

HOUSE AMENDMENTS TO HOUSE BILL 2017

By JOINT COMMITTEE ON TRANSPORTATION PRESERVATION AND
MODERNIZATION

July 4

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

17 Delete lines 4 through 10 and insert:

18

19

“ACCOUNTABILITY

20

“(Definitions)

21

22 “**SECTION 1.** ORS 184.610 is amended to read:

23 “184.610. As used in ORS 184.610 to 184.656, unless the context requires otherwise:

24 “(1) ‘Commission’ means the Oregon Transportation Commission.

25 “(2) ‘Department’ means the Department of Transportation.

26 “(3) ‘Director’ means the Director of Transportation.

27 “(4) ‘STIP’ means the Statewide Transportation Improvement Program, which is a list of trans-
28 portation projects that:

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

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

32 “(c) Can be implemented with resources reasonably expected to be available.

33

34

“(Oregon Transportation Commission)

35

1 “**SECTION 2.** ORS 184.612 is amended to read:

2 “184.612. (1) There is established the Oregon Transportation Commission consisting of five
3 members appointed by the Governor, subject to confirmation by the Senate pursuant to section 4,
4 Article III, Oregon Constitution. **A member serves at the pleasure of the Governor.**

5 “(2) The Governor shall appoint members of the commission in compliance with all of the fol-
6 lowing:

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

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

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

15 “[(2)] (4) The term of office of each member is four years. Before the expiration of the term of
16 a member, the Governor shall appoint a successor whose term begins on July 1 next following. A
17 member is eligible for reappointment. In case of a vacancy for any cause, the Governor shall appoint
18 a person to fill the office for the unexpired term.

19 “(5) **The Governor shall appoint one of the members as chairperson. The chairperson
20 shall appoint one of the other members as vice chairperson. The chairperson and vice
21 chairperson shall have such terms, duties and powers as the Oregon Transportation Com-
22 mission determines are necessary for the performance of such offices.**

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

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

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

34 “(9) **The commission shall keep complete and accurate records of all the meetings,
35 transactions and business of the commission at the office of the department.**

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

37 “(11) **The commission may hire staff the commission deems necessary to assist the
38 commission in carrying out its duties. The staff shall be considered employees of the de-
39 partment for purposes of the State Personnel Relations Law under ORS chapter 240.**

40 “[(3)] (12) A member of the commission is entitled to compensation and expenses as provided
41 by ORS 292.495.

42 “**NOTE:** Sections 3 and 4 were deleted by amendment. Subsequent sections were not renum-
43 bered.

44 “**SECTION 5.** ORS 184.619 is amended to read:

45 “184.619. In accordance with the applicable provisions of ORS chapter 183, the Oregon Trans-

1 portation Commission:

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

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

7 “**SECTION 6.** ORS 184.617 is amended to read:

8 “184.617. (1) [*It is the function of*] The Oregon Transportation Commission [*to*] **shall:**

9 “(a) Establish the policies for the operation of the Department of Transportation in a manner
10 consistent with the policies and purposes of ORS 184.610 to 184.656.

11 “(b) **Develop and maintain state transportation policies, including but not limited to pol-
12 icies related to the management, construction and maintenance of highways and other
13 transportation systems in Oregon, including but not limited to aviation, ports and rail.**

14 “(c) **Develop and maintain a comprehensive, 20-year long-range plan for a safe, multi-
15 modal transportation system for the state which encompasses economic efficiency, orderly
16 economic development and environmental quality. The comprehensive, long-range plan:**

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

19 “(B) **Must be used by all agencies and officers to guide and coordinate transportation
20 activities and to ensure transportation planning utilizes the potential of all existing and de-
21 veloping modes of transportation.**

22 “(d) **In coordination with the State Marine Board, the Oregon Business Development
23 Department, the State Aviation Board, cities, counties, mass transit districts organized un-
24 der ORS 267.010 to 267.390 and transportation districts organized under ORS 267.510 to
25 267.650, develop plans for each mode of transportation and multimodal plans for the move-
26 ment of people and freight. Subject to paragraph (c) of this subsection, the plans must in-
27 clude a list of projects needed to maintain and develop the transportation infrastructure of
28 this state for at least 20 years in the future.**

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

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

38 “(g) **Prescribe the administrative practices followed by the director in the performance
39 of any duty imposed on the director by law.**

40 “(h) **Seek to enter into intergovernmental agreements with local governments and local
41 service districts, as those terms are defined in ORS 174.116, to encourage cooperation be-
42 tween the department and local governments and local service districts to maximize the ef-
43 ficiency of transportation systems in Oregon.**

44 “(i) **Review and approve the department’s:**

45 “(A) **Proposed transportation projects, as described in the Statewide Transportation Im-**

1 **provement Program, and any significant transportation project modifications, as determined**
2 **by the commission;**

3 **“(B) Proposed budget form prior to the department submitting the form to the Oregon**
4 **Department of Administrative Services under ORS 291.208;**

5 **“(C) Anticipated capital construction requirements;**

6 **“(D) Construction priorities; and**

7 **“(E) Selection, vacation or abandonment of state highways.**

8 **“(j) Adopt a statewide transportation strategy on greenhouse gas emissions to aid in**
9 **achieving the greenhouse gas emissions reduction goals set forth in ORS 468A.205. The**
10 **commission shall focus on reducing greenhouse gas emissions resulting from transportation.**
11 **In developing the strategy, the commission shall consider state and federal programs, poli-**
12 **cies and incentives related to reducing greenhouse gas emissions. The commission shall**
13 **consult and cooperate with metropolitan planning organizations, other state agencies, local**
14 **governments and stakeholders and shall actively solicit public review and comment in the**
15 **development of the strategy.**

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

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

19 **“[(3)] (2) The commission [shall have] has general power to take any action necessary to co-**
20 **ordinate and administer programs relating to highways, motor carriers, motor vehicles, public**
21 **transit, rail, transportation safety and such other programs related to transportation [as may be as-**
22 **signed by law to the department].**

23 **“(3) The commission may require the director to furnish whatever reports, statistics,**
24 **information or assistance the commission may request in order to study the department or**
25 **transportation-related issues.**

26 **“[(4) The Department of Transportation shall be the recipient of all federal funds paid to or to be**
27 **paid to the state to enable the state to provide the programs and services assigned to the department,**
28 **except that the Oregon Department of Aviation shall be the recipient of all federal funds paid to or to**
29 **be paid to the state to enable the state to provide aviation programs and services.]**

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

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

34 **“(a) Enter into any written agreement or any configuration of written agreements re-**
35 **lating to any duty, function or service of the commission or the Department of Transporta-**
36 **tion, relating to transportation projects or transportation research with any private entity**
37 **or unit of government or any configuration of private entities and units of government, as**
38 **those terms are defined in ORS 367.802. The subject of agreements entered into under this**
39 **section may include, but need not be limited to, planning, acquisition, financing, develop-**
40 **ment, design, construction, reconstruction, replacement, improvement, maintenance, man-**
41 **agement, repair, leasing and operation of transportation projects or transportation research.**

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

45 **“(2) The agreements among the public and private sector partners entered into under**

1 this section must specify at least the following:

2 “(a) At what point in the transportation project or transportation research the public and
3 private sector partners will enter the project or research and which partners will assume
4 responsibility for specific project or research elements;

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

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

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

8 “(e) The penalties for nonperformance;

9 “(f) The incentives for performance; and

10 “(g) The accounting and auditing standards to be used to evaluate work on the project
11 or research.

12 “SECTION 9. Real property inventory. (1) The Oregon Transportation Commission shall
13 compile and keep current an inventory of real property, in excess of the operating needs of,
14 and owned by the Department of Transportation.

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

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

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

18 “(c) An assessment of the value of the real property.

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

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

28 “SECTION 10. Continuous Improvement Advisory Committee. (1) The Oregon Transpor-
29 tation Commission shall appoint a Continuous Improvement Advisory Committee composed
30 of members of the commission, employees of the Department of Transportation and trans-
31 portation stakeholders. The committee shall be of such size and representation as the com-
32 mission determines appropriate.

33 “(2) The committee shall:

34 “(a) Advise the commission on ways to maximize the efficiency of the department to al-
35 low increased investment in the transportation system over the short, medium and long
36 term.

37 “(b) Develop key performance measures, based on desired outcomes, for each division of
38 the department. The committee shall submit key performance measures to the commission
39 for its approval. The committee shall report to the commission at least once per year on the
40 status of key performance measures and what steps are being taken by the department to
41 achieve the goals of the key performance measures.

42 “(3) The committee shall periodically report to the commission. The reports must include
43 recommendations on ways the commission and the department may execute their duties
44 more efficiently.

45 “(4) Each odd-numbered year, the commission shall submit a report, in the manner pro-

1 vided by ORS 192.245, to the Joint Committee on Transportation established under section
2 26 of this 2017 Act. The report must include information on the activities and recommen-
3 dations of the committee and information on any actions taken by the commission or the
4 department to implement recommendations of the committee.

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

9 “SECTION 11. Describing condition of transportation infrastructure. (1) The Oregon
10 Transportation Commission shall develop a set of uniform standards, in coordination with
11 counties and cities, for the consistent description and reporting of the condition of the
12 transportation infrastructure owned by the state, counties and cities. The infrastructure
13 described must include pavement and bridges.

14 “(2) By February 1 of each odd-numbered year, every city and county shall submit a re-
15 port covering the condition of its transportation infrastructure.

16 “(3) The commission shall periodically review the condition of the transportation
17 infrastructure owned by the state and the reports submitted under this section. The com-
18 mission shall post the reports and the commission’s review of the reports on the website
19 described in section 12 of this 2017 Act.

20 “(4) Notwithstanding ORS 366.762 to 366.768 or 366.785 to 366.820, any city or county fail-
21 ing to file a report under this section may not receive any payments from the State Highway
22 Fund until the report is filed.

23 “(5) Not later than April 1 of each odd-numbered year, the commission shall submit a
24 report about the state of the transportation infrastructure of Oregon, including the trans-
25 portation infrastructure of cities and counties, to:

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

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

28 “SECTION 12. Website. (1) The Oregon Transportation Commission, through the De-
29 partment of Transportation, shall develop a website.

30 “(2) The website must include:

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

33 “(A) A description of the project and the project benefits;

34 “(B) The estimated cost and estimated completion date;

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

37 “(D) After a project is completed, updated information, including the amount a project
38 is under or over the original estimated cost and whether a project was completed by the
39 original estimated completion date.

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

45 “(c) Information on the condition of Oregon’s transportation infrastructure, as required

1 under section 11 of this 2017 Act.

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

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

4 “(f) Links to websites about transportation projects receiving moneys from the Connect
5 Oregon Fund.

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

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

10 (1) As used in this section, ‘transportation project’ means a project:

11 “(a) That is a highway modernization transportation project or capacity building trans-
12 portation project proposed for construction in the Statewide Transportation Improvement
13 Program; and

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

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

18 “(a) The scope of the project;

19 “(b) The period of analysis;

20 “(c) The discount rate used in the analysis;

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

23 “(e) The future costs to the department to preserve and maintain the project, discounted
24 to present value;

25 “(f) Any other costs to the department;

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

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

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

30 “(A) Savings in the time of travel;

31 “(B) Improvements to safety;

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

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

34 “(3) The analysis required by this section:

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

37 “(b) May include a discussion of:

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

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

41 “(c) Must be prepared in a format that allows for the comparison of proposed transpor-
42 tation projects.

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

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

3 **“SECTION 14.** ORS 184.621 is amended to read:

4 “184.621. The Oregon Transportation Commission shall work with stakeholders to review and
5 update the criteria used to select projects within the Statewide Transportation Improvement Pro-
6 gram. When revising the project selection criteria the commission shall consider whether the
7 project:

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

11 “(2) Enhances the safety of the traveling public by decreasing traffic crash rates, promoting the
12 efficient movement of people and goods and preserving the public investment in the transportation
13 system.

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

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

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

20 “[(6)] **(3)** Supports improvements necessary for [*this state’s*] **Oregon’s** economic growth and
21 competitiveness, accessibility to industries and economic development.

