the period beginning on January 1, 2022, and ending on December 31, 2023:**

31 (a) **The fee for issuance of a variance permit under ORS 818.200 may be any amount de-**  
32 **termined by a road authority, not to exceed \$9.50. If the variance permit is issued by a pri-**  
33 **private contractor, the contractor may charge an additional fee not to exceed \$6.50.**

34 (b) **The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$9.50.**

35 (c) **The fee for issuance of a dragging permit under ORS 818.240 is \$9.50.**

36 (4) The fee for issuance of a permit under ORS 818.260 for the use of bus safety lights is a fee  
37 established by rule by the Department of Transportation. Any fee established for purposes of this  
38 subsection [*shall*] **may** not exceed the actual costs of issuing the permit.

39 **SECTION 55.** ORS 818.270, as amended by section 54 of this 2017 Act, is amended to read:

40 818.270. [(1) For the period beginning on January 1, 2018, and ending on December 31, 2019:]

41 [(a) The fee for issuance of a variance permit under ORS 818.200 may be any amount determined  
42 by a road authority, not to exceed \$8.50. If the variance permit is issued by a private contractor, the  
43 contractor may charge an additional fee not to exceed \$5.50.]

44 [(b) The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$8.50.]

45 [(c) The fee for issuance of a dragging permit under ORS 818.240 is \$8.50.]



1 [(2) For the period beginning on January 1, 2020, and ending on December 31, 2021:]

2 [(a) The fee for issuance of a variance permit under ORS 818.200 may be any amount determined  
3 by a road authority, not to exceed \$9. If the variance permit is issued by a private contractor, the  
4 contractor may charge an additional fee not to exceed \$6.]

5 [(b) The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$9.]

6 [(c) The fee for issuance of a dragging permit under ORS 818.240 is \$9.]

7 [(3) For the period beginning on January 1, 2022, and ending on December 31, 2023:]

8 [(a) The fee for issuance of a variance permit under ORS 818.200 may be any amount determined  
9 by a road authority, not to exceed \$9.50. If the variance permit is issued by a private contractor, the  
10 contractor may charge an additional fee not to exceed \$6.50.]

11 [(b) The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$9.50.]

12 [(c) The fee for issuance of a dragging permit under ORS 818.240 is \$9.50.]

13 **(1) The fee for issuance of a variance permit under ORS 818.200 may be any amount de-**  
14 **termined by a road authority, not to exceed \$10. If the variance permit is issued by a private**  
15 **contractor, the contractor may charge an additional fee not to exceed \$7.**

16 **(2) The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$10.**

17 **(3) The fee for issuance of a dragging permit under ORS 818.240 is \$10.**

18 (4) The fee for issuance of a permit under ORS 818.260 for the use of bus safety lights is a fee  
19 established by rule by the Department of Transportation. Any fee established for purposes of this  
20 subsection may not exceed the actual costs of issuing the permit.

21 **SECTION 56. The amendments to ORS 818.270 by section 55 of this 2017 Act apply to fees**  
22 **imposed on or after January 1, 2024.**

23 **SECTION 57.** ORS 825.450 is amended to read:

24 825.450. (1) Except as otherwise permitted under ORS 825.470, the Department of Transportation  
25 shall issue a receipt stating the combined weight of each self-propelled or motor-driven vehicle and  
26 any train or combination of vehicles to be used *[therewith]* **with the self-propelled or motor-driven**  
27 **vehicle.**

28 (2) A person may not load any motor vehicle in excess of its combined weight permit rating  
29 *[thus]* determined **under subsection (1) of this section** except as variations may necessarily result  
30 in passenger loading. *[A fee of \$8]* **The following fee** shall be paid to the department for each weight  
31 receipt issued[.]:

32 **(a) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$8.50.**

33 **(b) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$9.**

34 **(c) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$9.50.**

35 (3) Receipts issued under this section *[shall be]* **are** valid from the first day of any calendar  
36 quarter to the last day of the fourth consecutive calendar quarter. Each carrier may select the  
37 calendar quarter in which the period will begin except that, if necessary for administrative con-  
38 venience, the department may require a carrier to adopt a starting date chosen by the department.

39 (4) All vehicles operating under the carrier's authority shall have the same four-quarter period  
40 of receipt validity. The department may allow a carrier to operate with expired receipts for up to  
41 one extra quarter if the renewal application has been submitted and the required fees have been  
42 paid on or before the last day of the period of validity of the receipt. The extension of time allowed  
43 by this subsection shall be granted only if the department determines that the extension is necessary  
44 for the administrative convenience of the department.

45 (5) The department may adopt rules necessary to administer the provisions of this section.

**SECTION 58.** ORS 825.450, as amended by section 57 of this 2017 Act, is amended to read:

825.450. (1) Except as otherwise permitted under ORS 825.470, the Department of Transportation shall issue a receipt stating the combined weight of each self-propelled or motor-driven vehicle and any train or combination of vehicles to be used with the self-propelled or motor-driven vehicle.

(2) A person may not load any motor vehicle in excess of its combined weight permit rating determined under subsection (1) of this section except as variations may necessarily result in passenger loading. *[The following fee]* **A fee of \$10** shall be paid to the department for each weight receipt issued.[.]

*[(a) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$8.50.]*

*[(b) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$9.]*

*[(c) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$9.50.]*

(3) Receipts issued under this section are valid from the first day of any calendar quarter to the last day of the fourth consecutive calendar quarter. Each carrier may select the calendar quarter in which the period will begin except that, if necessary for administrative convenience, the department may require a carrier to adopt a starting date chosen by the department.

(4) All vehicles operating under the carrier’s authority shall have the same four-quarter period of receipt validity. The department may allow a carrier to operate with expired receipts for up to one extra quarter if the renewal application has been submitted and the required fees have been paid on or before the last day of the period of validity of the receipt. The extension of time allowed by this subsection shall be granted only if the department determines that the extension is necessary for the administrative convenience of the department.

(5) The department may adopt rules necessary to administer the provisions of this section.

**SECTION 59. The amendments to ORS 825.450 by section 58 of this 2017 Act apply to fees imposed on or after January 1, 2024.**

**NOTE:** Sections 60 to 62 were deleted by amendment. Subsequent sections were not renumbered.

**SECTION 63.** ORS 825.476 is amended to read:

825.476. (1) **For the period beginning on January 1, 2018, and ending on December 31, 2019:**

MILEAGE TAX RATE TABLE “A”

Declared Combined Weight Groups (Pounds)	Fee Rates Per Mile (Mills)
26,001 to 28,000	[49.8] <b>62.3</b>
28,001 to 30,000	[52.8] <b>66.0</b>
30,001 to 32,000	[55.2] <b>68.9</b>
32,001 to 34,000	[57.6] <b>72.1</b>
34,001 to 36,000	[59.9] <b>74.9</b>
36,001 to 38,000	[63.0] <b>78.7</b>
38,001 to 40,000	[65.4] <b>81.7</b>
40,001 to 42,000	[67.7] <b>84.7</b>
42,001 to 44,000	[70.2] <b>87.8</b>
44,001 to 46,000	[72.6] <b>90.7</b>
46,001 to 48,000	[74.9] <b>93.7</b>
48,001 to 50,000	[77.4] <b>96.8</b>

1	50,001 to 52,000	[80.3]	<b>100.4</b>
2	52,001 to 54,000	[83.3]	<b>104.1</b>
3	54,001 to 56,000	[86.4]	<b>108.0</b>
4	56,001 to 58,000	[90.0]	<b>112.5</b>
5	58,001 to 60,000	[94.1]	<b>117.7</b>
6	60,001 to 62,000	[99.0]	<b>123.7</b>
7	62,001 to 64,000	[104.5]	<b>130.6</b>
8	64,001 to 66,000	[110.4]	<b>138.0</b>
9	66,001 to 68,000	[118.3]	<b>147.8</b>
10	68,001 to 70,000	[126.6]	<b>158.3</b>
11	70,001 to 72,000	[135.0]	<b>168.7</b>
12	72,001 to 74,000	[142.7]	<b>178.3</b>
13	74,001 to 76,000	[150.0]	<b>187.5</b>
14	76,001 to 78,000	[157.2]	<b>196.6</b>
15	78,001 to 80,000	[163.8]	<b>204.8</b>

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AXLE-WEIGHT MILEAGE

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TAX RATE TABLE "B"

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Declared Combined Weight Groups (Pounds)	Number of Axles				
	5	6	7	8	9 or more
80,001 to 82,000	[169.2]	154.8	144.7	137.4	129.6]
	<b>211.5</b>	<b>193.4</b>	<b>180.8</b>	<b>171.8</b>	<b>162.0</b>
82,001 to 84,000	[174.7]	157.2	147.0	139.2	131.3]
	<b>218.3</b>	<b>196.6</b>	<b>183.8</b>	<b>174.0</b>	<b>164.2</b>
84,001 to 86,000	[179.9]	160.9	149.4	140.9	133.2]
	<b>224.9</b>	<b>201.1</b>	<b>186.8</b>	<b>176.2</b>	<b>166.5</b>
86,001 to 88,000	[186.0]	164.3	151.8	143.4	135.0]
	<b>232.5</b>	<b>205.4</b>	<b>189.7</b>	<b>179.3</b>	<b>168.7</b>
88,001 to 90,000	[193.2]	168.6	154.3	145.8	137.4]
	<b>241.5</b>	<b>210.7</b>	<b>192.8</b>	<b>182.2</b>	<b>171.8</b>
90,001 to 92,000	[201.6]	173.4	156.5	148.2	139.8]
	<b>252.0</b>	<b>216.8</b>	<b>195.6</b>	<b>185.2</b>	<b>174.8</b>
92,001 to 94,000	[210.7]	178.2	159.0	150.5	141.7]
	<b>263.3</b>	<b>222.7</b>	<b>198.7</b>	<b>188.2</b>	<b>177.1</b>
94,001 to 96,000	[220.2]	183.6	162.0	153.0	143.9]
	<b>275.3</b>	<b>229.5</b>	<b>202.5</b>	<b>191.3</b>	<b>179.9</b>
96,001 to 98,000	[230.4]	190.2	165.6	155.5	146.4]
	<b>288.1</b>	<b>237.8</b>	<b>207.0</b>	<b>194.4</b>	<b>183.0</b>
98,001 to 100,000		[197.3]	169.2	158.4	148.8]
		<b>246.7</b>	<b>211.5</b>	<b>198.0</b>	<b>186.0</b>
100,001 to 102,000			[172.8]	162.0	151.3]
			<b>216.0</b>	<b>202.5</b>	<b>189.1</b>
102,001 to 104,000			[176.4]	165.6	154.3]

1		<b>220.5</b>	<b>207.0</b>	<b>192.8</b>
2	104,001 to 105,500	[181.1	169.2	157.2]
3		<b>226.4</b>	<b>211.5</b>	<b>196.6</b>

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(2) For the period beginning on January 1, 2020, and ending on December 31, 2021:

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**MILEAGE TAX RATE TABLE "A"**

<b>Declared Combined Weight Groups (Pounds)</b>	<b>Fee Rates Per Mile (Mills)</b>
26,001 to 28,000	65.4
28,001 to 30,000	69.3
30,001 to 32,000	72.4
32,001 to 34,000	75.7
34,001 to 36,000	78.6
36,001 to 38,000	82.7
38,001 to 40,000	85.8
40,001 to 42,000	88.9
42,001 to 44,000	92.2
44,001 to 46,000	95.3
46,001 to 48,000	98.4
48,001 to 50,000	101.6
50,001 to 52,000	105.4
52,001 to 54,000	109.3
54,001 to 56,000	113.4
56,001 to 58,000	118.1
58,001 to 60,000	123.5
60,001 to 62,000	129.9
62,001 to 64,000	137.1
64,001 to 66,000	144.9
66,001 to 68,000	155.2
68,001 to 70,000	166.2
70,001 to 72,000	177.1
72,001 to 74,000	187.3
74,001 to 76,000	196.9
76,001 to 78,000	206.4
78,001 to 80,000	215.0

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**AXLE-WEIGHT MILEAGE  
TAX RATE TABLE "B"**

<b>Declared Combined Weight Groups</b>	<b>Number of Axles</b>				
	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9 or</b>

	<b>(Pounds)</b>				<b>(Mills)</b>		<b>more</b>
1	<b>80,001 to 82,000</b>	<b>222.1</b>	<b>203.1</b>	<b>189.9</b>	<b>180.4</b>	<b>170.1</b>	
2	<b>82,001 to 84,000</b>	<b>229.3</b>	<b>206.4</b>	<b>193.0</b>	<b>182.7</b>	<b>172.4</b>	
3	<b>84,001 to 86,000</b>	<b>236.1</b>	<b>211.1</b>	<b>196.1</b>	<b>185.0</b>	<b>174.8</b>	
4	<b>86,001 to 88,000</b>	<b>244.1</b>	<b>215.7</b>	<b>199.2</b>	<b>188.2</b>	<b>177.1</b>	
5	<b>88,001 to 90,000</b>	<b>253.6</b>	<b>221.3</b>	<b>202.5</b>	<b>191.3</b>	<b>180.4</b>	
6	<b>90,001 to 92,000</b>	<b>264.6</b>	<b>227.6</b>	<b>205.4</b>	<b>194.5</b>	<b>183.5</b>	
7	<b>92,001 to 94,000</b>	<b>276.5</b>	<b>233.8</b>	<b>208.7</b>	<b>197.6</b>	<b>186.0</b>	
8	<b>94,001 to 96,000</b>	<b>289.1</b>	<b>241.0</b>	<b>212.6</b>	<b>200.8</b>	<b>188.9</b>	
9	<b>96,001 to 98,000</b>	<b>302.5</b>	<b>249.7</b>	<b>217.3</b>	<b>204.1</b>	<b>192.2</b>	
10	<b>98,001 to 100,000</b>		<b>259.0</b>	<b>222.1</b>	<b>207.9</b>	<b>195.3</b>	
11	<b>100,001 to 102,000</b>			<b>226.8</b>	<b>212.6</b>	<b>198.5</b>	
12	<b>102,001 to 104,000</b>			<b>231.5</b>	<b>217.3</b>	<b>202.5</b>	
13	<b>104,001 to 105,500</b>			<b>237.8</b>	<b>222.1</b>	<b>206.4</b>	

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(3) For the period beginning on January 1, 2022, and ending on December 31, 2023:

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**MILEAGE TAX RATE TABLE "A"**

<b>Declared Combined</b>	<b>Fee Rates</b>
<b>Weight Groups</b>	<b>Per Mile</b>
<b>(Pounds)</b>	<b>(Mills)</b>
<b>26,001 to 28,000</b>	<b>72.0</b>
<b>28,001 to 30,000</b>	<b>76.4</b>
<b>30,001 to 32,000</b>	<b>79.8</b>
<b>32,001 to 34,000</b>	<b>83.4</b>
<b>34,001 to 36,000</b>	<b>86.6</b>
<b>36,001 to 38,000</b>	<b>91.1</b>
<b>38,001 to 40,000</b>	<b>94.5</b>
<b>40,001 to 42,000</b>	<b>98.0</b>
<b>42,001 to 44,000</b>	<b>101.6</b>
<b>44,001 to 46,000</b>	<b>105.0</b>
<b>46,001 to 48,000</b>	<b>108.4</b>
<b>48,001 to 50,000</b>	<b>112.0</b>
<b>50,001 to 52,000</b>	<b>116.1</b>
<b>52,001 to 54,000</b>	<b>120.5</b>
<b>54,001 to 56,000</b>	<b>125.0</b>
<b>56,001 to 58,000</b>	<b>130.2</b>
<b>58,001 to 60,000</b>	<b>136.1</b>
<b>60,001 to 62,000</b>	<b>143.2</b>
<b>62,001 to 64,000</b>	<b>151.1</b>
<b>64,001 to 66,000</b>	<b>159.7</b>
<b>66,001 to 68,000</b>	<b>171.1</b>
<b>68,001 to 70,000</b>	<b>183.1</b>

1	<b>70,001 to 72,000</b>	<b>195.2</b>
2	<b>72,001 to 74,000</b>	<b>206.4</b>
3	<b>74,001 to 76,000</b>	<b>217.0</b>
4	<b>76,001 to 78,000</b>	<b>227.4</b>
5	<b>78,001 to 80,000</b>	<b>237.0</b>

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**AXLE-WEIGHT MILEAGE  
TAX RATE TABLE "B"**

10	<b>Declared Combined</b>	<b>Number of Axles</b>				
11	<b>Weight Groups</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9 or</b>
12	<b>(Pounds)</b>			<b>(Mills)</b>		<b>more</b>
13	<b>80,001 to 82,000</b>	<b>244.7</b>	<b>223.8</b>	<b>209.2</b>	<b>198.8</b>	<b>187.5</b>
14	<b>82,001 to 84,000</b>	<b>252.6</b>	<b>227.4</b>	<b>212.7</b>	<b>201.3</b>	<b>190.0</b>
15	<b>84,001 to 86,000</b>	<b>260.2</b>	<b>232.7</b>	<b>216.1</b>	<b>203.8</b>	<b>192.7</b>
16	<b>86,001 to 88,000</b>	<b>269.0</b>	<b>237.7</b>	<b>219.5</b>	<b>207.4</b>	<b>195.2</b>
17	<b>88,001 to 90,000</b>	<b>279.5</b>	<b>243.8</b>	<b>223.1</b>	<b>210.9</b>	<b>198.8</b>
18	<b>90,001 to 92,000</b>	<b>291.5</b>	<b>250.8</b>	<b>226.4</b>	<b>214.3</b>	<b>202.2</b>
19	<b>92,001 to 94,000</b>	<b>304.7</b>	<b>257.7</b>	<b>230.0</b>	<b>217.7</b>	<b>204.9</b>
20	<b>94,001 to 96,000</b>	<b>318.6</b>	<b>265.6</b>	<b>234.3</b>	<b>221.3</b>	<b>208.2</b>
21	<b>96,001 to 98,000</b>	<b>333.3</b>	<b>275.2</b>	<b>239.5</b>	<b>224.9</b>	<b>211.8</b>
22	<b>98,001 to 100,000</b>		<b>285.4</b>	<b>244.7</b>	<b>229.1</b>	<b>215.2</b>
23	<b>100,001 to 102,000</b>			<b>249.9</b>	<b>234.3</b>	<b>218.8</b>
24	<b>102,001 to 104,000</b>			<b>255.2</b>	<b>239.5</b>	<b>223.1</b>
25	<b>104,001 to 105,500</b>			<b>262.0</b>	<b>244.7</b>	<b>227.4</b>

26  
27

**SECTION 64.** ORS 825.476, as amended by section 63 of this 2017 Act, is amended to read:  
825.476. [(1) For the period beginning on January 1, 2018, and ending on December 31, 2019:]

[ \_\_\_\_\_ ]

31  
32

**MILEAGE TAX RATE TABLE "A"**

33	<i>Declared Combined</i>	<i>Fee Rates</i>
34	<i>Weight Groups</i>	<i>Per Mile</i>
35	<i>(Pounds)</i>	<i>(Mills)</i>
36	<i>26,001 to 28,000</i>	<i>62.3</i>
37	<i>28,001 to 30,000</i>	<i>66.0</i>
38	<i>30,001 to 32,000</i>	<i>68.9</i>
39	<i>32,001 to 34,000</i>	<i>72.1</i>
40	<i>34,001 to 36,000</i>	<i>74.9</i>
41	<i>36,001 to 38,000</i>	<i>78.7</i>
42	<i>38,001 to 40,000</i>	<i>81.7</i>
43	<i>40,001 to 42,000</i>	<i>84.7</i>
44	<i>42,001 to 44,000</i>	<i>87.8</i>
45	<i>44,001 to 46,000</i>	<i>90.7</i>

1	46,001 to 48,000	93.7
2	48,001 to 50,000	96.8
3	50,001 to 52,000	100.4
4	52,001 to 54,000	104.1
5	54,001 to 56,000	108.0
6	56,001 to 58,000	112.5
7	58,001 to 60,000	117.7
8	60,001 to 62,000	123.7
9	62,001 to 64,000	130.6
10	64,001 to 66,000	138.0
11	66,001 to 68,000	147.8
12	68,001 to 70,000	158.3
13	70,001 to 72,000	168.7
14	72,001 to 74,000	178.3
15	74,001 to 76,000	187.5
16	76,001 to 78,000	196.6
17	78,001 to 80,000	204.8

18 [ \_\_\_\_\_ ]

19

20

*AXLE-WEIGHT MILEAGE*

21

*TAX RATE TABLE "B"*

22

<i>Declared Combined</i>	<i>Number of Axles</i>					
<i>Weight Groups</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9 or</i>	
<i>(Pounds)</i>			<i>(Mills)</i>		<i>more</i>	
25	80,001 to 82,000	211.5	193.4	180.8	171.8	162.0
26	82,001 to 84,000	218.3	196.6	183.8	174.0	164.2
27	84,001 to 86,000	224.9	201.1	186.8	176.2	166.5
28	86,001 to 88,000	232.5	205.4	189.7	179.3	168.7
29	88,001 to 90,000	241.5	210.7	192.8	182.2	171.8
30	90,001 to 92,000	252.0	216.8	195.6	185.2	174.8
31	92,001 to 94,000	263.3	222.7	198.7	188.2	177.1
32	94,001 to 96,000	275.3	229.5	202.5	191.3	179.9
33	96,001 to 98,000	288.1	237.8	207.0	194.4	183.0
34	98,001 to 100,000		246.7	211.5	198.0	186.0
35	100,001 to 102,000			216.0	202.5	189.1
36	102,001 to 104,000			220.5	207.0	192.8
37	104,001 to 105,500			226.4	211.5	196.6

38 [ \_\_\_\_\_ ]

39

40

*[(2) For the period beginning on January 1, 2020, and ending on December 31, 2021:]*

41 [ \_\_\_\_\_ ]

42

43

*MILEAGE TAX RATE TABLE "A"*

44

*Declared Combined Fee Rates*

45

*Weight Groups Per Mile*

	<i>(Pounds)</i>	<i>(Mills)</i>
1		
2	26,001 to 28,000	65.4
3	28,001 to 30,000	69.3
4	30,001 to 32,000	72.4
5	32,001 to 34,000	75.7
6	34,001 to 36,000	78.6
7	36,001 to 38,000	82.7
8	38,001 to 40,000	85.8
9	40,001 to 42,000	88.9
10	42,001 to 44,000	92.2
11	44,001 to 46,000	95.3
12	46,001 to 48,000	98.4
13	48,001 to 50,000	101.6
14	50,001 to 52,000	105.4
15	52,001 to 54,000	109.3
16	54,001 to 56,000	113.4
17	56,001 to 58,000	118.1
18	58,001 to 60,000	123.5
19	60,001 to 62,000	129.9
20	62,001 to 64,000	137.1
21	64,001 to 66,000	144.9
22	66,001 to 68,000	155.2
23	68,001 to 70,000	166.2
24	70,001 to 72,000	177.1
25	72,001 to 74,000	187.3
26	74,001 to 76,000	196.9
27	76,001 to 78,000	206.4
28	78,001 to 80,000	215.0

29 [ \_\_\_\_\_ ]

30

31

*AXLE-WEIGHT MILEAGE*

32

*TAX RATE TABLE "B"*

33

*Declared Combined*

*Number of Axles*

34

*Weight Groups*

*5*

*6*

*7*

*8*

*9 or*

35

*(Pounds)*

*(Mills)*

*more*

36

80,001 to 82,000

222.1

203.1

189.9

180.4

170.1

37

82,001 to 84,000

229.3

206.4

193.0

182.7

172.4

38

84,001 to 86,000

236.1

211.1

196.1

185.0

174.8

39

86,001 to 88,000

244.1

215.7

199.2

188.2

177.1

40

88,001 to 90,000

253.6

221.3

202.5

191.3

180.4

41

90,001 to 92,000

264.6

227.6

205.4

194.5

183.5

42

92,001 to 94,000

276.5

233.8

208.7

197.6

186.0

43

94,001 to 96,000

289.1

241.0

212.6

200.8

188.9

44

96,001 to 98,000

302.5

249.7

217.3

204.1

192.2

45

98,001 to 100,000

259.0

222.1

207.9

195.3



1	100,001 to 102,000	226.8	212.6	198.5
2	102,001 to 104,000	231.5	217.3	202.5
3	104,001 to 105,500	237.8	222.1	206.4

4 [ \_\_\_\_\_ ]

5

6 [(3) For the period beginning on January 1, 2022, and ending on December 31, 2023:]

7 [ \_\_\_\_\_ ]

8

9

MILEAGE TAX RATE TABLE "A"

10	<i>Declared Combined</i>	<i>Fee Rates</i>
11	<i>Weight Groups</i>	<i>Per Mile</i>
12	<i>(Pounds)</i>	<i>(Mills)</i>
13	26,001 to 28,000	72.0
14	28,001 to 30,000	76.4
15	30,001 to 32,000	79.8
16	32,001 to 34,000	83.4
17	34,001 to 36,000	86.6
18	36,001 to 38,000	91.1
19	38,001 to 40,000	94.5
20	40,001 to 42,000	98.0
21	42,001 to 44,000	101.6
22	44,001 to 46,000	105.0
23	46,001 to 48,000	108.4
24	48,001 to 50,000	112.0
25	50,001 to 52,000	116.1
26	52,001 to 54,000	120.5
27	54,001 to 56,000	125.0
28	56,001 to 58,000	130.2
29	58,001 to 60,000	136.1
30	60,001 to 62,000	143.2
31	62,001 to 64,000	151.1
32	64,001 to 66,000	159.7
33	66,001 to 68,000	171.1
34	68,001 to 70,000	183.1
35	70,001 to 72,000	195.2
36	72,001 to 74,000	206.4
37	74,001 to 76,000	217.0
38	76,001 to 78,000	227.4
39	78,001 to 80,000	237.0

40 [ \_\_\_\_\_ ]

41

42

AXLE-WEIGHT MILEAGE

43

TAX RATE TABLE "B"

44	<i>Declared Combined</i>	<i>Number of Axles</i>				
45	<i>Weight Groups</i>	5	6	7	8	9 or

1	<i>(Pounds)</i>				<i>(Mills)</i>		<i>more</i>
2	80,001 to 82,000	244.7	223.8	209.2	198.8	187.5	
3	82,001 to 84,000	252.6	227.4	212.7	201.3	190.0	
4	84,001 to 86,000	260.2	232.7	216.1	203.8	192.7	
5	86,001 to 88,000	269.0	237.7	219.5	207.4	195.2	
6	88,001 to 90,000	279.5	243.8	223.1	210.9	198.8	
7	90,001 to 92,000	291.5	250.8	226.4	214.3	202.2	
8	92,001 to 94,000	304.7	257.7	230.0	217.7	204.9	
9	94,001 to 96,000	318.6	265.6	234.3	221.3	208.2	
10	96,001 to 98,000	333.3	275.2	239.5	224.9	211.8	
11	98,001 to 100,000		285.4	244.7	229.1	215.2	
12	100,001 to 102,000			249.9	234.3	218.8	
13	102,001 to 104,000			255.2	239.5	223.1	
14	104,001 to 105,500			262.0	244.7	227.4	
15	[ _____ ]						
16	_____						
17	_____						
18	_____						

**MILEAGE TAX RATE TABLE "A"**

20	<b>Declared Combined</b>	<b>Fee Rates</b>
21	<b>Weight Groups</b>	<b>Per Mile</b>
22	<b>(Pounds)</b>	<b>(Mills)</b>
23	<b>26,001 to 28,000</b>	<b>76.4</b>
24	<b>28,001 to 30,000</b>	<b>80.9</b>
25	<b>30,001 to 32,000</b>	<b>84.6</b>
26	<b>32,001 to 34,000</b>	<b>88.4</b>
27	<b>34,001 to 36,000</b>	<b>91.8</b>
28	<b>36,001 to 38,000</b>	<b>96.6</b>
29	<b>38,001 to 40,000</b>	<b>100.2</b>
30	<b>40,001 to 42,000</b>	<b>103.8</b>
31	<b>42,001 to 44,000</b>	<b>107.7</b>
32	<b>44,001 to 46,000</b>	<b>111.3</b>
33	<b>46,001 to 48,000</b>	<b>114.9</b>
34	<b>48,001 to 50,000</b>	<b>118.7</b>
35	<b>50,001 to 52,000</b>	<b>123.1</b>
36	<b>52,001 to 54,000</b>	<b>127.7</b>
37	<b>54,001 to 56,000</b>	<b>132.5</b>
38	<b>56,001 to 58,000</b>	<b>138.0</b>
39	<b>58,001 to 60,000</b>	<b>144.3</b>
40	<b>60,001 to 62,000</b>	<b>151.7</b>
41	<b>62,001 to 64,000</b>	<b>160.1</b>
42	<b>64,001 to 66,000</b>	<b>169.3</b>
43	<b>66,001 to 68,000</b>	<b>181.3</b>
44	<b>68,001 to 70,000</b>	<b>194.1</b>
45	<b>70,001 to 72,000</b>	<b>206.9</b>

1	<b>72,001 to 74,000</b>	<b>218.7</b>
2	<b>74,001 to 76,000</b>	<b>230.0</b>
3	<b>76,001 to 78,000</b>	<b>241.1</b>
4	<b>78,001 to 80,000</b>	<b>251.2</b>

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**AXLE-WEIGHT MILEAGE  
TAX RATE TABLE "B"**

9	<b>Declared Combined</b>	<b>Number of Axles</b>				
10	<b>Weight Groups</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9 or</b>
11	<b>(Pounds)</b>			<b>(Mills)</b>		<b>more</b>
12	<b>80,001 to 82,000</b>	<b>259.4</b>	<b>237.3</b>	<b>221.8</b>	<b>210.7</b>	<b>198.7</b>
13	<b>82,001 to 84,000</b>	<b>267.8</b>	<b>241.1</b>	<b>225.4</b>	<b>213.4</b>	<b>201.4</b>
14	<b>84,001 to 86,000</b>	<b>275.8</b>	<b>246.6</b>	<b>229.1</b>	<b>216.1</b>	<b>204.2</b>
15	<b>86,001 to 88,000</b>	<b>285.2</b>	<b>252.0</b>	<b>232.7</b>	<b>219.9</b>	<b>206.9</b>
16	<b>88,001 to 90,000</b>	<b>296.2</b>	<b>258.4</b>	<b>236.5</b>	<b>223.5</b>	<b>210.7</b>
17	<b>90,001 to 92,000</b>	<b>309.0</b>	<b>265.9</b>	<b>239.9</b>	<b>227.1</b>	<b>214.4</b>
18	<b>92,001 to 94,000</b>	<b>323.0</b>	<b>273.1</b>	<b>243.8</b>	<b>230.8</b>	<b>217.2</b>
19	<b>94,001 to 96,000</b>	<b>337.7</b>	<b>281.5</b>	<b>248.3</b>	<b>234.6</b>	<b>220.7</b>
20	<b>96,001 to 98,000</b>	<b>353.3</b>	<b>291.7</b>	<b>253.9</b>	<b>238.4</b>	<b>224.5</b>
21	<b>98,001 to 100,000</b>		<b>302.5</b>	<b>259.4</b>	<b>242.8</b>	<b>228.1</b>
22	<b>100,001 to 102,000</b>			<b>264.9</b>	<b>248.3</b>	<b>231.9</b>
23	<b>102,001 to 104,000</b>			<b>270.5</b>	<b>253.9</b>	<b>236.5</b>
24	<b>104,001 to 105,500</b>			<b>277.7</b>	<b>259.4</b>	<b>241.1</b>

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25  
26  
27 **SECTION 65.** The amendments to ORS 825.476 by section 64 of this 2017 Act apply to  
28 taxes imposed on or after January 1, 2024.

29 **SECTION 66.** ORS 825.480 is amended to read:

30 825.480. (1)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor  
31 vehicles in the transportation of logs, poles, peeler cores or piling may pay annual fees for such  
32 operation computed at the **following** rate [*of seven dollars and fifty-nine cents*] for each 100 pounds  
33 of declared combined weight[.]:

34 **(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$9.10.**

35 **(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$10.20.**

36 **(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$11.30.**

37 (b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt from  
38 taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public  
39 highways whenever operations are for the purpose of repair, maintenance, servicing or moving from  
40 one exempt highway operation to another.

41 (2) The annual fees provided in subsections (1), (4) and (5) of this section may be paid on a  
42 monthly basis. Any carrier electing to pay fees under this method may not change an election during  
43 the same calendar year in which the election is made, but may be relieved from the payment due  
44 for any month [*on*] **during which** a motor vehicle [*which*] is not operated. A carrier electing to pay  
45 fees under this method shall report and pay these fees on or before the 10th of each month for the

1 preceding month's operations. A monthly report shall be made on all vehicles on the annual fee basis  
2 including any vehicle not operated for the month.

3 (3)(a) In lieu of the fees provided in ORS 825.470 to 825.474, motor vehicles described in ORS  
4 825.024 with a combined weight of less than 46,000 pounds that are being operated under a permit  
5 issued under ORS 825.102 may pay annual fees for such operation computed at the **following** rate  
6 [*of six dollars and twenty-three cents*] for each 100 pounds of declared combined weight[.]:

7 **(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$7.50.**

8 **(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$8.30.**

9 **(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$9.30.**

10 (b) The annual fees provided in this subsection shall be paid in advance but may be paid on a  
11 monthly basis on or before the first day of the month. A carrier may be relieved from the fees due  
12 for any month during which the motor vehicle is not operated for hire if a statement to that effect  
13 is filed with the Department of Transportation on or before the fifth day of the first month for which  
14 relief is sought.

15 (4)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in the operation of motor  
16 vehicles equipped with dump bodies and used in the transportation of sand, gravel, rock, dirt, debris,  
17 cinders, asphaltic concrete mix, metallic ores and concentrates or raw nonmetallic products,  
18 whether crushed or otherwise, moving from mines, pits or quarries may pay annual fees for such  
19 operation computed at the **following** rate [*of seven dollars and fifty-three cents*] for each 100 pounds  
20 of declared combined weight[.]:

21 **(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$9.10.**

22 **(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$10.20.**

23 **(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$11.30.**

24 (b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt for  
25 taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public  
26 highways whenever operations are for the purpose of repair, maintenance, servicing or moving from  
27 one exempt highway operation to another.

28 (5)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehicles  
29 in the transportation of wood chips, sawdust, barkdust, hog fuel or shavings may pay annual fees for  
30 such operation computed at the **following** rate [*of thirty dollars and sixty-five cents*] for each 100  
31 pounds of declared combined weight[.]:

32 **(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$36.80.**

33 **(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$41.00.**

34 **(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$45.50.**

35 (b) Any carrier electing to pay under this method may, as to vehicles otherwise exempt from  
36 taxation, elect to be taxed on the mileage basis for movement of such empty vehicles over public  
37 highways whenever operations are for the purpose of repair, maintenance, service or moving from  
38 one exempt highway operation to another.

39 **SECTION 67.** ORS 825.480, as amended by section 66 of this 2017 Act, is amended to read:

40 825.480. (1)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor  
41 vehicles in the transportation of logs, poles, peeler cores or piling may pay annual fees for such  
42 operation computed at the [*following*] rate **of \$12.60** for each 100 pounds of declared combined  
43 weight[.]:

44 [(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$9.10.]

45 [(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$10.20.]

1       [(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$11.30.]

2       (b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt from  
3 taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public  
4 highways whenever operations are for the purpose of repair, maintenance, servicing or moving from  
5 one exempt highway operation to another.

6       (2) The annual fees provided in subsections (1), (4) and (5) of this section may be paid on a  
7 monthly basis. Any carrier electing to pay fees under this method may not change an election during  
8 the same calendar year in which the election is made, but may be relieved from the payment due  
9 for any month during which a motor vehicle is not operated. A carrier electing to pay fees under  
10 this method shall report and pay these fees on or before the 10th of each month for the preceding  
11 month's operations. A monthly report shall be made on all vehicles on the annual fee basis including  
12 any vehicle not operated for the month.

13       (3)(a) In lieu of the fees provided in ORS 825.470 to 825.474, motor vehicles described in ORS  
14 825.024 with a combined weight of less than 46,000 pounds that are being operated under a permit  
15 issued under ORS 825.102 may pay annual fees for such operation computed at the [following] rate  
16 of **\$10.30** for each 100 pounds of declared combined weight.[:]

17       [(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$7.50.]

18       [(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$8.30.]

19       [(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$9.30.]

20       (b) The annual fees provided in this subsection shall be paid in advance but may be paid on a  
21 monthly basis on or before the first day of the month. A carrier may be relieved from the fees due  
22 for any month during which the motor vehicle is not operated for hire if a statement to that effect  
23 is filed with the Department of Transportation on or before the fifth day of the first month for which  
24 relief is sought.

25       (4)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in the operation of motor  
26 vehicles equipped with dump bodies and used in the transportation of sand, gravel, rock, dirt, debris,  
27 cinders, asphaltic concrete mix, metallic ores and concentrates or raw nonmetallic products,  
28 whether crushed or otherwise, moving from mines, pits or quarries may pay annual fees for such  
29 operation computed at the [following] rate of **\$12.60** for each 100 pounds of declared combined  
30 weight.[:]

31       [(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$9.10.]

32       [(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$10.20.]

33       [(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$11.30.]

34       (b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt for  
35 taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public  
36 highways whenever operations are for the purpose of repair, maintenance, servicing or moving from  
37 one exempt highway operation to another.

38       (5)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehicles  
39 in the transportation of wood chips, sawdust, barkdust, hog fuel or shavings may pay annual fees for  
40 such operation computed at the [following] rate of **\$50.80** for each 100 pounds of declared combined  
41 weight.[:]

42       [(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$36.80.]

43       [(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$41.00.]

44       [(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$45.50.]

45       (b) Any carrier electing to pay under this method may, as to vehicles otherwise exempt from

1 taxation, elect to be taxed on the mileage basis for movement of such empty vehicles over public  
2 highways whenever operations are for the purpose of repair, maintenance, service or moving from  
3 one exempt highway operation to another.

4 **SECTION 68. The amendments to ORS 825.480 by section 67 of this 2017 Act apply to fees**  
5 **imposed on or after January 1, 2024.**

6 **NOTE:** Section 69 was deleted by amendment. Subsequent sections were not renumbered.

7 **SECTION 70.** ORS 826.023 is amended to read:

8 826.023. (1) The fee for issuance of a duplicate or replacement registration card is [\$2.50] **\$3.**

9 (2) The fee for issuance of each original, replacement or duplicate registration plate is [\$2.50]  
10 **\$3** and includes a registration card and sticker.

11 (3) The fee for renewal of a registration plate is [\$2.50] **\$3** and includes a registration card and  
12 sticker.

13 (4) The fee for issuance of replacement registration stickers is [\$2.50] **\$3.**

14 (5) If a second plate is required for one vehicle, the fee for the plate or for a sticker for the plate  
15 is [\$2.50] **\$3.**

16 **SECTION 71. The amendments to ORS 826.023 by section 70 of this 2017 Act apply to fees**  
17 **imposed on or after January 1, 2020.**

18  
19 (Tax and Fee Distribution and Projects)  
20

21 **SECTION 71a.** (1) **The following amounts shall be distributed in the manner prescribed**  
22 **in this section:**

23 (a) **The amount attributable to the increase in tax rates by section 45 of this 2017 Act**  
24 **and the amendments to ORS 319.020 and 319.530 by sections 40 to 43 of this 2017 Act.**

25 (b) **The amount attributable to the vehicle registration and title fees imposed under**  
26 **sections 32, 33, 37 and 38 of this 2017 Act.**

27 (c) **The amount attributable to the increase in taxes and fees by the amendments to ORS**  
28 **803.420, 803.645, 818.225, 818.270, 825.450, 825.476, 825.480 and 826.023 by sections 34, 35, 48, 49,**  
29 **51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and 70 of this 2017 Act.**

30 (2) **The amounts described in subsection (1) of this section shall be distributed in the**  
31 **following order and for the following purposes:**

32 (a) **For calendar years beginning on or after January 1, 2022, \$30 million shall be used for**  
33 **the Interstate 5 Rose Quarter Project. This amount shall be used for the Interstate 5 Rose**  
34 **Quarter Project only until the later of the date on which the project is completed or on**  
35 **which all bonds issued to fund the project have been repaid.**

36 (b) **\$10 million per year shall be deposited into the Safe Routes to Schools Fund for the**  
37 **purpose of providing Safe Routes to Schools matching grants under section 123 of this 2017**  
38 **Act. The remainder of the moneys shall be distributed as described in subsection (3) of this**  
39 **section.**

40 (3) **The moneys described in subsection (1) of this section that remain after the allocation**  
41 **of moneys described in subsection (2) of this section shall be allocated as follows:**

42 (a) **50 percent to the Department of Transportation.**

43 (b) **30 percent to counties for distribution as provided in ORS 366.762.**

44 (c) **20 percent to cities for distribution as provided in ORS 366.800.**

45 (4) **The moneys described in subsection (3)(a) of this section or equivalent amounts that**

1 **become available to the Department of Transportation shall be allocated as follows:**

2 (a) **\$10 million for safety.**

3 (b) **Of the remaining balance:**

4 (A) **Forty percent for bridges.**

5 (B) **Thirty percent for seismic improvements related to highways and bridges.**

6 (C) **Twenty-four percent for state highway pavement preservation and culverts.**

7 (D) **Six percent for state highway maintenance and safety improvements.**

8 **SECTION 71b.** Section 71a of this 2017 Act is amended to read:

9 **Sec. 71a.** (1) The following amounts shall be distributed in the manner prescribed in this section:

10 (a) The amount attributable to the increase in tax rates by section 45 of this 2017 Act and the  
11 amendments to ORS 319.020 and 319.530 by sections 40 to 43 of this 2017 Act.

12 (b) The amount attributable to the vehicle registration and title fees imposed under sections 32,  
13 33, 37 and 38 of this 2017 Act.

14 (c) The amount attributable to the increase in taxes and fees by the amendments to ORS 803.420,  
15 803.645, 818.225, 818.270, 825.450, 825.476, 825.480 and 826.023 by sections 34, 35, 48, 49, 51, 52, 54,  
16 55, 57, 58, 63, 64, 66, 67 and 70 of this 2017 Act.

17 (2) The amounts described in subsection (1) of this section shall be distributed in the following  
18 order and for the following purposes:

19 (a) *[For calendar years beginning on or after January 1, 2022,]* \$30 million shall be used for the  
20 Interstate 5 Rose Quarter Project. This amount shall be used for the Interstate 5 Rose Quarter  
21 Project only until the later of the date on which the project is completed or on which all bonds is-  
22 sued to fund the project have been repaid.

23 (b) *[\$10]* **\$15 million** per year shall be deposited into the Safe Routes to Schools Fund for the  
24 purpose of providing Safe Routes to Schools matching grants under section 123 of this 2017 Act. The  
25 remainder of the moneys shall be distributed as described in subsection (3) of this section.

26 (3) The moneys described in subsection (1) of this section that remain after the allocation of  
27 moneys described in subsection (2) of this section shall be allocated as follows:

28 (a) 50 percent to the Department of Transportation.

29 (b) 30 percent to counties for distribution as provided in ORS 366.762.

30 (c) 20 percent to cities for distribution as provided in ORS 366.800.

31 (4) The moneys described in subsection (3)(a) of this section or equivalent amounts that become  
32 available to the Department of Transportation shall be allocated as follows:

33 (a) **\$10 million for safety.**

34 (b) **Of the remaining balance:**

35 (A) **Forty percent for bridges.**

36 (B) **Thirty percent for seismic improvements related to highways and bridges.**

37 (C) **Twenty-four percent for state highway pavement preservation and culverts.**

38 (D) **Six percent for state highway maintenance and safety improvements.**

39 **SECTION 71c.** **The amendments to section 71a of this 2017 Act by section 71b of this 2017**  
40 **Act become operative on January 1, 2023.**

41 **SECTION 71d.** (1) **The Oregon Transportation Commission shall use the proceeds of**  
42 **bonds, as defined in ORS 367.010, authorized under ORS 367.620 (3)(d) to finance the trans-**  
43 **portation projects listed in this section. The commission shall determine the order of com-**  
44 **pletion for the projects listed in subsection (2) of this section.**

45 (2) **No later than January 1, 2024, the commission shall allocate the following amounts**

1 to each region, as described in ORS 366.805, for the projects listed below, provided that the  
2 commission determines that the projects could constitutionally be funded by revenues de-  
3 scribed in Article IX, section 3a, of the Oregon Constitution:  
4

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5  
6 (a) Region one: ..... \$ 249,700,000

7 (A) State Highway 211  
8 improvements beginning where  
9 the highway intersects with  
10 State Highway 213 and ending  
11 where the highway intersects  
12 Molalla Avenue in the  
13 City of Molalla

14 (B) WaNaPa Street improvements  
15 in the City of Cascade  
16 Locks

17 (C) Port of Hood River bridge  
18 replacement environmental  
19 impact study

20 (D) Columbia Boulevard  
21 pedestrian safety

22 (E) Southeast Powell  
23 Boulevard jurisdiction  
24 transfer as described  
25 under section 134  
26 of this 2017 Act

27 (F) Interstate 205 active traffic  
28 management project

29 (G) Interstate 205 corridor  
30 bottleneck project

31 (H) State Highway 217  
32 Northbound project

33 (I) State Highway 217  
34 Southbound project

35 (J) Improvements to Graham  
36 Road where it intersects  
37 with Interstate 84 in  
38 the City of Troutdale

39 (b) Region 2: ..... \$ 201,950,000

40 (A) Oregon Manufacturing  
41 Innovation Center  
42 Access Roads in Columbia  
43 County

44 (B) Interstate 5 at the  
45 Aurora-Donald interchange,



- 1           **Phase I**
- 2           **(C) State Highway 99E in**
- 3           **the City of Halsey**
- 4           **(D) State Highway 214**
- 5           **pedestrian safety**
- 6           **improvements at the**
- 7           **intersection with**
- 8           **Jefferson Street in the**
- 9           **City of Silverton**
- 10          **(E) Territorial Highway**
- 11          **jurisdiction transfer**
- 12          **as described under**
- 13          **section 134 of this**
- 14          **this 2017 Act**
- 15          **(F) U.S. Highway 20 safety**
- 16          **upgrades from the**
- 17          **City of Albany to the**
- 18          **City of Corvallis**
- 19          **(G) State Highway 58, adding**
- 20          **passing lanes west of the**
- 21          **City of Oakridge**
- 22          **(H) State Highway 22 and Center**
- 23          **Street Bridge, seismic**
- 24          **retrofit in the City**
- 25          **of Salem**
- 26          **(I) State Highway 99 in**
- 27          **City of Eugene**
- 28          **jurisdiction transfer**
- 29          **as described**
- 30          **under section 134 of**
- 31          **this 2017 Act**
- 32          **(J) State Highway 126**
- 33          **Florence-Eugene**
- 34          **Highway for**
- 35          **environmental impact study**
- 36          **(K) 42nd Street in the City**
- 37          **of Springfield**
- 38          **(L) Newberg and Dundee Bypass,**
- 39          **State Highway 99W,**
- 40          **Phase II, design only**
- 41          **(c) Region 3: ..... \$       75 million**
- 42          **(A) Scottsburg Bridge on**
- 43          **State Highway 38 in**
- 44          **Douglas County**
- 45          **(B) Southern Oregon seismic**

1	<b>triage transportation</b>		
2	<b>project</b>		
3	<b>(d) Region 4: .....</b>	<b>\$</b>	<b>76,493,000</b>
4	<b>(A) U.S. Highway 97 Cooley</b>		
5	<b>Road mid-term</b>		
6	<b>improvements</b>		
7	<b>(B) U.S. Highway 97 at</b>		
8	<b>Terrabonne</b>		
9	<b>(C) Improvements to Alder</b>		
10	<b>Creek Road in</b>		
11	<b>Wheeler County</b>		
12	<b>(D) Pedestrian safety</b>		
13	<b>improvements</b>		
14	<b>in the City of Dufur</b>		
15	<b>(E) Pedestrian safety</b>		
16	<b>improvements in the</b>		
17	<b>City of Prineville</b>		
18	<b>(F) Tom McCall Road</b>		
19	<b>roundabout</b>		
20	<b>(G) Pedestrian safety</b>		
21	<b>improvements</b>		
22	<b>in the City of Arlington</b>		
23	<b>(e) Region 5: .....</b>	<b>\$</b>	<b>43,647,000</b>
24	<b>(A) Port of Umatilla Road</b>		
25	<b>(B) Hermiston North First</b>		
26	<b>Place Project in the</b>		
27	<b>City of Hermiston</b>		
28	<b>(C) State Highway 30 and</b>		
29	<b>Hughes Lane intersection</b>		
30	<b>in Baker County</b>		
31	<b>(D) Eastern Oregon Trade and</b>		
32	<b>Event Center access road</b>		
33	<b>(E) Pedestrian safety</b>		
34	<b>improvements in the</b>		
35	<b>City of Heppner</b>		
36	<b>(F) Pedestrian safety</b>		
37	<b>improvements in the</b>		
38	<b>City of Milton-Freewater</b>		
39	<b>(G) Columbia Development</b>		
40	<b>Authority Access Road</b>		
41	<b>(H) Pedestrian safety</b>		
42	<b>improvements</b>		
43	<b>in the City of Burns</b>		
44	<b>(I) Pedestrian safety</b>		
45	<b>improvements</b>		

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- in the City of Irrigon
- (J) U.S. Highway 20 freight mobility enhancements
- (K) Cedar Street and Hughes Lane enhancements in Baker County

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(3)(a) When the commission determines that a project described in this section is completed, the commission shall reallocate any amount remaining from the allocation made under this section to another project described in the same region.

(b) When the commission determines that all of the projects within a region are completed, the commission shall reallocate any amount remaining from the allocation made under this section to any other project listed in this section.

(4) The amounts described in this section for jurisdiction transfers described in section 134 of this 2017 Act may not be allocated until after the transfer for which the allocation is dedicated occurs.

NOTE: Section 71e was deleted by amendment. Subsequent sections were not renumbered.

SECTION 71f. Multimodal projects. (1) Notwithstanding ORS 367.080 to 367.086 and subject to subsection (3) of this section and the availability of funds, the Department of Transportation shall first distribute the moneys in the Connect Oregon Fund, other than moneys dedicated for purposes described in Article XV, section 4a, of the Oregon Constitution, for the projects listed in subsection (2) of this section.

(2) The department shall distribute the following amounts for the projects listed below:

---

(a) Mid-Willamette Valley		
Intermodal Facility .....	\$	25 million
(b) Treasure Valley		
Intermodal Facility .....	\$	26 million
(c) Rail expansion in		
East Beach Industrial		
Park at the		
Port of Morrow .....	\$	6.55 million
(d) Extend Brooks rail		
siding.....	\$	2.6 million

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(3) No later than January 1, 2020, to receive a distribution under this section, a potential recipient of moneys shall prepare and submit a plan to the Oregon Transportation Commission. At a minimum, the plan submitted must certify when and how the potential recipient plans to spend the moneys for the project with no more than five percent of the allocated funds to be available to recipients for development of the plan. The commission shall promptly review any submitted plans and if the commission approves the plan, the Department of Transportation shall distribute the moneys after adopting an agreement with the

1 **recipient. The agreement shall follow rules adopted by the commission for projects that re-**  
2 **ceive grants from the Connect Oregon Fund.**

3 **(4) After the distributions, if any, are made under this section, the remainder of the**  
4 **moneys in the Connect Oregon Fund shall be distributed as described in ORS 367.080 to**  
5 **367.086.**

6 **NOTE:** Section 71g was deleted by amendment. Subsequent sections were not renumbered.

7 **SECTION 71h. (1) Notwithstanding section 71a (4) of this 2017 Act, the Department of**  
8 **Transportation may use amounts available under section 71a of this 2017 Act to pay debt**  
9 **service for the purposes described in 367.620 (3)(d).**

10 **(2) Any amounts remaining after the payment of debt service shall be used as described**  
11 **in section 71a (4) of this 2017 Act.**

12 **SECTION 71i.** ORS 367.620 is amended to read:

13 367.620. (1) The principal amount of Highway User Tax Bonds issued under ORS 367.615 shall  
14 be subject to the provisions of ORS 286A.035.

15 (2) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described in  
16 ORS 367.622 in an aggregate principal amount sufficient to produce net proceeds of not more than  
17 \$500 million.

18 (3)(a) Highway User Tax Bonds may be issued under ORS 367.615 for bridge purposes described  
19 in section 10 (1), chapter 618, Oregon Laws 2003, in an aggregate principal amount sufficient to  
20 produce net proceeds of not more than \$1.6 billion.

21 (b) Highway User Tax Bonds may be issued under ORS 367.615 for modernization purposes de-  
22 scribed in sections 10 (2) and 11, chapter 618, Oregon Laws 2003, in an aggregate principal amount  
23 sufficient to produce net proceeds of not more than \$300 million.

24 (c) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described sec-  
25 tion 64, chapter 865, Oregon Laws 2009, in an aggregate principal amount sufficient to produce net  
26 proceeds of not more than \$840 million. The proceeds from bonds issued as described in this para-  
27 graph that are not required for the purposes described in section 64, chapter 865, Oregon Laws 2009,  
28 shall be allocated to transportation projects, as defined in ORS 367.010, that are approved by the  
29 Legislative Assembly by law.

30 **(d) Highway User Tax Bonds may be issued under ORS 367.615 for purposes described in**  
31 **section 71d of this 2017 Act in an aggregate principal amount sufficient to produce net pro-**  
32 **ceeds of not more than \$480 million.**

33 [(d)] (e) The Department of Transportation, with the approval of the State Treasurer, may des-  
34 ignate the extent to which a series of bonds authorized under this subsection is secured and payable  
35 on a parity of lien or on a subordinate basis to existing or future Highway User Tax Bonds.

36 **SECTION 71j. The amendments to ORS 367.620 by section 71i of this 2017 Act do not im-**  
37 **pair the interest of the holders of Highway User Tax Bonds that are outstanding on the ef-**  
38 **fective date of this 2017 Act or any obligations of the agreements of the Department of**  
39 **Transportation under its Amended and Restated Master Highway User Tax Revenue Bond**  
40 **Declaration dated June 1, 2006, as amended and supplemented.**

41 **SECTION 71k. Sections 71h and 71j of this 2017 Act and the amendments to ORS 367.620**  
42 **by section 71i of this 2017 Act become operative on January 1, 2020.**

43 **SECTION 71L.** Section 18, chapter 30, Oregon Laws 2010, is amended to read:

44 **Sec. 18. (1) The Department of Transportation shall report quarterly to the legislative commit-**  
45 **tees on revenue if the Legislative Assembly is in session or, if the Legislative Assembly is not in**

1 session, to the Legislative Revenue Officer. The department's report shall include an estimate of the  
2 amounts received in the previous quarter from the increased taxes and fees established in chapter  
3 865, Oregon Laws 2009, and an estimate of the projected revenue in the current quarter from the  
4 increased taxes and fees established in chapter 865, Oregon Laws 2009.

5 **(2) In addition to the report described in subsection (1) of this section, the Department**  
6 **of Transportation shall report quarterly to the legislative committees on revenue if the**  
7 **Legislative Assembly is in session or, if the Legislative Assembly is not in session, to the**  
8 **Legislative Revenue Officer. The department's report shall include:**

9 **(a) An estimate of the amounts received in the previous quarter from the increased taxes**  
10 **and fees established in sections 32, 33, 37, 38 and 45 of this 2017 Act and the amendments to**  
11 **ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450, 825.476, 825.480 and 826.023 by**  
12 **sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and 70 of this 2017 Act, and**  
13 **an estimate of the projected revenue in the current quarter from the increased taxes and**  
14 **fees established in sections 32, 33, 37, 38 and 45 of this 2017 Act and the amendments to ORS**  
15 **319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450, 825.476, 825.480 and 826.023 by**  
16 **sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and 70 of this 2017 Act.**

17 **(b) An estimate of the amounts received in the previous biennium to date from the in-**  
18 **creased taxes and fees established in sections 32, 33, 37, 38 and 45 of this 2017 Act and the**  
19 **amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450, 825.476, 825.480**  
20 **and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and 70 of this**  
21 **2017 Act, and an estimate of the projected revenue in the remaining current biennium from**  
22 **the increased taxes and fees established in sections 32, 33, 37, 38 and 45 of this 2017 Act and**  
23 **the amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450, 825.476,**  
24 **825.480 and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and**  
25 **70 of this 2017 Act.**

26 **(c) Information about the expenditures and distributions made under section 71a of this**  
27 **2017 Act, including but not limited to:**

28 **(A) Information about the department's total funds as well as the funds raised separately**  
29 **by the increased taxes and fees established in sections 32, 33, 37, 38 and 45 of this 2017 Act**  
30 **and the amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450, 825.476,**  
31 **825.480 and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and**  
32 **70 of this 2017 Act and expended as described in section 71a (3)(c) of this 2017 Act.**

33 **(B) Quarterly amounts that include all the actual and forecasted expenditures and dis-**  
34 **tributions made under section 71a of this 2017 Act for each quarter of the current biennium**  
35 **and the forecasted expenditures and distributions for the following biennium.**

36  
37 **(Small Cities and Counties)**  
38

39 **SECTION 72.** ORS 366.805 is amended to read:

40 366.805. (1) Except as provided in subsection (2) of this section, the appropriation specified in  
41 ORS 366.800 shall be allocated to the cities as provided in this subsection. The moneys subject to  
42 allocation under this subsection shall be distributed by the Department of Transportation according  
43 to the following:

44 (a) The moneys shall be distributed to all the cities.

45 (b) Each city shall receive such share of the moneys as its population bears to the total popu-

1 lation of the cities.

2 (2) Each year, the sum of [*\$500,000*] **\$2,500,000** shall be withdrawn from the appropriation spec-  
3 ified in ORS 366.800 and [*\$500,000*] **\$2,500,000** shall be withdrawn from moneys available to the De-  
4 partment of Transportation from the State Highway Fund. [*and set up in*] **The sums withdrawn**  
5 **shall be transferred to** a separate account to be administered by the Department of Transporta-  
6 tion. The following apply to the account described in this subsection:

7 (a) Money from the account shall [*only*] be used **only** upon streets:

8 (A) That are not a part of the state highway system;

9 (B) That are within cities with populations of 5,000 or fewer persons; and

10 (C) That are inadequate for the capacity [*they*] **the streets** serve or are in a condition detri-  
11 mental to safety.

12 (b) All moneys in the account shall be allotted each year.

13 (c) Subject to paragraph (d) of this subsection, the department shall determine the distribution  
14 of the expenditures after considering applications [*made to it therefor*] from the cities **submitted to**  
15 **the department**.

16 (d) The department may enter into agreements with cities upon the advice and counsel of or-  
17 ganizations representing cities to establish:

18 (A) The method of allotting moneys from the account; or

19 (B) The method of considering applications from cities and determining distribution based on the  
20 applications.

21 **(3) The Director of Transportation shall establish a small city advisory committee. The**  
22 **advisory committee shall review applications submitted by small cities and shall recommend**  
23 **applications for approval to the director. In consultation with the League of Oregon Cities,**  
24 **the director shall appoint to the advisory committee one representative of a small city in**  
25 **each of the five regions of this state.**

26 **(4) For purposes of this section:**

27 **(a) Region one consists of Clackamas, Hood River, Multnomah and Washington Counties.**

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

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

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

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

35 **SECTION 73.** ORS 366.772 is amended to read:

36 366.772. (1) Not later than July 31 in each calendar year, the sum of [*\$500,000*] **\$5,500,000** shall  
37 be withdrawn from the appropriation specified in ORS 366.762[,] and the sum of \$250,000 shall be  
38 withdrawn from moneys available to the Department of Transportation from the State Highway  
39 Fund. The sums withdrawn shall be [*set up in*] **transferred to** a separate account to be administered  
40 by the Department of Transportation.

41 (2) Not later than July 31 in each calendar year, the sum of [*\$750,000*] **\$5,750,000** shall be  
42 withdrawn from the separate account described in subsection (1) of this section and distributed to  
43 counties [*that had a county road base funding deficit in the prior fiscal year. A county's share of the*  
44 *\$750,000 shall be based on the ratio of the amount of the county's road base funding deficit to the total*  
45 *amount of county road base funding deficits of all counties.*] **as follows:**

1 (a) An amount of \$750,000 shall be distributed to the following counties in the following  
2 amounts:

3	(A) Harney County .....	\$	271,909
4	(B) Malheur County .....	\$	187,947
5	(C) Morrow County .....	\$	108,073
6	(D) Gilliam County .....	\$	94,036
7	(E) Sherman County .....	\$	79,700
8	(F) Wheeler County .....	\$	8,335

9 (b) An amount of \$5,000,000 shall be distributed proportionally to counties with fewer  
10 than 200,000 registered vehicles based on a ratio of registered vehicles to road miles main-  
11 tained by each county.

12 (3) Moneys allocated as provided in this section may be used only for maintenance, repair and  
13 improvement of existing roads that are[.]:

- 14 (a) Not a part of the state highway system;
- 15 (b) Within counties with fewer than 200,000 registered vehicles; and
- 16 (c) Inadequate for the capacity the roads serve or are in a condition detrimental to  
17 safety.
- 18 (4) All moneys in the account shall be allotted each year.

19 [(4) As used in this section:]

20 [(a) "Arterial highway" has the meaning given that term in ORS 801.127.]

21 [(b) "Collector highway" has the meaning given that term in ORS 801.197.]

22 [(c) "County road base funding deficit" means the amount of a county's minimum county road base  
23 funding minus the amount of that county's dedicated county road funding. A county has a county road  
24 base funding deficit only if the amount of the dedicated county road funding is less than the amount  
25 of the minimum county road base funding.]

26 [(d) "Dedicated county road funding" for a county means:]

27 [(A) Moneys received from federal forest reserves and apportioned to the county road fund in ac-  
28 cordance with ORS 294.060;]

29 [(B) State Highway Fund moneys distributed to the county, other than moneys distributed under  
30 this section and not including moneys allocated under section 15, chapter 911, Oregon Laws 2007;  
31 and]

32 [(C) Federal Highway Administration revenues allocated by formula to the county annually under  
33 the federal-aid highway program authorized by 23 U.S.C. chapter 1. These moneys do not include fed-  
34 eral funds received by the county through a competitive grant process.]

35 [(e) "Minimum county road base funding" means \$4,500 per mile of county roads that are arterial  
36 and collector highways beginning on July 1, 2008, and thereafter means \$4,500 per mile of county roads  
37 that are arterial and collector highways as adjusted annually on the basis of the Portland-Salem,  
38 OR-WA, Consumer Price Index for All Urban Consumers for All Items, as published by the Bureau  
39 of Labor Statistics of the United States Department of Labor.]

40 **SECTION 74.** ORS 366.155 is amended to read:

41 366.155. (1) The Department of Transportation shall, among other things:

- 42 (a) So far as practicable, compile statistics relative to the public highways of the state and  
43 collect all information in regard thereto which the Director of Transportation may deem important  
44 or of value in connection with highway location, construction, maintenance, improvement or opera-  
45 tion.

1 (b) Keep on file in the office of the department copies of all plans, specifications and estimates  
2 prepared by the department.

3 (c) Make all necessary surveys for the location or relocation of highways and cause to be made  
4 and kept in the department a general highway plan of the state.

5 (d) Collect and compile information and statistics relative to the mileage, character and condi-  
6 tion of highways and bridges in the different counties in the state, both with respect to state and  
7 county highways.

8 (e) Investigate and determine the methods of road construction best adapted in the various  
9 counties or sections of the state, giving due regard to the topography, natural character and avail-  
10 ability of road-building materials and the cost of building and maintaining roads under this Act.

11 (f) Prepare surveys, plans, specifications and estimates for the construction, reconstruction, im-  
12 provement, maintenance and repair of any bridge, street, road and highway. In advertising for bids  
13 on any such project the director shall invite bids in conformity with such plans and specifications.

14 (g) Keep an accurate and detailed account of all moneys expended in the location, survey, con-  
15 struction, reconstruction, improvement, maintenance or operation of highways, roads and streets,  
16 including costs for rights of way, under this Act, and keep a record of the number of miles so lo-  
17 cated, constructed, maintained or operated in each county, the date of construction, the width of  
18 such highways and the cost per mile for the construction and maintenance of the highways.

19 (h) Upon request of a county governing body, assist the county on matters relating to road lo-  
20 cation, construction or maintenance. Plans and specifications for bridges or culverts that are pro-  
21 vided under this paragraph shall be provided without cost to the 10 counties with the lowest  
22 *[dedicated county road funding, as defined in ORS 366.772]* **ratio of registered vehicles to road**  
23 **miles maintained by each county**. Standard specifications for road projects shall be provided  
24 without cost to all counties. The Department of Transportation shall determine an amount to be  
25 charged for assistance under this paragraph in establishing specifications and standards for roads  
26 under ORS 368.036. The costs of assistance not specifically provided for under this paragraph shall  
27 be paid as provided by agreement between the county governing body and the director.

28 (i) Upon request of the State Parks and Recreation Department, assist the State Parks and Re-  
29 creation Department in evaluating the potential need for construction, reconstruction, improvement,  
30 maintenance or operation of highways, roads and streets that would result if the State Parks and  
31 Recreation Commission acquired and developed a new historic site, park or recreation area under  
32 the criteria established pursuant to ORS 390.112 or any other criteria for acquisition established by  
33 the State Parks and Recreation Commission.

34 (2) The director may require duties with respect to audits and accounting procedures provided  
35 for in this section and ORS 366.165 to be performed and responsibilities to be assumed by the fiscal  
36 officer of the department appointed under ORS 184.637.

37 (3) In carrying out the duties set forth in this section, the director shall act in a manner that  
38 is consistent with the goal set forth in ORS 468B.155.

39 **SECTION 74a. The amendments to ORS 366.155, 366.772 and 366.805 by sections 72, 73 and**  
40 **74 of this 2017 Act become operative on January 1, 2018.**

41  
42 (Study and Report)

43  
44 **SECTION 75. (1) The Oregon Transportation Commission shall conduct a study. The**  
45 **purpose of the study is to determine:**



1 (a) The proportionate share that users of vehicles that are powered by different means  
2 should pay for the costs of maintenance, operation and improvement of the highways in this  
3 state; and

4 (b) Whether users of vehicles that are powered by different means are paying that share.

5 (2) If the commission determines that users are not paying a proportionate share, then  
6 the commission may include in the report recommendations for legislation.

7 (3) This section applies to users paying the vehicle registration fee under ORS 803.420  
8 (6)(a).

9 (4) The commission shall report the results of the study to the Joint Committee on  
10 Transportation established under section 26 of this 2017 Act, in the manner provided by ORS  
11 192.245, no later than September 15, 2023.

12 **SECTION 76.** Section 75 of this 2017 Act is repealed on January 2, 2024.

13 **NOTE:** Section 77 was deleted by amendment. Subsequent sections were not renumbered.

14  
15 **MULTIMODAL TRANSPORTATION**  
16 **(Connect Oregon)**

17  
18 **SECTION 78.** ORS 367.080 is amended to read:

19 367.080. (1) As used in ORS 367.080 to 367.086:

20 (a) "Bicycle" has the meaning given that term in ORS 801.150.

21 (b) "Private entity" means any entity that is not a public body, including but not limited  
22 to a corporation, partnership, company, nonprofit organization or other legal entity or na-  
23 tural person.

24 (c) "Public body" has the meaning given that term in ORS 174.109.

25 (d) "Statewide significance" means a transportation project that:

26 (A) Benefits the regional and statewide economy; and

27 (B) Sustains employment within the community or region in which the transportation  
28 project is located beyond the employment associated with construction or implementation  
29 of the project.

30 [(b)] (e) "Transportation project" means a project or undertaking for transit, rail, marine, avi-  
31 ation and bicycle and pedestrian capital infrastructure, including bridges, paths and ways, or a  
32 project that facilitates the transportation of materials, animals or people. A transportation project  
33 does not include costs associated with operating expenses or the purchase of bicycles.

34 (2) The Connect Oregon Fund is established in the State Treasury, separate and distinct from  
35 the General Fund. Earnings on moneys in the Connect Oregon Fund shall be deposited into the fund.  
36 Moneys in the Connect Oregon Fund are continuously appropriated to the Department of Trans-  
37 portation for the purposes described in subsection (3) of this section and in ORS 367.086. **The fund**  
38 **consists of the following:**

39 (a) Moneys transferred to the fund under sections 96 and 97 of this 2017 Act.

40 (b) Moneys appropriated to the fund by the Legislative Assembly.

41 (c) Earnings on moneys in the fund.