22 “[(7)] **(4)** Provides the greatest benefit in relation to project costs **as analyzed under section**
23 **13 of this 2017 Act.**

24 “[(8)] **(5)** Fosters livable communities by demonstrating that the investment does not undermine
25 sustainable urban development.

26 “[(9)] **(6)** Enhances the value of transportation projects through designs and development that
27 reflect environmental stewardship and community sensitivity.

28 “[(10)] **(7)** Is consistent with the state’s greenhouse gas emissions reduction goals and reduces
29 [*this state’s*] **Oregon’s** dependence on foreign oil.

30 **“(8) To the extent practicable, ensures that the state’s transportation infrastructure is**
31 **resilient in the event of a natural disaster.**

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

34 **“SECTION 15.** ORS 184.639 is amended to read:

35 “184.639. [*The Director of Transportation shall designate an internal auditor for the Department*
36 *of Transportation who shall perform internal audits of the department and report findings to the di-*
37 *rector.*]

38 **“(1) The Oregon Transportation Commission, in consultation with the Director of**
39 **Transportation, shall designate an internal auditor for the Department of Transportation.**
40 **The internal auditor shall be an employee of the department and shall report to the director.**
41 **The director may remove the internal auditor only after a majority vote of the commission**
42 **approves the removal.**

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

45 **“(a) Audits that assess the financial integrity of the department;**

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

2 “(g) Maximize the state’s prospects to obtain federal funds by responding to federal
3 mandates for multimodal transportation planning.

4 “(h) To the extent practicable, ensure that the state’s transportation infrastructure is
5 resilient in the event of a natural disaster.

6 “(3) The department shall be the recipient of all federal funds paid to or to be paid to the
7 state to enable the state to provide the programs and services assigned to the department,
8 except that the Oregon Department of Aviation shall be the recipient of all federal funds paid
9 to or to be paid to the state to enable the state to provide aviation programs and services.

10 “[(4) The director shall appoint an administrator for each area of critical concern to the depart-
11 ment. The administrator shall be responsible for planning and operations in that area, for relationships
12 between the department and persons affected by the operations of the area, for advocacy of the area
13 within the department planning and operations processes and for such other duties as may be provided
14 by law. For purposes of this subsection, ‘area of critical concern’ includes, but is not necessarily limited
15 to, driver and motor vehicle services, highways, motor carriers, public transit, rail and transportation
16 safety. In appointing administrators under this subsection, the director shall consider recommendations
17 of any advisory committee interested in the area of responsibility. Administrators appointed under this
18 subsection are in the unclassified service for purposes of the State Personnel Relations Law.]

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

22 “**SECTION 20.** ORS 184.620 is amended to read:

23 “184.620. (1) The Department of Transportation shall be under the supervision of a Director of
24 Transportation [*who shall be appointed by and shall hold office at the pleasure of the Governor*]. **The**
25 **Oregon Transportation Commission shall appoint the director, after consultation with the**
26 **Governor. The director serves at the pleasure of the commission.**

27 “(2) The appointment of the director shall be subject to confirmation by the Senate in the man-
28 ner provided by ORS 171.562 and 171.565.

29 “(3) The director may appoint:

30 “(a) Deputy directors with full authority to act for the director, but subject to the director’s
31 control. The appointment of a deputy director shall be by written order filed with the Secretary of
32 State. A deputy director shall be in the unclassified services for purposes of the State Personnel
33 Relations Law.

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

37 “[(c)] (b) All subordinate officers and employees of the department and may prescribe their du-
38 ties, assignments and reassignments and fix their compensation, subject to any applicable provisions
39 of the State Personnel Relations Law.

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

44 “(5) **When service of summons or other process is required by statute to be served on**
45 **the Director of Transportation, the Department of Transportation or the Oregon Transpor-**

1 **tation Commission, such service shall be made upon the office of the director.**

2 **“NOTE:** Sections 21 to 24 were deleted by amendment. Subsequent sections were not renum-
3 bered.

4 **“SECTION 25.** ORS 184.633 is amended to read:

5 “184.633. (1) Subject to policy direction by the Oregon Transportation Commission, the Director
6 of Transportation shall:

7 “(a) Be the administrative head of the Department of Transportation;

8 “(b) Have power, within applicable budgetary limitations, and in accordance with ORS chapter
9 240, to hire, assign, reassign and coordinate personnel of the department and prescribe their duties
10 and fix their compensation, subject to the State Personnel Relations Law;

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

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

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

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

21 “(3) The director may delegate to any of the employees of the department the exercise or dis-
22 charge in the director’s name of any power, duty or function of whatever character, vested in or
23 imposed by law upon the director, including powers, duties or functions delegated to the director
24 by the commission pursuant to ORS 184.635. The official act of any such person so acting in the
25 director’s name and by the authority of the director shall be considered to be an official act of the
26 director.

27 “(4) The director shall have authority to require a fidelity bond of any officer or employee of
28 the department who has charge of, handles or has access to any state money or property, and who
29 is not otherwise required by law to give a bond. The amounts of the bond shall be fixed by the di-
30 rector, except as otherwise provided by law, and the sureties shall be approved by the director. The
31 department shall pay the premiums on the bonds.

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

37 “(b) If a meeting of the commission is scheduled prior to the close of the period for seeking re-
38 view of a land use decision, expedited land division or limited land use decision, the director shall
39 obtain formal approval from the commission prior to seeking review of the decision. However, if the
40 land use decision, expedited land division or limited land use decision becomes final less than 15
41 days before a meeting of the commission, the director shall proceed as provided in paragraph (c) of
42 this subsection. If the director requests approval from the commission, the applicant and the affected
43 local government shall be notified in writing that the director is seeking commission approval. The
44 director, the applicant and the affected local government shall be given reasonable time to address
45 the commission regarding the director’s request for approval to seek review. No other testimony

1 shall be taken by the commission.

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

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

13 “(e) For purposes of this subsection, ‘applicant’ means a person seeking approval of a permit,
14 as defined in ORS 215.402 or 227.160, expedited land division or limited land use decision.

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

17
18 **“(Joint Committee on Transportation)”**
19

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

21 **“(2) The joint committee consists of members of the Senate appointed by President of**
22 **Senate and members of the House of Representatives appointed by the Speaker of the House**
23 **of Representatives.**

24 **“(3) The President of the Senate shall appoint one cochair for the joint committee and**
25 **the Speaker of the House of Representatives shall appoint one cochair for the joint commit-**
26 **tee with the duties and powers necessary for the performance of the functions of the offices**
27 **as the President and the Speaker determine.**

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

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

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

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

1 funds appropriated to the Legislative Assembly.

2 “(8) The joint committee may not transact business unless a quorum is present. A quo-
3 rum consists of a majority of joint committee members from the House of Representatives
4 and a majority of joint committee members from the Senate.

5 “(9) Action by the joint committee requires the affirmative vote of a majority of joint
6 committee members from the House of Representatives and a majority of joint committee
7 members from the Senate.

8 “(10) The joint committee may adopt rules necessary for the operation of the joint com-
9 mittee.

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

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

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

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

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

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

30 “SECTION 27c. The Oregon Transportation Commission shall conduct a study and make
31 a report on its findings to the Joint Committee on Transportation established under section
32 26 of this 2017 Act and to the appropriate fiscal and policy committees or interim committees
33 of the Legislative Assembly as follows:

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

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

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

39 “SECTION 27e. The Oregon Transportation Commission shall conduct a study and make
40 a report on its findings no later than January 1, 2020, to the Joint Committee on Transpor-
41 tation established under section 26 of this 2017 Act on the costs to:

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

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

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

1
2
3 “(Conforming Amendments)”

4 “**SECTION 28.** ORS 366.752 is amended to read:

5 “366.752. (1) The following moneys shall be allocated as described in subsections (2) and (3) of
6 this section:

7 “(a) The amount attributable to the fee increases by the amendments to ORS 803.090 by section
8 42, chapter 865, Oregon Laws 2009.

9 “(b) The amount attributable to the fee increases by the amendments to ORS 803.420 by section
10 43, chapter 865, Oregon Laws 2009.

11 “(c) The amount attributable to the fee increases by the amendments to ORS 803.420 by section
12 43a, chapter 865, Oregon Laws 2009.

13 “(d) The amount attributable to the fee increases by the amendments to ORS 803.570 by section
14 44, chapter 865, Oregon Laws 2009.

15 “(e) The amount attributable to the fee increase by the amendments to ORS 803.645 by section
16 44a, chapter 865, Oregon Laws 2009.

17 “(f) The amount attributable to the increase in fees and tax rates by the amendments to ORS
18 319.020, 319.530, 818.225, 825.476 and 825.480 by sections 48, 49 and 51 to 53, chapter 865, Oregon
19 Laws 2009.

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

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

26 “(a) 50 percent to the Department of Transportation.

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

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

29 “(4) Except as provided in subsection (5) of this section, the moneys described in subsection
30 (3)(a) of this section or equivalent amounts that become available to the Department of Transpor-
31 tation shall be allocated as follows:

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

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

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

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

38 “(6) For the purposes of this section:

39 “(a) ‘Bond’ has the meaning given that term in ORS 367.010.

40 “(b) ‘Bond debt service’ has the meaning given that term in ORS 367.010.

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

42 “184.888. As used in ORS [184.889] **184.617**, 184.893, 184.895, 184.897 and 184.899, ‘metropolitan
43 planning organization’ has the meaning given that term in ORS 197.629.

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

45 “184.891. ORS [184.889] **184.617** does not limit the authority of an agency, as defined in ORS
183.310, to regulate air contaminants.”

1 “**SECTION 29.** ORS 367.806 is amended to read:

2 “367.806. (1) As part of the Oregon Innovative Partnerships Program established under ORS
3 367.804, the Department of Transportation may:

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

10 “(b) Include in any agreement entered into under this section any financing mechanisms, in-
11 cluding but not limited to the imposition and collection of franchise fees or user fees and the de-
12 velopment or use of other revenue sources.

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

18 “(3) The agreements among the public and private sector partners entered into under this sec-
19 tion must specify at least the following:

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

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

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

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

25 “(e) The penalties for nonperformance;

26 “(f) The incentives for performance;

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

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

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

35 “(5) Except for ORS 383.015, 383.017 (1), (2), (3) and (5) and 383.019, the provisions of ORS
36 383.003 to 383.075 apply to any tollway project entered into under ORS 367.800 to 367.824.

37 “(6) The provisions of ORS 279.835 to 279.855 and ORS chapters 279A, 279B and 279C do not
38 apply to concepts or proposals submitted under ORS 367.804, or to agreements entered into under
39 this section, except that if public moneys are used to pay any costs of construction of public works
40 that is part of a project, the provisions of ORS 279C.800 to 279C.870 apply to the public works. In
41 addition, if public moneys are used to pay any costs of construction of public works that is part of
42 a project, the construction contract for the public works must contain provisions that require the
43 payment of workers under the contract in accordance with ORS 279C.540 and 279C.800 to 279C.870.

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

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

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

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

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

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

21 “(10) As used in this section:

22 “(a) ‘Public improvement’ has the meaning given that term in ORS 279A.010.

23 “(b) ‘Public works’ has the meaning given that term in ORS 279C.800.

24 “**SECTION 30.** ORS 374.328 is amended to read:

25 “374.328. The Oregon Transportation Commission shall periodically review, not less often than
26 every six years, the classification of state highways, including the designation of highway segments
27 as expressways, as a part of its comprehensive, long-range transportation plan developed pursuant
28 to ORS [184.618] **184.617** to ensure that the classifications for the highways and designations of ex-
29 pressways are appropriate to their uses.

30
31 **“HIGHWAY MAINTENANCE, PRESERVATION AND**
32 **SEISMIC UPGRADES**

33 **“(Vehicle Registration Fees, Title Fees and Fuel Taxes)”**
34

35 **“SECTION 31. Sections 32 and 37 of this 2017 Act are added to and made a part of the**
36 **Oregon Vehicle Code.**

37 **“SECTION 32. (1) As used in this section, ‘miles per gallon’ or ‘MPG’ means the distance**
38 **traveled in a vehicle powered by one gallon of fuel.**

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

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

45 **“(4) Except as provided in ORS 319.890 (3), in addition to the registration fees prescribed**

1 under ORS 803.420 (6)(a), during the period beginning on January 1, 2020, and ending on De-
2 cember 31, 2021, there shall be paid for each year of the registration period, an additional
3 amount as follows:

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

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

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

7 “(d) For electric vehicles, \$110.