42 (d) Lottery bond proceeds.

43 (e) Moneys from any other source.

44 (3) The department shall use moneys in the Connect Oregon Fund to provide grants for trans-  
45 portation projects as provided in ORS 367.080 to 367.086. Grants may be provided only for projects

1 that involve one or more of the following modes of transportation:

- 2 (a) Air;
- 3 (b) Marine;
- 4 (c) Rail; **and**
- 5 *[(d) Public transit; and]*
- 6 *[(e)]* (d) Bicycle and pedestrian.

7 **SECTION 79.** ORS 367.082 is amended to read:

8 367.082. (1) Except as provided in subsection (2) of this section, the Department of Transporta-  
9 tion may provide, from moneys in the Connect Oregon Fund established *[by]* **under** ORS 367.080,  
10 grants for transportation projects to public bodies, as defined in ORS 174.109, and to private entities.

11 (2) Grants may not be made from the Connect Oregon Fund for transportation projects that  
12 could constitutionally be funded by revenues described in *[section 3a,]* Article IX, **section 3a**, of the  
13 Oregon Constitution.

14 (3) The Department of Transportation shall adopt rules specifying the process by which a public  
15 body or private entity may apply for a grant under this section and prescribing the terms and con-  
16 ditions of grants~~, including but not necessarily limited to a requirement that the public body or private~~  
17 ~~entity receiving the grant provide at least 30 percent of the moneys required for the transportation~~  
18 ~~project]. **An applicant receiving a grant must provide the following amounts:**~~

19 (a) **For public bodies and private entities, other than Class I railroads, 30 percent of the**  
20 **moneys required for the transportation project.**

21 (b) **For Class I railroads, 50 percent of the moneys required for the transportation**  
22 **project.**

23 **SECTION 80.** 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 Connect Oregon Fund established *[by]* **under** ORS 367.080.

26 (2)(a) **Prior to selecting transportation projects, the commission shall seek input from**  
27 **the applicable area commission on transportation.**

28 *[(2)(a)]* (b) Prior to selecting aeronautic and airport transportation projects, the commission  
29 shall solicit recommendations from the State Aviation Board.

30 *[(b)]* (c) Prior to selecting freight transportation projects, the commission shall solicit recom-  
31 mendations from the Freight Advisory Committee.

32 *[(c)]* (d) Prior to selecting *[public transit and]* rail projects, the commission shall solicit recom-  
33 mendations from *[its public transit and]* **the** rail advisory *[committees]* **committee.**

34 *[(d)]* (e) Prior to selecting marine projects, the commission shall solicit recommendations from  
35 the Oregon Business Development Department.

36 *[(e)]* (f) Prior to selecting bicycle and pedestrian projects, the commission shall solicit recom-  
37 mendations from the advisory committee created by ORS 366.112.

38 (3) **The commission shall divide the Connect Oregon program into two parts to be known**  
39 **as Connect Oregon Part One and Connect Oregon Part Two.**

40 (4) **Connect Oregon Part One consists of transportation projects that involve one or more**  
41 **of the following modes of transportation:**

- 42 (a) Air;
- 43 (b) Marine;
- 44 (c) Rail; **and**
- 45 (d) Bicycle and pedestrian.

1       **(5) Connect Oregon Part Two consists of transportation projects that:**

2       **(a) Are transportation projects of statewide significance; and**

3       **(b) Enhance or maintain one or more of the following modes of transportation:**

4       **(A) Air;**

5       **(B) Marine;**

6       **(C) Class I railroads;**

7       **(D) Class II railroads; or**

8       **(E) Class III railroads.**

9       **[(3)] (6) In selecting transportation projects within Connect Oregon Part One, the commission**  
10 **shall consider:**

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

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

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

16       **(d) How much of the cost of a proposed transportation project can be borne by the applicant for**  
17 **the grant from any source other than the Connect Oregon Fund;**

18       **(e) Whether a proposed transportation project is ready for construction; [and]**

19       **(f) Whether a proposed transportation project has a useful life expectancy that offers maximum**  
20 **benefit to the state[.]; and**

21       **(g) Whether a proposed transportation project is located near operations conducted for**  
22 **mining aggregate or processing aggregate as described in ORS 215.213 (2)(d) or 215.283 (2)(b).**

23       **(7) The commission may award grants only for bicycle and pedestrian transportation**  
24 **projects that expand and improve commuter routes for nonmotorized vehicles and pedestri-**  
25 **ans, including bicycle trails, footpaths and multiuse trails.**

26       **(8) In selecting marine enhancement transportation projects within Connect Oregon Part**  
27 **Two, the commission shall consider whether a proposed transportation project:**

28       **(a) Is located in a deepwater port;**

29       **(b) Is located in a port with commercial activities where freight is transferred between**  
30 **water and another mode of freight transport;**

31       **(c) Improves efficiency of port operations or transportation system;**

32       **(d) Improves accessibility, connections, safety or mobility between a port and another**  
33 **modes of transportation;**

34       **(e) Has a significant economic benefit to this state including but not limited to adding**  
35 **jobs, retaining a high number of existing jobs or supporting business expansion at a port fa-**  
36 **ility; and**

37       **(f) Leverages private funding.**

38       **(9) In selecting marine maintenance transportation projects within Connect Oregon Part**  
39 **Two, the commission shall consider whether a proposed transportation project:**

40       **(a) Maintains or improves channel depth or width;**

41       **(b) Preserves high-use or high-volume dock or pier infrastructure;**

42       **(c) Maintains connections to a port facility, including railroads or highways; and**

43       **(d) Preserves critical equipment necessary to maintain port functionality including but**  
44 **not limited to cranes, lifts, hoists and moorings.**

45       **(10) In selecting Class II or III railroad enhancement transportation projects within**

1 **Connect Oregon Part Two, the commission shall consider whether a proposed transportation**  
2 **project:**

3 (a) **Allows a Class II or III railroad to transport a substantial volume or value of freight**  
4 **in relation to other Class II or III railroads;**

5 (b) **Connects a Class II or III railroad to a deepwater port;**

6 (c) **Improves efficiency of the line;**

7 (d) **Improves capacity of the line;**

8 (e) **Connects to new or expanding businesses requiring rail service; and**

9 (f) **Improves connectivity with Class I railroads.**

10 (11) **In selecting Class II or III railroad maintenance transportation projects within**  
11 **Connect Oregon Part Two, the commission shall consider whether a proposed transportation**  
12 **project:**

13 (a) **Maintains or increases functionality of the railroad;**

14 (b) **Maintains or improves a critical bridge, tunnel or other structure necessary to**  
15 **maintain rail service;**

16 (c) **Provides jobs to economically disadvantaged areas, as determined by the Oregon**  
17 **Business Development Department by rule;**

18 (d) **Helps protect critical rail infrastructure from seismic vulnerability;**

19 (e) **Improves railroads that serve industries that are important to this state;**

20 (f) **Increases the volume or value of freight; and**

21 (g) **Improves connections to highways or intermodal terminals.**

22 (12) **In selecting Class I railroad enhancement transportation projects within Connect**  
23 **Oregon Part Two, the commission shall consider whether a proposed transportation project:**

24 (a) **Eliminates or improves an identified rail congestion point;**

25 (b) **Improves the capacity or efficiency of the rail system;**

26 (c) **Has a strong benefit to Oregon's economy;**

27 (d) **Improves operations and efficiency of shared rail passenger service providers;**

28 (e) **Improves accessibility to ports or other intermodal terminals; and**

29 (f) **Improves the safety or reliability of the rail system.**

30 (13) **In selecting Class I railroad maintenance transportation projects within Connect**  
31 **Oregon Part Two, the commission shall consider whether a proposed transportation project:**

32 (a) **Connects to Class II or III railroads, ports, intermodal terminals or highways; and**

33 (b) **Improves seismically vulnerable portions of the railroad or bridges.**

34 (14) **To receive a grant under Connect Oregon Part Two a proposed aviation transporta-**  
35 **tion project must benefit a category I, II, III or IV airport, as defined by the Oregon De-**  
36 **partment of Aviation by rule and the airport must be eligible for federal matching funds. In**  
37 **addition the commission shall consider whether a proposed transportation project:**

38 (a) **Facilitates rescue or recovery efforts following a seismic event;**

39 (b) **Serves joint military and civilian operations; or**

40 (c) **Facilitates expanded commercial service, excluding the acquisition or operation of**  
41 **aircraft.**

42 [(4)] (15) **To promote fairness in the selection process, the Director of Transportation may not**  
43 **choose a member of a final review committee:**

44 (a) **Who represents an entity that submitted an application for a Connect Oregon Fund grant**  
45 **that is being considered for funding by a final review committee; or**

1 (b) Has a direct financial interest in an application that is being considered for funding by a  
2 final review committee.

3 **SECTION 80a.** Section 7, chapter 700, Oregon Laws 2015, is amended to read:

4 **Sec. 7.** (1) The following amounts shall be distributed in the manner prescribed in this section:

5 (a) Any amount of tax on aircraft fuel usable in aircraft operated by turbine engines that is  
6 computed on a basis in excess of one cent per gallon and any amount of tax on all other aircraft fuel  
7 that is computed on a basis in excess of nine cents per gallon, under ORS 319.020 (2); and

8 (b) Any amount of tax on aircraft fuel usable in aircraft operated by turbine engines in excess  
9 of one cent per gallon and any amount of tax on all other aircraft fuel in excess of nine cents per  
10 gallon, that is deducted before the refunding of tax under ORS 319.330 (1).

11 (2) Applications for distributions under this section may not be approved unless the applicant  
12 demonstrates a commitment to contribute at least five percent of the costs of the project to which  
13 the application relates. The Oregon Department of Aviation shall adopt rules for purposes of this  
14 subsection.

15 (3)(a) The State Aviation Board shall establish a review committee composed of one member  
16 from each of the area commissions on transportation chartered by the Oregon Transportation Com-  
17 mission.

18 (b) The review committee shall meet as necessary to review applications for distributions of  
19 amounts pursuant to this section. The criteria specified in ORS 367.084 [(3)] (6) apply to the review  
20 process of the review committee.

21 (c) The review committee shall recommend applications to the State Aviation Board, which shall  
22 select applications with the following priority:

23 (A) First, to applications filed pursuant to subsection (5)(a)(A) of this section;

24 (B) Second, to applications filed with respect to safety and infrastructure development; and

25 (C) Third, to applications filed with respect to aviation-related economic benefits related to air-  
26 ports.

27 (4)(a) Five percent of the amounts described in subsection (1) of this section are appropriated  
28 to the Oregon Department of Aviation for the costs of the department and the State Aviation Board  
29 in administering this section.

30 (b) The remaining 95 percent of the amounts described in subsection (1) of this section shall be  
31 distributed pursuant to subsections (5) to (7) of this section.

32 (5)(a) Fifty percent of the amounts described in subsection (4)(b) of this section shall be distrib-  
33 uted for the following purposes:

34 (A) To assist airports in Oregon with match requirements for Federal Aviation Administration  
35 Airport Improvement Program grants.

36 (B) To make grants for emergency preparedness and infrastructure projects, in accordance with  
37 the Oregon Resilience Plan, including grants for emergency management plan development, seismic  
38 studies and emergency generators and similar equipment.

39 (C) To make grants for:

40 (i) Services critical or essential to aviation, including, but not limited to, fuel, sewer, water and  
41 weather equipment.

42 (ii) Aviation-related business development, including, but not limited to, hangars, parking for  
43 business aircraft and related facilities.

44 (iii) Airport development for local economic benefit, including, but not limited to, signs and  
45 marketing.

1 (b) Priority in distributing grants shall be given to projects for which applicants demonstrate a  
2 commitment to contribute the greatest amounts toward the costs of the projects to which the ap-  
3 plications relate.

4 (6) Twenty-five percent of the amounts described in subsection (4)(b) of this section shall be  
5 distributed for the purpose of assisting commercial air service to rural Oregon.

6 (7) Twenty-five percent of the amounts described in subsection (4)(b) of this section shall be  
7 distributed to state-owned airports for the purposes of:

8 (a) Safety improvements recommended by the State Aviation Board and local community air-  
9 ports.

10 (b) Infrastructure projects at public use airports.

11 (8)(a) The State Aviation Board shall submit reports, in the manner provided in ORS 192.245 and  
12 paragraph (b) of this subsection, that describe in detail the projects for which applications have been  
13 submitted and approved, the airports affected, the names of the applicants and the persons who will  
14 perform the work proposed in the applications, the progress of projects for which applications have  
15 been approved and any other information the board considers necessary for a comprehensive anal-  
16 ysis of the implementation of this section.

17 (b) The reports described in paragraph (a) of this subsection shall be submitted:

18 (A) Not later than February 10 of each year to the committees of the Legislative Assembly re-  
19 lated to air transportation; and

20 (B) Not later than September 30 of each year to the interim committees of the Legislative As-  
21 sembly related to air transportation.

22 **SECTION 81.** ORS 367.086 is amended to read:

23 367.086. (1) The Department of Transportation, in cooperation with the Oregon Department of  
24 Aviation, shall administer aeronautic and airport transportation projects selected under ORS 367.084  
25 for funding with moneys in the Connect Oregon Fund. The Oregon Department of Aviation may use  
26 moneys from the Connect Oregon Fund to pay administrative costs incurred by the Oregon Depart-  
27 ment of Aviation in carrying out the provisions of ORS 367.080 to 367.086.

28 (2) Except as provided in subsection (1) of this section, the Department of Transportation shall  
29 administer all transportation projects that are selected under ORS 367.084. [*The Department of*  
30 *Transportation may use moneys from the Connect Oregon Fund to pay administrative costs incurred*  
31 *by the Department of Transportation in carrying out the provisions of ORS 367.080 to 367.086.*]

32 **SECTION 82. Sections 83 to 85 of this 2017 Act are added to and made a part of ORS**  
33 **367.080 to 367.086.**

34 **SECTION 83. (1) If there is \$75 million or more in the Connect Oregon Fund on July 1**  
35 **of an odd-numbered year, the amounts available under ORS 367.080 shall be distributed for**  
36 **transportation projects within the Connect Oregon program as follows:**

37 **(a) For projects within Connect Oregon Part One:**

38 **(A) Forty-seven percent for transportation projects that involve one or more of the fol-**  
39 **lowing modes of transportation:**

40 **(i) Aviation;**

41 **(ii) Marine; or**

42 **(iii) Rail.**

43 **(B) Seven percent for bicycle and pedestrian transportation projects.**

44 **(C) One percent is appropriated to the Department of Transportation to pay administra-**  
45 **tive costs incurred by the department in carrying out the provisions of ORS 367.080 to**

1 **367.086.**

2 (b) For transportation projects within Connect Oregon Part Two, forty-five percent.

3 (2) If there is less than \$75 million in the Connect Oregon Fund on July 1 of an odd-  
4 numbered year, the amounts available under ORS 367.080 shall be distributed for transpor-  
5 tation projects within the Connect Oregon program as follows for projects within Connect  
6 Oregon Part One:

7 (a) Ninety-two percent for transportation projects that involve one or more of the fol-  
8 lowing modes of transportation:

9 (A) Aviation;

10 (B) Marine; or

11 (C) Rail.

12 (b) Seven percent for bicycle and pedestrian transportation projects.

13 (c) One percent is appropriated to the Department of Transportation to pay administra-  
14 tive costs incurred by the department in carrying out the provisions of ORS 367.080 to  
15 367.086.

16 (3) To the extent that proposed transportation projects meet the qualifications estab-  
17 lished by the Oregon Transportation Commission by rule, the commission shall allocate at  
18 least 10 percent of the amount described in subsection (1) or (2) of this section to each of the  
19 five regions described in ORS 366.805.

20 **SECTION 84.** (1) When the Department of Transportation provides a grant under ORS  
21 367.080 to 367.086 for a bicycle and pedestrian transportation project that is consistent with  
22 any restrictions under Article XV, section 4 or 4a, of the Oregon Constitution, the depart-  
23 ment may request reimbursement from the State Parks and Recreation Department in an  
24 amount not to exceed \$4 million each biennium.

25 (2) If the State Parks and Recreation Department determines that the grant for the bi-  
26 cycle and pedestrian transportation project is consistent with any restrictions of Article XV,  
27 section 4 or 4a, of the Oregon Constitution, the State Parks and Recreation Department shall  
28 reimburse the Department of Transportation from the Parks Subaccount established under  
29 ORS 390.135 within five days after receiving the request for reimbursement.

30 **SECTION 85.** (1) The Oregon Transportation Commission shall pursue methods to  
31 streamline the process for submitting applications under ORS 367.080 to 367.086.

32 (2) The Oregon Transportation Commission shall report to the Joint Committee on  
33 Transportation established under section 26 of this 2017 Act no later than September 15, 2017,  
34 on the implementation of this section.

35  
36 (Dredging)

37  
38 **SECTION 86.** ORS 319.415 is amended to read:

39 319.415. (1) On or before July 15 of each year, the Oregon Department of Administrative Ser-  
40 vices, after consultation with the Department of Transportation and the State Marine Board, shall  
41 determine the amount of the motor vehicle fuel tax imposed under ORS 319.010 to 319.430 during the  
42 preceding fiscal year with respect to fuel purchased and used to operate or propel motor boats. The  
43 amount determined shall be reduced by the amount of any refunds for motor boats used for com-  
44 mercial purposes actually paid during the preceding year on account of ORS 319.280 (1)(a).

45 (2)(a) The Oregon Department of Administrative Services shall estimate the amount of fuel de-

1 scribed in subsection (1) of this section that is used to operate or propel motor boats by conducting  
 2 a statistically valid, unbiased, independent survey of boat owners. The survey shall be conducted  
 3 once every four years and shall be designed to estimate the average daily fuel consumption by motor  
 4 boats and the total days of motor boat use per year. The survey shall be used to determine the  
 5 amount of the transfer required by subsection (3) of this section for the first transfer that occurs  
 6 after the survey is completed. If the tax rate changes during the fiscal year, the amount of tax to  
 7 be transferred shall be prorated based on the percentage of total motor boat use taking place during  
 8 each tax period.

9 (b) In years when no survey is conducted, the amount to be transferred under subsection (3) of  
 10 this section shall be calculated by multiplying the per boat fuel consumption factors from the pre-  
 11 ceding survey by the number of motor boats as shown by the annual actual count of boat registra-  
 12 tions. The resulting amount, in gallons per year, shall be the basis for the determination of the  
 13 amount to be transferred.

14 (c) The survey required by paragraph (a) of this subsection shall be developed by a research  
 15 department within Oregon State University, in consultation with the State Marine Board and the  
 16 Department of Transportation. The Oregon Department of Administrative Services shall contract for  
 17 the development and conduct of the survey, and the costs shall be paid by the Department of  
 18 Transportation. Costs paid by the Department of Transportation may be deducted from the amount  
 19 transferred to the State Marine Board **and to the Oregon Business Development Department**  
 20 under subsection (3) of this section.

21 (3) The Oregon Department of Administrative Services shall certify the amount of the estimate  
 22 made under subsection (1) of this section, as reduced by refunds, to the Department of Transporta-  
 23 tion, to the State Marine Board, **to the Oregon Business Development Department** and to the  
 24 State Treasurer. Thereupon, that amount shall be transferred from the Department of Transportation  
 25 Driver and Motor Vehicle Suspense Account to the:

26 (a) Boating Safety, Law Enforcement and Facility Account created under ORS 830.140, and is  
 27 continuously appropriated to the State Marine Board for the purposes for which the moneys in the  
 28 Boating Safety, Law Enforcement and Facility Account are appropriated[.]; **and**

29 (b) **Marine Navigation Improvement Fund established under ORS 777.267, and is contin-**  
 30 **uously appropriated to the Oregon Business Development Department for the Oregon**  
 31 **Infrastructure Finance Authority for the purposes of paying for portions of the cost of**  
 32 **maintenance dredging projects undertaken with equipment owned by the State of Oregon at**  
 33 **publicly owned ports and marinas.**

34 (4) **Of the amounts transferred under subsection (3) of this section, two cents per gallon**  
 35 **of fuel shall first be transferred to the Marine Navigation Improvement Fund and the re-**  
 36 **maining amounts shall be transferred to the Boating Safety, Law Enforcement and Facility**  
 37 **Account.**

38 **SECTION 87.** ORS 777.267 is amended to read:

39 777.267. (1) The Marine Navigation Improvement Fund is established in the State Treasury,  
 40 separate and distinct from the General Fund. Interest earned by the Marine Navigation Improve-  
 41 ment Fund shall be credited to the fund. The moneys in the fund and interest earnings on the mon-  
 42 eys in the fund are continuously appropriated to the Oregon Business Development Department for  
 43 the Oregon Infrastructure Finance Authority for the purposes of:

44 (a) Paying a portion of the construction costs of dredging activities that constitute new federally  
 45 authorized navigation improvement projects and are carried out in the harbors and channels on the



1 Oregon coast and along the Columbia River when federal law or regulation requires a portion of the  
2 costs to be paid by nonfederal interests;

3 (b) Paying the study and construction costs of other new navigation improvement projects that  
4 directly support, or provide access to, a federally authorized navigation improvement project; [and]

5 (c) Paying the study and construction costs of maintenance projects related to existing federally  
6 authorized navigation improvement projects[.]; **and**

7 **(d) Paying for portions of the cost of maintenance dredging projects undertaken with**  
8 **equipment owned by the State of Oregon at publicly owned ports and marinas.**

9 (2) The Marine Navigation Improvement Fund established by this section consists of:

10 (a) Moneys appropriated **or otherwise deposited into** [to] the fund by the Legislative  
11 Assembly[.];

12 (b) Repayment of loans made with moneys in the fund; and

13 (c) Bond proceeds deposited in the fund.

14 (3) Moneys in the fund shall be used primarily to make loans to ports for eligible projects. The  
15 authority may award a grant or provide other assistance from moneys in the fund to a port for an  
16 eligible project only if a loan is not feasible due to the financial hardship of the port or other special  
17 circumstances, as set forth in rules adopted by the department.

18 (4) Eligibility for assistance from the Marine Navigation Improvement Fund shall be limited to  
19 and funded, subject to the availability of funds, in the following order of priority:

20 (a) Maintenance projects related to existing federally authorized navigation improvement  
21 projects.

22 (b) Other new navigation improvement projects that directly support, or provide access to, a  
23 federally authorized navigation improvement project or a federally authorized navigation channel.

24 (c) New federally authorized navigation improvement projects.

25 **(d) Payment of portions of the cost of maintenance dredging projects undertaken with**  
26 **equipment owned by the State of Oregon at publicly owned ports and marinas.**

27 (5) The authority shall limit financial assistance for construction costs under subsection (1)(a)  
28 of this section to those projects that have completed all federally required studies.

29 (6) The authority shall limit financial assistance for construction costs under subsection (1)(b)  
30 of this section to projects sponsored by a port, as defined in ORS 777.005 or 778.005, that meet cri-  
31 teria developed by the authority.

32 (7) The authority shall limit financial assistance for study costs under subsection (1)(b) of this  
33 section to projects that meet criteria developed by the authority.

34 (8) The authority shall limit financial assistance for study and construction costs under sub-  
35 section (1)(c) of this section to projects that meet criteria developed by the authority.

36 **SECTION 88.** ORS 802.110 is amended to read:

37 802.110. Any procedures the Department of Transportation establishes for financial adminis-  
38 tration of those functions of the department dealing with driver and motor vehicle services and for  
39 the disposition and payment of moneys it receives from the provision of driver and motor vehicle  
40 services shall comply with all of the following:

41 (1) The department shall deposit all moneys it receives related to driver and motor vehicle ser-  
42 vices in the Department of Transportation Driver and Motor Vehicle Suspense Account for approved  
43 expenses and disbursements before payment of general administrative expenses of the department related  
44 to the provision of driver and motor vehicle services. Notwithstanding this subsection, the depart-  
45 ment may return a bank check or money order when received in incorrect or incomplete form or

1 when not accompanied by the proper application.

2 (2) The department shall pay the following approved expenses and disbursements from the Department of Transportation Driver and Motor Vehicle Suspense Account before payment of the general administrative expenses of the department related to driver and motor vehicle services:

3 (a) Refunds authorized by any statute administered by the department when such refunds are approved by the department.

4 (b) Amounts transferred to the State Treasurer under ORS 319.410 (2) for the purpose of carrying out the state aviation laws, amounts transferred to the Boating Safety, Law Enforcement and Facility Account **and to the Marine Navigation Improvement Fund** by ORS 319.415, amounts transferred to the State Aviation Account by ORS 319.417 and amounts transferred to the Department of Transportation Operating Fund by ORS 184.643.

5 (c) After deduction of expenses of collection, transfer and administration, the department shall pay moneys collected from the Student Driver Training Fund eligibility fee under ORS 807.040, 807.150 and 807.370 to the State Treasurer for deposit in the Student Driver Training Fund. The moneys deposited in the Student Driver Training Fund under this paragraph are continuously appropriated to the department for the following purposes:

6 (A) To the extent of not more than 10 percent of the amount transferred into the Student Driver Training Fund in any biennium, to pay the expenses of administering ORS 336.795, 336.800, 336.805, 336.810 (2) and 336.815.

7 (B) The remaining moneys, for reimbursing school districts and commercial driver training schools as provided under ORS 336.805.

8 (d) After deduction of expenses of collection, transfer and administration, the department shall pay moneys collected for the Motorcycle Safety Subaccount under ORS 807.170 to the State Treasurer for deposit in the Motorcycle Safety Subaccount of the Transportation Safety Account. Moneys paid to the State Treasurer under this paragraph shall be used for the purpose of ORS 802.320.

9 (e) After deduction of expenses for the administration of the issuance of customized registration plates under ORS 805.240, the department shall place moneys received from the sale of customized registration plates in the Passenger Rail Transportation Account. The moneys placed in the account are continuously appropriated to the department and shall be used for the payment of expenses incurred in administering passenger rail programs.

10 (f) After deduction of expenses of collection, transfer and administration, the department shall pay moneys from any registration fees established by the governing bodies of counties or a district, as defined in ORS 801.237, under ORS 801.041 or 801.042 to the appropriate counties or districts. The department shall make the payments on at least a monthly basis unless another basis is established by the intergovernmental agreements required by ORS 801.041 and 801.042 between the department and the governing bodies of a county or a district.

11 (g) After deducting the expenses of the department in collecting and transferring the moneys, the department shall make disbursements and payments of moneys collected for or dedicated to any other purpose or fund except the State Highway Fund, including but not limited to, payments to the Department of Transportation Operating Fund established by ORS 184.642 (1) and (2).

12 (3) The department shall refund from the Department of Transportation Driver and Motor Vehicle Suspense Account any excess or erroneous payment to a person who made the payment or to the person's legal representative when the department determines that money has been received by it in excess of the amount legally due and payable or that it has received money in which it has no legal interest. Refunds payable under this subsection are continuously appropriated for such

1 purposes in the manner for payment of refunds under this section. If the department determines that  
2 a refund is due, the department may refund the amount of excess or erroneous payment without a  
3 claim being filed. Except as provided in ORS 319.290, 319.375, 319.820 and 319.831, any claim for a  
4 refund from the department must be filed within 12 months after the date payment is received by  
5 the department.

6 (4) After payment of those expenses and disbursements approved for payment before general admin-  
7 istrative expenses related to the provision of driver and motor vehicle services, the department shall  
8 pay from the Department of Transportation Driver and Motor Vehicle Services Administrative Ac-  
9 count its general administrative expenses incurred in the administration of any law related to driver  
10 and motor vehicle services that the department is charged with administering and any other ex-  
11 penses the department is permitted by law to pay from moneys held by the department before  
12 transfer of the moneys to the State Highway Fund. The following limitations apply to payments of  
13 administrative expenses under this subsection:

14 (a) The department shall make payment of the expenses of administering the issuance of winter  
15 recreation parking permits under ORS 811.595 from those moneys received from issuing the permits.

16 (b) The department shall pay its expenses for administering the registration and titling of  
17 snowmobiles under ORS 821.060 and 821.100 from the fees collected from administering those  
18 sections. The department shall also pay its expenses for the administration of the snowmobile driver  
19 permit program under ORS 821.160 from the moneys otherwise described in this paragraph.

20 (c) The department shall pay its expenses for determining the amount of money to be withheld  
21 under ORS 802.120 from the fees collected for administering the registration and titling of  
22 snowmobiles. The amount used to pay expenses under this paragraph shall be such sum as necessary  
23 but may not exceed \$10,000 during each biennium.

24 (d) The department shall retain not more than \$15,000 in any biennium for the expenses of col-  
25 lecting and transferring moneys to the Student Driver Training Fund under this section and for the  
26 administration of ORS 336.810 (3).

27 (5) Except as otherwise provided in this subsection, the department shall transfer to the State  
28 Highway Fund the moneys not used for payment of the general administrative expenses or for ap-  
29 proved expenses and disbursements before payment of general administrative expenses. The following  
30 apply to this subsection:

31 (a) If the Director of Transportation certifies the amount of principal or interest of highway  
32 bonds due on any particular date, the department may make available for the payment of such in-  
33 terest or principal any sums that may be necessary to the extent of moneys on hand available for  
34 the State Highway Fund regardless of the dates otherwise specified under this section.

35 (b) Notwithstanding paragraph (a) of this subsection, the department may not make available for  
36 purposes described in paragraph (a) of this subsection any moneys described in ORS 367.605 when  
37 there are not sufficient amounts of such moneys in the State Highway Fund for purposes of bonds  
38 issued under ORS 367.615.

39 (6) Notwithstanding any other provision of this section, the following moneys shall be trans-  
40 ferred to the State Highway Fund at the times described:

41 (a) Moneys received under ORS 802.120 and not used for the payment of administrative expenses  
42 of the department shall be transferred before July 31 of each year.

43 (b) Moneys received from the registration of snowmobiles that are not to be used for payment  
44 of administrative expenses of the department shall be transferred within 30 days after the end of the  
45 quarter.

1 (c) Moneys received from the issuance of winter recreation parking permits that are not used  
2 for payment of administrative expenses of the department shall be transferred within 30 days after  
3 the end of the quarter.

4 (7) The following moneys transferred to the State Highway Fund under this section may be used  
5 only for the purposes described as follows:

6 (a) Moneys collected from the issuance of winter recreation parking permits, and the interest  
7 on such moneys, shall be used to enforce the requirement for winter recreation parking permits and  
8 to remove snow from winter recreation parking locations designated under ORS 810.170. Any re-  
9 maining moneys shall, upon approval by the Winter Recreation Advisory Committee:

10 (A) Be used to maintain parking locations developed with moneys obtained under ORS 810.170  
11 and snowmobile facilities that are parking lots developed with moneys as provided under this sec-  
12 tion;

13 (B) Be used to develop additional winter recreation parking locations under ORS 810.170; or

14 (C) Be carried over to be used in subsequent years for the purposes and in the manner described  
15 in this paragraph.

16 (b) Moneys received from the registration of snowmobiles or under ORS 802.120 may be used for  
17 development and maintenance of multiuse trails within urban growth boundaries [*described in ORS*  
18 *367.017*] or for the development and maintenance of snowmobile facilities, including the acquisition  
19 of land therefor by any means other than the exercise of eminent domain. Moneys received under  
20 ORS 802.120 may also be used for the enforcement of ORS 811.590, 821.100 to 821.120, 821.140,  
21 821.150, 821.190, 821.210 and 821.240 to 821.290.

22 (8) The department shall maintain the Revolving Account for Emergency Cash Advances sepa-  
23 rate from other moneys described in this section. From the account, the department may pay for the  
24 taking up of dishonored remittances returned by banks or the State Treasurer and for emergency  
25 cash advances to be subsequently reimbursed. The account shall be used only as a revolving fund.  
26 The department shall at all times be accountable for the amount of the account, either in cash or  
27 unreimbursed items and advances. The moneys in the account are continuously appropriated for the  
28 purposes of this subsection. The amount of moneys in the account under this subsection may not  
29 exceed \$40,000 from moneys received by the department in the performance of its driver and motor  
30 vehicle services functions and moneys otherwise appropriated for purposes of this subsection. The  
31 account under this subsection shall be kept on deposit with the State Treasurer. The State Treas-  
32 urer is authorized to honor and pay all properly signed and indorsed checks or warrants drawn  
33 against the account.

34  
35 **REVENUE FOR TRAFFIC CONGESTION RELIEF,**  
36 **FREIGHT MOBILITY AND CONNECT OREGON**  
37

38 **SECTION 89. Definitions for sections 89 to 111. As used in sections 89 to 111 of this 2017**

39 **Act:**

40 (1)(a) **“Bicycle” means a vehicle that is designed to be operated on the ground on wheels**  
41 **and is propelled exclusively by human power.**

42 (b) **“Bicycle” does not include durable medical equipment.**

43 (2) **“New motor vehicle” has the meaning given that term in ORS 803.350 (8)(c).**

44 (3) **“Retail sales price” means the total price paid at retail for a taxable vehicle, exclusive**  
45 **of the amount of any excise, privilege or use tax, to a seller by a purchaser of the taxable**

1 vehicle.

2 (4) "Seller" means:

3 (a) With respect to the privilege tax imposed under section 90 of this 2017 Act and the  
4 use tax imposed under section 91 of this 2017 Act, a vehicle dealer.

5 (b) With respect to the excise tax imposed under section 92 of this 2017 Act, a person  
6 engaged in whole or in part in the business of selling bicycles.

7 (5) "Taxable bicycle" means a new bicycle that has wheels of at least 26 inches in diam-  
8 eter and a retail sales price of \$200 or more.

9 (6) "Taxable motor vehicle" means a new motor vehicle with a gross vehicle weight rating  
10 of 26,000 pounds or less that is:

11 (a) A vehicle as defined in ORS 744.850, other than an all-terrain vehicle;

12 (b) A bus trailer as defined in ORS 801.165;

13 (c) A camper as defined in ORS 801.180;

14 (d) A commercial bus as defined in ORS 801.200;

15 (e) A commercial motor vehicle as defined in ORS 801.208;

16 (f) A commercial vehicle as defined in ORS 801.210;

17 (g) An electric assisted bicycle as defined in ORS 801.258;

18 (h) A fixed load vehicle as defined in ORS 801.285;

19 (i) A moped as defined in ORS 801.345;

20 (j) A motor assisted scooter as defined in ORS 801.348;

21 (k) A motor home as defined in ORS 801.350;

22 (L) A motor truck as defined in ORS 801.355;

23 (m) A tank vehicle as defined in ORS 801.522;

24 (n) A truck tractor as defined in ORS 801.575;

25 (o) A truck trailer as defined in ORS 801.580; or

26 (p) A worker transport bus as defined in ORS 801.610.