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

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

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

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

16 “[4] *Except as provided in ORS 319.890 (3), in addition to the registration fees prescribed under*
17 *ORS 803.420 (6)(a), during the period beginning on January 1, 2020, and ending on December 31, 2021,*
18 *there shall be paid for each year of the registration period, an additional amount as follows:]*

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

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

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

22 “[d] *For electric vehicles, \$110.]*

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

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

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

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

29 “(d) For electric vehicles, \$115.

30 “**SECTION 34.** ORS 803.420 is amended to read:

31 “803.420. *[This section establishes registration fees for vehicles. If there is uncertainty as to the*
32 *classification of a vehicle for purposes of the payment of registration fees under the vehicle code, the*
33 *Department of Transportation may classify the vehicle to assure that registration fees for the vehicle*
34 *are the same as for vehicles the department determines to be comparable. The registration fees for the*
35 *vehicle shall be those based on the classification determined by the department. Except as otherwise*
36 *provided in this section, or unless the vehicle is registered quarterly, the fees described in this section*
37 *are for an entire registration period for the vehicle as described under ORS 803.415. The department*
38 *shall apportion any fee under this section to reflect the number of quarters registered for a vehicle*
39 *registered for a quarterly registration period under ORS 803.415. The fees are payable when a vehicle*
40 *is registered and upon renewal of registration. Except as provided in ORS 801.041 (3) and 801.042 (7),*
41 *the fee shall be increased by any amount established by the governing body of a county or by the*
42 *governing body of a district, as defined in ORS 801.237, under ORS 801.041 or 801.042 as an addi-*
43 *tional registration fee for the vehicle. The fees for registration of vehicles are as follows:]*

44 “(1) **The vehicle registration fees imposed under this section shall be based on the clas-**
45 **sifications determined by the Department of Transportation by rule. The department may**

1 classify a vehicle to ensure that registration fees for the vehicle are the same as for other
2 vehicles the department determines to be comparable.

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

8 “(3) Vehicle registration fees are due when a vehicle is registered and when the regis-
9 tered owner renews the registration.

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

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

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

17 “[*1*] (a) **Passenger** vehicles not otherwise provided for in this section or ORS 821.320, \$43 [*for*
18 *each year of the registration period*].

19 “(b) **Utility trailers or light trailers**, as those terms are defined by rule by the depart-
20 **ment, \$58.**

21 “[*2*] (c) **Mopeds and motorcycles**, [*\$24 for each year of the registration period.*] **\$39.**

22 “[*3*] **Motorcycles**, [*\$24 for each year of the registration period.*]

23 “[*4*] **Government-owned vehicles registered under ORS 805.040**, \$3.50.]

24 “[*5*] **State-owned vehicles registered under ORS 805.045**, \$3.50 on registration or renewal.]

25 “[*6*] **Undercover vehicles registered under ORS 805.060**, \$3.50 on registration or renewal.]

26 “(d) **Low-speed vehicles**, \$58.

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

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

30 “(a) **State-owned vehicles registered under ORS 805.045 and undercover vehicles regis-**
31 **tered under ORS 805.060, \$10 upon registration or renewal.**

32 “(b) **Fixed load vehicles:**

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

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

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

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

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

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

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

45 “(8) **The registration fee for trailers for hire that are equipped with pneumatic tires made**

1 of an elastic material and that are not travel trailers or trailers registered under permanent
2 registration is \$30.

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

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

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

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

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

9 “[7] (a) Antique vehicles registered under ORS 805.010, [54] \$100.

10 “[8] (b) Vehicles of special interest registered under ORS 805.020, [81] \$100.

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

12 “(d) Trailers, \$10.

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

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

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

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

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

24 “[9] *Electric vehicles and hybrid vehicles that use electricity and another source of motive power,*
25 *as follows:]*

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

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

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

33 “[A] *Motor homes.]*

34 “[B] *Commercial buses.]*

35 “[C] *Vehicles registered as farm vehicles under ORS 805.300.]*

36 “[D] *Vehicles required to establish registration weight under ORS 803.430 or 826.013.]*

37 “[10] (14)(a)(A) **For the period beginning January 1, 2018, and ending December 31, 2019,**
38 **the registration fee for** motor vehicles required to establish a registration weight under ORS
39 803.430 or 826.013, tow vehicles used to transport property for hire other than as described in ORS
40 822.210[,] and commercial buses[,] **is** as provided in the following chart, based upon the weight sub-
41 mitted in the declaration of weight prepared under ORS 803.435 or 826.015:

42 “

Weight in Pounds	Fee
8,000 or less	\$ [55] 63

1	8,001	to	10,000	[344] 396
2	10,001	to	12,000	[391] 450
3	12,001	to	14,000	[438] 504
4	14,001	to	16,000	[485] 558
5	16,001	to	18,000	[532] 612
6	18,001	to	20,000	[593] 682
7	20,001	to	22,000	[640] 736
8	22,001	to	24,000	[703] 808
9	24,001	to	26,000	[764] 879
10	26,001	to	28,000	375
11	28,001	to	30,000	391
12	30,001	to	32,000	422
13	32,001	to	34,000	438
14	34,001	to	36,000	468
15	36,001	to	38,000	485
16	38,001	to	40,000	515
17	40,001	to	42,000	532
18	42,001	to	44,000	562
19	44,001	to	46,000	578
20	46,001	to	48,000	593
21	48,001	to	50,000	625
22	50,001	to	52,000	656
23	52,001	to	54,000	672
24	54,001	to	56,000	686
25	56,001	to	58,000	717
26	58,001	to	60,000	750
27	60,001	to	62,000	780
28	62,001	to	64,000	811
29	64,001	to	66,000	827
30	66,001	to	68,000	857
31	68,001	to	70,000	874
32	70,001	to	72,000	904
33	72,001	to	74,000	921
34	74,001	to	76,000	951
35	76,001	to	78,000	967
36	78,001	to	80,000	998
37	80,001	to	82,000	1,014
38	82,001	to	84,000	1,045
39	84,001	to	86,000	1,061
40	86,001	to	88,000	1,092
41	88,001	to	90,000	1,108
42	90,001	to	92,000	1,139
43	92,001	to	94,000	1,155
44	94,001	to	96,000	1,185
45	96,001	to	98,000	1,202

1	98,001 to 100,000	1,218
2	100,001 to 102,000	1,249
3	102,001 to 104,000	1,265
4	104,001 to 105,500	1,295

5 “

6

7 “(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, the
8 registration fee for motor vehicles required to establish a registration weight under ORS
9 803.430 or 826.013, tow vehicles used to transport property for hire other than as described
10 in ORS 822.210 and commercial buses is as provided in the following chart, based upon the
11 weight submitted in the declaration of weight prepared under ORS 803.435 or 826.015:

12 “

13

14	Weight in Pounds	Fee
15	8,000 or less	\$ 70
16	8,001 to 10,000	437
17	10,001 to 12,000	497
18	12,001 to 14,000	556
19	14,001 to 16,000	616
20	16,001 to 18,000	676
21	18,001 to 20,000	753
22	20,001 to 22,000	813
23	22,001 to 24,000	893
24	24,001 to 26,000	970
25	26,001 to 28,000	375
26	28,001 to 30,000	391
27	30,001 to 32,000	422
28	32,001 to 34,000	438
29	34,001 to 36,000	468
30	36,001 to 38,000	485
31	38,001 to 40,000	515
32	40,001 to 42,000	532
33	42,001 to 44,000	562
34	44,001 to 46,000	578
35	46,001 to 48,000	593
36	48,001 to 50,000	625
37	50,001 to 52,000	656
38	52,001 to 54,000	672
39	54,001 to 56,000	686
40	56,001 to 58,000	717
41	58,001 to 60,000	750
42	60,001 to 62,000	780
43	62,001 to 64,000	811
44	64,001 to 66,000	827
45	66,001 to 68,000	857

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

20 “ _____

21
 22 “[~~(11)(a)~~] (b)(A)(i) **For the period beginning January 1, 2018, and ending December 31, 2019,**
 23 **the registration fee for** motor vehicles with a registration weight of more than 8,000 pounds that
 24 are described in ORS 825.015, that are operated by a charitable organization as defined in ORS
 25 825.017 (13), **is** as provided in the following chart:

26 “ _____

28	Weight in Pounds	Fee
29	8,001 to 10,000	\$ [50] 64
30	10,001 to 12,000	[60] 76
31	12,001 to 14,000	[65] 83
32	14,001 to 16,000	[75] 95
33	16,001 to 18,000	[80] 102
34	18,001 to 20,000	[90] 114
35	20,001 to 22,000	[95] 121
36	22,001 to 24,000	[105] 133
37	24,001 to 26,000	[110] 140
38	26,001 to 28,000	[120] 152
39	28,001 to 30,000	[125] 159
40	30,001 to 32,000	[135] 171
41	32,001 to 34,000	[140] 178
42	34,001 to 36,000	[150] 191
43	36,001 to 38,000	[155] 197
44	38,001 to 40,000	[165] 210
45	40,001 to 42,000	[170] 216

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

33 “

34

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

39 “

40

41	Weight in Pounds		Fee
42	8,001	to 10,000	\$ 68
43	10,001	to 12,000	81
44	12,001	to 14,000	88
45	14,001	to 16,000	101

1	16,001	to	18,000	108
2	18,001	to	20,000	122
3	20,001	to	22,000	128
4	22,001	to	24,000	142
5	24,001	to	26,000	149
6	26,001	to	28,000	162
7	28,001	to	30,000	169
8	30,001	to	32,000	182
9	32,001	to	34,000	189
10	34,001	to	36,000	203
11	36,001	to	38,000	209
12	38,001	to	40,000	223
13	40,001	to	42,000	230
14	42,001	to	44,000	243
15	44,001	to	46,000	250
16	46,001	to	48,000	257
17	48,001	to	50,000	270
18	50,001	to	52,000	284
19	52,001	to	54,000	290
20	54,001	to	56,000	297
21	56,001	to	58,000	311
22	58,001	to	60,000	324
23	60,001	to	62,000	338
24	62,001	to	64,000	351
25	64,001	to	66,000	358
26	66,001	to	68,000	371
27	68,001	to	70,000	378
28	70,001	to	72,000	392
29	72,001	to	74,000	398
30	74,001	to	76,000	412
31	76,001	to	78,000	419
32	78,001	to	80,000	432
33	80,001	to	82,000	439
34	82,001	to	84,000	452
35	84,001	to	86,000	459
36	86,001	to	88,000	473
37	88,001	to	90,000	479
38	90,001	to	92,000	493
39	92,001	to	94,000	500
40	94,001	to	96,000	513
41	96,001	to	98,000	520
42	98,001	to	100,000	527
43	100,001	to	102,000	540
44	102,001	to	104,000	547
45	104,001	to	105,500	560

1 “
2
3 “[*(b)*] (B)(i) For the period beginning January 1, 2018, and ending December 31, 2019, the
4 registration fee for motor vehicles with a registration weight of more than 8,000 pounds that are
5 certified under ORS 822.205, unless the motor [*vehicle is*] **vehicles are** registered under [*subsection*
6 (10)] **paragraph (a)** of this [*section*] **subsection**, or that are used exclusively to transport manufac-
7 tured structures, **is** as provided in the following chart:
8 “

Weight in Pounds	Fee
8,001 to 10,000	\$ [102] 130
10,001 to 12,000	[122] 155
12,001 to 14,000	[132] 168
14,001 to 16,000	[153] 194
16,001 to 18,000	[163] 207
18,001 to 20,000	[183] 232
20,001 to 22,000	[193] 245
22,001 to 24,000	[214] 272
24,001 to 26,000	[224] 284
26,001 to 28,000	[244] 310
28,001 to 30,000	[255] 324
30,001 to 32,000	[275] 349
32,001 to 34,000	[285] 362
34,001 to 36,000	[306] 389
36,001 to 38,000	[316] 401
38,001 to 40,000	[336] 427
40,001 to 42,000	[346] 439
42,001 to 44,000	[367] 466
44,001 to 46,000	[377] 479
46,001 to 48,000	[387] 491
48,001 to 50,000	[407] 517
50,001 to 52,000	[428] 544
52,001 to 54,000	[438] 556
54,001 to 56,000	[448] 569
56,001 to 58,000	[468] 594
58,001 to 60,000	[489] 621
60,001 to 62,000	[509] 646
62,001 to 64,000	[530] 673
64,001 to 66,000	[540] 686
66,001 to 68,000	[560] 711
68,001 to 70,000	[570] 724
70,001 to 72,000	[591] 751
72,001 to 74,000	[601] 763
74,001 to 76,000	[621] 789
76,001 to 78,000	[631] 801