27 (7) "Taxable vehicle" means a taxable bicycle or a taxable motor vehicle.

28 (8) "Transportation project taxes" means the privilege tax imposed under section 90 of  
29 this 2017 Act, the use tax imposed under section 91 of this 2017 Act and the excise tax im-  
30 posed under section 92 of this 2017 Act.

31 (9)(a) "Vehicle dealer" means:

32 (A) A person engaged in business in this state that has been issued a vehicle dealer cer-  
33 tificate under ORS 822.020; and

34 (B) A person engaged in business in another state that would be subject to ORS 822.005  
35 if the person engaged in business in this state.

36 (b) Notwithstanding paragraph (a) of this subsection, a person is not a vehicle dealer for  
37 purposes of sections 89 to 111 of this 2017 Act to the extent the person:

38 (A) Conducts an event that lasts less than seven consecutive days, for which the public  
39 is charged admission and at which otherwise taxable motor vehicles are sold at auction; or

40 (B) Sells an otherwise taxable motor vehicle at auction at an event described in this  
41 paragraph.

42 SECTION 90. Imposition of tax for privilege of engaging in the business of selling taxable  
43 motor vehicles at retail; vehicle dealer allowed to collect amount of privilege tax from pur-  
44 chaser of taxable motor vehicle. (1) A tax is imposed on each vehicle dealer for the privilege  
45 of engaging in the business of selling taxable motor vehicles at retail in this state.

1       **(2) The privilege tax shall be computed at the rate of 0.5 percent of the retail sales price**  
2 **of the taxable motor vehicle. The tax may be rounded to the nearest whole cent.**

3       **(3)(a) A vehicle dealer may collect the amount of the privilege tax computed on the retail**  
4 **sales price of a taxable motor vehicle from the purchaser of the taxable motor vehicle.**

5       **(b) Notwithstanding paragraph (a) of this subsection, the purchaser of a taxable motor**  
6 **vehicle from whom the privilege tax is collected is not considered a taxpayer for purposes**  
7 **of the privilege tax imposed under this section.**

8       **SECTION 90a.** ORS 822.043 is amended to read:

9       822.043. (1) As used in this section:

10       (a) “Integrator” has the meaning given that term in ORS 802.600.

11       (b) “Vehicle dealer” means a person issued a vehicle dealer certificate under ORS 822.020.

12       (2) A vehicle dealer may elect to prepare, submit, or prepare and submit documents necessary  
13 to:

14       (a) Issue or transfer a certificate of title for a vehicle;

15       (b) Register a vehicle or transfer registration of a vehicle;

16       (c) Issue a registration plate;

17       (d) Verify and clear a title;

18       (e) Perfect, release or satisfy a lien or other security interest;

19       (f) Comply with federal security requirements; or

20       (g) Render any other services for the purpose of complying with state and federal laws related  
21 to the sale of a vehicle.

22       (3) A vehicle dealer who prepares any documents described in subsection (2) of this section:

23       (a) May charge a purchaser of a vehicle a document processing fee for the preparation of those  
24 documents.

25       (b) May not charge a purchaser of a vehicle a document processing fee for the submission of  
26 any document or the issuance of a registration plate.

27       (c) May charge a purchaser of a vehicle a document processing fee for performing any of the  
28 services described in subsection (2) of this section in connection with preparing the documents de-  
29 scribed in subsection (2) of this section.

30       (4) A purchaser of a vehicle may negotiate the amount of the document processing fee with a  
31 vehicle dealer, but in no case shall the document processing fee charged by a vehicle dealer under  
32 this section exceed:

33       (a) \$150, if the vehicle dealer uses an integrator; or

34       (b) \$115, if the vehicle dealer does not use an integrator.

35       (5) If a vehicle dealer charges a document processing fee under subsection (4)(a) of this section,  
36 of the amount collected \$25 shall be paid to the integrator.

37       (6) Unless otherwise provided by rule, if a vehicle dealer uses an integrator and charges a doc-  
38 ument processing fee greater than that charged for not using an integrator, the dealer must inform  
39 the purchaser of the vehicle of the option of using an integrator to prepare the documents. The  
40 purchaser may then elect whether or not to have the vehicle dealer use an integrator to prepare the  
41 documents.

42       (7) If the purchaser of a vehicle pays a document processing fee, the vehicle dealer shall prepare  
43 and submit all documents to complete the transaction as permitted by law.

44       **(8)(a) A vehicle dealer who collects the privilege tax imposed under section 90 of this 2017**  
45 **Act from the purchaser of a taxable motor vehicle may collect the privilege tax at the same**

1 time and in the same manner as the vehicle dealer collects document processing fees under  
2 this section. The amount of the privilege tax shall be in addition to and not in lieu of docu-  
3 ment processing fees collected under this section.

4 (b) A vehicle dealer may exclude the amount of the privilege tax from the capitalized cost  
5 and offering price of a taxable motor vehicle as those terms are defined by the Department  
6 of Justice by rule.

7 **SECTION 91. Imposition of use tax on taxable motor vehicles purchased at retail.** (1) A  
8 use tax is imposed on the storage, use or other consumption in this state of taxable motor  
9 vehicles purchased at retail from any seller.

10 (2) The use tax shall be computed at the rate of 0.5 percent of the retail sales price of  
11 the taxable motor vehicle.

12 (3) The use tax is a liability of the purchaser of the taxable motor vehicle.

13 (4) The use tax shall be reduced, but not below zero, by the amount of any privilege, ex-  
14 cise, sales or use tax imposed by any jurisdiction on the sale, or on the storage, use or other  
15 consumption, of the taxable motor vehicle. The reduction under this subsection shall be  
16 made only upon a showing by the purchaser that a privilege, excise, sales or use tax has been  
17 paid.

18 (5) The amount of the use tax shall be separately stated on an invoice, receipt or other  
19 similar document that the seller provides to the purchaser or shall be otherwise disclosed  
20 to the purchaser.

21 (6) A purchaser's liability for the use tax is satisfied by a valid receipt given to the pur-  
22 chaser under section 93 of this 2017 Act by the seller of the taxable motor vehicle.

23 **SECTION 92. Imposition of excise tax on retail sale of taxable bicycles.** (1) An excise tax  
24 of \$15 is imposed on each sale at retail in this state of a taxable bicycle.

25 (2) The excise tax is a liability of the purchaser of the taxable bicycle.

26 (3) The amount of the excise tax shall be separately stated on an invoice, receipt or other  
27 similar document that the seller provides to the purchaser or shall be otherwise disclosed  
28 to the purchaser.

29 (4) A seller shall collect the excise tax at the time of the taxable sale.

30 (5) A purchaser's liability for the excise tax is satisfied by a valid receipt given to the  
31 purchaser by the seller of the taxable bicycle.

32 **SECTION 93. Collection of use tax.** (1) A seller shall collect the use tax imposed under  
33 section 91 of this 2017 Act from a purchaser of a taxable motor vehicle and give the pur-  
34 chaser a receipt for the use tax in the manner and form prescribed by the Department of  
35 Revenue if:

36 (a) The seller is:

37 (A) Engaged in business in this state;

38 (B) Required to collect the use tax; or

39 (C) Authorized by the department, under rules the department adopts, to collect the use  
40 tax and, for purposes of the use tax, regarded as a seller engaged in business in this state;  
41 and

42 (b) The seller makes sales of taxable motor vehicles for storage, use or other consump-  
43 tion in this state that are subject to the use tax.

44 (2) A seller required to collect the use tax under this section shall collect the tax:

45 (a) At the time of the taxable sale; or

1 (b) If the storage, use or other consumption of the taxable motor vehicle is not taxable  
2 at the time of sale, at the time the storage, use or other consumption becomes taxable.

3 (3) To ensure the proper administration of section 91 of this 2017 Act, and to prevent  
4 evasion of the use tax, the following presumptions are established:

5 (a) A taxable motor vehicle is stored, used or otherwise consumed in this state if it is  
6 present in this state for private or public display or storage.

7 (b)(A) A taxable motor vehicle sold by any seller for delivery in this state was sold for  
8 storage, use or other consumption in this state unless the contrary is proved.

9 (B) The burden of proving the contrary is on the seller unless the seller takes from the  
10 purchaser a resale certificate to the effect that the taxable motor vehicle was purchased for  
11 resale in the ordinary course of the purchaser's business.

12 (c)(A) A taxable motor vehicle delivered outside this state to a purchaser known by the  
13 seller to be a resident of this state was purchased from the seller for storage, use or other  
14 consumption in this state and stored, used or otherwise consumed in this state unless the  
15 contrary is proved.

16 (B) The contrary may be proved by:

17 (i) A statement in writing, signed by the purchaser or an authorized agent of the pur-  
18 chaser and retained by the seller, that the taxable motor vehicle was purchased for storage,  
19 use or other consumption exclusively at a designated point or points outside this state; or

20 (ii) Other evidence satisfactory to the department that the taxable motor vehicle was not  
21 purchased for storage, use or other consumption in this state.

22 **SECTION 94. Exempt sales.** (1) Notwithstanding section 90 of this 2017 Act, a seller is  
23 not liable for the privilege tax with respect to a taxable motor vehicle that is sold to:

24 (a) A purchaser who is not a resident of this state; or

25 (b) A business if the storage, use or other consumption of the taxable motor vehicle will  
26 occur primarily outside this state.

27 (2) Notwithstanding section 90 of this 2017 Act, a seller is not liable for the privilege tax  
28 with respect to an otherwise taxable motor vehicle that is sold at an event that lasts less  
29 than seven consecutive days, for which the public is charged admission and at which other-  
30 wise taxable motor vehicles are sold at auction.

31 (3) Notwithstanding sections 90 to 93 of this 2017 Act, a resale certificate taken from a  
32 purchaser ordinarily engaged in the business of selling taxable vehicles relieves the seller  
33 from the obligation to collect and remit transportation project taxes. A resale certificate  
34 must be substantially in the form prescribed by the Department of Revenue by rule.

35 **SECTION 95. Refunds for excess payment.** (1) If the amount of transportation project  
36 taxes paid by a seller or purchaser exceeds the amount of taxes due, the Department of Re-  
37 venue shall refund the amount of the excess.

38 (2) Except as provided in subsection (3) of this section, the period prescribed for the de-  
39 partment to allow or make a refund of any overpayment of transportation project taxes paid  
40 shall be as provided in ORS 314.415.

41 (3) The department shall apply any overpayment of tax first to any amount of transpor-  
42 tation project taxes that is then outstanding.

43 **SECTION 96. Deposit of revenue from privilege and use taxes on taxable motor vehicles.**

44 (1) The Department of Revenue shall deposit all revenue collected from the privilege tax  
45 imposed under section 90 of this 2017 Act and the use tax imposed under section 91 of this



1 2017 Act in a suspense account established under ORS 293.445 for the purpose of receiving  
2 the revenue. The department may pay expenses for the administration and enforcement of  
3 the privilege and use taxes out of moneys received from the privilege and use taxes. Amounts  
4 necessary to pay administrative and enforcement expenses are continuously appropriated to  
5 the department from the suspense account.

6 (2) After payment of administrative and enforcement expenses under subsection (1) of  
7 this section and refunds or credits arising from erroneous overpayments, the department  
8 shall transfer the balance of the moneys received from the privilege and use taxes as follows:

9 (a) Moneys attributable to the privilege tax shall be transferred as follows:

10 (A) \$12 million shall be transferred annually to the Zero-Emission Incentive Fund estab-  
11 lished under section 152 of this 2017 Act.

12 (B) After the transfer required under subparagraph (A) of this paragraph, the balance  
13 of the moneys shall be transferred to the Connect Oregon Fund established under ORS  
14 367.080.

15 (b) Moneys attributable to the use tax shall be transferred to the State Highway Fund.

16 **SECTION 96a.** Section 96 of this 2017 Act is amended to read:

17 **Sec. 96.** (1) The Department of Revenue shall deposit all revenue collected from the privilege  
18 tax imposed under section 90 of this 2017 Act and the use tax imposed under section 91 of this 2017  
19 Act in a suspense account established under ORS 293.445 for the purpose of receiving the revenue.  
20 The department may pay expenses for the administration and enforcement of the privilege and use  
21 taxes out of moneys received from the privilege and use taxes. Amounts necessary to pay adminis-  
22 trative and enforcement expenses are continuously appropriated to the department from the sus-  
23 pense account.

24 (2) After payment of administrative and enforcement expenses under subsection (1) of this sec-  
25 tion and refunds or credits arising from erroneous overpayments, the department shall transfer the  
26 balance of the moneys received from the privilege and use taxes as follows:

27 (a) Moneys attributable to the privilege tax shall be transferred [*as follows*:]

28 [(A) \$12 million shall be transferred annually to the Zero-Emission Incentive Fund established  
29 under section 152 of this 2017 Act.]

30 [(B) After the transfer required under subparagraph (A) of this paragraph, the balance of the  
31 moneys shall be transferred] to the Connect Oregon Fund established under ORS 367.080.

32 (b) Moneys attributable to the use tax shall be transferred to the State Highway Fund.

33 **SECTION 96b.** The amendments to section 96 of this 2017 Act by section 96a of this 2017  
34 Act become operative on January 1, 2024.

35 **SECTION 97. Deposit of revenue from excise tax on taxable bicycles.** (1) The Department  
36 of Revenue shall deposit all revenue collected from the excise tax imposed under section 92  
37 of this 2017 Act in a suspense account established under ORS 293.445 for the purposes of  
38 receiving the excise tax revenue. The department may pay expenses for the administration  
39 and enforcement of the excise tax out of moneys received from the excise tax. Amounts  
40 necessary to pay administrative and enforcement expenses are continuously appropriated to  
41 the department from the suspense account.

42 (2) After payment of administrative and enforcement expenses under subsection (1) of  
43 this section and refunds or credits arising from erroneous overpayments, the department  
44 shall transfer the balance of the moneys received from the excise tax to the Connect Oregon  
45 Fund established under ORS 367.080 for the purpose of providing grants for bicycle and pe-

1 **destrian transportation projects.**

2 **SECTION 98. Collection point for use tax and excise tax; returns and payment for**  
3 **transportation project taxes.** (1) Except as otherwise provided in sections 89 to 111 of this  
4 2017 Act, the use tax imposed under section 91 of this 2017 Act and the excise tax imposed  
5 under section 92 of this 2017 Act shall be collected at the point of sale and remitted by each  
6 seller that engages in the retail sale of taxable vehicles. Each tax is considered a tax upon  
7 the seller that is required to collect the tax, and the seller is considered a taxpayer.

8 (2) Each seller of taxable vehicles that is liable for transportation project taxes shall file  
9 a return with the Department of Revenue, in the form and manner prescribed by the de-  
10 partment, on or before the last day of January, April, July and October of each year for the  
11 previous calendar quarter.

12 (3) Each seller shall pay the applicable transportation project taxes to the department in  
13 the form and manner prescribed by the department, but not later than the date of submitting  
14 each quarterly return, without regard to extensions under subsection (5) of this section.

15 (4) Sellers of taxable vehicles shall file the returns required under this section with re-  
16 spect to the privilege tax imposed under section 90 of this 2017 Act and the excise tax im-  
17 posed under section 92 of this 2017 Act regardless of whether any taxes are owed.

18 (5) The department may extend the time for making any return required under this  
19 section if a written request is filed with the department during or prior to the period for  
20 which the extension may be granted. The department may not grant an extension of more  
21 than 30 days.

22 (6) Interest shall be added to delinquent tax amounts at the rate established under ORS  
23 305.220 from the time the return to which the delinquent tax amounts relate was originally  
24 required to be filed to the time of payment.

25 **SECTION 99. Liability for tax; warrant for collection; conference; appeal.** (1) Every seller  
26 of taxable vehicles who collects any amount of transportation project taxes shall hold the  
27 amount in trust for the State of Oregon and for payment to the Department of Revenue in  
28 the manner and at the time provided in section 98 of this 2017 Act.

29 (2) If a seller of taxable vehicles fails to remit any amount of transportation project  
30 taxes, whether collected or not, the department may enforce collection by the issuance of a  
31 distraint warrant for the collection of the delinquent amount and all penalties, interest and  
32 collection charges accrued on the delinquent amount. The warrant shall be issued and pro-  
33 ceeded upon in the same manner and shall have the same force and effect as is prescribed  
34 with respect to warrants for the collection of delinquent income taxes.

35 (3)(a) In the case of a seller that is assessed under the provisions of ORS 305.265 (12) and  
36 314.407 (1), the department may issue a notice of liability to any officer, employee or member  
37 of the seller at any time within three years after the assessment. Within 30 days after the  
38 date on which the notice of liability is mailed to the officer, employee or member, the officer,  
39 employee or member shall pay the assessment, plus penalties and interest, or advise the  
40 department in writing of objections to the liability and, if desired, request a conference. A  
41 conference shall be governed by the provisions of ORS 305.265 pertaining to a conference  
42 requested from a notice of deficiency.

43 (b) After a conference or, if no conference is requested, a determination of the issues  
44 raised in the written objections, the department shall mail the officer, employee or member  
45 a conference letter affirming, canceling or adjusting the notice of liability. Within 90 days

1 after the date on which the conference letter is mailed to the officer, employee or member,  
2 the officer, employee or member shall pay the assessment, plus penalties and interest, or  
3 appeal to the tax court in the manner provided for an appeal from a notice of assessment.

4 (c) If the department does not receive payment or written objection to the notice of li-  
5 ability within 30 days after the notice of liability was mailed, the notice of liability becomes  
6 final. The officer, employee or member may appeal the notice of liability to the tax court  
7 within 90 days after the notice became final in the manner provided for an appeal from a  
8 notice of assessment.

9 (4)(a) In the case of a seller that fails to file a return on the due date, in addition to any  
10 action described in the provisions of ORS 305.265 (10) and 314.400, the department may issue  
11 a notice of determination and assessment to any officer, employee or member of the seller  
12 at any time within three years after the assessment. The time of assessment against the  
13 officer, employee or member is 30 days after the date on which the notice of determination  
14 and assessment is mailed. Within 30 days after the date on which the notice of determination  
15 and assessment is mailed to the officer, employee or member, the officer, employee or  
16 member shall pay the assessment, plus penalties and interest, or advise the department in  
17 writing of objections to the assessment and, if desired, request a conference. A conference  
18 shall be governed by the provisions of ORS 305.265 pertaining to a conference requested from  
19 a notice of deficiency.

20 (b) After a conference or, if no conference is requested, a determination of the issues  
21 raised in the written objections, the department shall mail the officer, employee or member  
22 a conference letter affirming, canceling or adjusting the notice of determination and assess-  
23 ment. Within 90 days after the date on which the conference letter is mailed to the officer,  
24 employee or member, the officer, employee or member shall pay the assessment, plus pen-  
25 alties and interest, or appeal to the tax court in the manner provided for an appeal from a  
26 notice of assessment.

27 (c) If the department does not receive payment or written objection to the notice of de-  
28 termination and assessment within 30 days after the notice of determination and assessment  
29 was mailed, the notice of determination and assessment becomes final. The officer, employee  
30 or member may appeal the notice of determination and assessment to the tax court within  
31 90 days after the notice became final in the manner provided for an appeal from a notice of  
32 assessment.

33 (5)(a) More than one officer or employee of a corporation may be held jointly and se-  
34 verally liable for payment of transportation project taxes.

35 (b) Notwithstanding the confidentiality provisions of section 104 of this 2017 Act, if the  
36 department determines that more than one officer or employee of a corporation may be held  
37 jointly and severally liable for payment of the transportation project taxes, the department  
38 may require any or all of the officers or employees to appear before the department for a  
39 joint determination of liability. The department shall notify each officer or employee of the  
40 time and place set for the determination of liability.

41 (c) Each individual notified of a joint determination under this subsection must appear  
42 and present such information as is necessary to establish the individual's liability or nonli-  
43 ability for payment of the taxes to the department. If an individual who was notified fails to  
44 appear, the department shall make the determination on the basis of all the information and  
45 evidence presented. The department's determination is binding on all individuals notified and

1 required to appear under this subsection.

2 (d)(A) If any individual determined to be liable for unpaid transportation project taxes  
3 under this subsection appeals the determination to the Oregon Tax Court under section 103  
4 of this 2017 Act, the individual plaintiff shall implead all individuals required to appear with  
5 the plaintiff before the department under this subsection. The department may implead any  
6 officer or employee who may be held jointly and severally liable for the payment of the  
7 transportation project taxes. Each individual impleaded under this paragraph shall be made  
8 a party to the action before the tax court and shall make available to the tax court the in-  
9 formation that was presented before the department, as well as other information that may  
10 be presented to the tax court.

11 (B) The tax court may determine that one or more individuals impleaded under this  
12 paragraph are liable for unpaid transportation project taxes without regard to any earlier  
13 determination by the department that an impleaded individual was not liable for the unpaid  
14 taxes.

15 (C) If an individual required to appear before the tax court under this subsection fails  
16 or refuses to appear or bring such information in part or in whole, or is outside the juris-  
17 diction of the tax court, the tax court shall make its determination on the basis of all the  
18 evidence introduced. Notwithstanding section 104 of this 2017 Act, the evidence introduced  
19 in the tax court constitutes a public record and shall be available to the parties and the tax  
20 court. The determination of the tax court is binding on all individuals made parties to the  
21 action under this subsection.

22 (e) This subsection may not be construed to preclude a determination by the department  
23 or the tax court that more than one officer or employee is jointly and severally liable for  
24 unpaid transportation project taxes.

25 SECTION 100. Purchaser's duties to remit use and excise tax. Any purchaser liable for  
26 the use tax imposed under section 91 of this 2017 Act or the excise tax imposed under section  
27 92 of this 2017 Act and from whom the tax has not been collected shall, on or before the 20th  
28 day of the month following the close of the month in which the tax became due, file with the  
29 Department of Revenue a report of the amount of tax due from the purchaser in a form and  
30 manner prescribed by the department. The purchaser shall remit the amount of tax due with  
31 the report.

32 SECTION 101. Records. (1)(a) A seller of taxable vehicles shall keep receipts, invoices and  
33 other pertinent records related to retail sales of taxable vehicles in the form required by the  
34 Department of Revenue. Each record shall be preserved for five years from the time to which  
35 the record relates, or for as long as the seller retains the taxable vehicles to which the re-  
36 cord relates, whichever is later.

37 (b) During the retention period and at any time prior to the destruction of records, the  
38 department may give written notice to the seller not to destroy records described in the  
39 notice without written permission of the department.

40 (c) Notwithstanding any other provision of law, the department shall preserve reports  
41 and returns filed with the department for at least five years.

42 (2) ORS 314.425 applies to the authority of the Department of Revenue to examine, or  
43 cause to be examined by an agent or representative designated by the department for the  
44 purpose, any books, papers, records or memoranda bearing upon the matter required to be  
45 included in any return required under sections 89 to 111 of this 2017 Act for the purpose of

1 ascertaining the correctness of the return or for the purpose of making an estimate of the  
2 taxable sales of the taxpayer.

3 **SECTION 102. Subpoenas; enforcement.** (1) The Department of Revenue may, by order  
4 or subpoena to be served with the same force and effect and in the same manner as a  
5 subpoena is served in a civil action in the circuit court or the Oregon Tax Court, require the  
6 production at any time and place the department designates of any books, papers, accounts  
7 or other information necessary to carry out sections 89 to 111 of this 2017 Act. The depart-  
8 ment may require the attendance of any individual having knowledge in the premises, and  
9 may take testimony and require proof material for the information, with power to administer  
10 oaths to the individual.

11 (2)(a) If an individual fails to comply with a subpoena or order of the department or to  
12 produce or permit the examination or inspection of any books, papers, records and equip-  
13 ment pertinent to an investigation or inquiry under sections 89 to 111 of this 2017 Act, or to  
14 testify to any matter regarding which the individual is lawfully interrogated, the department  
15 may apply to the Oregon Tax Court or to the circuit court of the county in which the indi-  
16 vidual resides or where the individual is for an order to the individual to attend and testify  
17 or otherwise comply with the demand or request of the department.

18 (b) The department shall apply to the court by ex parte motion, upon which the court  
19 shall make an order requiring the individual against whom the motion is directed to comply  
20 with the request or demand of the department within 10 days after the service of the order,  
21 or within the additional time granted by the court, or to justify the failure within that time.  
22 The order shall be served upon the individual to whom it is directed in the manner required  
23 by this state for service of process, which is required to confer jurisdiction upon the court.

24 (3) Failure to obey any order issued by the court under this section is contempt of court.

25 (4) The remedy provided by this section is in addition to other remedies, civil or criminal,  
26 existing under the tax laws or other laws of this state.

27 **SECTION 103. Disclosure of information; appeals.** (1) Notwithstanding the confidentiality  
28 provisions of section 104 of this 2017 Act, the Department of Revenue may disclose informa-  
29 tion received under sections 89 to 111 of this 2017 Act to the Department of Transportation  
30 for the purposes of carrying out the provisions of sections 91 and 109 of this 2017 Act.

31 (2) The Department of Transportation may disclose information obtained under sections  
32 91 and 109 of this 2017 Act to the Department of Revenue for the purposes of carrying out  
33 the provisions of sections 89 to 111 of this 2017 Act.

34 (3) Except as otherwise provided in sections 89 to 111 of this 2017 Act, a person aggrieved  
35 by an act or determination of the Department of Revenue or its authorized agent under  
36 sections 89 to 111 of this 2017 Act may appeal, within 90 days after the act or determination,  
37 to the Oregon Tax Court in the manner provided in ORS 305.404 to 305.560. These appeal  
38 rights are the exclusive remedy available to determine the person's liability for the trans-  
39 portation project taxes.

40 **SECTION 104. Applicability of other provisions of tax law.** Except as otherwise provided  
41 in sections 89 to 111 of this 2017 Act or where the context requires otherwise, the provisions  
42 of ORS chapters 305 and 314 as to the audit and examination of returns, periods of limitation,  
43 determinations of and notices of deficiencies, assessments, collections, liens, delinquencies,  
44 claims for refund and refunds, conferences, appeals to the Oregon Tax Court, stays of col-  
45 lection pending appeal, confidentiality of returns and the related penalties, and the related

1 procedures, apply to the determinations of taxes, penalties and interest under sections 89 to  
2 111 of this 2017 Act.

3 **SECTION 105. Department of Revenue to administer and enforce laws.** (1) The Depart-  
4 ment of Revenue shall administer and enforce sections 89 to 111 of this 2017 Act.

5 (2) The department may adopt or establish rules and procedures that the department  
6 considers necessary or appropriate for the implementation, administration and enforcement  
7 of sections 89 to 111 of this 2017 Act and that are consistent with sections 89 to 111 of this  
8 2017 Act.

9 (3) The Department of Transportation shall enter into an agreement with the Depart-  
10 ment of Revenue for purposes of the implementation, administration and enforcement by the  
11 Department of Transportation of those provisions of section 109 of this 2017 Act, and rules  
12 or procedures adopted or established by the Department of Revenue under this section, that  
13 the Department of Transportation and the Department of Revenue determine are necessary  
14 for the effective and efficient implementation, administration and enforcement of section 109  
15 of this 2017 Act.

16 **SECTION 106. Department of Transportation assistance in use tax collection responsi-**  
17 **bilities.** (1) The Department of Revenue and the Department of Transportation shall enter  
18 into an agreement pursuant to which the Department of Transportation shall assist the De-  
19 partment of Revenue in the collection of the use tax imposed under section 91 of this 2017  
20 Act and any other functions of the Department of Revenue under sections 89 to 111 of this  
21 2017 Act as may be provided under the agreement.

22 (2) The agreement is not intended to preclude performance by the Department of Re-  
23 venue of collection functions as from time to time may be required, nor is the agreement  
24 intended to preclude the performance of functions by the Department of Transportation,  
25 under less formal arrangements made with the Department of Revenue, with respect to the  
26 use tax imposed under section 91 of this 2017 Act if the functions are not specifically men-  
27 tioned in the agreement.

28 (3) The Department of Transportation may contact, consult with and enter into agree-  
29 ments with any public or private person for the purpose of assisting the Department of Re-  
30 venue in the collection of the use tax under this section.

31 (4) The collection of taxes under sections 89 to 111 of this 2017 Act by the Department  
32 of Transportation does not render the Department of Transportation or the agents and em-  
33 ployees of the Department of Transportation responsible for collection of the taxes.

34 **SECTION 107. Applicability.** Sections 89 to 111 of this 2017 Act apply to sales of taxable  
35 vehicles that become final, and the storage, use or other consumption in this state of taxable  
36 vehicles that becomes taxable, on or after January 1, 2018.

37 **SECTION 108.** Section 109 of this 2017 Act is added to and made a part of the Oregon  
38 Vehicle Code.

39 **SECTION 109. Vehicle registration and titling; proof of payment of taxes.** (1) A person  
40 that purchases a taxable motor vehicle from a seller that is not subject to the privilege tax  
41 imposed under section 90 of this 2017 Act may not register or title the taxable motor vehicle  
42 in Oregon unless the person provides proof that the person:

43 (a) Paid the use tax imposed under section 91 of this 2017 Act; or

44 (b) Is not required to pay the use tax for the reasons provided in section 91 (4) of this  
45 2017 Act.

1       (2) The person shall provide the proof described in subsection (1) of this section to the  
2 Department of Transportation in the manner established by the department by rule.

3       **SECTION 110. Applicability.** Section 109 of this 2017 Act applies to taxable motor vehicles  
4 purchased on or after January 1, 2018.

5       **SECTION 111. Tax moratorium.** (1) A local government may not impose a tax described  
6 in subsection (2) of this section unless the tax is:

7           (a) Authorized by statute; or

8           (b) Approved by the governing body of the local government and in effect on or before  
9 the effective date of this 2017 Act.

10       (2) This section applies to:

11           (a) A tax on the privilege of engaging in the business of selling taxable motor vehicles  
12 at retail; and

13           (b) Any other privilege, excise, sales or use tax on taxable motor vehicles.

14       **SECTION 111a.** Not later than September 15, 2019, and September 15, 2021, the Depart-  
15 ment of Transportation shall submit reports in the manner required under ORS 192.245 to  
16 the Joint Committee on Transportation established under section 26 of this 2017 Act de-  
17 scribing in detail the enforcement by the department of the provisions of ORS chapter 822  
18 governing the certification of vehicle dealers.

19       **SECTION 112. Legislative intent; expedited judicial review to Supreme Court; expiration.**  
20 (1) It is the intent of the Legislative Assembly that revenue from the privilege tax imposed  
21 under section 90 of this 2017 Act is not subject to the provisions of Article IX, section 3a,  
22 of the Oregon Constitution.

23       (2) Original jurisdiction to determine whether section 90 of this 2017 Act imposes a tax  
24 or excise levied on the ownership, operation or use of motor vehicles that is subject to the  
25 provisions of Article IX, section 3a, of the Oregon Constitution, is conferred on the Supreme  
26 Court.

27       (3)(a) Any person interested in or affected or aggrieved by section 90 of this 2017 Act  
28 may petition for judicial review under this section. A petition for review must be filed within  
29 30 days after the effective date of this 2017 Act.

30       (b) The petition must state facts showing how the petitioner is interested, affected or  
31 aggrieved and the grounds upon which the petition is based.

32       (4) The filing of a petition under this section shall stay the transfer under section 96  
33 (2)(a) of this 2017 Act of the balance of moneys received, pending the determination of the  
34 Supreme Court. The Supreme Court may not stay the imposition of the tax under section  
35 90 of this 2017 Act or the collection and enforcement of the tax under any provision of law.

36       (5) Judicial review under this section shall be limited to:

37           (a) The provisions of this 2017 Act authorizing the imposition of the privilege tax; and

38           (b) The legislative history and any supporting documents related to Article IX, section  
39 3a, of the Oregon Constitution.

40       (6) In the event the Supreme Court determines that there are factual issues in the peti-  
41 tion, the Supreme Court may appoint a special master to hear evidence and to prepare re-  
42 commended findings of fact.

43       (7) Proceedings for review under this section shall be given priority over all other mat-  
44 ters before the Supreme Court.

45       (8) If the Supreme Court determines that section 90 of this 2017 Act imposes a tax or

1 **excise levied on the ownership, operation or use of motor vehicles that is subject to the**  
2 **provisions of Article IX, section 3a, of the Oregon Constitution, sections 90 and 91 of this**  
3 **2017 Act are repealed and moneys from the privilege tax imposed under section 90 of this 2017**  
4 **Act that, as of the date of the determination, have not been expended or irrevocably pledged**  
5 **for repayment of bonded indebtedness shall be transferred to the State Highway Fund.**

6 **NOTE:** Sections 113 and 114 were deleted by amendment. Subsequent sections were not re-  
7 numbered.

8 **SECTION 115.** ORS 305.992 is amended to read:

9 305.992. (1) If any returns required to be filed under ORS 475B.700 to 475B.760 **or sections 89**  
10 **to 111 of this 2017 Act** or ORS chapter 118, 314, 316, 317, 318, 321 or 323 or under a local tax ad-  
11 ministered by the Department of Revenue under ORS 305.620 are not filed for three consecutive  
12 years by the due date (including extensions) of the return required for the third consecutive year,  
13 there shall be a penalty for each year of 100 percent of the tax liability determined after credits and  
14 prepayments for each such year.

15 (2) The penalty imposed under this section is in addition to any other penalty imposed by law.  
16 However, the total amount of penalties imposed for any taxable year under this section, ORS 305.265  
17 (13), 314.400, 323.403, 323.585 or 475B.755 may not exceed 100 percent of the tax liability.

18 **SECTION 116.** ORS 366.505 is amended to read:

19 366.505. (1) The State Highway Fund shall consist of:

20 (a) All moneys and revenues derived under and by virtue of the sale of bonds, the sale of which  
21 is authorized by law and the proceeds thereof to be dedicated to highway purposes.

22 (b) All moneys and revenues accruing from the licensing of motor vehicles, operators and  
23 chauffeurs.

24 (c) Moneys and revenues derived from any tax levied upon gasoline, distillate, liberty fuel or  
25 other volatile and inflammable liquid fuels, except moneys and revenues described in ORS 184.642  
26 (2)(a) that become part of the Department of Transportation Operating Fund.

27 (d) Moneys and revenues derived from the road usage charges imposed under ORS 319.885.

28 **(e) Moneys and revenues derived from the use tax imposed under section 91 of this 2017**  
29 **Act.**

30 *[(e)]* **(f)** Moneys and revenues derived from or made available by the federal government for road  
31 construction, maintenance or betterment purposes.

32 *[(f)]* **(g)** All moneys and revenues received from all other sources which by law are allocated or  
33 dedicated for highway purposes.

34 (2) The State Highway Fund shall be deemed and held as a trust fund, separate and distinct from  
35 the General Fund, and may be used only for the purposes authorized by law and is continually ap-  
36 propriated for such purposes.

37 (3) Moneys in the State Highway Fund may be invested as provided in ORS 293.701 to 293.857.  
38 All interest earnings on any of the funds designated in subsection (1) of this section shall be placed  
39 to the credit of the highway fund.

40 **SECTION 117.** ORS 803.585 is amended to read:

41 803.585. (1) Except as otherwise provided in this section or ORS 801.041 or 801.042, the regis-  
42 tration fees under the vehicle code are in lieu of all other taxes and licenses, except municipal li-  
43 cense fees under regulatory ordinances, *[to which such]* **imposed on** vehicles *[or]*, the owners  
44 *[thereof may be subject]* **of such vehicles or the use of or any privilege related to such**  
45 **vehicles.** Fixed load vehicles are not exempt from ad valorem taxation by this section.



1 (2) Travel trailers subject to registration and titling under the vehicle code are not subject to  
2 ad valorem taxation, but may be reclassified as manufactured structures and made subject to taxa-  
3 tion as provided in ORS 308.880.

4 **(3) This section does not apply to the privilege tax imposed under section 90 of this 2017**  
5 **Act or the use tax imposed under section 91 of this 2017 Act.**

6 **SECTION 118.** ORS 319.885 is amended to read:

7 319.885. (1)(a) Except as provided in paragraph (b) of this subsection, the registered owner of a  
8 subject vehicle shall pay a per-mile road usage charge for metered use by the subject vehicle of the  
9 highways in Oregon.

10 (b) During the term of a lease, the lessee of a subject vehicle shall pay the per-mile road usage  
11 charge for metered use by the subject vehicle of the highways in Oregon.

12 (2) The per-mile road usage charge is *[1.5 cents per mile.]*:

13 **(a) For the calendar year beginning on January 1, 2018, 1.7 cents per mile.**

14 **(b) For the calendar year beginning on January 1, 2020, 1.8 cents per mile.**

15 **(c) For the calendar year beginning on January 1, 2022, 1.9 cents per mile.**

16 **SECTION 118a.** ORS 319.885, as amended by section 118 of this 2017 Act, is amended to read:

17 319.885. (1)(a) Except as provided in paragraph (b) of this subsection, the registered owner of a  
18 subject vehicle shall pay a per-mile road usage charge for metered use by the subject vehicle of the  
19 highways in Oregon.

20 (b) During the term of a lease, the lessee of a subject vehicle shall pay the per-mile road usage  
21 charge for metered use by the subject vehicle of the highways in Oregon.

22 (2) The per-mile road usage charge is~~is~~ **2.1 cents per mile.**

23 *[(a) For the calendar year beginning on January 1, 2018, 1.7 cents per mile.]*

24 *[(b) For the calendar year beginning on January 1, 2020, 1.8 cents per mile.]*

25 *[(c) For the calendar year beginning on January 1, 2022, 1.9 cents per mile.]*

26 **SECTION 118b.** **The amendments to ORS 319.885 by section 118a of this 2017 Act apply**  
27 **to metered use by subject vehicles of the highways in Oregon on or after January 1, 2024.**

28 **SECTION 118c.** ORS 319.890 is amended to read:

29 319.890. (1) A person wishing to pay the per-mile road usage charge imposed under ORS 319.885  
30 must apply to the Department of Transportation on a form prescribed by the department.

31 (2) The department shall approve a valid and complete application submitted under this section  
32 if:

33 (a) The applicant is the registered owner or lessee of a motor vehicle;

34 (b) The motor vehicle is equipped with a method selected pursuant to ORS 319.900 for collecting  
35 and reporting the metered use by the motor vehicle of the highways in Oregon;

36 (c) The motor vehicle has a gross vehicle weight rating of 10,000 pounds or less; and

37 (d) Approval does not cause the number of subject vehicles active in the road usage charge  
38 program on the date of approval to exceed 5,000, of which no more than 1,500 may have a rating  
39 of less than 17 miles per gallon and no more than 1,500 may have a rating of at least 17 miles per  
40 gallon and less than 22 miles per gallon, such ratings to be determined pursuant to a method es-  
41 tablished by the department.

42 **(3) An electric vehicle for which an application is approved under this section is not**  
43 **subject to the additional amount of registration fees imposed under section 32 of this 2017**  
44 **Act.**

45 ~~[(3)]~~ (4) Approval of an application under this section subjects the applicant to the requirements

1 of ORS 319.920 until the person ends the person's voluntary participation in the road usage charge  
2 program in the manner required under subsection [(4)] (5) of this section.

3 [(4)] (5) A person may end the person's voluntary participation in the road usage charge pro-  
4 gram at any time by notifying the department, returning any emblem issued under ORS 319.945 to  
5 the department and paying any outstanding amount of road usage charge for metered use by the  
6 person's subject vehicle.

7  
8 **TRAFFIC CONGESTION RELIEF**

9  
10 **SECTION 119. Feasibility study of highway cost allocation study within certain political**  
11 **subdivisions. (1) The Oregon Department of Administrative Services shall conduct a study**  
12 **to determine the feasibility of performing a highway cost allocation study within the bound-**  
13 **aries of a county, Metro and Tri-Met, but otherwise as described in ORS 366.506, with respect**  
14 **to revenue raised within the county, Metro and Tri-Met, respectively, that is subject to Ar-**  
15 **icle IX, section 3a (3), of the Oregon Constitution. The department may consult with any**  
16 **public or private body the department considers necessary or appropriate for conducting the**  
17 **study required under this section.**

18 (2) The department shall submit a report, in the manner provided in ORS 192.245, con-  
19 taining the results of the study required under this section to the Joint Committee on  
20 Transportation established under section 26 of this 2017 Act not later than September 15,  
21 2018.

22  
23 **(Traffic Congestion Relief Program)**

24  
25 **SECTION 120. (1) The Oregon Transportation Commission shall establish a traffic con-**  
26 **gestion relief program.**

27 (2) No later than December 31, 2018, the commission shall seek approval from the Federal  
28 Highway Administration, if required by federal law, to implement value pricing as described  
29 in this section.

30 (3) After seeking and receiving approval from the Federal Highway Administration, the  
31 commission shall implement value pricing to reduce traffic congestion. Value pricing may  
32 include, but is not limited to, variable time-of-day pricing. The commission shall implement  
33 value pricing in the following locations:

34 (a) On Interstate 205, beginning at the Washington state line and ending where it inter-  
35 sects with Interstate 5 in this state.

36 (b) On Interstate 5, beginning at the Washington state line and ending where it intersects  
37 with Interstate 205.

38 (4) In addition to areas listed in subsection (3) of this section, the commission may im-  
39 plement value pricing in other areas of this state.

40 (5) Notwithstanding ORS 383.009, the revenues received from value pricing under this  
41 section shall be deposited into the Congestion Relief Fund established under section 120a of  
42 this 2017 Act for the implementation and administration of the congestion relief program  
43 established pursuant to this section, including but not limited to the Value Pricing Set-Up  
44 Project.

45 (6) Subject to any restrictions in an agreement with the Federal Highway Administration

1 or other federal law, in addition to the amounts received from value pricing under this sec-  
2 tion, the moneys in the Congestion Relief Fund shall be used to implement and administer  
3 the traffic congestion relief program.

4 (7) Before imposing value pricing, the commission shall report to the Joint Committee  
5 on Transportation established under section 26 of this 2017 Act.

6 (8) The commission may enter into agreements with the State of Washington, or the  
7 State of Washington's designee, relating to establishing, reviewing, adjusting and collecting  
8 tolls for the program described in this section.

9 **SECTION 120a. Congestion Relief Fund.** (1) The Congestion Relief Fund is established in  
10 the State Treasury, separate and distinct from the General Fund. Interest earned by the  
11 Congestion Relief Fund shall be credited to the fund.

12 (2) The Congestion Relief Fund consists of:

13 (a) Moneys appropriated or otherwise transferred to the fund by the Legislative Assem-  
14 bly;

15 (b) Notwithstanding ORS 383.009 (1)(d), net proceeds of tolls imposed under section 120  
16 of this 2017 Act;

17 (c) Moneys received from federal sources or other state or local sources, other than  
18 proceeds of Highway User Tax Bonds issued under ORS 367.615;

19 (d) Amounts donated to the fund;

20 (e) Investment earnings received on moneys in the fund; and

21 (f) Other amounts deposited in the fund from any source.

22 (3) Moneys in the fund are continuously appropriated to the Department of Transporta-  
23 tion for distribution to the Oregon Transportation Commission for the purposes of imple-  
24 menting and administering the congestion relief program established pursuant to section 120  
25 of this 2017 Act.

26 (4) The Department of Transportation may receive gifts, grants, contributions, bequests  
27 or other donations of any kind from any public or private source for deposit in the Con-  
28 gestion Relief Fund.

29 (5) Moneys in the Congestion Relief Fund may be invested and reinvested as provided in  
30 ORS 293.701 to 293.857.

31  
32 (Task Force on Mega Transportation Projects)

33  
34 **SECTION 121.** (1) The Task Force on Mega Transportation Projects is established. For  
35 the purposes of this section, a "mega transportation project" includes transportation  
36 projects, as defined in ORS 367.010, that cost at least \$360 million to complete, that attract  
37 a high level of public attention or political interest because of substantial direct and indirect  
38 impacts on the community or environment or that require a high level of attention to man-  
39 age the project successfully.

40 (2) The task force consists of nine members appointed as follows:

41 (a) The President of the Senate shall appoint two members from among members of the  
42 Senate.

43 (b) The Speaker of the House of Representatives shall appoint two members from among  
44 members of the House of Representatives.

45 (c) The Governor shall appoint three members who represent highway users.

1 (d) The chairperson of the Oregon Transportation Commission shall appoint two mem-  
2 bers from among members of the commission.

3 (3) The task force shall study how the State of Oregon selects and approves mega  
4 transportation projects.

5 (4) Members of the Legislative Assembly appointed to the task force are nonvoting  
6 members of the task force and may act in an advisory capacity only.

7 (5) A majority of the voting members of the task force constitutes a quorum for the  
8 transaction of business.

9 (6) Official action by the task force requires the approval of a majority of the voting  
10 members of the task force.

11 (7) The task force shall elect one of its members to serve as chairperson.

12 (8) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
13 ment to become immediately effective.

14 (9) The task force shall meet at times and places specified by the call of the chairperson  
15 or of a majority of the members of the task force.

16 (10) The task force may adopt rules necessary for the operation of the task force.

17 (11) The task force shall submit a report in the manner provided by ORS 192.245, and  
18 may include recommendations for legislation, to the Joint Committee on Transportation es-  
19 tablished under section 26 of this 2017 Act no later than September 15, 2018.

20 (12) The Legislative Policy and Research Director shall provide staff support to the task  
21 force.

22 (13) Members of the task force who are not members of the Legislative Assembly are not  
23 entitled to compensation or reimbursement for expenses and serve as volunteers on the task  
24 force.

25 (14) All agencies of state government, as defined in ORS 174.111, are directed to assist  
26 the task force in the performance of the task force's duties and, to the extent permitted by  
27 laws relating to confidentiality, to furnish information and advice the members of the task  
28 force consider necessary to perform their duties.

29 SECTION 122. Section 121 of this 2017 Act is repealed on December 31, 2018.

30  
31 **PUBLIC TRANSPORTATION AND PUBLIC SAFETY**  
32 **(Public Transit)**  
33

34 SECTION 122a. (1) As used in this section:

35 (a) "Employer" has the meaning given that term in ORS 316.162.

36 (b) "Resident of this state" has the meaning given that term in ORS 316.027.

37 (c) "Wages" has the meaning given that term in ORS 316.162.

38 (2) A tax is imposed at the rate of one-tenth of one percent of:

39 (a) The wages of an employee who is:

40 (A) A resident of this state, regardless of where services are performed.

41 (B) Not a resident of this state, for services performed in this state.

42 (b) The periodic payments under ORS 316.189.

43 (3) Every employer at the time of the payment of wages shall deduct and withhold from  
44 the total amount of the wages paid for services described under subsection (2) of this section  
45 an amount equal to the total amount of wages, without exemption or deduction, multiplied

1 by the rate of tax imposed under subsection (2) of this section.

2 (4) Every payer at the time of making a periodic payment under ORS 316.189 shall deduct  
3 and withhold from the payment an amount equal to the total amount of the payment, with-  
4 out exemption or deduction, multiplied by the rate of tax imposed under subsection (2) of this  
5 section.

6 (5) An employer or payer shall report and pay the tax imposed under this section to the  
7 Department of Revenue at the time and in the manner determined by the department by  
8 rule.

9 (6) For purposes of the tax imposed under this section, an employer or payer is consid-  
10 ered a taxpayer.

11 (7) If a lender, surety or other person who supplies funds to or for the account of an  
12 employer for the purpose of paying wages of the employees of such employer has actual no-  
13 tice or knowledge that such employer does not intend to or will not be able to make timely  
14 payment or deposit of the tax required to be deducted and withheld, such lender, surety or  
15 other person shall be liable to the State of Oregon in a sum equal to the taxes, together with  
16 interest, that are not timely paid over to the Department of Revenue. Such liability shall be  
17 limited to the principal amount supplied by the lender, surety or other person, and any  
18 amounts so paid to the department shall be credited against the liability of the employer.

19 (8)(a) An employer or payer shall submit an annual return pursuant to ORS 316.202 to  
20 the Department of Revenue. The amounts deducted from the wages during any calendar year  
21 in accordance with this section shall be considered to be in payment of the tax imposed under  
22 subsection (2) of this section.

23 (b) The return submitted by the employer shall be accepted by the Department of Re-  
24 venue as evidence in favor of the employee of the amounts so deducted from the employee's  
25 wages.

26 (9) Nothing in this section prohibits the Department of Revenue from including the tax  
27 imposed under this section in the combined quarterly tax report required under ORS 316.168.

28 (10) An employer that fails to deduct and withhold the tax required under this section:

29 (a) Is deemed responsible for the payment of the tax obligation in an amount equal to the  
30 amount required to be withheld from the employee's wages and remitted to the Department  
31 of Revenue; and

32 (b) Is subject to a penalty of \$250 per employee, up to a maximum penalty of \$25,000, if  
33 the employer knowingly fails to deduct and withhold the tax.

34 (11) Residents subject to the tax imposed under this section on wages earned outside this  
35 state from an employer not doing business within this state shall report and pay the tax at  
36 the time and in the manner determined by the Department of Revenue by rule.

37 **SECTION 122b.** ORS 316.164 is amended to read:

38 316.164. (1) Except as provided in subsection (3) of this section, if the Department of Revenue  
39 makes the findings required under subsection (2) of this section, the department may require any  
40 employer subject to ORS 316.162 to 316.221, except the state or its political subdivisions, to post a  
41 surety bond, or irrevocable letter of credit issued by an insured institution, as defined in ORS  
42 706.008, with the department, to secure future payment of amounts required to be withheld and paid  
43 over to the department under ORS 316.162 to 316.221 **or section 122a of this 2017 Act.** The bond  
44 or letter of credit shall be in an amount equal to the amounts required to be withheld upon the  
45 wages paid or estimated to be paid by the employer for a period of four calendar quarters. The bond

1 or letter of credit shall be in a form acceptable to the department. Posting of the bond or letter of  
2 credit shall not relieve the employer from withholding and paying over amounts based on wages paid  
3 by the employer under any provision of ORS 316.162 to 316.221 **or section 122a of this 2017 Act**.  
4 The department may, in its discretion, at any time apply such bond or letter of credit or part thereof  
5 to the delinquencies or indebtedness of the employer arising under any provision of ORS 316.162 to  
6 316.221 **and section 122a of this 2017 Act** and accruing after the date the bond or letter of credit  
7 was posted. Appeal of an action of the department under this section shall not relieve an employer  
8 of the requirement during the pendency of the appeal.

9 (2) Before requiring an employer to post a bond or irrevocable letter of credit under subsection  
10 (1) of this section, the department shall determine that the employer has failed to make payment to  
11 the department of amounts required to be withheld and paid over under any provision of ORS  
12 316.162 to 316.221 **or section 122a of this 2017 Act** for at least three calendar quarters, and the  
13 total amount of delinquent payments exceeds \$2,500, exclusive of interest or penalties. For purposes  
14 of this subsection, a payment shall not be considered delinquent if the employer's liability to with-  
15 hold is subject to appeal to the tax court.

16 (3) The department shall not require a bond or irrevocable letter of credit to be posted under  
17 this section if the employer elects to notify the department of the times of payment of wages to the  
18 employees of the employer, and, notwithstanding ORS 316.197, to pay over amounts withheld within  
19 three banking days after the dates the wages were paid.

20 (4) Before requiring an employer to post a bond or irrevocable letter of credit or make payment  
21 of amounts required to be withheld in the manner prescribed in subsection (3) of this section, the  
22 department shall attempt to obtain payment of delinquent amounts through other methods of col-  
23 lection, however, the department is not required to seize or sell real or personal property in order  
24 to comply with the requirements of this subsection.

25 (5) Any bond or irrevocable letter of credit required under subsection (1) of this section shall  
26 become the sole property of the department and shall be held by the department to guarantee pay-  
27 ment of withholding taxes by the employer. The bond or letter of credit shall be held for the benefit  
28 of the State of Oregon, subject only to the provisions of subsection (6) of this section. The bond or  
29 letter of credit shall be prior to all other liens, claims or encumbrances and shall be exempt from  
30 any process, attachment, garnishment or execution.

31 (6) If an employer ceases to be an employer subject to ORS 316.162 to 316.221 **or section 122a**  
32 **of this 2017 Act**, the department shall, upon receipt of all payments due from the employer for  
33 withheld amounts, cancel any bond or irrevocable letter of credit given under this section. Such  
34 bonds or letters of credit held for the benefit of the State of Oregon shall first be applied to any  
35 indebtedness or deficiencies due from the employer under ORS 316.162 to 316.221 **and section 122a**  
36 **of this 2017 Act** and accruing after the date the bond or letter of credit was posted before any re-  
37 turn is made to the employer. The employer shall have no interest in such bond or letter of credit  
38 prior to full compliance with this section and all provisions of ORS 316.162 to 316.221 **and section**  
39 **122a of this 2017 Act**.

40 (7) If an employer required to post a bond or irrevocable letter of credit or make payment of  
41 amounts withheld in the manner prescribed under this section makes full payment of all delinquent  
42 amounts due and owing at the time the bond, letter of credit or accelerated payment schedule was  
43 required and makes payment of amounts due under ORS 316.162 to 316.221 **and section 122a of this**  
44 **2017 Act** and files returns required in connection with those payments in a timely manner for the  
45 succeeding four calendar quarters, the department shall release the employer from the requirement

1 to post the bond or letter of credit or make accelerated payments of amounts withheld.

2 (8) If any employer fails to comply with subsections (1) to (7) of this section, the Oregon Tax  
3 Court, upon commencement of an action by the department for that purpose, may order the employer  
4 to post the required bond or irrevocable letter of credit or make accelerated payments of amounts  
5 withheld. The employer's failure to obey an order of the court is punishable by contempt. If the  
6 Oregon Tax Court determines that an order of compliance enforceable by contempt proceedings will  
7 not assure the payment of withheld taxes by the employer, the court may enjoin the employer from  
8 further employing individuals in this state or continuing in business therein until the employer has  
9 complied with subsections (1) to (7) of this section.

10 **SECTION 122c.** ORS 316.169 is amended to read:

11 316.169. (1) If a lender, surety or other person who is not an employer with respect to an em-  
12 ployee pays wages directly to the employee, or to an agent on behalf of the employee, the lender,  
13 surety or other person shall deduct and retain from the wages, and shall be liable to this state for,  
14 an amount equal to the amount required to be withheld from the employee's wages by the employer  
15 under ORS 316.167 **and section 122a of this 2017 Act.**

16 (2) A lender, surety or other person described under this section shall file a combined quarterly  
17 tax report and make payment of the tax or assessment that is due in the time and manner prescribed  
18 for employers under ORS 316.168.

19 (3) Amounts paid under this section shall be credited against the liability of the employer under  
20 ORS 316.167 **and section 122a of this 2017 Act.**

21 (4) A lender, surety or other person described under this section shall be considered to be an  
22 employer with respect to withholdings made under this section or required to be made under this  
23 section for purposes of ORS 316.191, 316.197, 316.202, 316.207 and 316.212 **and section 122a of this**  
24 **2017 Act.**

25 (5) The employer of an employee that receives wages from a lender, surety or other person shall  
26 not be discharged from any liability or other obligation under ORS 316.162 to 316.221 **or section**  
27 **122a of this 2017 Act** except as provided for in subsection (3) of this section.

28 **SECTION 122d.** ORS 316.189 is amended to read:

29 316.189. (1) As used in this section:

30 (a) "Commercial annuity" means an annuity, endowment or life insurance contract issued by an  
31 insurance company authorized to transact insurance in the State of Oregon.

32 (b) "Department" means the Oregon Department of Revenue.

33 (c) "Designated distribution" means any distribution or payment from or under an employer de-  
34 ferred compensation plan, an individual retirement plan or a commercial annuity. "Designated dis-  
35 tribution" does not include any amount treated as wages as defined in ORS 316.162, the portion of  
36 any distribution or payment that is not includable in the gross income of the recipient or any dis-  
37 tribution or payment made under section 404(k)(2) of the Internal Revenue Code.

38 (d) "Employer deferred compensation plan" means any pension, annuity, profit-sharing or stock  
39 bonus plan or other plan deferring the receipt of compensation.

40 (e) "Individual retirement plan" means an individual retirement account described in section  
41 408(a) of the Internal Revenue Code or an individual retirement annuity described in section 408(b)  
42 of the Internal Revenue Code.

43 (f) "Nonperiodic distribution" means any designated distribution which is not a periodic pay-  
44 ment.

45 (g) "Payer" means any payer of a designated distribution doing business in or making payments

1 or distributions from sources in this state.

2 (h) "Periodic payment" means a designated distribution which is an annuity or similar periodic  
3 payment.

4 (i) "Plan administrator" means a plan administrator as described in section 414(g) of the Internal  
5 Revenue Code, who is the administrator of a plan created by an Oregon employer.

6 (j) "Qualified total distribution" means any designated distribution made under a retirement,  
7 annuity or deferred compensation plan described in section 401(a), 403(a) or 457(b) of the Internal  
8 Revenue Code, that consists of the balance to the credit of the employee, exclusive of accumulated  
9 deductible employee contributions, made within one tax year of the recipient.

10 (2)(a) The payer of any periodic payment shall withhold from such payment the amount which  
11 would be required to be withheld from such payment under ORS 316.167 **or section 122a of this**  
12 **2017 Act** if the payment were wages paid by an employer to an employee. The time and manner  
13 of payment of withheld amounts to the department shall be the same as that required under ORS  
14 316.197 for withholding of income taxes from wages.

15 (b) The payer of any nonperiodic distribution shall withhold from such distribution an amount  
16 determined under tables prescribed by the department.

17 (c) The maximum amount to be withheld under this section on any designated distribution shall  
18 not exceed 10 percent of the amount of money and the fair market value of other property received  
19 in the distribution. If the distribution is not subject to withholding for federal income tax purposes  
20 under section 3405 of the Internal Revenue Code, it shall not be subject to withholding under this  
21 section.

22 (3)(a) Except as provided in paragraph (b) of this subsection, the payer of a designated distrib-  
23 ution shall withhold and be liable for payment of amounts required to be withheld under this section.

24 (b) In the case of any plan described in section 401(a), 403(a) or 457(b) of the Internal Revenue  
25 Code, or section 301(d) of the Tax Reduction Act of 1975, the plan administrator shall withhold and  
26 be liable for payment of amounts required to be withheld under this section, unless the plan ad-  
27 ministrator has directed the payer to withhold the tax and has provided the payer with the infor-  
28 mation required by rule of the department.

29 (4)(a) An individual may elect to have no withholding by a payer under subsection (2) of this  
30 section. If an individual has elected to have no federal withholding from payments or distributions  
31 described in this section the individual shall be deemed to have elected no withholding for state  
32 purposes, unless the individual notifies the payer otherwise.

33 (b) An election made under this subsection shall be effective as provided under rules  
34 promulgated by the department. The rules required under this paragraph shall provide the manner  
35 in which an election may be revoked and when such revocation shall be effective.

36 **(c) An election made under this subsection does not apply to amounts required to be**  
37 **withheld under section 122a of this 2017 Act.**

38 (5) The payer of any periodic payment or nonperiodic distribution shall give notice to the payee  
39 of the right to make an election to have no state withholding from the payment or distribution. The  
40 department shall provide by rule for the time and manner of giving the notice required under this  
41 subsection.

42 (6) Any rules permitted or required to be promulgated by the department under this section  
43 shall, insofar as is practicable, be consistent with corresponding provisions of section 3405 of the  
44 Internal Revenue Code and regulations promulgated thereunder.

45 (7) Any designated distribution shall be treated as if it were wages paid by an employer to an



1 employee within the meaning of ORS 316.162 to 316.221 **and section 122a of this 2017 Act** for all  
2 other purposes of ORS 316.162 to 316.221 **and section 122a of this 2017 Act**. In the case of any  
3 designated distribution not subject to withholding by reason of an election under subsection (4) of  
4 this section, the amount withheld shall be treated as zero.

5 **SECTION 122e.** ORS 316.197 is amended to read:

6 316.197. (1)(a) Except as provided under ORS 316.191 or paragraph (b) of this subsection, within  
7 the time that each employer is required to pay over taxes withheld for federal income tax purposes  
8 for any period, the employer shall pay over to the Department of Revenue or to a financial agent  
9 of the department the amounts required to be withheld under ORS 316.167 and 316.172 **and section**  
10 **122a of this 2017 Act** for the same period. Any employer not required to withhold federal income  
11 taxes for any period but who is required to deduct and retain amounts from wages paid to an em-  
12 ployee under ORS 316.167 and 316.172 **and section 122a of this 2017 Act** for the same period shall  
13 pay over to the department, or financial agent of the department, taxes withheld for the period,  
14 within the time and in the manner, as if the employer were required to withhold taxes for the period  
15 under federal law.

16 (b) Notwithstanding the provisions of paragraph (a) of this subsection, any employer of agricul-  
17 tural employees who is not required to withhold federal income taxes for any period but who is re-  
18 quired to deduct and retain amounts from wages paid to those employees under ORS 316.167 and  
19 316.172 shall pay over to the department, or financial agent of the department, taxes so withheld  
20 at the same time and for the same period for which the employer is required to pay over employer  
21 and employee taxes under chapter 21 of the Internal Revenue Code (Federal Insurance Contributions  
22 Act).

23 (2) Every amount so paid over shall be accounted for as part of the collections under this  
24 chapter. No employee has any right of action against an employer in respect of any moneys deducted  
25 from wages and paid over in compliance or intended compliance with this section.

26 (3) If any amount required to be withheld and paid over to the department is delinquent, interest  
27 shall accrue at the rate prescribed under ORS 305.220 on that amount from the last day of the month  
28 following the end of the calendar quarter within which the amount was required to be paid to the  
29 department to the date of payment. The provisions of this subsection shall not relieve any employer  
30 from liability for a late payment penalty under any other provision of law.

31 **SECTION 122f.** ORS 316.202 is amended to read:

32 316.202. (1) With each payment made to the Department of Revenue, every employer shall de-  
33 liver to the department, on a form prescribed by the department showing the total amount of with-  
34 held taxes in accordance with ORS 316.167 and 316.172 **and section 122a of this 2017 Act**, and  
35 supply such other information as the department may require. The employer is charged with the  
36 duty of advising the employee of the amount of moneys withheld, in accordance with such regu-  
37 lations as the department may prescribe, using printed forms furnished or approved by the depart-  
38 ment for such purpose.

39 (2) Except as provided in subsection (4) of this section, every employer shall submit a combined  
40 quarterly return to the department on a form provided by it showing the number of payments made,  
41 the withheld taxes paid during the quarter and an explanation of federal withholding taxes as com-  
42 puted by the employer. The report shall be filed with the department on or before the last day of  
43 the month following the end of the quarter.

44 (3) The employer shall make an annual return to the department on forms provided or approved  
45 by it, summarizing the total compensation paid and the taxes withheld for all employees during the

1 calendar year and shall file the same with the department on or before the due date of the corre-  
 2 sponding federal return for the year for which report is made. Failure to file the annual report  
 3 without reasonable excuse on or before the 30th day after notice has been given to the employer  
 4 of failure subjects the employer to a penalty of \$100. The department may by rule require additional  
 5 information the department finds necessary to substantiate the annual return, including but not  
 6 limited to copies of federal form W-2 for individual employees, and may prescribe circumstances  
 7 under which the filing requirement imposed by this subsection is waived.

8 (4) Notwithstanding the provisions of subsection (2) of this section, employers of agricultural  
 9 employees may submit returns annually showing the number of payments made and the withheld  
 10 taxes paid. However, such employers shall make and file a combined quarterly tax report with re-  
 11 spect to other tax programs, as required by ORS 316.168.

12 (5) In addition to any other penalty required by law:

13 (a) A person who fails to substantiate a report required under subsection (3) of this section, or  
 14 who files incomplete or incorrect substantiation, shall be subject to a penalty of \$50 per federal form  
 15 W-2 after the date on which the substantiation is due, up to a maximum penalty of \$2,500.

16 (b) A person who knowingly fails to substantiate a report required under subsection (3) of this  
 17 section, or who knowingly files incomplete or incorrect substantiation, shall be subject to a penalty  
 18 of \$250 per federal form W-2 after the date on which the substantiation is due, up to a maximum  
 19 penalty of \$25,000.

20 **SECTION 122g.** ORS 316.207 is amended to read:

21 316.207. (1) Every employer who deducts and retains any amount under ORS 316.162 to 316.221  
 22 **and section 122a of this 2017 Act** shall hold the same in trust for the State of Oregon and for the  
 23 payment thereof to the Department of Revenue in the manner and at the time provided in ORS  
 24 316.162 to 316.221.

25 (2) At any time the employer fails to remit any amount withheld, the department may enforce  
 26 collection by the issuance of a distraint warrant for the collection of the delinquent amount and all  
 27 penalties, interest and collection charges accrued thereon. Such warrant shall be issued, recorded  
 28 and proceeded upon in the same manner and shall have the same force and effect as is prescribed  
 29 with respect to warrants for the collection of delinquent income taxes.

30 (3)(a) In the case of an employer that is assessed pursuant to the provisions of ORS 305.265 (12)  
 31 and 314.407 (1), the department may issue a notice of liability to any officer, employee or member  
 32 described in ORS 316.162 (3)(b) of such employer within three years from the time of assessment.  
 33 Within 30 days from the date the notice of liability is mailed to the officer, employee or member,  
 34 such officer, employee or member shall pay the assessment, plus penalties and interest, or advise the  
 35 department in writing of objections to the liability and, if desired, request a conference. Any con-  
 36 ference shall be governed by the provisions of ORS 305.265 pertaining to a conference requested  
 37 from a notice of deficiency.

38 (b) After a conference or, if no conference is requested, a determination of the issues considering  
 39 the written objections, the department shall mail the officer, employee or member a conference let-  
 40 ter affirming, canceling or adjusting the notice of liability. Within 90 days from the date the con-  
 41 ference letter is mailed to the officer, employee or member, such officer, employee or member shall  
 42 pay the assessment, plus penalties and interest, or appeal to the tax court in the manner provided  
 43 for an appeal from a notice of assessment.

44 (c) If neither payment nor written objection to the notice of liability is received by the depart-  
 45 ment within 30 days after the notice of liability has been mailed, the notice of liability becomes final.

1 In such event, the officer, employee or member may appeal the notice of liability to the tax court  
2 within 90 days after it became final in the manner provided for an appeal from a notice of assess-  
3 ment.

4 (4)(a) In the case of a failure to file a withholding tax report on the due date, governed by the  
5 provisions of ORS 305.265 (10) and 314.400, the department, in addition to the provisions of ORS  
6 305.265 (10) and 314.400, may send notices of determination and assessment to any officer, employee  
7 or member described in ORS 316.162 (3)(b) any time within three years after the assessment of an  
8 employer described in ORS 316.162 (3)(a). The time of assessment against such officer, employee or  
9 member shall be 30 days after the date the notice of determination and assessment is mailed. Within  
10 30 days from the date the notice of determination and assessment is mailed to the officer, employee  
11 or member, such officer, employee or member shall pay the assessment, plus penalties and interest,  
12 or advise the department in writing of objections to the assessment, and if desired, request a con-  
13 ference. Any conference shall be governed by the provisions of ORS 305.265 pertaining to a confer-  
14 ence requested from a notice of deficiency.

15 (b) After a conference or, if no conference is requested, a determination of the issues considering  
16 the written objections, the department shall mail the officer, employee or member a conference let-  
17 ter affirming, canceling or adjusting the notice of determination and assessment. Within 90 days  
18 from the date the conference letter is mailed to the officer, employee or member, such officer, em-  
19 ployee or member shall pay the assessment, plus penalties and interest, or appeal in the manner  
20 provided for an appeal from a notice of assessment.

21 (c) If neither payment nor written objection to the notice of determination and assessment is  
22 received by the department within 30 days after the notice of determination and assessment has  
23 been mailed, the notice of determination and assessment becomes final. In such event, the officer,  
24 employee or member may appeal the notice of determination and assessment to the tax court within  
25 90 days after it became final in the manner provided for an appeal from a notice of assessment.

26 (5)(a) More than one officer or employee of a corporation may be held jointly and severally lia-  
27 ble for payment of withheld taxes.

28 (b) Notwithstanding the provisions of ORS 314.835, 314.840 or 314.991, if more than one officer  
29 or employee of a corporation may be held jointly and severally liable for payment of withheld taxes,  
30 the department may require any or all of the officers, members or employees who may be held liable  
31 to appear before the department for a joint determination of liability. The department shall notify  
32 each officer, member or employee of the time and place set for the determination of liability.