1	78,001	to	80,000	[652]	828
2	80,001	to	82,000	[662]	841
3	82,001	to	84,000	[682]	866
4	84,001	to	86,000	[692]	879
5	86,001	to	88,000	[713]	906
6	88,001	to	90,000	[723]	918
7	90,001	to	92,000	[743]	944
8	92,001	to	94,000	[754]	958
9	94,001	to	96,000	[774]	983
10	96,001	to	98,000	[784]	996
11	98,001	to	100,000	[794]	1,008
12	100,001	to	102,000	[815]	1,035
13	102,001	to	104,000	[825]	1,048
14	104,001	to	105,500	[845]	1,073

15 “

16

17 “(ii) For the period beginning on January 1, 2020, and ending on December 31, 2021, the

18 registration fee for motor vehicles with a registration weight of more than 8,000 pounds that

19 are certified under ORS 822.205, unless the motor vehicles are registered under paragraph

20 (a) of this subsection, or that are used exclusively to transport manufactured structures, is

21 as provided in the following chart:

22 “

24	Weight in Pounds		Fee
25	8,001	to 10,000	\$ 138
26	10,001	to 12,000	165
27	12,001	to 14,000	178
28	14,001	to 16,000	207
29	16,001	to 18,000	220
30	18,001	to 20,000	247
31	20,001	to 22,000	261
32	22,001	to 24,000	289
33	24,001	to 26,000	302
34	26,001	to 28,000	329
35	28,001	to 30,000	344
36	30,001	to 32,000	371
37	32,001	to 34,000	385
38	34,001	to 36,000	413
39	36,001	to 38,000	427
40	38,001	to 40,000	454
41	40,001	to 42,000	467
42	42,001	to 44,000	495
43	44,001	to 46,000	509
44	46,001	to 48,000	522
45	48,001	to 50,000	549

1	50,001	to	52,000	578
2	52,001	to	54,000	591
3	54,001	to	56,000	605
4	56,001	to	58,000	632
5	58,001	to	60,000	660
6	60,001	to	62,000	687
7	62,001	to	64,000	716
8	64,001	to	66,000	729
9	66,001	to	68,000	756
10	68,001	to	70,000	770
11	70,001	to	72,000	798
12	72,001	to	74,000	811
13	74,001	to	76,000	838
14	76,001	to	78,000	852
15	78,001	to	80,000	880
16	80,001	to	82,000	894
17	82,001	to	84,000	921
18	84,001	to	86,000	934
19	86,001	to	88,000	963
20	88,001	to	90,000	976
21	90,001	to	92,000	1,003
22	92,001	to	94,000	1,018
23	94,001	to	96,000	1,045
24	96,001	to	98,000	1,058
25	98,001	to	100,000	1,072
26	100,001	to	102,000	1,100
27	102,001	to	104,000	1,114
28	104,001	to	105,500	1,141

29 “

30

31 “[(c)] (C) The owner of a vehicle described in [paragraphs (a) and (b) of this subsection] **sub-**
32 **paragraph (A) or (B) of this paragraph** must certify at the time of initial registration, in a manner
33 determined by the department by rule, that the motor vehicle will be used exclusively to transport
34 manufactured structures or exclusively as described in ORS 822.210, unless the motor vehicle is
35 registered under [subsection (10) of this section] **paragraph (a) of this subsection**, or as described
36 in ORS 825.015 or 825.017 (13). Registration of a vehicle described in [paragraphs (a) and (b) of this
37 subsection] **subparagraph (A) or (B) of this paragraph** is invalid if the vehicle is operated in any
38 manner other than that described in the certification under this [paragraph] **subparagraph**.

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

43 “

44

45 **Weight in Pounds** **Fee**

1	8,000	or	less	\$	44
2	8,001	to	10,000		58
3	10,001	to	12,000		67
4	12,001	to	14,000		86
5	14,001	to	16,000		97
6	16,001	to	18,000		116
7	18,001	to	20,000		126
8	20,001	to	22,000		145
9	22,001	to	24,000		154
10	24,001	to	26,000		174
11	26,001	to	28,000		183
12	28,001	to	30,000		202
13	30,001	to	32,000		212
14	32,001	to	34,000		231
15	34,001	to	36,000		241
16	36,001	to	38,000		260
17	38,001	to	40,000		271
18	40,001	to	42,000		290
19	42,001	to	44,000		298
20	44,001	to	46,000		319
21	46,001	to	48,000		328
22	48,001	to	50,000		347
23	50,001	to	52,000		357
24	52,001	to	54,000		366
25	54,001	to	56,000		386
26	56,001	to	58,000		405
27	58,001	to	60,000		414
28	60,001	to	62,000		424
29	62,001	to	64,000		443
30	64,001	to	66,000		462
31	66,001	to	68,000		472
32	68,001	to	70,000		483
33	70,001	to	72,000		502
34	72,001	to	74,000		511
35	74,001	to	76,000		531
36	76,001	to	78,000		540
37	78,001	to	80,000		559
38	80,001	to	82,000		569
39	82,001	to	84,000		588
40	84,001	to	86,000		598
41	86,001	to	88,000		617
42	88,001	to	90,000		626
43	90,001	to	92,000		646
44	92,001	to	94,000		655
45	94,001	to	96,000		674

1	96,001 to 98,000	685
2	98,001 to 100,000	704
3	100,001 to 102,000	714
4	102,001 to 104,000	733
5	104,001 to 105,500	743

6 “

7
8 “(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, sub-
9 ject to paragraph (d) of this subsection, the registration fee for motor vehicles registered as
10 farm vehicles under ORS 805.300 is as provided in the following chart, based upon the regis-
11 tration weight given in the declaration of weight submitted under ORS 803.435:
12 “

14	Weight in Pounds	Fee
15	8,000 or less	\$ 47
16	8,001 to 10,000	62
17	10,001 to 12,000	72
18	12,001 to 14,000	92
19	14,001 to 16,000	103
20	16,001 to 18,000	123
21	18,001 to 20,000	134
22	20,001 to 22,000	154
23	22,001 to 24,000	163
24	24,001 to 26,000	185
25	26,001 to 28,000	194
26	28,001 to 30,000	215
27	30,001 to 32,000	225
28	32,001 to 34,000	246
29	34,001 to 36,000	257
30	36,001 to 38,000	277
31	38,001 to 40,000	288
32	40,001 to 42,000	308
33	42,001 to 44,000	317
34	44,001 to 46,000	339
35	46,001 to 48,000	348
36	48,001 to 50,000	369
37	50,001 to 52,000	379
38	52,001 to 54,000	389
39	54,001 to 56,000	410
40	56,001 to 58,000	431
41	58,001 to 60,000	440
42	60,001 to 62,000	451
43	62,001 to 64,000	471
44	64,001 to 66,000	491
45	66,001 to 68,000	502

1	68,001	to	70,000	513
2	70,001	to	72,000	533
3	72,001	to	74,000	543
4	74,001	to	76,000	564
5	76,001	to	78,000	574
6	78,001	to	80,000	594
7	80,001	to	82,000	605
8	82,001	to	84,000	625
9	84,001	to	86,000	636
10	86,001	to	88,000	656
11	88,001	to	90,000	666
12	90,001	to	92,000	687
13	92,001	to	94,000	697
14	94,001	to	96,000	717
15	96,001	to	98,000	728
16	98,001	to	100,000	748
17	100,001	to	102,000	759
18	102,001	to	104,000	779
19	104,001	to	105,500	790

20 “

21
22 **“(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.**

23
24 *“(12) Trailers registered under permanent registration, \$10.]*

25 *“(13) Fixed load vehicles as follows:]*

26 *“(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.]*

27
28 *“(b) If no declaration of weight is submitted or if the weight of the vehicle is in excess of 3,000 pounds, \$75.]*

29
30 *“(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.]*

31
32 *“(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.]*

33
34
35 *“(16) Travel trailers, campers and motor homes as follows, based on length as determined under ORS 803.425:]*

36
37 *“(a) For travel trailers or campers that are 6 to 10 feet in length, \$81.]*

38 *“(b) For travel trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of length over the first 10 feet.]*

39
40 *“(c) For motor homes that are 6 to 14 feet in length, \$54.]*

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

42
43 *“(17) Special use trailers as follows, based on length as determined under ORS 803.425:]*

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

45 *“(b) For special use trailers over 10 feet in length, \$54 plus \$3 a foot for each foot of length over*

1 *the first 10 feet.]*

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

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

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

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

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

12 *“(21) The registration fee for vehicles with special registration for disabled veterans under ORS*
13 *805.100 is a fee of \$15.]*

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

17 *“[_____]*

18

<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>
<i>44,001 to 46,000</i>	<i>251</i>
<i>46,001 to 48,000</i>	<i>258</i>
<i>48,001 to 50,000</i>	<i>273</i>
<i>50,001 to 52,000</i>	<i>281</i>
<i>52,001 to 54,000</i>	<i>288</i>
<i>54,001 to 56,000</i>	<i>304</i>
<i>56,001 to 58,000</i>	<i>319</i>

1	58,001	to	60,000	326
2	60,001	to	62,000	334
3	62,001	to	64,000	349
4	64,001	to	66,000	364
5	66,001	to	68,000	372
6	68,001	to	70,000	380
7	70,001	to	72,000	395
8	72,001	to	74,000	402
9	74,001	to	76,000	418
10	76,001	to	78,000	425
11	78,001	to	80,000	440
12	80,001	to	82,000	448
13	82,001	to	84,000	463
14	84,001	to	86,000	471
15	86,001	to	88,000	486
16	88,001	to	90,000	493
17	90,001	to	92,000	509
18	92,001	to	94,000	516
19	94,001	to	96,000	531
20	96,001	to	98,000	539
21	98,001	to	100,000	554
22	100,001	to	102,000	562
23	102,001	to	104,000	577
24	104,001	to	105,500	585

25 “[_____]

26

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

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

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

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

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

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

35 “803.420. (1) The vehicle registration fees imposed under this section shall be based on the
36 classifications determined by the Department of Transportation by rule. The department may classify
37 a vehicle to ensure that registration fees for the vehicle are the same as for other vehicles the de-
38 partment determines to be comparable.

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

44 “(3) Vehicle registration fees are due when a vehicle is registered and when the registered
45 owner renews the registration.

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

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

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

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

9 “(b) Utility trailers or light trailers, as those terms are defined by rule by the department,
10 [~~\$58~~] **\$63**.

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

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

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

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

16 “(a) State-owned vehicles registered under ORS 805.045 and undercover vehicles registered un-
17 der ORS 805.060, \$10 upon registration or renewal.

18 “(b) Fixed load vehicles:

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

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

23 “(c) Travel trailers, special use trailers, campers and motor homes, based on length as deter-
24 mined under ORS 803.425:

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

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

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

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

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

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

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

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

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

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

40 “(a) Antique vehicles registered under ORS 805.010, \$100.

41 “(b) Vehicles of special interest registered under ORS 805.020, \$100.

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

43 “(d) Trailers, \$10.

44 “(11) The registration fee for trailers registered as part of a fleet under an agreement reached
45 pursuant to ORS 802.500 is the same fee as the fee for vehicles of the same type registered under

1 other provisions of the Oregon Vehicle Code.