33 (c) Each person notified of a joint determination under this subsection shall appear and present  
34 such information as is necessary to establish that person's liability or nonliability for payment of  
35 withheld taxes to the department. If any person notified fails to appear, the department shall make  
36 its determination on the basis of all the information and evidence presented. The department's de-  
37 termination shall be binding on all persons notified and required to appear under this subsection.

38 (d)(A) If an appeal is taken to the Oregon Tax Court pursuant to ORS 305.404 to 305.560 by any  
39 person determined to be liable for unpaid withholding taxes under this subsection, each person re-  
40 quired to appear before the department under this subsection shall be impleaded by the plaintiff.  
41 The department may implead any officer, employee or member who may be held jointly and severally  
42 liable for the payment of withheld taxes. Each person impleaded under this paragraph shall be made  
43 a party to the action before the tax court and shall make available to the tax court such information  
44 as was presented before the department, as well as such other information as may be presented to  
45 the court.

1 (B) The court may determine that one or more persons impleaded under this paragraph are lia-  
 2 ble for unpaid withholding taxes without regard to any earlier determination by the department that  
 3 an impleaded person was not liable for unpaid withholding taxes.

4 (C) If any person required to appear before the court under this subsection fails or refuses to  
 5 appear or bring such information in part or in whole, or is outside the jurisdiction of the tax court,  
 6 the court shall make its determination on the basis of all the evidence introduced. All such evidence  
 7 shall constitute a public record and shall be available to the parties and the court notwithstanding  
 8 ORS 314.835, 314.840 or 314.991. The determination of the tax court shall be binding on all persons  
 9 made parties to the action under this subsection.

10 (e) Nothing in this section shall be construed to preclude a determination by the department or  
 11 the Oregon Tax Court that more than one officer, employee or member are jointly and severally li-  
 12 able for unpaid withholding taxes.

13 **SECTION 122h.** ORS 316.212 is amended to read:

14 316.212. The provisions of the income tax laws in ORS chapters 305 and 314 and this chapter,  
 15 relating to penalties, misdemeanors and jeopardy assessments, apply to employers subject to the  
 16 provisions of ORS 316.162 to 316.221 **and section 122a of this 2017 Act**, and for these purposes any  
 17 amount deducted or required to be deducted and remitted to the Department of Revenue under ORS  
 18 316.162 to 316.221 **and section 122a of this 2017 Act** is considered the tax of the employer and with  
 19 respect to such amount the employer is considered as a taxpayer.

20 **SECTION 122i.** **Except as otherwise provided in section 122a of this 2017 Act or where the**  
 21 **context requires otherwise, the provisions of ORS chapters 305 and 314 as to the audit and**  
 22 **examination of returns, periods of limitation, determination of and notices of deficiencies,**  
 23 **assessments, collections, liens, delinquencies, claims for refund and refunds, conferences,**  
 24 **appeals to the Oregon Tax Court, stays of collection pending appeal, confidentiality of re-**  
 25 **turns and the penalties relative thereto, and the procedures relating thereto, apply to the**  
 26 **determinations of taxes, penalties and interest under section 122a of this 2017 Act.**

27 **SECTION 122j.** **(1) All moneys received by the Department of Revenue from the tax im-**  
 28 **posed under section 122a of this 2017 Act shall be deposited in the State Treasury and cred-**  
 29 **ited to a suspense account established under ORS 293.445. The department may pay expenses**  
 30 **for the administration and enforcement of section 122a of this 2017 Act out of moneys re-**  
 31 **ceived from the tax imposed under section 122a of this 2017 Act. Amounts necessary to pay**  
 32 **administrative and enforcement expenses are continuously appropriated to the department**  
 33 **from the suspense account.**

34 **(2) After the payment of administrative and enforcement expenses and refunds or credits**  
 35 **arising from erroneous overpayments, the department shall credit the balance of the moneys**  
 36 **received by the department to the Statewide Transportation Improvement Fund established**  
 37 **under section 122L of this 2017 Act.**

38 **SECTION 122k.** **Section 122a of this 2017 Act applies to tax periods beginning on or after**  
 39 **July 1, 2018.**

40 **SECTION 122L.** **(1) The Statewide Transportation Improvement Fund is established in the**  
 41 **State Treasury, separate and distinct from the General Fund. Interest earned by the State-**  
 42 **wide Transportation Improvement Fund shall be credited to the fund. Moneys in the fund**  
 43 **are continuously appropriated to the Department of Transportation to finance investments**  
 44 **and improvements in public transportation services, except that the moneys may not be used**  
 45 **for light rail.**

1 (2) The Statewide Transportation Improvement Fund consists of:

2 (a) All moneys received from the tax imposed under section 122a of this 2017 Act;

3 (b) Moneys appropriated or otherwise transferred to the fund by the Legislative Assem-  
4 bly; and

5 (c) Other moneys deposited in the fund from any source.

6 **SECTION 122m.** As used in sections 122m to 122p of this 2017 Act:

7 (1) "Public transportation service provider" includes a qualified entity and a city, county,  
8 special district, intergovernmental entity or any other political subdivision or municipal or  
9 public corporation that provides public transportation services and is not otherwise described  
10 in subsection (2) of this section.

11 (2) "Qualified entity" means the following:

12 (a) Counties in which no part of a mass transit district or transportation district exists;

13 (b) Mass transit districts organized under ORS 267.010 to 267.390;

14 (c) Transportation districts organized under ORS 267.510 to 267.650; and

15 (d) Federally recognized Indian tribes.

16 **SECTION 122n.** (1) The Oregon Transportation Commission shall distribute the moneys  
17 in the Statewide Transportation Improvement Fund established under section 122L of this  
18 2017 Act as follows:

19 (a) Conditioned upon the commission's approval of a public transportation improvement  
20 plan, 90 percent to qualified entities;

21 (b) Five percent to public transportation service providers based on a competitive grant  
22 program adopted by the commission by rule;

23 (c) Four percent to public transportation service providers to provide funding assistance  
24 to cover the costs of improving public transportation services between two or more com-  
25 munities; and

26 (d) One percent to the Department of Transportation to establish a statewide public  
27 transportation technical resource center, the purpose of which is to assist public transpor-  
28 tation service providers in rural areas with training, transportation planning and information  
29 technology.

30 (2) For purposes of the percentage distributions under subsection (1)(a) of this section:

31 (a) Each distribution must be in such shares that the amount of tax paid, as required  
32 under section 122a of this 2017 Act, in the area of each qualified entity bears to the total  
33 amount of the tax paid statewide, provided that each qualified entity receives an annual  
34 amount of at least \$100,000.

35 (b) Each public transportation service provider that receives funding under this section  
36 shall receive at least a share that the amount of the tax paid, as required under section 122a  
37 of this 2017 Act, in the area served by the provider bears to the amount of tax paid in the  
38 area of the respective qualified entity in which the public transportation service provider  
39 provides services.

40 (c) If more than one mass transit district or transportation district is located within a  
41 single county, the commission shall distribute the moneys to the larger district.

42 (3) The commission shall adopt by rule:

43 (a) A competitive grant program, by which a public transportation service provider may  
44 apply for a percentage distribution under subsection (1)(b) of this section, and the terms and  
45 conditions of grants.

1       **(b) A competitive grant program, by which a public transportation service provider may**  
2 **apply for a percentage distribution under subsection (1)(c) of this section, and the terms and**  
3 **conditions of grants.**

4       **(c) A process to review and approve a public transportation improvement plan submitted**  
5 **under subsection (4) of this section.**

6       **(d) Procedures for appealing a rejection of a public transportation improvement plan**  
7 **submitted under subsection (4) of this section.**

8       **(e) Any other provisions or procedures that are necessary for the commission to carry**  
9 **out the provisions of sections 122n to 122p of this 2017 Act.**

10       **(4) To be eligible to receive a percentage distribution under subsection (1)(a) of this sec-**  
11 **tion, a qualified entity shall prepare and submit a public transportation improvement plan**  
12 **to the commission. The commission must approve the plan submitted by the qualified entity**  
13 **before the commission may make a percentage distribution to the qualified entity.**

14       **(5) At a minimum, a public transportation improvement plan submitted under this sec-**  
15 **tion must include:**

16       **(a) For each proposed project, the amount of moneys from the percentage distribution**  
17 **that would be allocated to the project to fund the following:**

18       **(A) Increased frequency of bus service schedules in communities with a high percentage**  
19 **of low-income households;**

20       **(B) Procurement of buses that are powered by natural gas or electricity for use in areas**  
21 **with a population of 200,000 or more;**

22       **(C) Implementation of programs to reduce fares for public transportation in communities**  
23 **with a high percentage of low-income households;**

24       **(D) Expansion of bus routes and bus services to reach communities with a high per-**  
25 **centage of low-income households;**

26       **(E) Improvement in the frequency and reliability of service connections between com-**  
27 **munities inside and outside of the qualified entity's service area; and**

28       **(F) Coordination between public transportation service providers to reduce fragmentation**  
29 **in the provision of transportation services;**

30       **(b) For the current fiscal year, a summary of any plans and project proposals approved**  
31 **by an advisory committee under section 122o of this 2017 Act; and**

32       **(c) If a qualified entity was a recipient of a percentage distribution in the preceding fiscal**  
33 **year, the amount of moneys received from the distribution that were allocated to a project**  
34 **for the purposes described under paragraph (a) of this subsection.**

35       **(6) After the commission makes a distribution under subsection (1) of this section, qual-**  
36 **ified entities may enter into intergovernmental agreements under ORS chapter 190 to com-**  
37 **bine the moneys received for public transportation improvements.**

38       **(7) If the commission rejects a public transportation improvement plan or a grant appli-**  
39 **cation submitted under this section, the commission shall notify the entity or provider in**  
40 **writing and state the reasons for the rejection.**

41       **(8) The Department of Transportation shall make all grant applications submitted under**  
42 **this section available to the public.**

43       **SECTION 122o. (1) The governing body of each qualified entity shall appoint an advisory**  
44 **committee to advise and assist the governing body in prioritizing plans or projects to be**  
45 **funded from the moneys received from a percentage distribution under section 122n of this**

1 2017 Act to public transportation service providers that provide services within the jurisdic-  
2 tion of the qualified entity.

3 (2) Before receiving funding for a project under section 122n of this 2017 Act, a public  
4 transportation service provider that provides services within the jurisdiction of a qualified  
5 entity shall submit a plan or project proposal to the governing body of the qualified entity  
6 and receive the advisory committee's approval of the plan or project proposal. The plans or  
7 project proposals submitted under this subsection must describe how the funds would be  
8 used.

9 (3) An advisory committee appointed under this section shall review every plan or project  
10 proposal required under subsection (2) of this section and may propose any changes to the  
11 policies or practices of the governing body that the advisory committee considers necessary  
12 to ensure that:

13 (a) A public transportation service provider that has received funding under section 122n  
14 of this 2017 Act has applied the moneys received in accordance with and for the purposes  
15 described in the provider's plan or project proposal; and

16 (b) A plan or project proposal submitted by a public transportation service provider does  
17 not fragment the provision of public transportation services.

18 (4) The Oregon Transportation Commission shall adopt by rule:

19 (a) Requirements for the composition of an advisory committee appointed under this  
20 section;

21 (b) Criteria that must be included in a plan or project proposal required under subsection  
22 (2) of this section; and

23 (c) A process by which an advisory committee shall review and approve a plan or project  
24 proposal.

25 **SECTION 122p.** Every qualified entity shall submit the following to the Department of  
26 Transportation no later than 30 days prior to the end of the fiscal year in which the qualified  
27 entity receives a percentage distribution under section 122n of this 2017 Act:

28 (1) A report on any actions taken by a public transportation service provider located  
29 within the area of a qualified entity to mitigate the impact of the tax imposed under section  
30 122a of this 2017 Act on passengers who reside in low-income communities;

31 (2) The adopted annual budget for the upcoming fiscal year; and

32 (3) The results of any audits of the qualified entity or of a public transportation service  
33 provider located within the area of the qualified entity as required by a local, state or federal  
34 oversight agency for purposes of statewide reporting including, but not limited to:

35 (a) The state financial report required under ORS 291.040;

36 (b) The results of any comprehensive review completed by the Federal Transit Adminis-  
37 tration; and

38 (c) Any information submitted by the qualified entity as a part of the requirements of a  
39 statewide audit in accordance with the federal Single Audit Act of 1984 (31 U.S.C. 7501 to  
40 7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104-156).

41 **SECTION 122q.** On or before February 1, 2020, the Oregon Transportation Commission  
42 shall submit a report in the manner provided by ORS 192.245 to the Joint Committee on  
43 Transportation established under section 26 of this 2017 Act on the implementation and  
44 outcomes of sections 122m to 122p of this 2017 Act.

45 **SECTION 122r.** (1) Sections 122m to 122q of this 2017 Act become operative on January

1 **1, 2019.**

2 **(2) The Oregon Transportation Commission and the Department of Transportation may**  
3 **take any action before the operative date specified in subsection (1) of this section that is**  
4 **necessary for the commission or the department to exercise all of the duties, functions and**  
5 **powers conferred on the commission and the department by sections 122m to 122q of this**  
6 **2017 Act.**

7  
8 **(Safe Routes to Schools)**  
9

10 **SECTION 123. (1) The Oregon Transportation Commission may provide matching grants**  
11 **under this section for safety improvement projects near schools.**

12 **(2) To qualify for a matching grant an applicant shall:**

13 **(a) Demonstrate that a project fits within the applicable plan developed pursuant to ORS**  
14 **195.115;**

15 **(b) Provide a cash match of at least 40 percent of the project's costs; and**

16 **(c) Provide any other information required by the commission.**

17 **(3) Notwithstanding subsection (2) of this section, the commission may reduce the**  
18 **amount the applicant must provide for a cash match. An applicant providing a reduced cash**  
19 **match shall provide at least 20 percent of the project's costs. This subsection applies if:**

20 **(a) The school is located in a city with a population of 5,000 or fewer;**

21 **(b) The project reduces hazards within a safety corridor, as defined by the commission**  
22 **by rule; or**

23 **(c) The school site qualifies for assistance under Chapter I of Title I of the federal Ele-**  
24 **mentary and Secondary Education Act of 1965.**

25 **(4) The commission shall prioritize the expenditure of funds as authorized under this**  
26 **section for projects that are located within a one-mile radius of a school that serves students**  
27 **in prekindergarten, kindergarten or grades 1 through 8, or any combination of those grade**  
28 **levels, or a school that serves students in kindergarten through grade 12.**

29 **(5) The matching grants shall be used to reduce barriers and hazards to children walking**  
30 **or bicycling to and from school, including but not limited to safety improvement projects**  
31 **that:**

32 **(a) Improve sidewalks;**

33 **(b) Reduce vehicle speeds;**

34 **(c) Improve pedestrian and bicycle crossings; or**

35 **(d) Create or improve bicycle lanes.**

36 **(6) The commission may adopt rules specifying the application process and the selection**  
37 **criteria that will be used in awarding matching grants.**

38 **SECTION 124. ORS 184.740 is amended to read:**

39 **184.740. (1) The Safe Routes to Schools Fund is established separate and distinct from the Gen-**  
40 **eral Fund. Interest earned by the Safe Routes to Schools Fund shall be credited to the fund. Moneys**  
41 **in the fund are continuously appropriated to the Department of Transportation to implement a safe**  
42 **routes to schools program as described in ORS 184.741 and to fund projects described in section**  
43 **123 of this 2017 Act.**

44 **(2) The department may apply for, accept, receive and disburse gifts, grants, donations and other**  
45 **moneys from the federal government or from any other source to carry out a safe routes to schools**



1 program. Moneys received by the department under this subsection shall be deposited in the Safe  
2 Routes to Schools Fund.

3 (3) The department, in consultation with the Transportation Safety Committee, may award  
4 grants from the Safe Routes to Schools Fund to applicants who comply with criteria adopted by the  
5 department under ORS 184.741 **or who qualify under section 123 of this 2017 Act.**

6  
7 **(Roadside Rest Areas)**

8  
9 **SECTION 125.** ORS 377.841 is amended to read:

10 377.841. (1) The Travel Information Council shall manage, maintain, improve and develop for  
11 local economic development and other purposes identified in ORS 377.705 roadside rest areas along  
12 the following highways:

- 13 (a) Interstate 5, northbound, near milepost 63.
- 14 (b) Interstate 5, southbound, near milepost 63.
- 15 (c) Interstate 5, northbound, near milepost 143.
- 16 (d) Interstate 5, southbound, near milepost 143.
- 17 (e) Interstate 5, northbound, near milepost 178.
- 18 (f) Interstate 5, southbound, near milepost 178.
- 19 (g) Interstate 5, northbound, near milepost 206.
- 20 (h) Interstate 5, southbound, near milepost 206.
- 21 (i) Interstate 5, northbound, near milepost 241.
- 22 (j) Interstate 5, southbound, near milepost 241.
- 23 (k) Interstate 5, northbound, near milepost 281.
- 24 (L) Interstate 5, southbound, near milepost 281.
- 25 (m) Interstate 84, eastbound, near milepost 73.
- 26 (n) Interstate 84, westbound, near milepost 73.
- 27 (o) Interstate 84, eastbound, near milepost 160.
- 28 (p) Interstate 84, westbound, near milepost 160.
- 29 (q) Interstate 84, eastbound, near milepost 187.
- 30 (r) Interstate 84, westbound, near milepost 187.
- 31 (s) Interstate 84, eastbound, near milepost 269.
- 32 (t) Interstate 84, westbound, near milepost 269.
- 33 (u) Interstate 84, eastbound, near milepost 295.
- 34 (v) Interstate 84, westbound, near milepost 295.
- 35 (w) Interstate 84, westbound, near milepost 336.
- 36 (x) Interstate 84, westbound, near milepost 377.
- 37 (y) U.S. Highway 26, westbound, near milepost 54.
- 38 (z) U.S. Highway 101, southbound, near milepost 70.

39 (2) Subject to subsection (4) of this section, in carrying out the provisions of subsection (1) of  
40 this section, the council may enter into contracts necessary to accomplish the purposes of sub-  
41 section (1) of this section.

42 (3) The Department of Transportation shall:

- 43 (a) Maintain ownership of any roadside rest area located along an interstate highway that the  
44 council manages, maintains, improves and develops pursuant to subsection (1) of this section; and
- 45 (b) Enter into an intergovernmental agreement with the council under which the council has the

1 authority to manage, maintain, improve and develop those rest areas owned by the department that  
2 are listed in subsection (1) of this section.

3 (4) Under the intergovernmental agreement entered into under subsection (3) of this section, the  
4 council shall conduct public contracting activities in accordance with the provisions of ORS 377.836.

5 (5) For the purpose of funding the management, maintenance, improvement and development of  
6 roadside rest areas under this section, the department shall allocate to the council, [*no later than*  
7 *January 2 of each year, \$6.55 million*] **for the period beginning on January 1, 2018, and ending**  
8 **on June 30, 2018, \$3.33 million**, from the State Highway Fund.

9 (6) The council may not use any moneys originating from a local transient lodging tax or a state  
10 transient lodging tax, as those terms are defined in ORS 320.300, for the purpose of funding the  
11 management, maintenance, improvement and development of roadside rest areas under this section.

12 **SECTION 126.** ORS 377.841, as amended by section 125 of this 2017 Act, is amended to read:

13 377.841. (1) **For the purposes of this section, “roadside rest areas” includes the following**  
14 **roadside rest areas in this state:**

- 15 (a) **Suncrest, Interstate 5, near milepost 22.**
- 16 (b) **Manzanita, Interstate 5, near milepost 63.**
- 17 (c) **Cabin Creek, Interstate 5, near milepost 143.**
- 18 (d) **Gettings Creek, Interstate 5, near milepost 178.**
- 19 (e) **Oak Grove, Interstate 5, near milepost 206.**
- 20 (f) **Santiam River, Interstate 5, near milepost 241.**
- 21 (g) **French Prairie, Interstate 5, near milepost 282.**
- 22 (h) **Memaloose, Interstate 84, near milepost 73.**
- 23 (i) **Boardman, Interstate 84, near milepost 161.**
- 24 (j) **Stanfield, Interstate 84, near milepost 187.**
- 25 (k) **Deadman Pass, Interstate 84, near milepost 229.**
- 26 (L) **Charles Reynolds, Interstate 84, near milepost 269.**
- 27 (m) **Baker Valley, Interstate 84, near milepost 295.**
- 28 (n) **Weatherby, Interstate 84, near milepost 336.**
- 29 (o) **Ontario, Interstate 84, near milepost 377.**
- 30 (p) **The Maples, State Highway 22, near milepost 35.**
- 31 (q) **Tillamook River, U.S. Highway 101, near milepost 71.**
- 32 (r) **Sunset, U.S. Highway 26, near milepost 29.**
- 33 (s) **Cow Canyon, U.S. Highway 97, near milepost 69.**
- 34 (t) **Beaver Marsh, U.S. Highway 97, near milepost 207.**
- 35 (u) **Midland, U.S. Highway 97, near milepost 282.**
- 36 (v) **Government Camp, U.S. Highway 26, near milepost 54.**

37 [(1)] (2) The Travel Information Council shall manage, maintain, improve and develop for local  
38 economic development and other purposes identified in ORS 377.705 **the roadside rest areas listed**  
39 **in subsection (1) of this section.** [*along the following highways:*]

- 40 [(a)] *Interstate 5, northbound, near milepost 63.*
- 41 [(b)] *Interstate 5, southbound, near milepost 63.*
- 42 [(c)] *Interstate 5, northbound, near milepost 143.*
- 43 [(d)] *Interstate 5, southbound, near milepost 143.*
- 44 [(e)] *Interstate 5, northbound, near milepost 178.*
- 45 [(f)] *Interstate 5, southbound, near milepost 178.*

1 [(g) Interstate 5, northbound, near milepost 206.]

2 [(h) Interstate 5, southbound, near milepost 206.]

3 [(i) Interstate 5, northbound, near milepost 241.]

4 [(j) Interstate 5, southbound, near milepost 241.]

5 [(k) Interstate 5, northbound, near milepost 281.]

6 [(L) Interstate 5, southbound, near milepost 281.]

7 [(m) Interstate 84, eastbound, near milepost 73.]

8 [(n) Interstate 84, westbound, near milepost 73.]

9 [(o) Interstate 84, eastbound, near milepost 160.]

10 [(p) Interstate 84, westbound, near milepost 160.]

11 [(q) Interstate 84, eastbound, near milepost 187.]

12 [(r) Interstate 84, westbound, near milepost 187.]

13 [(s) Interstate 84, eastbound, near milepost 269.]

14 [(t) Interstate 84, westbound, near milepost 269.]

15 [(u) Interstate 84, eastbound, near milepost 295.]

16 [(v) Interstate 84, westbound, near milepost 295.]

17 [(w) Interstate 84, westbound, near milepost 336.]

18 [(x) Interstate 84, westbound, near milepost 377.]

19 [(y) U.S. Highway 26, westbound, near milepost 54.]

20 [(z) U.S. Highway 101, southbound, near milepost 70.]

21 [(2) Subject to subsection (4) of this section, in carrying out the provisions of subsection (1) of this  
22 section, the council may enter into contracts necessary to accomplish the purposes of subsection (1) of  
23 this section.]

24 (3) The Department of Transportation **and the State Parks and Recreation Department** shall:

25 (a) Maintain ownership of [any] **the** roadside rest [area located along an interstate highway]  
26 **areas, except for the Government Camp roadside rest area listed in subsection (1)(v) of this**  
27 **section**, that the council manages, maintains, improves and develops pursuant to subsection [(1)] (2)  
28 of this section; and

29 (b) Enter into [an] intergovernmental [agreement] **agreements** with the council under which the  
30 council has the authority to manage, maintain, improve and develop those **roadside** rest areas  
31 owned by the [department that are listed in subsection (1) of this section] **departments**.

32 (4) Under the intergovernmental [agreement] **agreements** entered into under subsection (3) of  
33 this section, the council shall conduct public contracting activities in accordance with the pro-  
34 visions of ORS 377.836.

35 (5) For the purpose of funding the management, maintenance, improvement and development of  
36 roadside rest areas under this section, the Department **of Transportation** shall allocate to the  
37 council, for the period beginning on [January] **July** 1, 2018, and ending on June 30, [2018] **2019**,  
38 [\$3.33] **\$8.005** million, from the State Highway Fund.

39 (6) The council may not use any moneys originating from a local transient lodging tax or a state  
40 transient lodging tax, as those terms are defined in ORS 320.300, for the purpose of funding the  
41 management, maintenance, improvement and development of roadside rest areas under this section.

42 **SECTION 127.** ORS 377.841, as amended by sections 125 and 126 of this 2017 Act, is amended  
43 to read:

44 377.841. (1) For the purposes of this section, “roadside rest areas” includes the following  
45 roadside rest areas in this state:

- 1 (a) Suncrest, Interstate 5, near milepost 22.
- 2 (b) Manzanita, Interstate 5, near milepost 63.
- 3 (c) Cabin Creek, Interstate 5, near milepost 143.
- 4 (d) Gettings Creek, Interstate 5, near milepost 178.
- 5 (e) Oak Grove, Interstate 5, near milepost 206.
- 6 (f) Santiam River, Interstate 5, near milepost 241.
- 7 (g) French Prairie, Interstate 5, near milepost 282.
- 8 (h) Memaloose, Interstate 84, near milepost 73.
- 9 (i) Boardman, Interstate 84, near milepost 161.
- 10 (j) Stanfield, Interstate 84, near milepost 187.
- 11 (k) Deadman Pass, Interstate 84, near milepost 229.
- 12 (L) Charles Reynolds, Interstate 84, near milepost 269.
- 13 (m) Baker Valley, Interstate 84, near milepost 295.
- 14 (n) Weatherby, Interstate 84, near milepost 336.
- 15 (o) Ontario, Interstate 84, near milepost 377.
- 16 (p) The Maples, State Highway 22, near milepost 35.
- 17 (q) Tillamook River, U.S. Highway 101, near milepost 71.
- 18 (r) Sunset, U.S. Highway 26, near milepost 29.
- 19 (s) Cow Canyon, U.S. Highway 97, near milepost 69.
- 20 (t) Beaver Marsh, U.S. Highway 97, near milepost 207.
- 21 (u) Midland, U.S. Highway 97, near milepost 282.
- 22 (v) Government Camp, U.S. Highway 26, near milepost 54.
- 23 **(w) Van Duzer Corridor State Park, State Highway 18, near milepost 10.**
- 24 **(x) Ellmaker Wayside State Park, U.S. Highway 20, near milepost 32.**
- 25 **(y) Peter Skene Ogden State Park, U.S. Highway 97, near milepost 113.**
- 26 (2) The Travel Information Council shall manage, maintain, improve and develop for local economic development and other purposes identified in ORS 377.705 the roadside rest areas listed in subsection (1) of this section.
- 27
- 28
- 29 (3) The Department of Transportation and the State Parks and Recreation Department shall:
  - 30 (a) Maintain ownership of the roadside rest areas, except for the Government Camp roadside rest area listed in subsection (1)(v) of this section, that the council manages, maintains, improves and develops pursuant to subsection (2) of this section; and
  - 31
  - 32
  - 33 (b) Enter into intergovernmental agreements with the council under which the council has the authority to manage, maintain, improve and develop those roadside rest areas owned by the departments.
  - 34
  - 35
  - 36 (4) Under the intergovernmental agreements entered into under subsection (3) of this section, the council shall conduct public contracting activities in accordance with the provisions of ORS 377.836.
  - 37
  - 38
  - 39 (5) For the purpose of funding the management, maintenance, improvement and development of roadside rest areas under this section, the Department of Transportation shall allocate to the council, *[for the period beginning on July 1, 2018, and ending on June 30, 2019, \$8.005]* **no later than July 1 of each year, \$9.16 million**, from the State Highway Fund.
  - 40
  - 41
  - 42
  - 43 (6) The council may not use any moneys originating from a local transient lodging tax or a state transient lodging tax, as those terms are defined in ORS 320.300, for the purpose of funding the management, maintenance, improvement and development of roadside rest areas under this section.
  - 44
  - 45



1 ends on the 60th day following the operative date:

2 (a) The City of Damascus shall expend moneys in the funds of the city to satisfy:

3 (A) Current and pending debts and obligations for which the city is liable, including, but not  
4 limited to, debt service payments, lease obligations, financing arrangements and similar obligations;

5 (B) Outstanding obligations relating to employment of city employees, including pension and  
6 other employee benefit obligations; and

7 (C) Other debts, obligations, liabilities and expenses requiring financial satisfaction by a  
8 disincorporating city.

9 (b) As soon as practicable after making the expenditures required under paragraph (a) of this  
10 subsection, the city shall transfer:

11 (A) All moneys in the city road fund to Clackamas County for deposit in a separate account in  
12 the county road fund created for purposes of this subparagraph. Moneys in the separate account  
13 shall be expended by the county for the purposes for which moneys in the county road fund may be  
14 expended, solely in the territory within the corporate boundaries of the City of Damascus as they  
15 existed on the operative date determined under section 2, **chapter 637, Oregon Laws 2015** [of this  
16 *2015 Act*].

17 (B) An amount not to exceed \$3 million to Clackamas County for deposit in a separate account  
18 in the county general fund created for purposes of this subparagraph. Moneys in the separate ac-  
19 count shall be expended by the county for expenses related to the employment of employees of the  
20 City of Damascus by Clackamas County pursuant to ORS 236.605 to 236.640, contracted law  
21 enforcement services within the territory of the disincorporated city and other current service ex-  
22 penses in the budget of the City of Damascus on the operative date determined under section 2,  
23 **chapter 637, Oregon Laws 2015** [of this *2015 Act*], and the administration by the county of this  
24 subparagraph, including but not limited to the processing of expenditures under this subparagraph.

25 (c) The City of Damascus shall transfer all moneys in the funds of the city in excess of the  
26 moneys required to be expended under paragraph (a) of this subsection and transferred under para-  
27 graph (b) of this subsection to Clackamas County for deposit in a separate account in the county  
28 general fund created for purposes of this paragraph. Excess moneys in the separate account shall  
29 be distributed by the county as provided in subsection (3) of this section.

30 (3)(a) Excess moneys transferred to Clackamas County under subsection (2)(c) of this section  
31 shall be distributed by the county on or as soon as practicable after January 1, 2018, to each person  
32 that owned taxable property as of June 30, 2016, for which property taxes were paid in full to the  
33 City of Damascus for the property tax year beginning on July 1, 2015, in an amount determined by  
34 multiplying the amount of all excess moneys to be distributed under this subsection by the ratio of  
35 the cumulative amount of ad valorem property taxes certified by the city and paid with respect to  
36 the property owned by the person for the property tax years beginning on July 1, 2013, and ending  
37 on June 30, 2016, to the cumulative amount of ad valorem property taxes certified by the city and  
38 paid with respect to property owned by all persons eligible for the distribution under this subsection  
39 for the property tax years beginning on July 1, 2013, and ending on June 30, 2016.

40 (b) Notwithstanding paragraph (a) of this subsection, amounts that would otherwise be distrib-  
41 uted under paragraph (a) of this subsection to a taxpayer with respect to a homestead granted  
42 deferral under ORS 311.666 to 311.701 shall be paid to the credit of the account maintained for the  
43 deferred property by the Department of Revenue pursuant to ORS 311.676. The county shall notify  
44 the taxpayer upon making a payment to the department under this paragraph.

45 (c) A distribution is not required under this subsection if the amount of the distribution would

1 be \$10 or less.

2 (d) Before making the distributions described in this subsection, the county may retain an  
3 amount of the excess moneys equal to the actual costs of the county in making the distributions.

4 (e) Excess moneys to be distributed under this subsection that remain unclaimed on January 1,  
5 2019, shall be transferred to the general fund of Clackamas County and may be expended by the  
6 county in the same manner as other moneys in the general fund.

7 (4)(a) Notwithstanding any other provision of law, in order to compensate Clackamas County for  
8 the distribution of excess moneys under subsection (3) of this section, for the period that begins on  
9 the 61st day following the operative date determined under section 2, **chapter 637, Oregon Laws**  
10 **2015** [of this 2015 Act], and ending 10 years later[.];

11 (A) Funds that would otherwise have been distributed to the City of Damascus under ORS  
12 323.455, [366.785 to 366.820,] 403.240 and 471.810 shall be distributed to Clackamas County for deposit  
13 in a separate account in the general fund of the county created for purposes of this [subsection]  
14 **subparagraph.**

15 (B) Funds that would otherwise have been distributed to the City of Damascus under  
16 **ORS 366.785 to 366.820 shall be distributed to Clackamas County for deposit in a separate**  
17 **account in the general fund of the county created for purposes of this subparagraph.**

18 (b)(A) Moneys described in paragraph (a)(A) of this subsection shall be expended by the county  
19 on costs, including the actual costs of the county in administering this subsection, related to public  
20 safety and law enforcement, urban comprehensive planning, code enforcement and waste water and  
21 surface water management that are incurred solely in the territory within the corporate boundaries  
22 of the City of Damascus as they existed on the operative date determined under section 2, **chapter**  
23 **637, Oregon Laws 2015** [of this 2015 Act].

24 (B) Moneys described in paragraph (a)(B) of this subsection shall be expended by the  
25 county for uses permitted under Article IX, section 3a, of the Oregon Constitution, solely in  
26 the territory within the corporate boundaries of the City of Damascus as they existed on the  
27 operative date determined under section 2, **chapter 637, Oregon Laws 2015.**

28 (c) Territory that is removed from the Metro urban growth boundary or that is annexed to an-  
29 other city during the period described in paragraph (a) of this subsection shall, from the effective  
30 date of the removal or annexation, be considered outside the corporate boundaries of the City of  
31 Damascus for purposes of this subsection.

32 **SECTION 133.** ORS 366.462 is amended to read:

33 366.462. (1) The Department of Transportation shall construct fences on all freeway overpasses  
34 that are built on and after November 4, 1993. The fences shall be designed to deter persons from  
35 throwing objects from the overpasses onto the freeways.

36 (2) [Beginning in the fiscal year that starts July 1, 1993,] The Department of Transportation shall  
37 construct [at least 15] fences [per year] on existing freeway overpasses[. The department shall develop  
38 a priority system to construct fences first on those overpasses] that involve the greatest risk factors.