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

6 “(13) In addition to any other registration fees charged for registration of vehicles in fleets un-
7 der ORS 805.120, the department may charge the following fees:

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

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

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

15 “[_____]

16

<i>Weight in Pounds</i>	<i>Fee</i>
18 8,000 or less	\$ 63
19 8,001 to 10,000	396
20 10,001 to 12,000	450
21 12,001 to 14,000	504
22 14,001 to 16,000	558
23 16,001 to 18,000	612
24 18,001 to 20,000	682
25 20,001 to 22,000	736
26 22,001 to 24,000	808
27 24,001 to 26,000	879
28 26,001 to 28,000	375
29 28,001 to 30,000	391
30 30,001 to 32,000	422
31 32,001 to 34,000	438
32 34,001 to 36,000	468
33 36,001 to 38,000	485
34 38,001 to 40,000	515
35 40,001 to 42,000	532
36 42,001 to 44,000	562
37 44,001 to 46,000	578
38 46,001 to 48,000	593
39 48,001 to 50,000	625
40 50,001 to 52,000	656
41 52,001 to 54,000	672
42 54,001 to 56,000	686
43 56,001 to 58,000	717
44 58,001 to 60,000	750
45 60,001 to 62,000	780

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

23 “[_____]

24

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

30 “[_____]

31

	<i>Weight in Pounds</i>		<i>Fee</i>
33	8,000 or less	\$	70
34	8,001 to 10,000		437
35	10,001 to 12,000		497
36	12,001 to 14,000		556
37	14,001 to 16,000		616
38	16,001 to 18,000		676
39	18,001 to 20,000		753
40	20,001 to 22,000		813
41	22,001 to 24,000		893
42	24,001 to 26,000		970
43	26,001 to 28,000		375
44	28,001 to 30,000		391
45	30,001 to 32,000		422

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

38 “[_____]

39

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

44 “[_____]

45

1	<i>Weight in Pounds</i>		<i>Fee</i>
2	8,001 to	10,000	\$ 64
3	10,001 to	12,000	76
4	12,001 to	14,000	83
5	14,001 to	16,000	95
6	16,001 to	18,000	102
7	18,001 to	20,000	114
8	20,001 to	22,000	121
9	22,001 to	24,000	133
10	24,001 to	26,000	140
11	26,001 to	28,000	152
12	28,001 to	30,000	159
13	30,001 to	32,000	171
14	32,001 to	34,000	178
15	34,001 to	36,000	191
16	36,001 to	38,000	197
17	38,001 to	40,000	210
18	40,001 to	42,000	216
19	42,001 to	44,000	229
20	44,001 to	46,000	235
21	46,001 to	48,000	241
22	48,001 to	50,000	254
23	50,001 to	52,000	267
24	52,001 to	54,000	273
25	54,001 to	56,000	279
26	56,001 to	58,000	292
27	58,001 to	60,000	305
28	60,001 to	62,000	318
29	62,001 to	64,000	330
30	64,001 to	66,000	337
31	66,001 to	68,000	349
32	68,001 to	70,000	356
33	70,001 to	72,000	368
34	72,001 to	74,000	375
35	74,001 to	76,000	387
36	76,001 to	78,000	394
37	78,001 to	80,000	406
38	80,001 to	82,000	413
39	82,001 to	84,000	425
40	84,001 to	86,000	432
41	86,001 to	88,000	445
42	88,001 to	90,000	451
43	90,001 to	92,000	464
44	92,001 to	94,000	470
45	94,001 to	96,000	483

1	96,001 to 98,000	489
2	98,001 to 100,000	495
3	100,001 to 102,000	508
4	102,001 to 104,000	514
5	104,001 to 105,500	527

6 “[_____]

7

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

11 “[_____]

12

14	Weight in Pounds	Fee
15	8,001 to 10,000	\$ 68
16	10,001 to 12,000	81
17	12,001 to 14,000	88
18	14,001 to 16,000	101
19	16,001 to 18,000	108
20	18,001 to 20,000	122
21	20,001 to 22,000	128
22	22,001 to 24,000	142
23	24,001 to 26,000	149
24	26,001 to 28,000	162
25	28,001 to 30,000	169
26	30,001 to 32,000	182
27	32,001 to 34,000	189
28	34,001 to 36,000	203
29	36,001 to 38,000	209
30	38,001 to 40,000	223
31	40,001 to 42,000	230
32	42,001 to 44,000	243
33	44,001 to 46,000	250
34	46,001 to 48,000	257
35	48,001 to 50,000	270
36	50,001 to 52,000	284
37	52,001 to 54,000	290
38	54,001 to 56,000	297
39	56,001 to 58,000	311
40	58,001 to 60,000	324
41	60,001 to 62,000	338
42	62,001 to 64,000	351
43	64,001 to 66,000	358
44	66,001 to 68,000	371
45	68,001 to 70,000	378

1	70,001	to	72,000	392
2	72,001	to	74,000	398
3	74,001	to	76,000	412
4	76,001	to	78,000	419
5	78,001	to	80,000	432
6	80,001	to	82,000	439
7	82,001	to	84,000	452
8	84,001	to	86,000	459
9	86,001	to	88,000	473
10	88,001	to	90,000	479
11	90,001	to	92,000	493
12	92,001	to	94,000	500
13	94,001	to	96,000	513
14	96,001	to	98,000	520
15	98,001	to	100,000	527
16	100,001	to	102,000	540
17	102,001	to	104,000	547
18	104,001	to	105,500	560

19 “[_____]

20

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

25 “[_____]

26

27	Weight in Pounds		Fee
28	8,001	to 10,000	\$ 130
29	10,001	to 12,000	155
30	12,001	to 14,000	168
31	14,001	to 16,000	194
32	16,001	to 18,000	207
33	18,001	to 20,000	232
34	20,001	to 22,000	245
35	22,001	to 24,000	272
36	24,001	to 26,000	284
37	26,001	to 28,000	310
38	28,001	to 30,000	324
39	30,001	to 32,000	349
40	32,001	to 34,000	362
41	34,001	to 36,000	389
42	36,001	to 38,000	401
43	38,001	to 40,000	427
44	40,001	to 42,000	439
45	42,001	to 44,000	466

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

32 “[_____]

33

34 “(ii) For the period beginning on January 1, 2020, and ending on December 31, 2021, the regis-
35 tration fee for motor vehicles with a registration weight of more than 8,000 pounds that are certified
36 under ORS 822.205, unless the motor vehicles are registered under paragraph (a) of this subsection,
37 or that are used exclusively to transport manufactured structures, is as provided in the following
38 chart:]

39 “[_____]

40

	<i>Weight in Pounds</i>			<i>Fee</i>
41				
42	8,001	to 10,000	\$	138
43	10,001	to 12,000		165
44	12,001	to 14,000		178
45	14,001	to 16,000		207

1	16,001	to	18,000	220
2	18,001	to	20,000	247
3	20,001	to	22,000	261
4	22,001	to	24,000	289
5	24,001	to	26,000	302
6	26,001	to	28,000	329
7	28,001	to	30,000	344
8	30,001	to	32,000	371
9	32,001	to	34,000	385
10	34,001	to	36,000	413
11	36,001	to	38,000	427
12	38,001	to	40,000	454
13	40,001	to	42,000	467
14	42,001	to	44,000	495
15	44,001	to	46,000	509
16	46,001	to	48,000	522
17	48,001	to	50,000	549
18	50,001	to	52,000	578
19	52,001	to	54,000	591
20	54,001	to	56,000	605
21	56,001	to	58,000	632
22	58,001	to	60,000	660
23	60,001	to	62,000	687
24	62,001	to	64,000	716
25	64,001	to	66,000	729
26	66,001	to	68,000	756
27	68,001	to	70,000	770
28	70,001	to	72,000	798
29	72,001	to	74,000	811
30	74,001	to	76,000	838
31	76,001	to	78,000	852
32	78,001	to	80,000	880
33	80,001	to	82,000	894
34	82,001	to	84,000	921
35	84,001	to	86,000	934
36	86,001	to	88,000	963
37	88,001	to	90,000	976
38	90,001	to	92,000	1,003
39	92,001	to	94,000	1,018
40	94,001	to	96,000	1,045
41	96,001	to	98,000	1,058
42	98,001	to	100,000	1,072
43	100,001	to	102,000	1,100
44	102,001	to	104,000	1,114
45	104,001	to	105,500	1,141

1 “[_____]

2
3 “(14)(a) The registration fee for motor vehicles required to establish a registration weight
4 under ORS 803.430 or 826.013, tow vehicles used to transport property for hire other than as
5 described in ORS 822.210 and commercial buses is as provided in the following chart, based
6 upon the weight submitted in the declaration of weight prepared under ORS 803.435 or
7 826.015:

8 “ _____

9

Weight in Pounds		Fee
8,000 or less		\$ 74
8,001 to 10,000		464
10,001 to 12,000		528
12,001 to 14,000		591
14,001 to 16,000		655
16,001 to 18,000		718
18,001 to 20,000		801
20,001 to 22,000		864
22,001 to 24,000		949
24,001 to 26,000		1,031
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

1	76,001	to	78,000	967
2	78,001	to	80,000	998
3	80,001	to	82,000	1,014
4	82,001	to	84,000	1,045
5	84,001	to	86,000	1,061
6	86,001	to	88,000	1,092
7	88,001	to	90,000	1,108
8	90,001	to	92,000	1,139
9	92,001	to	94,000	1,155
10	94,001	to	96,000	1,185
11	96,001	to	98,000	1,202
12	98,001	to	100,000	1,218
13	100,001	to	102,000	1,249
14	102,001	to	104,000	1,265
15	104,001	to	105,500	1,295

16 “

17
18 “(b)(A) The registration fee for motor vehicles with a registration weight of more than
19 8,000 pounds that are described in ORS 825.015, that are operated by a charitable organization
20 as defined in ORS 825.017 (13), is as provided in the following chart:

21 “

	Weight in Pounds		Fee
24	8,001 to 10,000	\$	71
25	10,001 to 12,000		85
26	12,001 to 14,000		92
27	14,001 to 16,000		107
28	16,001 to 18,000		114
29	18,001 to 20,000		128
30	20,001 to 22,000		135
31	22,001 to 24,000		149
32	24,001 to 26,000		156
33	26,001 to 28,000		170
34	28,001 to 30,000		178
35	30,001 to 32,000		192
36	32,001 to 34,000		199
37	34,001 to 36,000		213
38	36,001 to 38,000		220
39	38,001 to 40,000		234
40	40,001 to 42,000		241
41	42,001 to 44,000		256
42	44,001 to 46,000		263
43	46,001 to 48,000		270
44	48,001 to 50,000		284
45	50,001 to 52,000		298

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

28 “

29

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

34 “

35

	Weight in Pounds		Fee
37	8,001 to 10,000	\$	145
38	10,001 to 12,000		173
39	12,001 to 14,000		187
40	14,001 to 16,000		217
41	16,001 to 18,000		231
42	18,001 to 20,000		260
43	20,001 to 22,000		274
44	22,001 to 24,000		304
45	24,001 to 26,000		318

1	26,001	to	28,000	346
2	28,001	to	30,000	362
3	30,001	to	32,000	391
4	32,001	to	34,000	405
5	34,001	to	36,000	435
6	36,001	to	38,000	449
7	38,001	to	40,000	477
8	40,001	to	42,000	491
9	42,001	to	44,000	521
10	44,001	to	46,000	535
11	46,001	to	48,000	550
12	48,001	to	50,000	578
13	50,001	to	52,000	608
14	52,001	to	54,000	622
15	54,001	to	56,000	636
16	56,001	to	58,000	665
17	58,001	to	60,000	694
18	60,001	to	62,000	723
19	62,001	to	64,000	753
20	64,001	to	66,000	767
21	66,001	to	68,000	795
22	68,001	to	70,000	809
23	70,001	to	72,000	839
24	72,001	to	74,000	853
25	74,001	to	76,000	882
26	76,001	to	78,000	896
27	78,001	to	80,000	926
28	80,001	to	82,000	940
29	82,001	to	84,000	968
30	84,001	to	86,000	983
31	86,001	to	88,000	1,012
32	88,001	to	90,000	1,027
33	90,001	to	92,000	1,055
34	92,001	to	94,000	1,071
35	94,001	to	96,000	1,099
36	96,001	to	98,000	1,113
37	98,001	to	100,000	1,127
38	100,001	to	102,000	1,157
39	102,001	to	104,000	1,172
40	104,001	to	105,500	1,200

41 “

42

43 “(C) The owner of a vehicle described in subparagraph (A) or (B) of this paragraph must certify
44 at the time of initial registration, in a manner determined by the department by rule, that the motor
45 vehicle will be used exclusively to transport manufactured structures or exclusively as described in

1 ORS 822.210, unless the motor vehicle is registered under paragraph (a) of this subsection, or as
 2 described in ORS 825.015 or 825.017 (13). Registration of a vehicle described in subparagraph (A) or
 3 (B) of this paragraph is invalid if the vehicle is operated in any manner other than that described
 4 in the certification under this subparagraph.

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

9 “[_____]

10

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

1	74,001	to	76,000	531
2	76,001	to	78,000	540
3	78,001	to	80,000	559
4	80,001	to	82,000	569
5	82,001	to	84,000	588
6	84,001	to	86,000	598
7	86,001	to	88,000	617
8	88,001	to	90,000	626
9	90,001	to	92,000	646
10	92,001	to	94,000	655
11	94,001	to	96,000	674
12	96,001	to	98,000	685
13	98,001	to	100,000	704
14	100,001	to	102,000	714
15	102,001	to	104,000	733
16	104,001	to	105,500	743

17 “[_____]

18

19 “ _____

	Weight in Pounds		Fee
21			
22	8,000	or less	\$ 50
23	8,001	to 10,000	65
24	10,001	to 12,000	75
25	12,001	to 14,000	97
26	14,001	to 16,000	108
27	16,001	to 18,000	129
28	18,001	to 20,000	141
29	20,001	to 22,000	162
30	22,001	to 24,000	172
31	24,001	to 26,000	195
32	26,001	to 28,000	204
33	28,001	to 30,000	226
34	30,001	to 32,000	237
35	32,001	to 34,000	258
36	34,001	to 36,000	270
37	36,001	to 38,000	291
38	38,001	to 40,000	302
39	40,001	to 42,000	324
40	42,001	to 44,000	334
41	44,001	to 46,000	356
42	46,001	to 48,000	366
43	48,001	to 50,000	388
44	50,001	to 52,000	399
45	52,001	to 54,000	409

1	54,001	to	56,000	432
2	56,001	to	58,000	453
3	58,001	to	60,000	463
4	60,001	to	62,000	474
5	62,001	to	64,000	496
6	64,001	to	66,000	517
7	66,001	to	68,000	528
8	68,001	to	70,000	540
9	70,001	to	72,000	561
10	72,001	to	74,000	571
11	74,001	to	76,000	594
12	76,001	to	78,000	604
13	78,001	to	80,000	625
14	80,001	to	82,000	636
15	82,001	to	84,000	657
16	84,001	to	86,000	669
17	86,001	to	88,000	690
18	88,001	to	90,000	700
19	90,001	to	92,000	723
20	92,001	to	94,000	733
21	94,001	to	96,000	754
22	96,001	to	98,000	765
23	98,001	to	100,000	787
24	100,001	to	102,000	798
25	102,001	to	104,000	819
26	104,001	to	105,500	831

27 “ _____

28
 29 “[(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, subject to
 30 paragraph (d) of this subsection, the registration fee for motor vehicles registered as farm vehicles un-
 31 der ORS 805.300 is as provided in the following chart, based upon the registration weight given in the
 32 declaration of weight submitted under ORS 803.435:]

33 “[_____]

	<i>Weight in Pounds</i>		<i>Fee</i>
35	<i>8,000 or less</i>	\$	<i>47</i>
36	<i>8,001 to 10,000</i>		<i>62</i>
37	<i>10,001 to 12,000</i>		<i>72</i>
38	<i>12,001 to 14,000</i>		<i>92</i>
39	<i>14,001 to 16,000</i>		<i>103</i>
40	<i>16,001 to 18,000</i>		<i>123</i>
41	<i>18,001 to 20,000</i>		<i>134</i>
42	<i>20,001 to 22,000</i>		<i>154</i>
43	<i>22,001 to 24,000</i>		<i>163</i>
44	<i>24,001 to 26,000</i>		<i>185</i>

1	26,001	to	28,000	194
2	28,001	to	30,000	215
3	30,001	to	32,000	225
4	32,001	to	34,000	246
5	34,001	to	36,000	257
6	36,001	to	38,000	277
7	38,001	to	40,000	288
8	40,001	to	42,000	308
9	42,001	to	44,000	317
10	44,001	to	46,000	339
11	46,001	to	48,000	348
12	48,001	to	50,000	369
13	50,001	to	52,000	379
14	52,001	to	54,000	389
15	54,001	to	56,000	410
16	56,001	to	58,000	431
17	58,001	to	60,000	440
18	60,001	to	62,000	451
19	62,001	to	64,000	471
20	64,001	to	66,000	491
21	66,001	to	68,000	502
22	68,001	to	70,000	513
23	70,001	to	72,000	533
24	72,001	to	74,000	543
25	74,001	to	76,000	564
26	76,001	to	78,000	574
27	78,001	to	80,000	594
28	80,001	to	82,000	605
29	82,001	to	84,000	625
30	84,001	to	86,000	636
31	86,001	to	88,000	656
32	88,001	to	90,000	666
33	90,001	to	92,000	687
34	92,001	to	94,000	697
35	94,001	to	96,000	717
36	96,001	to	98,000	728
37	98,001	to	100,000	748
38	100,001	to	102,000	759
39	102,001	to	104,000	779
40	104,001	to	105,500	790

41 “[_____]

42

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

45 “**SECTION 36. The amendments to ORS 803.420 by section 35 of this 2017 Act apply to**

1 registration fees imposed on or after January 1, 2022.

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

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

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

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

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

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

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

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

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

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

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

21 *“(3) In addition to the title fees prescribed under ORS 803.090 (1)(c), during the period beginning*
22 *on January 1, 2018, and ending on December 31, 2019, there shall be paid an additional amount of*
23 *\$16.]*

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

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

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

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

30 *“(d) For electric vehicles, \$110.]*

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

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

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

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

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

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

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

41 *“803.090. [The following fees are the fees for the transaction described:]*

42 *“(1) The transfer fee under ORS 803.092:]*

43 *“(a) For a salvage title, \$27.]*

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

1 “(c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this
2 subsection, \$77.]

3 “(2) The fee for issuance of a certificate of title under ORS 803.045:]

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

6 “(b) For vehicles other than vehicles for which the title fee is described in paragraph (a) of this
7 subsection, \$77.]

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

9 “(4) The fee for issuance of a duplicate or replacement certificate of title under ORS 803.065:]

10 “(a) For a duplicate or replacement salvage title certificate, \$27.]

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

13 “(c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this
14 subsection, \$77.]

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

17 “(6) The fee for issuance of a new certificate of title under ORS 803.220 indicating a change of
18 name or address:]

19 “(a) For a new salvage title certificate, \$27.]

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

22 “(c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this
23 subsection, \$77.]

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

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

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

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

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

37 “(7) (3) The fee for late presentation of certificate of title under ORS 803.105[,] is \$25 from the
38 31st day after the transfer through the 60th day after the transfer and \$50 thereafter.

39 “(8) (4) The fees for title transactions involving a form of title other than a certificate shall
40 be the amounts established by the Department of Transportation by rule under ORS 803.012.

41
42 **“CONFORMING AMENDMENTS**

43
44 **“SECTION 39b.** ORS 801.041 is amended to read:

45 “801.041. The following apply to the authority granted to counties by ORS 801.040 to establish

1 registration fees for vehicles:

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

13 “(2) The authority granted by this section allows the establishment of registration fees in addi-
14 tion to those described in ORS 803.420. There is no authority under this section to affect registration
15 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-
16 tration under the vehicle code.

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

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

21 “(b) Fixed load vehicles.

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

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

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

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

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

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

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

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

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

32 “(L) Travel trailers, campers and motor homes.

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

37 “(4) Any registration fee imposed by a county must be a fixed amount not to exceed, with re-
38 spect to any vehicle class, the registration fee established under ORS 803.420 [(1)] **(6)(a)**. For vehi-
39 cles on which a flat fee is imposed under ORS 803.420, the fee must be a whole dollar amount.

40 “(5) Moneys from registration fees established under this section must be paid to the county
41 establishing the registration fees as provided in ORS 802.110. The county ordinance shall provide for
42 payment of at least 40 percent of the moneys to cities within the county unless a different distrib-
43 ution is agreed upon by the county and the cities within the jurisdiction of the county. The moneys
44 for the cities and the county shall be used for any purpose for which moneys from registration fees
45 may be used, including the payment of debt service and costs related to bonds or other obligations

1 issued for such purposes.

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

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

6 “801.042. The following apply to the authority granted to a district by ORS 801.040 to establish
7 registration fees for vehicles:

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

16 “(2) If a district raises revenues from a registration fee for purposes related to highways, roads,
17 streets and roadside rest areas, the governing body of that district shall establish a Regional Arterial
18 Fund and shall deposit in the Regional Arterial Fund all such registration fees.

19 “(3) Interest received on moneys credited to the Regional Arterial Fund shall accrue to and
20 become a part of the Regional Arterial Fund.

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

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

35 “(6) The authority granted by this section allows the establishment of registration fees in addi-
36 tion to those described in ORS 803.420. There is no authority under this section to affect registration
37 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-
38 tration under the vehicle code.

39 “(7) Except as otherwise provided for in this subsection, when registration fees are imposed
40 under this section, the fees must be imposed on all vehicle classes. Registration fees as provided
41 under this section may not be imposed on the following:

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

43 “(b) Fixed load vehicles.

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

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

1 “(e) Vehicles registered as vehicles of special interest under ORS 805.020.
2 “(f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
3 “(g) School buses or school activity vehicles registered under ORS 805.050.
4 “(h) Law enforcement undercover vehicles registered under ORS 805.060.
5 “(i) Vehicles registered on a proportional basis for interstate operation.
6 “(j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 [(10)
7 or (11)] **(14)(a) or (b)**.
8 “(k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
9 “(L) Travel trailers, campers and motor homes.
10 “(m) Vehicles registered to an employment address as provided in ORS 802.250 when the eligible
11 public employee or household member’s residence address is not within the county of the employ-
12 ment address. The department may adopt rules it considers necessary for the administration of this
13 paragraph.
14 “(8) Any registration fee imposed by the governing body of a district must be a fixed amount
15 not to exceed, with respect to any vehicle class, the registration fee established under ORS 803.420
16 [(1)] **(6)(a)**. For vehicles on which a flat fee is imposed under ORS 803.420, the fee must be a whole
17 dollar amount.
18 “**SECTION 39d.** ORS 803.350 is amended to read:
19 “803.350. This section establishes the requirements for qualification for registration. The De-
20 partment of Transportation shall not issue registration to a vehicle if the requirements under this
21 section are not met. The department, in the absence of just cause for refusing to register a vehicle
22 upon application, shall assign a distinctive number or other distinctive means of identification and
23 shall issue registration for a vehicle if all of the following requirements are met:
24 “(1) The applicant applies for and is granted title in the applicant’s name at the same time the
25 person makes application for registration, or presents satisfactory evidence that title covering the
26 vehicle has been previously issued to the applicant.
27 “(2) The applicant completes an application described under ORS 803.370. If the vehicle is a
28 reconstructed or assembled vehicle or a replica, the person must indicate that fact in the application
29 or be subject to ORS 803.225.
30 “(3) The applicant pays the department the registration fee established under ORS 803.420 and
31 any applicable fees for issuance of registration plates.
32 “(4) For motor vehicles, proof of compliance with pollution control equipment requirements is
33 provided to the department. Proof required to comply with this subsection is described under ORS
34 815.310. This subsection does not apply if the vehicle is exempt from the requirements for proof of
35 compliance under ORS 815.300.
36 “(5) The applicant is domiciled in this state, as described in ORS 803.355, if required by ORS
37 803.360 to be domiciled in the state in order to register a vehicle. If the department has reason to
38 believe that the applicant is not domiciled in this state and is required to be in order to register a
39 vehicle, the department may require the person to submit proof of domicile. The department shall
40 determine by rule what constitutes proof of domicile.
41 “(6) The applicant owns a vehicle that qualifies under ORS 803.360 (2) for registration in this
42 state, if the owner is not domiciled in this state and is not required by ORS 803.200, or any other
43 provision of law, to register the vehicle in this state.
44 “(7) The applicant surrenders all evidence of any former registration or title as required by ORS
45 803.380.