39 **SECTION 134.** (1) **In accordance with ORS 374.329, the Department of Transportation**  
40 **shall transfer jurisdiction of the following state highways to the following cities:**

41 (a) **Pacific Highway West, State Highway 91, from the department to the City of Eugene.**  
42 **The department shall transfer the following two portions:**

43 (A) **The portion beginning where the highway intersects with the Beltline Highway and**  
44 **ending where the highway intersects with Washington Street, but excluding the bridge at**  
45 **milepost 121.42.**

1 (B) The portion beginning where the highway intersects with Walnut Street and ending  
2 where the highway intersects with Interstate 5, but excluding the bridge at milepost 126.02.

3 (b) Springfield Highway, State Highway 228 to the City of Springfield.

4 (2) Notwithstanding section 71d (4) of this 2017 Act, the department shall use the funds  
5 described in section 71d of this 2017 Act for the transfer of Powell Boulevard to upgrade the  
6 portion of Southeast Powell Boulevard beginning where the highway intersects with Inter-  
7 state 205 and ending where the highway intersects with the city limits. After the upgrades  
8 are completed, in accordance with ORS 374.329, the department shall transfer jurisdiction  
9 of the upgraded portion to the City of Portland. The department may upgrade and transfer  
10 portions of the highway in phases.

11 (3) In accordance with ORS 366.290:

12 (a) The department shall transfer jurisdiction of the portion of Territorial Highway, State  
13 Highway 200, that is located within Lane County from the department to the county. The  
14 department may transfer portions of the highway in phases. The department shall retain  
15 jurisdiction of bridges on Territorial Highway located at milepoints 18.72, 18.98, 19.28 and  
16 25.49. The department shall transfer the jurisdiction of the bridges after the bridges are re-  
17 placed.

18 (b) The department shall transfer jurisdiction of the portion of the Springfield-Creswell  
19 Highway, State Highway 222, beginning where it intersects with Jasper-Lowell Road and  
20 ending where it intersects with Emerald Parkway to Lane County. The department shall re-  
21 tain jurisdiction of bridges on Springfield-Creswell Highway located at mileposts 5.20, 5.41,  
22 5.64 and 13.36. The department shall transfer the jurisdiction of a bridge after the bridge is  
23 replaced.

24 (c) Lane County shall transfer jurisdiction of the portion of Delta Highway beginning  
25 where the highway intersects with Interstate 105 and ending where the highway intersects  
26 with the Randy Pape Beltline from the county to the department.

27 (d) Multnomah County and Washington County shall transfer jurisdiction of the portion  
28 of Cornelius Pass Road beginning where the highway intersects with U.S. Highway 30 and  
29 ending where the highway intersects with U.S. Highway 26 from the counties to the depart-  
30 ment. The counties may transfer portions of the highway in phases.

31 SECTION 135. Section 136 of this 2017 Act is added to and made a part of ORS chapter  
32 366.

33 SECTION 136. The Oregon Transportation Commission shall develop a statewide winter  
34 maintenance strategy and policy that includes the use of rock salt or similar solid salt pro-  
35 ducts. In developing the strategy, the commission shall focus on highways under the De-  
36 partment of Transportation's jurisdiction as the road authority pursuant to ORS 810.010 and  
37 take into consideration environmental best practices.

38 SECTION 137. The Oregon Transportation Commission shall submit a report on the de-  
39 velopment and implementation of the winter maintenance strategy and policy described in  
40 section 136 of this 2017 Act. The commission shall submit the report to the Joint Committee  
41 on Transportation established under section 26 of this 2017 Act in the manner provided under  
42 ORS 192.245 no later than September 15, 2019.

43 SECTION 138. Section 137 of this 2017 Act is repealed on January 2, 2020.

44 SECTION 139. (1) Sections 32 and 37 of this 2017 Act and the amendments to ORS 803.420,  
45 803.645, 818.225, 818.270, 825.450, 825.476 and 825.480 by sections 34, 48, 51, 54, 57, 63 and 66 of



1 this 2017 Act become operative on January 1, 2018.

2 (2) The amendments to ORS 826.023 by section 70 of this 2017 Act become operative on  
3 January 1, 2020.

4 (3) The amendments to sections 32 and 37 of this 2017 Act by sections 33 and 38 of this  
5 2017 Act and the amendments to ORS 803.420 by section 35 of this 2017 Act become operative  
6 on January 1, 2022.

7 (4) The amendments to ORS 803.645, 818.225, 818.270, 825.450, 825.476 and 825.480 by  
8 sections 49, 52, 55, 58, 64 and 67 of this 2017 Act become operative on January 1, 2024.

9  
10 **REPEALS**

11  
12 **SECTION 140.** ORS 184.613, 184.616, 184.618, 184.889 and 367.017 and section 17, chapter  
13 63, Oregon Laws 2012, are repealed.

14 **SECTION 141.** (1) The Urban Trail Fund, established under ORS 367.017, is abolished.

15 (2) Any moneys remaining in the Urban Trail Fund on the effective date of this 2017 Act  
16 that are unexpended, unobligated and not subject to any conditions shall be transferred to  
17 the Connect Oregon Fund established under ORS 367.080 for the purposes of providing grants  
18 for bicycle and pedestrian transportation projects.

19  
20 **CONFLICT AMENDMENTS**

21  
22 **SECTION 142.** If House Bill 2149 becomes law, section 6, chapter 62, Oregon Laws 2017  
23 (Enrolled House Bill 2149) (amending ORS 803.420), is repealed.

24 **SECTION 143.** If House Bill 2149 becomes law, section 7, chapter 62, Oregon Laws 2017 (En-  
25 rolled House Bill 2149), is amended to read:

26 **Sec. 7.** (1) The amendments to ORS 801.041, 801.042, 803.350, 803.415[, 803.420] and 805.110 by  
27 sections [1 to 6 of this 2017 Act] 1 to 5, chapter 62, Oregon Laws 2017 (Enrolled House Bill 2149),  
28 apply to vehicles registered under ORS 805.110 on or after the effective date of [this 2017 Act]  
29 chapter 62, Oregon Laws 2017 (Enrolled House Bill 2149).

30 (2) [Notwithstanding ORS 803.420 (21) and 805.110,] A person who registered a vehicle under  
31 ORS 805.110 before the effective date of [this 2017 Act] chapter 62, Oregon Laws 2017 (Enrolled  
32 House Bill 2149), is not required to pay a renewal fee for the vehicle registered under ORS 805.110  
33 on or after the effective date of [this 2017 Act] chapter 62, Oregon Laws 2017 (Enrolled House  
34 Bill 2149).

35 **SECTION 144.** (1) If House Bill 2290 becomes law, sections 3, 6, 10, 11, 12, 13, 14, 15, 16,  
36 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, chapter \_\_, Oregon Laws 2017 (Enrolled House  
37 Bill 2290) (amending ORS 801.041, 801.042, 803.350, 803.415, 803.420, 803.445, 803.645, 805.047,  
38 805.103, 805.105, 805.115, 805.205, 805.222, 805.255, 805.260, 805.263, 805.266, 805.278, 805.283 and  
39 822.213 and section 2, chapter 823, Oregon Laws 2009), are repealed.

40 (2) If House Bill 2290 becomes law, section 6a, chapter \_\_, Oregon Laws 2017 (Enrolled  
41 House Bill 2290) (amending ORS 803.420 and repealing section 6, chapter \_\_, Oregon Laws  
42 2017 (Enrolled House Bill 2290)), is repealed.

43 **SECTION 145.** If House Bill 2290 becomes law, section 31, chapter \_\_, Oregon Laws 2017  
44 (Enrolled House Bill 2290), is amended to read:

45 **Sec. 31.** The amendments to [ORS 801.041, 801.042, 803.134, 803.350, 803.415, 803.420, 803.445,

1 803.575, 803.645, 805.047, 805.103, 805.105, 805.115, 805.205, 805.222, 805.250, 805.255, 805.260, 805.263,  
2 805.266, 805.278, 805.283, 807.370, 807.410, 809.312, 822.213 and 822.700 and section 2, chapter 823,  
3 Oregon Laws 2009, by sections 1 to 29 of this 2017 Act] **ORS 803.090, 803.134, 803.575, 805.250,**  
4 **807.370, 807.410, 809.312 and 822.700 by sections 1 to 29, chapter \_\_, Oregon Laws 2017 (En-**  
5 **rolled House Bill 2290)**, apply to fees imposed on or after the operative date specified in section  
6 32 [of this 2017 Act], **chapter \_\_, Oregon Laws 2017 (Enrolled House Bill 2290).**

7 **SECTION 146.** If House Bill 2290 becomes law, section 32, chapter \_\_, Oregon Laws 2017  
8 (Enrolled House Bill 2290), is amended to read:

9 **Sec. 32.** (1) The amendments to [ORS 801.041, 801.042, 803.134, 803.350, 803.415, 803.420, 803.445,  
10 803.575, 803.645, 805.047, 805.103, 805.105, 805.115, 805.205, 805.222, 805.250, 805.255, 805.260, 805.263,  
11 805.266, 805.278, 805.283, 807.370, 807.410, 809.312, 822.213 and 822.700 and section 2, chapter 823,  
12 Oregon Laws 2009, by sections 1 to 29 of this 2017 Act] **ORS 803.090, 803.134, 803.575, 805.250,**  
13 **807.370, 807.410, 809.312 and 822.700 by sections 1 to 29, chapter \_\_, Oregon Laws 2017 (En-**  
14 **rolled House Bill 2290)**, become operative on July 1, 2018.

15 (2) The Department of Transportation may take any action before the operative date specified  
16 in subsection (1) of this section that is necessary to enable the department to exercise, on and after  
17 the operative date specified in subsection (1) of this section, all the duties, functions and powers  
18 conferred on the department by the amendments to [ORS 801.041, 801.042, 803.134, 803.350, 803.415,  
19 803.420, 803.445, 803.575, 803.645, 805.047, 805.103, 805.105, 805.115, 805.205, 805.222, 805.250, 805.255,  
20 805.260, 805.263, 805.266, 805.278, 805.283, 807.370, 807.410, 809.312, 822.213 and 822.700 and section  
21 2, chapter 823, Oregon Laws 2009, by sections 1 to 29 of this 2017 Act] **ORS 803.090, 803.134, 803.575,**  
22 **805.250, 807.370, 807.410, 809.312 and 822.700 by sections 1 to 29, chapter \_\_, Oregon Laws 2017**  
23 **(Enrolled House Bill 2290).**

## SEVERABILITY

24  
25  
26  
27 **SECTION 147.** It is the intent of the Legislative Assembly that all parts of this 2017 Act  
28 are independent and that if any part of this 2017 Act is held unconstitutional by a judicial  
29 decision that is not subject to further review, or if any part of this 2017 Act is referred to  
30 the people under Article IV, section 1, of the Oregon Constitution, and is not approved by a  
31 majority of the voters voting on the referendum measure, all remaining parts of this 2017  
32 Act shall remain in full force and effect.

## ZERO-EMISSION AND ELECTRIC VEHICLE REBATES (Rebate Program; Provisions Operative January 1, 2018)

33  
34  
35  
36  
37 **SECTION 148.** As used in sections 148 to 152 of this 2017 Act:

38 (1) "Light-duty zero-emission vehicle" means a motor vehicle that:

39 (a) Has a gross vehicle weight rating of 8,500 pounds or less;

40 (b) Is capable of attaining a speed of 55 miles per hour or more; and

41 (c) Is powered:

42 (A) Primarily by an electric battery and may or may not use a flywheel energy storage  
43 device or a capacitor that also stores energy to assist in vehicle operation.

44 (B) By polymer electrolyte membrane fuel cells or proton exchange membrane fuel cells  
45 that use hydrogen fuel and oxygen from the air to produce electricity.

1 (C) Primarily by a zero-emission energy storage device that provides enough power for  
2 the vehicle to travel 75 miles or more using only electricity and may or may not use a backup  
3 alternative power unit that does not operate until the energy storage device is fully depleted.

4 (2) "Motor vehicle" has the meaning given that term in ORS 801.360.

5 (3) "Person" means a person as defined in ORS 174.100 or a public body as defined in ORS  
6 174.109.

7 (4) "Plug-in hybrid electric vehicle" means a hybrid electric motor vehicle that:

8 (a) Has zero evaporative emissions from its fuel system;

9 (b) Has an onboard electrical energy storage device with useful capacity of 10 or more  
10 miles of urban dynamometer driving schedule range, as described by the United States En-  
11 vironmental Protection Agency, on electricity alone;

12 (c) Is equipped with an onboard charger;

13 (d) Is rechargeable from an external connection to an off-board electrical source;

14 (e) Meets the super ultra-low emission vehicle standards for exhaust emissions, as de-  
15 fined by the Environmental Quality Commission by rule;

16 (f) Has a warranty of at least 15 years and 150,000 miles on emission control components;  
17 and

18 (g) Is capable of attaining a speed of 55 miles per hour or more.

19 (5) "Qualifying vehicle" means a motor vehicle that:

20 (a) Is a:

21 (A) Light-duty zero-emission vehicle; or

22 (B) Plug-in hybrid electric vehicle;

23 (b) Is new, or has been previously used only as a dealership floor model or test-drive  
24 vehicle;

25 (c) Has not previously been registered;

26 (d) Is constructed entirely from new parts that have never been the subject of a retail  
27 sale;

28 (e) Has a base manufacturer's suggested retail price of less than \$50,000;

29 (f) Is covered by a manufacturer's express warranty on the vehicle drive train, including  
30 the applicable energy storage system or battery pack, for at least 24 months from the date  
31 of purchase; and

32 (g) Is certified by the manufacturer to comply with all applicable federal safety standards  
33 issued by the National Highway Traffic Safety Administration for new motor vehicles and  
34 new motor vehicle equipment.

35 (6)(a) "Vehicle dealer" means:

36 (A) A person engaged in business in this state that has been issued a vehicle dealer cer-  
37 tificate under ORS 822.020; and

38 (B) A person engaged in business in another state that would be subject to ORS 822.005  
39 if the person engaged in business in this state.

40 (b) Notwithstanding paragraph (a) of this subsection, a person is not a vehicle dealer for  
41 purposes of sections 148 to 152 of this 2017 Act to the extent the person:

42 (A) Conducts an event that lasts less than seven consecutive days, for which the public  
43 is charged admission and at which otherwise qualifying vehicles are sold at auction; or

44 (B) Sells an otherwise qualifying vehicle at auction at an event described in this para-  
45 graph.

1       **SECTION 149.** (1) The Department of Environmental Quality shall establish a program  
2 for providing rebates to persons that purchase qualifying vehicles for use in this state. The  
3 Director of the Department of Environmental Quality may hire or contract with a third-  
4 party nonprofit organization to implement and serve as the administrator of the program  
5 required by this section.

6       (2) The department may:

7       (a) Specify design features for the program; and

8       (b) Establish procedures to:

9       (A) Prioritize available moneys for specific qualifying vehicles; and

10       (B) Limit the number of rebates available for each type of qualifying vehicle.

11       (3) The purchaser or lessee of a qualifying vehicle may apply for a rebate for a portion  
12 of the purchase price or may choose to assign the rebate to a vehicle dealer or lessor.

13       (4) Rebates under the program shall be made from moneys credited to or deposited in the  
14 Zero-Emission Incentive Fund established under section 152 of this 2017 Act. A rebate may  
15 not be made until there are sufficient moneys available in the fund to make the rebate.

16       (5) The department shall prescribe the rebate application procedure for purchasers and  
17 lessees. All rebate applications must include a declaration under penalty of perjury in the  
18 form required by ORCP 1 E.

19       (6) Rebates for qualifying vehicles shall be set annually by the department as follows:

20       (a) For light-duty zero-emission vehicles and plug-in hybrid electric vehicles with an  
21 electrochemical energy storage capacity of 10 kilowatt hours or more, up to \$2,500 but not  
22 less than \$1,500.

23       (b) For light-duty zero-emission vehicles or plug-in hybrid electric vehicles with an  
24 electrochemical energy storage capacity of less than 10 kilowatt hours, up to \$1,500 but not  
25 less than \$750.

26       (7) To be eligible for a rebate, a person requesting a rebate under the program shall:

27       (a) Purchase or lease a qualifying vehicle. A lease must have a minimum term of 24  
28 months.

29       (b) Provide proof of an intent to use the qualifying vehicle primarily on the public high-  
30 ways of this state, which may be satisfied by providing proof of registration of the qualifying  
31 vehicle in Oregon.

32       (c) Submit an application for a rebate to the administrator of the program within six  
33 months after the date of purchase of the qualifying vehicle or six months after the date the  
34 lease of the qualifying vehicle begins.

35       (d) Retain registration of the qualifying vehicle for a minimum of 24 consecutive months  
36 after the date of purchase or the date the lease begins.

37       (8) A rebate recipient may not make or allow any modifications to the qualifying vehicle's  
38 emissions control systems, hardware, software calibrations or hybrid system.

39       (9) If a rebate recipient intends to sell the qualifying vehicle, or terminate the qualifying  
40 vehicle lease before the end of 24 months, the rebate recipient shall notify the administrator  
41 of the program of the recipient's intent to sell the vehicle or terminate the lease and shall  
42 reimburse the administrator for the entire rebate amount.

43       (10) Rebate recipients may be requested to participate in ongoing research efforts.

44       (11) The administrator of the program shall work to ensure timely payment of rebates  
45 with a goal of paying rebates within 60 days after receiving an application for a rebate.

1 (12) A vehicle dealer may advertise the program on the premises owned or operated by  
2 the vehicle dealer. If no moneys are available from the program or the program otherwise  
3 changes, a vehicle dealer who advertises the program may not be held liable for advertising  
4 false or misleading information.

5 (13) The Environmental Quality Commission may adopt any rules necessary to carry out  
6 the provisions of this section.

7  
8 (Charge Ahead Oregon Program)

9  
10 **SECTION 150.** (1) As used in this section:

11 (a) "Area median income" means the median income for the metropolitan statistical area  
12 in which a household is located or, if the household is not located within a metropolitan  
13 statistical area, for the metropolitan statistical area in closest proximity to the location of  
14 the household, as determined by the Housing and Community Services Department, adjusted  
15 for household size.

16 (b) "Charge ahead rebate" means a rebate for the purchase of a new or used light-duty  
17 zero-emission vehicle issued through the Charge Ahead Oregon Program established under  
18 this section.

19 (c) "High-emission passenger motor vehicle" means a motor vehicle that is:

20 (A) Designed primarily for the transportation of persons; and

21 (B) Powered by an internal combustion engine that is 20 years old or older.

22 (d) "Low income household" means a household with income less than or equal to 80  
23 percent of the area median income.

24 (e) "Moderate income household" means a household with income less than or equal to  
25 120 percent and greater than 80 percent of the area median income.

26 (2) The Department of Environmental Quality shall establish a Charge Ahead Oregon  
27 Program to provide for charge ahead rebates to low income households and moderate income  
28 households that voluntarily retire or scrap high-emission passenger motor vehicles and re-  
29 place those motor vehicles with new or used light-duty zero-emission vehicles. The Director  
30 of the Department of Environmental Quality may hire or contract with a third-party  
31 nonprofit organization to implement and serve as the administrator of the program required  
32 by this section.

33 (3) The department may:

34 (a) Specify design features for the program; and

35 (b) Establish procedures to:

36 (A) Prioritize available moneys to specific income levels or geographic areas; and

37 (B) Limit the number of charge ahead rebates available.

38 (4) An eligible purchaser or lessee of a new or used light-duty zero-emission vehicle may  
39 apply for a charge ahead rebate for a portion of the purchase price or may choose to assign  
40 the charge ahead rebate to a vehicle dealer or lessor.

41 (5) Rebates under the Charge Ahead Oregon Program shall be made from moneys cred-  
42 ited to or deposited in the Zero-Emission Incentive Fund established under section 152 of this  
43 2017 Act. A rebate may not be made until there are sufficient moneys available in the fund  
44 to make the rebate.

45 (6) The department shall prescribe the rebate application procedure for purchasers and

1 lessees. All rebate applications must include a declaration under penalty of perjury in the  
2 form required by ORCP 1 E.

3 (7) Charge ahead rebates shall be in an amount up to \$2,500, but not less than \$1,250.

4 (8) To be eligible for a charge ahead rebate, a person requesting a rebate under the pro-  
5 gram must:

6 (a) Be a member of a low income household or a moderate income household.

7 (b) Reside in an area of this state that has elevated concentrations of air contaminants  
8 commonly attributable to motor vehicle emissions, such as particulate matter, benzene and  
9 nitrogen oxides, relative to other areas of the state.

10 (c) Document that the person will scrap or otherwise render inoperable a high-emission  
11 passenger motor vehicle that, on the date of the rebate application, is registered as operable  
12 and has been continuously registered for the last two years.

13 (d) Purchase or lease a new or used light-duty zero-emission vehicle. A lease must have  
14 a minimum term of 24 months.

15 (e) Provide proof of an intent to use the light-duty zero-emission vehicle primarily on the  
16 public highways of this state, which may be satisfied by providing proof of registration of the  
17 vehicle in Oregon.

18 (f) Submit an application for a charge ahead rebate to the administrator of the program  
19 within six months of the date of purchase or six months from the date the lease begins.

20 (g) Retain registration of the light-duty zero-emission vehicle for a minimum of 24 con-  
21 secutive months following the date of purchase or following the date the lease begins.

22 (9) A person that receives a charge ahead rebate may not make or allow any modifica-  
23 tions to the vehicle's emissions control systems, hardware, software calibrations or hybrid  
24 system.

25 (10) If a charge ahead rebate recipient intends to sell the vehicle, or otherwise terminate  
26 the vehicle lease before the end of 24 months, the charge ahead rebate recipient shall notify  
27 the administrator of the program of the recipient's intent to sell the vehicle or terminate a  
28 lease and shall reimburse the administrator for the entire charge ahead rebate amount.

29 (11) Charge ahead rebate recipients may be requested to participate in ongoing research  
30 efforts.

31 (12) The administrator of the program shall work to ensure timely payment of charge  
32 ahead rebates with a goal of paying rebates within 60 days of receiving an application for a  
33 charge ahead rebate.

34 (13) In establishing the Charge Ahead Oregon Program, the department shall provide  
35 opportunities for public comment by low income households, moderate income households  
36 and community based organizations that are located in areas of this state that have elevated  
37 concentrations of air contaminants attributable to motor vehicle emissions, relative to other  
38 areas of the state. The department shall use the comments received pursuant to this sub-  
39 section to inform, evaluate, and strengthen the design of the program in order to increase  
40 the usage of light-duty zero-emission vehicles.

41 (14) The administrator of the program shall, throughout the course of implementing the  
42 program, conduct community outreach to low income households, moderate income house-  
43 holds and community based organizations that are located in areas of this state that have  
44 elevated concentrations of air contaminants attributable to motor vehicle emissions, relative  
45 to other areas of the state, in order to:

1 (a) Solicit feedback on program implementation; and

2 (b) Take steps to ensure that the program is promoted effectively.

3 (15) A vehicle dealer may advertise the Charge Ahead Oregon Program on the premises  
4 owned or operated by the vehicle dealer. If no moneys are available from the program or  
5 the program otherwise changes, a vehicle dealer who advertises the program may not be held  
6 liable for advertising false or misleading information.

7 (16) A charge ahead rebate may be combined with a rebate described in section 149 of this  
8 2017 Act.

9 (17) An organization that the department has hired or contracted with to implement and  
10 serve as the administrator of the program may offer expanded financing mechanisms for  
11 program participants, including, but not limited to, a loan or loan-loss reserve credit en-  
12 hancement program to increase consumer access to new or used light-duty zero-emission  
13 vehicles.

14 (18) The Environmental Quality Commission may adopt any rules necessary to carry out  
15 the provisions of this section.

16  
17 (Audits; Reports)

18  
19 **SECTION 151.** (1) The Department of Environmental Quality shall periodically audit, or  
20 cause to be audited, the programs established under sections 149 and 150 of this 2017 Act to  
21 determine whether the programs are being implemented and administered in compliance with  
22 the provisions of sections 148 to 152 of this 2017 Act.

23 (2) No later than September 15 of each even-numbered year, the department shall provide  
24 a report to the Legislative Assembly, in the manner provided in ORS 192.245, that includes,  
25 at a minimum:

26 (a) A description of the uses to date of moneys in the Zero-Emission Incentive Fund es-  
27 tablished under section 152 of this 2017 Act;

28 (b) An analysis of the effectiveness of the rebate program established under section 149  
29 of this 2017 Act;

30 (c) An analysis of the effectiveness of the Charge Ahead Oregon Program established  
31 under section 150 of this 2017 Act;

32 (d) Recommendations, which may include recommendations for legislation, on ways to  
33 improve the programs established under sections 149 and 150 of this 2017 Act; and

34 (e) The results of any audits conducted under subsection (1) of this section.

35  
36 (Zero-Emission Incentive Fund)

37  
38 **SECTION 152.** (1) The Zero-Emission Incentive Fund is established in the State Treasury,  
39 separate and distinct from the General Fund. Interest earned by the Zero-Emission Incentive  
40 Fund shall be credited to the fund.

41 (2) Moneys in the Zero-Emission Incentive Fund shall consist of:

42 (a) Amounts donated to the fund;

43 (b) Amounts transferred to the fund by the Department of Revenue under section 96 of  
44 this 2017 Act;

45 (c) Amounts appropriated or otherwise transferred to the fund by the Legislative As-

1 **sembly;**

2 **(d) Other amounts deposited in the fund from any public or private source; and**

3 **(e) Interest earned by the fund.**

4 **(3) The Department of Environmental Quality shall encourage gifts, grants, donations or**  
5 **other contributions to the fund.**

6 **(4) Moneys in the fund are continuously appropriated to the department to be used to**  
7 **carry out the provisions of sections 148 to 152 of this 2017 Act.**

8 **(5) No more than 10 percent of the moneys deposited in the fund per biennium may be**  
9 **expended to pay the expenses incurred in the administration of sections 148 to 152 of this**  
10 **2017 Act by:**

11 **(a) The department; and**

12 **(b) Any third-party organization that the department hires or contracts with under**  
13 **sections 149 and 150 of this 2017 Act.**

14 **(6) The Environmental Quality Commission may adopt by rule provisions for the allo-**  
15 **cation of moneys deposited in the fund between the programs established under sections 149**  
16 **and 150 of this 2017 Act. Rules adopted under this subsection must require that at least 10**  
17 **percent of the moneys deposited in the fund per biennium are allocated to fund the provision**  
18 **of rebates through the Charge Ahead Oregon Program established under section 150 of this**  
19 **2017 Act.**

20  
21 **(Rebate Program; Provisions Operative January 1, 2019)**

22  
23 **SECTION 153. The amendments to sections 148 and 149 of this 2017 Act by sections 154**  
24 **and 155 of this 2017 Act become operative January 1, 2019.**

25 **SECTION 154. Section 148 of this 2017 Act is amended to read:**

26 **Sec. 148.** As used in sections 148 to 152 of this 2017 Act:

27 (1) "Light-duty zero-emission vehicle" means a motor vehicle that:

28 (a) Has a gross vehicle weight rating of 8,500 pounds or less;

29 (b) Is capable of attaining a speed of 55 miles per hour or more; and

30 (c) Is powered:

31 (A) Primarily by an electric battery and may or may not use a flywheel energy storage device  
32 or a capacitor that also stores energy to assist in vehicle operation.

33 (B) By polymer electrolyte membrane fuel cells or proton exchange membrane fuel cells that use  
34 hydrogen fuel and oxygen from the air to produce electricity.

35 (C) Primarily by a zero-emission energy storage device that provides enough power for the ve-  
36 hicle to travel 75 miles or more using only electricity and may or may not use a backup alternative  
37 power unit that does not operate until the energy storage device is fully depleted.

38 (2) "Motor vehicle" has the meaning given that term in ORS 801.360.

39 **(3) "Neighborhood electric vehicle" means a low-speed vehicle that:**

40 **(a) Is powered using an electric battery;**

41 **(b) Has a gross vehicle weight not exceeding 3,000 pounds; and**

42 **(c) Has at least four wheels.**

43 [(3)] (4) "Person" means a person as defined in ORS 174.100 or a public body as defined in ORS  
44 174.109.

45 [(4)] (5) "Plug-in hybrid electric vehicle" means a hybrid electric motor vehicle that:



1 (a) Has zero evaporative emissions from its fuel system;

2 (b) Has an onboard electrical energy storage device with useful capacity of 10 or more miles  
3 of urban dynamometer driving schedule range, as described by the United States Environmental  
4 Protection Agency, on electricity alone;

5 (c) Is equipped with an onboard charger;

6 (d) Is rechargeable from an external connection to an off-board electrical source;

7 (e) Meets the super ultra-low emission vehicle standards for exhaust emissions, as defined by the  
8 Environmental Quality Commission by rule;

9 (f) Has a warranty of at least 15 years and 150,000 miles on emission control components; and

10 (g) Is capable of attaining a speed of 55 miles per hour or more.

11 [(5)] (6) "Qualifying vehicle" means a motor vehicle that:

12 (a) Is a:

13 (A) Light-duty zero-emission vehicle; or

14 (B) Plug-in hybrid electric vehicle;

15 (b) Is new, or has been previously used only as a dealership floor model or test-drive vehicle;

16 (c) Has not previously been registered;

17 (d) Is constructed entirely from new parts that have never been the subject of a retail sale;

18 (e) Has a base manufacturer's suggested retail price of less than \$50,000;

19 (f) Is covered by a manufacturer's express warranty on the vehicle drive train, including the  
20 applicable energy storage system or battery pack, for at least 24 months from the date of purchase;  
21 and

22 (g) Is certified by the manufacturer to comply with all applicable federal safety standards issued  
23 by the National Highway Traffic Safety Administration for new motor vehicles and new motor ve-  
24 hicle equipment.

25 [(6)(a)] (7)(a) "Vehicle dealer" means:

26 (A) A person engaged in business in this state that has been issued a vehicle dealer certificate  
27 under ORS 822.020; and

28 (B) A person engaged in business in another state that would be subject to ORS 822.005 if the  
29 person engaged in business in this state.

30 (b) Notwithstanding paragraph (a) of this subsection, a person is not a vehicle dealer for pur-  
31 poses of sections 148 to 152 of this 2017 Act to the extent the person:

32 (A) Conducts an event that lasts less than seven consecutive days, for which the public is  
33 charged admission and at which otherwise qualifying vehicles are sold at auction; or

34 (B) Sells an otherwise qualifying vehicle at auction at an event described in this paragraph.

35 (8) "Zero-emission motorcycle" means a motorcycle that:

36 (a) Has zero evaporative emissions from its fuel system;

37 (b) Is capable of attaining a speed of 55 miles per hour or more;

38 (c) Is designed to travel on two wheels; and

39 (d) Is powered by electricity.

40 **SECTION 155.** Section 149 of this 2017 Act is amended to read:

41 **Sec. 149.** (1) The Department of Environmental Quality shall establish a program for providing  
42 rebates to persons that purchase qualifying vehicles for use in this state. The Director of the De-  
43 partment of Environmental Quality may hire or contract with a third-party nonprofit organization  
44 to implement and serve as the administrator of the program required by this section.

45 (2) The department may:

- 1 (a) Specify design features for the program; and
- 2 (b) Establish procedures to:
  - 3 (A) Prioritize available moneys for specific qualifying vehicles; and
  - 4 (B) Limit the number of rebates available for each type of qualifying vehicle.
- 5 (3) The purchaser or lessee of a qualifying vehicle may apply for a rebate for a portion of the  
6 purchase price or may choose to assign the rebate to a vehicle dealer or lessor.
- 7 (4) Rebates under the program shall be made from moneys credited to or deposited in the Zero-  
8 Emission Incentive Fund established under section 152 of this 2017 Act. A rebate may not be made  
9 until there are sufficient moneys available in the fund to make the rebate.
- 10 (5) The department shall prescribe the rebate application procedure for purchasers and lessees.  
11 All rebate applications must include a declaration under penalty of perjury in the form required by  
12 ORCP 1 E.
- 13 (6) Rebates for qualifying vehicles shall be set annually by the department as follows:
  - 14 (a) For light-duty zero-emission vehicles and plug-in hybrid electric vehicles with an  
15 electrochemical energy storage capacity of 10 kilowatt hours or more, up to \$2,500 but no less than  
16 \$1,500.
  - 17 (b) For light-duty zero-emission vehicles or plug-in hybrid electric vehicles with an  
18 electrochemical energy storage capacity of less than 10 kilowatt hours, up to \$1,500 but no less than  
19 \$750.
  - 20 **(c) For neighborhood electric vehicles, up to \$750 but not less than \$375.**
  - 21 **(d) For zero-emission motorcycles, up to \$750 but not less than \$375.**
- 22 (7) To be eligible for a rebate, a person requesting a rebate under the program shall:
  - 23 (a) Purchase or lease a qualifying vehicle. A lease must have a minimum term of 24 months.
  - 24 (b) Provide proof of an intent to use the qualifying vehicle primarily on the public highways of  
25 this state, which may be satisfied by providing proof of registration of the qualifying vehicle in  
26 Oregon.
  - 27 (c) Submit an application for a rebate to the administrator of the program within six months  
28 after the date of purchase of the qualifying vehicle or six months after the date the lease of the  
29 qualifying vehicle begins.
  - 30 (d) Retain registration of the qualifying vehicle for a minimum of 24 consecutive months after  
31 the date of purchase or the date the lease begins.
- 32 (8) A rebate recipient may not make or allow any modifications to the qualifying vehicle's  
33 emissions control systems, hardware, software calibrations or hybrid system.
- 34 (9) If a rebate recipient intends to sell the qualifying vehicle, or terminate the qualifying vehicle  
35 lease before the end of 24 months, the rebate recipient shall notify the administrator of the program  
36 of the recipient's intent to sell the vehicle or terminate the lease and shall reimburse the adminis-  
37 trator for the entire rebate amount.
- 38 (10) Rebate recipients may be requested to participate in ongoing research efforts.
- 39 (11) The administrator of the program shall work to ensure timely payment of rebates with a  
40 goal of paying rebates within 60 days after receiving an application for a rebate.
- 41 (12) A vehicle dealer may advertise the program on the premises owned or operated by the ve-  
42 hicle dealer. If no moneys are available from the program or the program otherwise changes, a ve-  
43 hicle dealer who advertises the program may not be held liable for advertising false or misleading  
44 information.
- 45 (13) The Environmental Quality Commission may adopt any rules necessary to carry out the

1 provisions of this section.

2  
3 (Miscellaneous)  
4

5 **SECTION 156.** Rebates may be issued under sections 149 and 150 of this 2017 Act for  
6 motor vehicles purchased or leased on or after the effective date of this 2017 Act.