1 “(8)(a) Beginning with 2009 model year new motor vehicles, the applicant provides proof of
2 compliance with low emission motor vehicle standards adopted pursuant to ORS 468A.360. The de-
3 partment shall determine by rule what constitutes proof of compliance with low emission motor ve-
4 hicle standards.

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

8 “(c) For purposes of this subsection, ‘new motor vehicle’ means a motor vehicle with 7,500 miles
9 or less on the odometer when the vehicle is initially registered under ORS 803.420 [(1)] **(6)(a)**,
10 805.100 or 805.120.

11 “(9) If required to do so by the department, the applicant provides the department with satis-
12 factory proof that the vehicle was designed to be operated on highways and meets equipment re-
13 quirements imposed by statute or rule for the lawful operation of a vehicle on highways. The
14 department may adopt rules specifying the kinds of vehicles that are subject to this subsection and
15 what constitutes satisfactory proof under this subsection.

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

17 “803.415. This section establishes registration periods for vehicles. The registration periods are
18 periods described under ORS 803.400. Except as provided in the following, the registration period for
19 any vehicle registered in this state by the Department of Transportation is a biennial registration
20 period:

21 “(1) The following vehicles have permanent registration:

22 “(a) Antique vehicles registered under ORS 805.010.

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

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

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

27 “(3) The following vehicles may be registered under annual or quarterly registration unless the
28 vehicles are registered under proportional registration under ORS 826.009 or proportional fleet
29 registration under ORS 826.011:

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

31 “(b) Commercial buses.

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

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

34 “(5) Vehicles operated by dealers who hold certificates under ORS 822.020 are as provided under
35 ORS 822.040.

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

38 “(a) Annual registration; or

39 “(b) If registered under an agreement pursuant to ORS 802.500, for a period of time determined
40 as specified in the agreement or as determined by the department.

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

45 “(a) Commercial buses.

1 “(b) Electric or hybrid vehicles registered as farm vehicles under ORS 805.300.
2 “(c) Vehicles required to establish registration weight under ORS 803.430.
3 “(8) Vehicles registered under ORS 805.100 have an ownership registration period.
4 “(9) School vehicles registered under ORS 805.050 have ownership registration except that the
5 registration shall continue to be valid if ownership of the vehicle is transferred to a person who
6 continues to use the vehicle for purposes authorized by ORS 805.050.
7 “(10) The following vehicles have a four-year registration period:
8 “(a) New vehicles registered under ORS 803.420 [(1)] **(6)(a)** for which new registration plates
9 will be issued;
10 “(b) New mopeds **or motorcycles** registered under ORS 803.420 [(2)] **(6)(c)** for which new reg-
11 istration plates will be issued; **and**
12 “**(c) New trailers registered under ORS 803.420 (6)(b), for which new registration plates**
13 **will be issued.**
14 “[*(c) New motorcycles registered under ORS 803.420 (3) for which new registration plates will be*
15 *issued; and*]
16 “[*(d) New vehicles registered under ORS 803.420 (9)(a) for which new registration plates will be*
17 *issued.*]
18 “(11) A rental or leasing company, as defined in ORS 221.275, may elect an annual, a biennial
19 or a four-year registration period for the initial registration of a new vehicle registered under ORS
20 803.420 [(1) or (9)(a)] **(6)(a)** for which new registration plates will be issued if the company owns the
21 vehicle that is being registered. The subsequent renewal or reregistration periods for the vehicle
22 are biennial.
23 “**SECTION 39f.** ORS 803.445 is amended to read:
24 “803.445. (1) The governing body of a county may impose registration fees for vehicles as pro-
25 vided in ORS 801.041.
26 “(2) The governing body of a district may impose registration fees for vehicles as provided in
27 ORS 801.042.
28 “(3) The Department of Transportation shall provide by rule for the administration of laws au-
29 thorizing county and district registration fees and for the collection of those fees.
30 “(4) Any registration fee imposed under this section shall be imposed in a manner consistent
31 with ORS 803.420.
32 “(5) No county or district may impose a vehicle registration fee that would by itself, or in
33 combination with any other vehicle registration fee imposed under this section, exceed the amount
34 of the fee imposed under ORS 803.420 [(1)] **(6)(a)**. The owner of any vehicle subject to multiple fees
35 under this section shall be allowed a credit or credits with respect to one or more of such fees so
36 that the total of such fees does not exceed the amount of the fee imposed under ORS 803.420 [(1)]
37 **(6)(a)**.
38 “**SECTION 39g.** ORS 805.047 is amended to read:
39 “805.047. (1) Upon request of any county, the Department of Transportation may issue registra-
40 tion plates or other evidence of registration from any regular series rather than from any specially
41 designed government series for a vehicle owned or operated by the county. The registration period
42 for a vehicle described under this section shall be the same as the regular registration period for
43 the type of vehicle registered. The fee for registration or renewal of registration of a vehicle under
44 this section shall be the fee established under ORS 803.420 [(1) or (9)] **(6)(a)**.
45 “(2) Any vehicle registered under this section and not exempted under ORS 815.300 must meet

1 the requirements for certification of compliance with pollution control under ORS 815.310.

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

3 “805.103. (1) The Department of Transportation shall provide for issuance of registration plates
4 for a motor vehicle registered under ORS 803.420 [(1) or (9)(a)] **(6)(a)**, in a manner consistent with
5 this section, to motor vehicle owners who qualify for the plates as Congressional Medal of Honor
6 recipients under subsection (2) this section.

7 “(2) A person who is a Congressional Medal of Honor recipient qualifies for registration plates
8 under this section if the person provides the department with a certificate from the United States
9 Department of Veterans Affairs attesting to the person’s status as a Congressional Medal of Honor
10 recipient.

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

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

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

17 “(a) Be issued with a unique background design determined by the department;

18 “(b) Be issued with a specific configuration as determined by the department;

19 “(c) Contain the words ‘Medal of Honor’;

20 “(d) Contain the image of the Congressional Medal of Honor; and

21 “(e) Meet the requirements for registration plates under ORS 803.535.

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

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

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

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

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

36 “805.105. (1) The Department of Transportation shall establish a veterans’ recognition registra-
37 tion plate program to issue registration plates called ‘veterans’ recognition registration plates’ upon
38 request to an owner of any motor vehicle registered under ORS 803.420 [(1) or (9)(a)] **(6)(a)** if the
39 owner of the motor vehicle qualifies for the plates. Rules adopted under this section shall include,
40 but need not be limited to, rules that:

41 “(a) Describe general qualifications to be met by any veterans’ group in order to be eligible for
42 a veterans’ recognition registration plate issued under this section.

43 “(b) Specify circumstances under which the department may cease to issue veterans’ recognition
44 registration plates.

45 “(c) Specify what constitutes proof of veteran status for issuance of a veterans’ recognition

1 registration plate, if such proof is required by a veterans' group or by the Director of Veterans'
2 Affairs.

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

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

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

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

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

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

26 "(b) If the department issues a veterans' recognition registration plate to recognize a veterans'
27 group, the department shall, in consultation with the requesting veterans' group, add words or a
28 military-related decal to the veterans' recognition registration plate that names, describes or re-
29 presents the veterans' group.

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

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

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

41 "(5) For the purposes of this section, 'sibling' includes siblings of the whole or half blood and
42 siblings by adoption, marriage or domestic partnership.

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

44 "805.115. (1) In the absence of just cause for refusal, the Department of Transportation shall
45 provide for registration in a manner consistent with this section for persons who qualify under this

1 section as active members of the Oregon National Guard. The special registration provisions under
2 this section are subject to the following:

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

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

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

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

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

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

17 “805.205. (1) Except as provided in subsection (7) of this section, the Department of Transpor-
18 tation shall provide for issuance of registration plates described in this section for nonprofit groups
19 meeting the qualifications for tax exempt status under section 501(c)(3) of the Internal Revenue Code
20 and for institutions of higher education. Plates issued under this section may be issued to owners
21 of motor vehicles registered under the provisions of ORS 803.420 [(1)] **(6)(a)**. Plates issued under this
22 section may not contain expressions of political opinion or religious belief. Rules adopted under this
23 section shall include, but need not be limited to, rules that:

24 “(a) Specify circumstances under which the department may cease to issue plates for any par-
25 ticular group.

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

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

39 “(b) In addition to any other fee authorized by law, upon issuance of a plate under this section
40 that recognizes an institution of higher education in this state, and upon renewal of registration for
41 a vehicle that has such plates, the department shall collect a surcharge of \$8 per plate for each year
42 of the registration period.

43 “(c) In addition to any other fee authorized by law, upon issuance of a Share the Road regis-
44 tration plate the department shall collect a surcharge of \$5 per year of registration.

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

1 “(a) If the group requesting the plates is an institution of higher education, the plates shall,
2 upon request, contain words that indicate the plates are issued to recognize the institution or shall
3 contain the institution’s logo or an image of the institution’s mascot; or

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

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

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

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

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

33 “(c) Net proceeds of the surcharge collected by the department for Keep Kids Safe registration
34 plates shall be deposited into an account designated by the Children’s Trust Fund of Oregon Foun-
35 dation to fund strategies and approaches shown to prevent or reduce child abuse. Deposits made
36 under this paragraph shall be made at least quarterly. At any time that the department determines
37 that the account designated by the Children’s Trust Fund of Oregon Foundation ceases to exist, the
38 department shall deposit the proceeds into the Keep Kids Safe Registration Plate Account estab-
39 lished in ORS 805.207. At the beginning of each biennium, the Early Learning Council shall evenly
40 distribute the moneys in the Keep Kids Safe Registration Plate Account to the counties in this state,
41 until each county receives \$1,000. After each county has received \$1,000, the council shall distribute
42 any remaining moneys to each county in an amount equal to the percentage of Keep Kids Safe
43 registration plates sold in that county. Each county shall use the moneys received under this para-
44 graph solely for the purpose of funding strategies and approaches shown to prevent or reduce child
45 abuse.

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

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

4 “805.222. (1) The Department of Transportation shall establish a special registration program
5 and provide for issuance of special registration plates for nonprofit groups meeting the qualifications
6 for tax exempt status under section 501(c)(3) of the Internal Revenue Code, for institutions of higher
7 education and for public bodies, as defined in ORS 174.109.

8 “(2) Plates issued under this section may be issued to owners of motor vehicles registered under
9 the provisions of ORS 803.420 [(1)] **(6)(a)**. In addition, the department may adopt rules for issuance
10 of special registration plates issued pursuant to this section for vehicles not registered under ORS
11 803.420 [(1)] **(6)(a)**.

12 “(3) Plates issued under this section may not contain expressions of political opinion or religious
13 belief.

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

15 “(a) Describe general qualifications to be met by any nonprofit group, institution of higher ed-
16 ucation or public body in order to be eligible for plates issued under this section.

17 “(b) Specify circumstances under which the department may cease to issue plates under this
18 section.

19 “(c) Require each nonprofit group, institution of higher education or public body for which
20 plates are issued to file an annual statement on a form designed by the department showing that the
21 group is a nonprofit group, institution of higher education or public body and that the nonprofit
22 group, institution of higher education or public body otherwise meets the qualifications imposed for
23 eligibility for plates issued under this section. The statement shall include names and addresses of
24 current directors or officers of the nonprofit group, institution of higher education or public body
25 or of other persons authorized to speak for the nonprofit group, institution of higher education or
26 public body on matters affecting plates issued under this section.

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

29 “(5) In addition to any other fee authorized by law, for each set of special registration plates
30 issued pursuant to this section, the department shall collect a surcharge of \$40 payable when the
31 plates are issued and upon each subsequent renewal of registration of a vehicle bearing the plates.
32 The department shall distribute the moneys from the surcharge as provided in subsection (8) of this
33 section.

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

37 “(7) The department shall determine how many sets of plates shall be manufactured for each
38 plate approved under this section. If the department does not issue 2,000 sets of plates for a par-
39 ticular nonprofit group, institution of higher education or public body in any one year, the depart-
40 ment shall cease production of those plates.