7 **SECTION 157.** (1) Sections 148 to 152 of this 2017 Act are repealed on January 2, 2024.

8 (2) Any moneys remaining in the Zero-Emission Incentive Fund established under section  
9 152 of this 2017 Act on the date of the repeal specified in subsection (1) of this subsection  
10 that are unexpended, unobligated and not subject to any conditions shall be transferred by  
11 the State Treasurer to the credit of an account of the Department of Environmental Quality  
12 to be used for vehicle emission reduction programs.

13  
14 **LOW CARBON FUEL STANDARDS**  
15 (Provisions Operative January 1, 2018)  
16

17 **SECTION 158.** (1) Sections 159 and 161 to 167 of this 2017 Act are added to and made a  
18 part of ORS chapter 468A.

19 (2) ORS 468A.275 is added to and made a part of sections 159 to 167 of this 2017 Act.

20 **SECTION 159.** As used in sections 159 to 167 of this 2017 Act:

21 (1) "Biodiesel" means a motor vehicle fuel consisting of mono-alkyl esters of long chain  
22 fatty acids derived from vegetable oils, animal fats or other nonpetroleum resources, not  
23 including palm oil.

24 (2) "Clean fuels program" means the program adopted by rule by the Environmental  
25 Quality Commission under ORS 468A.275 (1)(b).

26 (3) "Compliance period" means the calendar year during which a regulated party must  
27 demonstrate compliance with the low carbon fuel standards through participation in the  
28 clean fuels program.

29 (4) "Credit" means a unit of measure generated when a fuel with a carbon intensity that  
30 is less than the applicable low carbon fuel standard is produced, imported or dispensed for  
31 use in Oregon, such that one credit is equal to one metric ton of carbon dioxide equivalent.

32 (5) "Credit aggregator" means a person who voluntarily registers to participate in the  
33 clean fuels program to facilitate credit generation on behalf of a credit generator and to  
34 trade credits with regulated parties, credit generators and other credit aggregators.

35 (6) "Credit generator" means a person eligible to generate credits by providing fuels for  
36 use in Oregon with carbon intensities less than the applicable low carbon fuel standard.

37 (7) "Deferral" means a delay or change in the applicability of a scheduled applicable low  
38 carbon fuel standard for a period of time, accomplished pursuant to an order issued under  
39 section 164 or 165 of this 2017 Act.

40 (8) "Deficit" means a unit of measure generated when a fuel with a carbon intensity that  
41 is more than the applicable low carbon fuel standard is produced, imported or dispensed for  
42 use in Oregon, such that one deficit is equal to one metric ton of carbon dioxide equivalent.

43 (9) "Greenhouse gas" has the meaning given that term in ORS 468A.210.

44 (10) "Low carbon fuel standard" means a standard adopted by the commission by rule  
45 under ORS 468A.275 for the reduction of greenhouse gas emissions, on average, per unit of

1 **fuel energy.**

2 (11) **“Motor vehicle” has the meaning given that term in ORS 801.360.**

3 (12) **“Regulated party” means a person responsible for complying with the low carbon fuel**  
4 **standards.**

5 (13) **“Small deficit” means a net deficit balance at the end of a compliance period, after**  
6 **retirement of all credits held by a regulated party, that does not exceed a percentage set by**  
7 **the commission by rule of the total number of deficits that the regulated party generated for**  
8 **a compliance period and that may not be greater than 10 percent of the total number of**  
9 **deficits that the regulated party generated for a compliance period.**

10 **SECTION 160.** ORS 468A.275 is amended to read:

11 468A.275. [(1) As used in this section:]

12 [(a) “Greenhouse gas” has the meaning given that term in ORS 468A.210.]

13 [(b) “Low carbon fuel standards” means standards for the reduction of greenhouse gas emissions,

14 on average, per unit of fuel energy.]

15 [(c) “Motor vehicle” has the meaning given that term in ORS 801.360.]

16 [(2)(a)] (1) The Environmental Quality Commission, **by rule:**

17 (a) Shall adopt [by rule] low carbon fuel standards for gasoline, diesel and fuels used as substi-  
18 tutes **or alternatives** for gasoline or diesel[.]; **and**

19 (b) **Shall adopt a clean fuels program for facilitating compliance with the low carbon fuel**  
20 **standards and for managing and containing the costs of compliance with the low carbon fuel**  
21 **standards, in accordance with the requirements of sections 159 to 167 of this 2017 Act.**

22 [(b)] (2) The commission may adopt [the following] **rules** related to the **low carbon fuel** stan-  
23 dards, including but not limited to:

24 [(A)] (a) A schedule to phase in implementation of the standards in a manner that reduces the  
25 average amount of greenhouse gas emissions per unit of fuel energy of the fuels by 10 percent below  
26 2010 levels by the year 2025 or by a later date if the commission determines that an extension is  
27 appropriate to implement the **low carbon fuel** standards;

28 [(B)] (b) Standards for greenhouse gas emissions attributable to the fuels throughout [their  
29 lifecycles] **the lifecycles of the fuels**, including but not limited to emissions from the production,  
30 storage, transportation and combustion of the fuels and from changes in land use associated with  
31 the fuels;

32 [(C)] (c) Provisions allowing the use of all types of low carbon fuels to meet the low carbon fuel  
33 standards, including but not limited to biofuels, biogas, natural gas, liquefied petroleum gas, gaso-  
34 line, diesel, hydrogen and electricity;

35 [(D) Standards for the issuance of deferrals, established with adequate lead time, as necessary to  
36 ensure adequate fuel supplies;]

37 [(E)] (d) Exemptions for fuels that are used in volumes below thresholds established by the  
38 commission;

39 [(F)] (e) Standards, specifications, testing requirements and other measures as needed to ensure  
40 the quality of fuels produced in accordance with the low carbon fuel standards, including but not  
41 limited to the requirements of ORS 646.910 to 646.923 and administrative rules adopted by the State  
42 Department of Agriculture for motor fuel quality; and

43 [(G)] (f) Adjustments to the amounts of greenhouse gas emissions per unit of fuel energy as-  
44 signed to fuels for combustion and drive train efficiency.

45 [(c)] (3) Before adopting **low carbon fuel** standards under this section, the commission shall

1 consider the low carbon fuel standards of other states[, *including but not limited to Washington,*] for  
2 the purpose of determining schedules and goals for the reduction of the average amount of  
3 greenhouse gas emissions per unit of fuel energy and the default values for these reductions for  
4 applicable fuels.

5 [(d) *The commission shall adopt by rule provisions for managing and containing the costs of com-*  
6 *pliance with the standards, including but not limited to provisions to facilitate compliance with the*  
7 *standards by ensuring that persons may obtain credits for fuels used as substitutes for gasoline or*  
8 *diesel and by creating opportunities for persons to trade credits.*]

9 [(e)] (4) The commission shall exempt from the **low carbon fuel** standards any person who im-  
10 ports in a calendar year less than 500,000 gallons of gasoline and diesel fuel, in total. Any fuel im-  
11 ported by persons that are related or share common ownership or control shall be aggregated  
12 together to determine whether a person is exempt under this [paragraph] **subsection**.

13 [(f)(A) *The commission by rule shall prohibit fuels that contain biodiesel from being considered an*  
14 *alternative fuel under these standards unless the fuel meets the following standards:*]

15 [(i) *Fuel that consists entirely of biodiesel, designated as B100, shall comply with ASTM D 6751*  
16 *and shall have an oxidation stability induction period of not less than eight hours as determined by*  
17 *the test method described in European standard EN 15751; and]*

18 [(ii) *Fuel that consists of a blend of diesel fuel and between 6 and 20 volume percent biodiesel, and*  
19 *designated as biodiesel blends B6 to B20, shall comply with ASTM D 7467 and shall have an*  
20 *oxidation stability induction period of not less than 20 hours as determined by the test method de-*  
21 *scribed in European standard EN 15751.*]

22 [(B) *The commission may adopt rules different from those required under subparagraph (A) of this*  
23 *paragraph if an ASTM or EN standard applicable to biodiesel is approved or amended after March*  
24 *12, 2015, or if the commission finds that different rules are necessary due to changes in technology or*  
25 *fuel testing or production methods.*]

26 [(C) *As used in this subsection, "biodiesel" means a motor vehicle fuel consisting of mono-alkyl*  
27 *esters of long chain fatty acids derived from vegetable oils, animal fats or other nonpetroleum re-*  
28 *sources, not including palm oil.*]

29 [(3)] (5) In adopting rules under this section, the [Environmental Quality] commission shall  
30 evaluate:

31 (a) Safety, feasibility, net reduction of greenhouse gas emissions and cost-effectiveness;

32 (b) Potential adverse impacts to public health and the environment, including but not limited to  
33 air quality, water quality and the generation and disposal of waste in this state;

34 (c) Flexible implementation approaches to minimize compliance costs; and

35 (d) Technical and economic studies of comparable greenhouse gas emissions reduction measures  
36 implemented in other states and any other studies as determined by the commission.

37 [(4)(a) *The provisions of this section do not apply to fuel that is demonstrated to have been used*  
38 *in any of the following:*]

39 [(A) *Motor vehicles registered as farm vehicles under the provisions of ORS 805.300.*]

40 [(B) *Farm tractors, as defined in ORS 801.265.*]

41 [(C) *Implements of husbandry, as defined in ORS 801.310.*]

42 [(D) *Motor trucks, as defined in ORS 801.355, used primarily to transport logs.*]

43 [(E) *Motor vehicles that are not designed primarily to transport persons or property, that are op-*  
44 *erated on highways only incidentally, and that are used primarily for construction work.*]

45 [(F) *Watercraft.*]

1 [(G) Railroad locomotives.]

2 [(b) The Environmental Quality Commission shall by rule adopt standards for persons to qualify  
3 for the exemptions provided in this subsection.]

4 **SECTION 161.** (1) The Environmental Quality Commission by rule shall prohibit fuel that  
5 consists entirely of biodiesel, designated as B100, from being considered a low carbon fuel  
6 under the low carbon fuel standards unless the fuel complies with ASTM D 6751 and has an  
7 oxidation stability induction period of not less than eight hours as determined by the test  
8 method described in European standard EN 15751.

9 (2) The commission may adopt rules different from those required under subsection (1)  
10 of this section if an ASTM or EN standard applicable to biodiesel is approved or amended  
11 after March 12, 2015, or if the commission finds that different rules are necessary due to  
12 changes in technology or fuel testing or production methods.

13 **SECTION 162.** (1) The clean fuels program adopted by the Environmental Quality Com-  
14 mission by rule under ORS 468A.275 must be designed such that:

15 (a) Regulated parties generate deficits and may reconcile the deficits, and thus comply  
16 with the low carbon fuel standards for a compliance period, by obtaining and retiring credits;

17 (b) Regulated parties and credit generators may generate credits for fuels used as sub-  
18 stitutes or alternatives for gasoline or diesel;

19 (c) Regulated parties, credit generators and credit aggregators shall have opportunities  
20 to trade credits; and

21 (d) Regulated parties shall be allowed to carry over to the next compliance period a small  
22 deficit without penalty.

23 (2) The Department of Environmental Quality shall, throughout a compliance period,  
24 regularly monitor the availability of fuels needed for compliance with the low carbon fuel  
25 standards.

26 (3)(a) Under the clean fuels program, the department shall monthly calculate the  
27 volume-weighted average price of credits and, no later than the last day of the month im-  
28 mediately following the month for which the calculation is completed, post the formula and  
29 the nonaggregated data the department used for the calculation and the results of the cal-  
30 culation on the department's website.

31 (b) In completing the calculation required by this subsection, the department may ex-  
32 clude from the data set credit transfers without a price or other credit transfers made for  
33 a price that falls two standard deviations outside of the mean credit price for the month.  
34 The data posted on the department's website under this section may not include any indi-  
35 vidually identifiable information or information that would otherwise constitute a trade se-  
36 cret under ORS 192.501.

37 (4)(a) In addition to the calculation required under subsection (3) of this section, the de-  
38 partment shall annually calculate for the preceding calendar year:

39 (A) The average cost or cost-savings of the low carbon fuel standards per gallon of gas-  
40 oline and per gallon of diesel; and

41 (B) The total greenhouse gas emissions reductions attributable to the low carbon fuel  
42 standards.

43 (b) No later than April 15 of each year, the department shall post the formula the de-  
44 partment used for the calculations required by this subsection and the results of the calcu-  
45 lations on the department's website.

1 (c) The State Department of Agriculture shall furnish the formula and results of the  
2 calculations required by this subsection to each gas station in this state to facilitate com-  
3 pliance by gas station owners or operators with ORS 646.932.

4 **SECTION 163.** (1) The division of the Oregon Department of Administrative Services that  
5 serves as office of economic analysis shall annually coordinate with the Department of En-  
6 vironmental Quality to develop a fuel supply forecast to project the availability of fuels to  
7 Oregon necessary for compliance with the low carbon fuel standards. The fuel supply fore-  
8 cast shall include, but need not be limited to, the following with reference to the next com-  
9 pliance period of the clean fuels program:

10 (a) An estimate of the potential volumes of gasoline, gasoline substitutes and gasoline  
11 alternatives and diesel, diesel fuel substitutes and diesel alternatives available to Oregon;

12 (b) An estimate of the total banked credits and carried over deficits held by regulated  
13 parties, credit generators and credit aggregators at the beginning of the compliance period  
14 and an estimate of the total credits attributable to fuels described in paragraph (a) of this  
15 subsection;

16 (c) An estimate of the credits needed to meet the scheduled applicable low carbon fuel  
17 standard during the forecast compliance period; and

18 (d) A comparison of the estimates under paragraphs (a) and (b) of this subsection with  
19 the estimate under paragraph (c) of this subsection to indicate the availability of fuels needed  
20 for compliance with the low carbon fuel standards.

21 (2) In developing the estimate required under subsection (1)(a) of this section, the divi-  
22 sion shall consider, but need not be limited to considering:

23 (a) Constraints that may be preventing access to available and cost-effective low carbon  
24 fuels by Oregon, such as geographic and logistical factors, and alleviating factors to the  
25 constraints; and

26 (b) The existing and future vehicle fleet in Oregon.

27 (3) The division may appoint, in coordination with the Department of Environmental  
28 Quality, a forecast review team of relevant experts to participate in the fuel supply forecast  
29 or examination of data required by this section. The team may perform any functions as-  
30 signed by the division, including but not limited to consulting on the design of the forecast.  
31 The forecast required by this section must be completed and provided to the department no  
32 later than 90 calendar days before the commencement of the compliance period for which the  
33 forecast is developed.

34 **SECTION 164.** (1) No later than 30 calendar days before the commencement of a compli-  
35 ance period, the Department of Environmental Quality shall issue an order declaring a  
36 forecast deferral if the fuel supply forecast developed under section 163 of this 2017 Act  
37 projects that the amount of credits that will be available during the forecast compliance pe-  
38 riod will be less than 100 percent of the credits projected to be necessary for regulated par-  
39 ties to comply with the scheduled applicable low carbon fuel standard for the forecast  
40 compliance period.

41 (2) An order declaring a forecast deferral under this section must set forth:

42 (a) The duration of the forecast deferral;

43 (b) The types of fuel to which the forecast deferral applies; and

44 (c) Which of the following methods the department has selected for deferring compliance  
45 with the scheduled applicable low carbon fuel standard during the forecast deferral:

1 (A) Temporarily adjusting the scheduled applicable low carbon fuel standard to a stand-  
2 ard identified in the order that better reflects the forecast availability of credits during the  
3 forecast compliance period and requiring regulated parties to comply with the temporary  
4 standard;

5 (B) Requiring regulated parties to comply only with the low carbon fuel standard appli-  
6 cable during the compliance period prior to the forecast compliance period; or

7 (C) Suspending deficit accrual for part or all of the forecast deferral period.

8 (3)(a) In implementing a forecast deferral, the department may take an action for defer-  
9 ring compliance with the low carbon fuel standard other than, or in addition to, selecting a  
10 method under subsection (2)(c) of this section only if the department determines that none  
11 of the methods under subsection (2)(c) of this section will provide a sufficient mechanism for  
12 containing the costs of compliance with the low carbon fuel standards during the forecast  
13 deferral.

14 (b) If the department makes the determination specified in paragraph (a) of this sub-  
15 section, the department shall:

16 (A) Include in the order declaring a forecast deferral the determination and the action  
17 to be taken; and

18 (B) Provide written notification and justification of the determination and the action to:

19 (i) The Governor;

20 (ii) The President of the Senate;

21 (iii) The Speaker of the House of Representatives;

22 (iv) The majority and minority leaders of the Senate; and

23 (v) The majority and minority leaders of the House of Representatives.

24 (4) The duration of a forecast deferral may not be less than one calendar quarter or  
25 longer than one compliance period. Only the Environmental Quality Commission may termi-  
26 nate, by order, a forecast deferral before the expiration date of the forecast deferral. Ter-  
27 mination of a forecast deferral is effective on the first day of the next calendar quarter after  
28 the date that the order declaring the termination is adopted.

29 SECTION 165. (1) The Department of Environmental Quality shall issue an order declar-  
30 ing an emergency deferral:

31 (a) No later than 15 calendar days after the date that the department determines that:

32 (A) There is a known shortage of a fuel or low carbon fuel that is needed for regulated  
33 parties to comply with the low carbon fuel standard; and

34 (B) The magnitude of the shortage of that fuel is greater than the equivalent of five  
35 percent of the amount of the fuel forecasted to be available during the effective compliance  
36 period; or

37 (b) Immediately upon the issuance by the Governor of a proclamation, executive order  
38 or directive pursuant to ORS 176.750 to 176.815 declaring an energy emergency due to a  
39 shortage of gasoline or diesel.

40 (2) An order declaring an emergency deferral under this section must set forth:

41 (a) The duration of the emergency deferral;

42 (b) The types of fuel to which the emergency deferral applies; and

43 (c) Which of the following methods the department has selected for deferring compliance  
44 with the scheduled applicable low carbon fuel standard during the emergency deferral:

45 (A) Temporarily adjusting the scheduled applicable low carbon fuel standard to a stand-



1 and identified in the order that better reflects the availability of credits during the emer-  
2 gency deferral and requiring regulated parties to comply with the temporary standard;

3 (B) Allowing for the carryover of deficits accrued during the emergency deferral into one  
4 or more future compliance periods without penalty; or

5 (C) Suspending deficit accrual during the emergency deferral period.

6 (3)(a) In implementing an emergency deferral, the department may take an action for  
7 deferring compliance with the low carbon fuel standard other than, or in addition to, select-  
8 ing a method under subsection (2)(c) of this section only if the department determines that  
9 none of the methods under subsection (2)(c) of this section will provide a sufficient mech-  
10 anism for containing the costs of compliance with the low carbon fuel standards during the  
11 emergency deferral.

12 (b) If the department makes the determination specified in paragraph (a) of this sub-  
13 section, the department shall:

14 (A) Include in the order declaring an emergency deferral the determination and the  
15 action to be taken; and

16 (B) Provide written notification and justification of the determination and the action to:

17 (i) The Governor;

18 (ii) The President of the Senate;

19 (iii) The Speaker of the House of Representatives;

20 (iv) The majority and minority leaders of the Senate; and

21 (v) The majority and minority leaders of the House of Representatives.

22 (4)(a) Except as provided in paragraph (b) of this subsection, the duration of an emer-  
23 gency deferral:

24 (A) Implemented using the method described in subsection (2)(c)(A) of this section may  
25 not be less than one calendar quarter; and

26 (B) Implemented using a method described in subsection (2)(c)(B) or (C) or subsection (3)  
27 of this section may not be less than 30 calendar days.

28 (b) An emergency deferral may not continue past the end of the compliance period during  
29 which the emergency deferral is issued.

30 (c) An emergency deferral may be terminated prior to the expiration date of the emer-  
31 gency deferral only if new information becomes available indicating that the shortage for  
32 which the emergency deferral was issued has ended. Only the Environmental Quality Com-  
33 mission may terminate, by order, an emergency deferral before the expiration date of the  
34 emergency deferral. Termination of an emergency deferral is effective 15 calendar days after  
35 the date that the order declaring the termination is adopted.

36 **SECTION 166.** (1) The clean fuels program adopted by the Environmental Quality Com-  
37 mission by rule under ORS 468A.275 must include provisions necessary for the Department  
38 of Environmental Quality to hold credit clearance markets as a means to facilitate compli-  
39 ance with the low carbon fuel standards.

40 (2)(a) The department shall hold a credit clearance market for any compliance period in  
41 which at least one regulated party reports that the regulated party has a net deficit balance  
42 at the end of the compliance period, after retirement of all credits held by the regulated  
43 party, that is greater than a small deficit. A regulated party described by this paragraph is  
44 required to participate in the credit clearance market.

45 (b) If a regulated party has a small deficit at the end of a compliance period, the regu-

1 lated party shall notify the department that it will achieve compliance with the low carbon  
2 fuel standard during the compliance period by either:

3 (A) Participating in a credit clearance market; or

4 (B) Carrying forward the small deficit.

5 (3) For purposes of administering a credit clearance market required by this section, the  
6 department shall:

7 (a) Allow any regulated party, credit generator or credit aggregator that holds excess  
8 credits at the end of a compliance period to voluntarily participate in the credit clearance  
9 market as a seller by pledging a specified number of credits for sale in the market.

10 (b) Require each regulated party participating in the credit clearance market as a pur-  
11 chaser of credits to:

12 (A) Have retired all credits in the party's possession prior to participating in the credit  
13 clearance market; and

14 (B) Purchase the specified number of the total pledged credits that the department has  
15 determined are that party's pro rata share of the pledged credits.

16 (c) Require all sellers to:

17 (A) Agree to sell pledged credits at a price no higher than a maximum price for credits;

18 (B) Accept all offers to purchase pledged credits at the maximum price for credits; and

19 (C) Agree to withhold any pledged credits from sale outside the credit clearance market  
20 until the credit clearance market is closed.

21 (4)(a) The commission shall set the maximum price for credits in a credit clearance  
22 market, which may not exceed \$200 for 2018.

23 (b) For 2019 and subsequent years, the maximum price for credits may exceed \$200, but  
24 only to the extent that a greater maximum price for credits is necessary to annually adjust  
25 for inflation, beginning on January 1, 2019, pursuant to the increase, if any, from the pre-  
26 ceding calendar year in the West Region Consumer Price Index for All Urban Consumers for  
27 All Items, as published by the Bureau of Labor Statistics of the United States Department  
28 of Labor.

29 (5) A regulated party that has a net deficit balance after the close of a credit clearance  
30 market:

31 (a) Must carry over the remaining deficits into the next compliance period; and

32 (b) May not be subject to interest greater than five percent, penalties or assertions of  
33 noncompliance that accrue based on the carryover of deficits under this subsection.

34 (6) If a regulated party has been required under subsection (2) of this section to partic-  
35 ipate as a purchaser in two consecutive credit clearance markets and continues to have a  
36 net deficit balance after the close of the second consecutive credit clearance market, the  
37 Department of Environmental Quality shall complete, no later than two months after the  
38 close of the second credit clearance market, an analysis of the root cause of the inability of  
39 the regulated party to retire the remaining deficits. The department may recommend and  
40 implement any remedy that the department determines is necessary to address the root  
41 cause identified in the analysis, including but not limited to issuing a deferral, provided that  
42 the remedy implemented does not:

43 (a) Require the regulated party to purchase credits for an amount that exceeds the  
44 maximum price for credits in the most recent credit clearance market; or

45 (b) Compel a person to sell credits.

1 (7) If credits sold in a credit clearance market are subsequently invalidated as a result  
2 of fraud or any other form of noncompliance on the part of the generator of the credit, the  
3 department may not pursue civil penalties against, or require credit replacement by, the  
4 regulated party that purchased the credits unless the regulated party was a party to the  
5 fraud or other form of noncompliance.

6 (8) The department may not disclose the deficit balances or pro rata share purchase re-  
7 quirements of a regulated party that participates in the credit clearance market.

8 **SECTION 167.** (1) In addition to rules adopted under ORS 468A.275 and section 161 of this  
9 2017 Act, the Environmental Quality Commission may adopt rules necessary to carry out the  
10 provisions of sections 159 to 167 of this 2017 Act, including but not limited to standards for  
11 persons to qualify for exemptions provided for in subsection (2) of this section.

12 (2) The provisions of sections 159 to 167 of this 2017 Act do not apply to fuel that is  
13 demonstrated to have been used in any of the following:

14 (a) Motor vehicles registered as farm vehicles under the provisions of ORS 805.300.

15 (b) Farm tractors, as defined in ORS 801.265.

16 (c) Implements of husbandry, as defined in ORS 801.310.

17 (d) Motor trucks, as defined in ORS 801.355, used primarily to transport logs.

18 (e) Motor vehicles that are not designed primarily to transport persons or property, that  
19 are operated on highways only incidentally and that are used primarily for construction  
20 work.

21 (f) Watercraft.

22 (g) Railroad locomotives.

23  
24 (Provisions Operative January 1, 2019)

25  
26 **SECTION 168.** The amendments to section 165 of this 2017 Act by section 169 of this 2017  
27 Act become operative on January 1, 2019.

28 **SECTION 169.** Section 165 of this 2017 Act is amended to read:

29 **Sec. 165.** (1) The Department of Environmental Quality shall issue an order declaring an emer-  
30 gency deferral:

31 (a) No later than 15 calendar days after the date that the department determines that:

32 (A) There is a known shortage of a fuel or low carbon fuel that is needed for regulated parties  
33 to comply with the low carbon fuel standard; and

34 (B) The magnitude of the shortage of that fuel is greater than the equivalent of five percent of  
35 the amount of the fuel forecasted to be available during the effective compliance period; or

36 (b) Immediately upon the issuance by the Governor of a proclamation, executive order or di-  
37 rective pursuant to ORS 176.750 to 176.815 declaring an energy emergency due to a shortage of  
38 gasoline or diesel.

39 (2) An order declaring an emergency deferral under this section must set forth:

40 (a) The duration of the emergency deferral;

41 (b) The types of fuel to which the emergency deferral applies; and

42 (c) Which of the following methods the department has selected for deferring compliance with  
43 the scheduled applicable low carbon fuel standard during the emergency deferral:

44 (A) Temporarily adjusting the scheduled applicable low carbon fuel standard to a standard  
45 identified in the order that better reflects the availability of credits during the emergency deferral

1 and requiring regulated parties to comply with the temporary standard;

2 (B) Allowing for the carryover of deficits accrued during the emergency deferral into one or  
3 more future compliance periods without penalty; or

4 (C) Suspending deficit accrual during the emergency deferral period.

5 (3)(a) In implementing an emergency deferral, the department may take an action for deferring  
6 compliance with the low carbon fuel standard other than, or in addition to, selecting a method under  
7 subsection (2)(c) of this section only if the department determines that none of the methods under  
8 subsection (2)(c) of this section will provide a sufficient mechanism for containing the costs of  
9 compliance with the low carbon fuel standards during the emergency deferral.

10 (b) If the department makes the determination specified in paragraph (a) of this subsection, the  
11 department shall:

12 (A) Include in the order declaring an emergency deferral the determination and the action to  
13 be taken; and

14 (B) Provide written notification and justification of the determination and the action to:

15 (i) The Governor;

16 (ii) The President of the Senate;

17 (iii) The Speaker of the House of Representatives;

18 (iv) The majority and minority leaders of the Senate; and

19 (v) The majority and minority leaders of the House of Representatives.

20 (4)(a) Except as provided in paragraph (b) of this subsection, the duration of an emergency  
21 deferral:

22 (A) Implemented using the method described in subsection (2)(c)(A) of this section may not be  
23 less than one calendar quarter; and

24 (B) Implemented using a method described in subsection (2)(c)(B) or (C) or subsection (3) of this  
25 section may not be less than 30 calendar days.

26 (b) An emergency deferral may not continue past the end of the compliance period during which  
27 the emergency deferral is issued.

28 (c) An emergency deferral may be terminated prior to the expiration date of the emergency  
29 deferral only if new information becomes available indicating that the shortage for which the  
30 emergency deferral was issued has ended. Only the Environmental Quality Commission may termi-  
31 nate, by order, an emergency deferral before the expiration date of the emergency deferral. Termi-  
32 nation of an emergency deferral is effective 15 calendar days after the date that the order declaring  
33 the termination is adopted.

34 **(5) If the department determines during a compliance period that the volume-weighted**  
35 **moving average price of credits for a consecutive three-month period increased by 100 per-**  
36 **cent or more over the volume-weighted moving average price of credits for the**  
37 **previous consecutive three-month period, or if the department otherwise determines that**  
38 **abnormal market behavior exists, the department shall complete, no later than two months**  
39 **after the determination is made, an analysis of the root cause of the price volatility. The**  
40 **department may recommend and implement any remedy that the department determines is**  
41 **necessary to address market stability based on the root cause analysis, including but not**  
42 **limited to issuing an emergency deferral, provided that the remedy implemented does not:**

43 **(a) Require a regulated party to purchase credits for an amount that exceeds the maxi-**  
44 **imum price for credits in the most recent credit clearance market; or**

45 **(b) Compel a person to sell credits.**

(Program Review)

**SECTION 170.** (1) The Department of Environmental Quality shall, no later than February 1, 2022, complete a review of the clean fuels program and submit a report on the department's review to the interim committees of the Legislative Assembly related to environment and natural resources in the manner provided by ORS 192.245.

(2) The review required by this section must consider all program compliance data available and must include, but need not be limited to, a review of the following:

(a) The progress of this state, through implementation of sections 159 to 167 of this 2017 Act and rules adopted pursuant to sections 159 to 167 of this 2017 Act, toward achieving the goal of reducing the average amount of greenhouse gas emissions per unit of fuel energy of the fuels by 10 percent below 2010 levels by the year 2025.

(b) The environmental, economic, health and other benefits realized through the implementation of sections 159 to 167 of this 2017 Act and rules adopted pursuant to sections 159 to 167 of this 2017 Act, including but not limited to the economic benefits of supplying low carbon fuels or electric vehicle charging and related infrastructure.

(c) The projected availability of low carbon fuels and credits through the year 2025, using the methodology described in section 163 (2) of this 2017 Act.

(d) Additional mechanisms that may be necessary to manage and contain the costs of compliance with the low carbon fuel standards.

(e) Whether adjustments to the low carbon fuel standards or the clean fuels program are necessary, including for purposes of achieving regional harmonization and consistency with the strategy described in ORS 184.617 (1)(j).

(f) The effects of the maximum price for credits in the credit clearance market, as provided for in section 166 of this 2017 Act, on implementation of sections 159 to 167 of this 2017 Act.

(g) Adjustments that could serve to strengthen and enhance the low carbon fuel standards or the clean fuels program in terms of increased emissions reductions or other net benefits attributable to the standards or program.

(3) The review conducted by the department under this section must take into consideration the fuel supply forecast required by section 163 of this 2017 Act and may be conducted in coordination with the division of the Oregon Department of Administrative Services that serves as office of economic analysis.

**INDICATION OF INFLUENCE OF LOW CARBON FUEL  
STANDARDS ON COST OF GASOLINE**

**SECTION 171.** ORS 646.932 is amended to read:

646.932. (1) As used in this section, "gas station" includes a filling station, service station, garage or any other place where gasoline is sold for use in motor vehicles.

(2) The owner or operator of a gas station shall post, in a manner visible to customers, the following information:

(a) The amount of the price per gallon that is federal tax;

(b) The amount of the price per gallon that is state tax;

(c) The amount of the price per gallon that is local tax; and

1 (d) The total amount of federal, state and local taxes per gallon.

2 (3) The Department of Transportation shall furnish the information described in subsection (2)  
3 of this section to each gas station in *[the]* **this** state.

4 (4) **The owner or operator of a gas station may disclose to customers the cost, per gallon**  
5 **of gasoline and diesel, of the low carbon fuel standards adopted by rule under ORS 468A.275**  
6 **after viewing on the Department of Environmental Quality's website or receiving from the**  
7 **State Department of Agriculture the annual calculations described in section 162 of this 2017**  
8 **Act. An owner or operator that posts the cost per gallon of the low carbon fuel standard**  
9 **shall also post the calculation of the concurrent total greenhouse gas emissions reductions**  
10 **attributable to the low carbon fuel standard. The owner or operator may make the disclo-**  
11 **sures provided for in this subsection by:**

12 (a) **Posting the disclosures on a gasoline pump in a manner that is visible to customers;**

13 (b) **Printing the disclosures on a receipt that the owner or operator provides to a cus-**  
14 **tomer; or**

15 (c) **Otherwise displaying the disclosures near the point of payment or another location**  
16 **that is visible to customers.**

17 **SECTION 172. The amendments to ORS 646.932 by section 171 of this 2017 Act apply to**  
18 **any transaction for a purchase of gasoline or diesel in this state that occurs on or after the**  
19 **operative date specified in section 173 of this 2017 Act.**

20  
21 **MISCELLANEOUS**

22 **(Operative Date)**

23  
24 **SECTION 173. (1) Sections 158, 159 and 161 to 167 of this 2017 Act and the amendments**  
25 **to ORS 468A.275 and 646.932 by sections 160 and 171 of this 2017 Act become operative on**  
26 **January 1, 2018.**

27 (2) **The Environmental Quality Commission may adopt rules and the commission, the**  
28 **Department of Environmental Quality and the Oregon Department of Administrative Ser-**  
29 **vices may take any action before the operative date specified in subsection (1) of this section**  
30 **that is necessary for the commission and the departments to exercise, on and after the op-**  
31 **erative date specified in subsection (1) of this section, all of the duties, functions and powers**  
32 **conferred on the commission and the departments by sections 158, 159 and 161 to 167 of this**  
33 **2017 Act and the amendments to ORS 468A.275 and 646.932 by sections 160 and 171 of this 2017**  
34 **Act. Rules adopted by the commission under this subsection become operative January 1,**  
35 **2018.**

36  
37 **(Rules Adoption, Applicability of ORS 468A.275 (5))**

38  
39 **SECTION 174. The requirements of ORS 468A.275 (5) do not apply to the rulemaking by**  
40 **the Environmental Quality Commission beginning before the operative date specified in sec-**  
41 **tion 173 of this 2017 Act that is necessary for initial implementation of sections 158, 159 and**  
42 **161 to 167 of this 2017 Act and the amendments to ORS 468A.275 and 646.932 by sections 160**  
43 **and 171 of this 2017 Act.**

44  
45 **CAPTIONS**