41 “(8) Each nonprofit group, institution of higher education or public body that is found by the
42 department to be eligible for plates issued under this section may designate an account into which
43 the net proceeds of the surcharge collected by the department under subsection (5) of this section
44 are to be deposited. The department shall keep accurate records of the number of plates issued for
45 each nonprofit group, institution of higher education or public body that qualifies. After payment

1 of administrative expenses of the department, moneys collected under this section for a nonprofit
2 group, institution of higher education or public body shall be deposited by the department into an
3 account specified by that nonprofit group, institution of higher education or public body. If any
4 nonprofit group, institution of higher education or public body does not specify an account for the
5 moneys collected from the sale of plates issued under this section, the department shall deposit
6 moneys collected for those plates into the Passenger Rail Transportation Account established under
7 ORS 802.100 to be used as other moneys in the account are used. Deposits under this subsection
8 shall be made at least quarterly.

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

10 “805.255. (1) The Department of Transportation shall establish a salmon registration plate pro-
11 gram to issue special registration plates called ‘salmon registration plates’ upon request to owners
12 of motor vehicles registered under the provisions of ORS 803.420 [(1)] **(6)(a)** to observe the impor-
13 tance of salmonid to Oregon. In addition, the department may adopt rules for issuance of salmon
14 registration plates for vehicles not registered under the provisions of ORS 803.420 [(1)] **(6)(a)**.

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

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

21 “805.260. (1) The Department of Transportation shall establish a cultural registration plate pro-
22 gram to issue special registration plates called ‘cultural registration plates’ upon request to owners
23 of motor vehicles registered under the provisions of ORS 803.420 [(1)] **(6)(a)** to observe the impor-
24 tance of culture to Oregon. In addition, the department may adopt rules for issuance of cultural
25 registration plates for vehicles not registered under the provisions of ORS 803.420 [(1)] **(6)(a)**.

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

30 “(3) The department, in consultation with the Trust for Cultural Development Board, shall de-
31 sign the cultural registration plates. The plates shall meet the requirements for registration plates
32 described in ORS 803.535.

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

34 “805.263. (1) The Department of Transportation shall establish a Crater Lake National Park
35 registration plate program to issue special registration plates called ‘Crater Lake National Park
36 registration plates’ upon request to owners of motor vehicles registered under the provisions of ORS
37 803.420 [(1)] **(6)(a)** to commemorate the 100th anniversary of Crater Lake National Park. The de-
38 partment may adopt rules for issuance of Crater Lake National Park registration plates for vehicles
39 that are not registered under the provisions of ORS 803.420 [(1)] **(6)(a)**.

40 “(2) In addition to any other fee authorized by law, for each Crater Lake National Park regis-
41 tration plate issued under subsection (1) of this section, the department shall collect a surcharge
42 of \$10 payable when the plate is issued. The department shall distribute the surcharge as provided
43 in ORS 805.264.

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

45 “805.266. (1) The Department of Transportation shall establish a wine country registration plate

1 program to issue special registration plates called ‘wine country registration plates’ upon request
2 to owners of motor vehicles registered under the provisions of ORS 803.420 [(1)] **(6)(a)**.

3 “(2) In addition to any other fee authorized by law, for each set of wine country registration
4 plates issued under subsection (1) of this section, the department shall collect a surcharge of \$30
5 payable when the plates are issued and upon each subsequent renewal of registration of a vehicle
6 bearing the plates. The department shall transfer the moneys from the surcharge as provided in ORS
7 805.272.

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

9 “805.278. (1) The Department of Transportation shall establish a Portland Trail Blazers regis-
10 tration plate program to issue special registration plates to support charitable initiatives through
11 the Trail Blazers Foundation established by the Portland Trail Blazers. The special registration
12 plates shall be issued upon request to owners of motor vehicles registered under ORS 803.420 [(1)]
13 **(6)(a)**. In addition, the department may adopt rules for issuance of Portland Trail Blazers registra-
14 tion plates for vehicles not registered under ORS 803.420 [(1)] **(6)(a)**.

15 “(2) In addition to any other fee authorized by law, for each set of Portland Trail Blazers regi-
16 stration plates issued under subsection (1) of this section, the department shall collect a surcharge
17 of \$40 payable when the plates are issued and upon each subsequent renewal of registration of a
18 vehicle bearing the plates. The department shall distribute the moneys from the surcharge as pro-
19 vided in ORS 805.279.

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

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

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

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

31 “805.283. (1) The Department of Transportation shall establish a breast cancer awareness regis-
32 tration plate program to issue special registration plates called ‘breast cancer awareness regis-
33 tration plates’ upon request to owners of motor vehicles registered under ORS 803.420 [(1)] **(6)(a)**.
34 In addition, the department may adopt rules for issuance of breast cancer awareness registration
35 plates for vehicles not registered under ORS 803.420 [(1)] **(6)(a)**.

36 “(2) In addition to any other fee authorized by law, for each set of breast cancer awareness
37 registration plates issued under subsection (1) of this section, the department shall collect a sur-
38 charge of \$40 payable when the plates are issued and upon each subsequent renewal of registration
39 of a vehicle bearing the plates. The department shall distribute the surcharge as provided in ORS
40 805.285.

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

45 “**SECTION 39s.** Section 2, chapter 823, Oregon Laws 2009, as amended by section 8, chapter

1 709, Oregon Laws 2011, section 1, chapter 390, Oregon Laws 2015, and section 18, chapter 806,
2 Oregon Laws 2015, is amended to read:

3 “**Sec. 2.** (1) The Department of Transportation shall establish a Pacific Wonderland registration
4 plate program to issue special registration plates called ‘Pacific Wonderland registration plates’
5 upon request to owners of motor vehicles registered under the provisions of ORS 803.420 [(1)]
6 **(6)(a)**. In addition, the department may adopt rules for issuance of Pacific Wonderland registration
7 plates for vehicles not 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 Pacific Wonderland regis-
9 tration plates issued under subsection (1) of this section, the department shall collect a surcharge
10 of \$100 payable when the plates are issued. The department shall transfer the moneys from the
11 surcharge as provided in section 3, chapter 823, Oregon Laws 2009.

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

16 “(4) The department shall limit the total number of Pacific Wonderland registration plates to
17 80,000 sets of plates.

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

19 “822.213. (1) In addition to the privileges described under ORS 822.210, the holder of a current,
20 valid towing business certificate issued under ORS 822.205 may use a tow vehicle to transport
21 property for hire other than as described in ORS 822.210 if:

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

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

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

27 “(d) The holder of the towing business certificate operates in accordance with the provisions
28 of ORS chapter 825.

29 “(2) A tow vehicle that is used to transport property for hire other than as described in ORS
30 822.210 is subject to the weight-mile tax imposed under ORS 825.474.

31 “**SECTION 40.** ORS 319.020 is amended to read:

32 “319.020. (1) Subject to subsections (2) to (4) of this section, in addition to the taxes otherwise
33 provided for by law, every dealer engaging in the dealer’s own name, or in the name of others, in
34 the first sale, use or distribution of motor vehicle fuel or aircraft fuel or withdrawal of motor vehicle
35 fuel or aircraft fuel for sale, use or distribution within areas in this state within which the state
36 lacks the power to tax the sale, use or distribution of motor vehicle fuel or aircraft fuel, shall:

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

43 “(b) Except as provided in ORS 319.270, pay a license tax computed on the basis of [30] **34** cents
44 per gallon on the first sale, use or distribution of such motor vehicle fuel or aircraft fuel so sold,
45 used, distributed or withdrawn as shown by such statement in the manner and within the time pro-

1 vided in ORS 319.010 to 319.430.

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

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

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

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

15 “319.020. (1) Subject to subsections (2) to (4) of this section, in addition to the taxes otherwise
16 provided for by law, every dealer engaging in the dealer’s own name, or in the name of others, in
17 the first sale, use or distribution of motor vehicle fuel or aircraft fuel or withdrawal of motor vehicle
18 fuel or aircraft fuel for sale, use or distribution within areas in this state within which the state
19 lacks the power to tax the sale, use or distribution of motor vehicle fuel or aircraft fuel, shall:

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

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

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

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

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

41 “**SECTION 42.** ORS 319.530 is amended to read:

42 “319.530. (1) To compensate this state partially for the use of its highways, an excise tax hereby
43 is imposed at the rate of [30] **34** cents per gallon on the use of fuel in a motor vehicle.

44 “(2) Except as otherwise provided in subsections (3) and (4) of this section, 100 cubic feet of fuel
45 used or sold in a gaseous state, measured at 14.73 pounds per square inch of pressure at 60 degrees

1 Fahrenheit, is taxable at the same rate as a gallon of liquid fuel.

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

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

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

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

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

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

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

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

16 “319.530. (1) To compensate this state partially for the use of its highways, an excise tax hereby
17 is imposed at the rate of [30] **34** cents per gallon on the use of fuel in a motor vehicle.

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

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

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

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

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

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

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

40 “(C) **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 “(D) **The Department of Transportation is implementing the registration fees and title**
44 **fees described in sections 32 and 37 of this 2017 Act; and**

45 “(E) **The Interstate 205 Active Traffic Management Project and the Interstate 205 Cor-**

1 **ridor Bottleneck Project have been completed.**

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

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

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

8 **“(C) The construction and financial status of uncompleted in-progress projects exceeding**
9 **\$20 million identified in this 2017 Act;**

10 **“(D) The status of the Treasure Valley Intermodal Facility Project and the Value Pricing**
11 **Set-Up Project;**

12 **“(E) Design, cost analysis and construction option packages for the Interstate 5 Rose**
13 **Quarter Project for consideration by the Legislative Assembly; and**

14 **“(F) The design, construction, financial status and progress of projects costing more than**
15 **\$20 million that are identified in this 2017 Act, including, but not limited to, the Interstate**
16 **205 Abernethy Bridge Project, the Interstate 205 Freeway Widening Project, the State High-**
17 **way 217 Northbound Project and the State Highway 217 Southbound Project, and any other**
18 **state transportation projects implemented after the effective date of this 2017 Act.**

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

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

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

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

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

35 **“(E) The reports required from cities and counties under section 11 (2) of this 2017 Act**
36 **have been submitted and posted by the commission as required under section 11 (3) of this**
37 **2017 Act;**

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

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

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

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

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

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

9 “(C) The construction and financial status of uncompleted in-progress projects exceeding
10 \$50 million identified in this 2017 Act; and

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

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

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

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

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

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

33 “(E) The reports required from cities and counties under section 11 (2) of this 2017 Act
34 have been submitted and posted by the commission as required under section 11 (3) of this
35 2017 Act;

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

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

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

1 **dealer certificate or a towing business certificate, \$15.**

2 **“SECTION 49.** ORS 803.645, as amended by section 48 of this 2017 Act, is amended to read:

3 “803.645. (1) *[For the period beginning on January 1, 2018, and ending on December 31, 2019,]*

4 Fees for trip permits issued under ORS 803.600 are as follows:

5 **“(1) For a heavy motor vehicle trip permit, \$43.**

6 **“(2) For a heavy trailer trip permit, \$10.**

7 **“(3) For a light vehicle trip permit, \$35.**

8 **“(4) For a recreational vehicle trip permit, \$35.**

9 **“(5) For a registration weight trip permit, \$5.**

10 **“(6) For a registered vehicle trip permit, \$7.50.**

11 **“(7) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle**
12 **dealer certificate or a towing business certificate, \$15.**

13 “[*(a) For a heavy motor vehicle trip permit, \$43.*]

14 “[*(b) For a heavy trailer trip permit, \$10.*]

15 “[*(c) For a light vehicle trip permit, \$32.*]

16 “[*(d) For a recreational vehicle trip permit, \$32.*]

17 “[*(e) For a registration weight trip permit, \$5.*]

18 “[*(f) For a registered vehicle trip permit, \$7.50.*]

19 “[*(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer*
20 *certificate or a towing business certificate, \$15.*]

21 “[*(2) For the period beginning on January 1, 2020, and ending on December 31, 2021, fees for trip*
22 *permits issued under ORS 803.600 are as follows:*]

23 “[*(a) For a heavy motor vehicle trip permit, \$43.*]

24 “[*(b) For a heavy trailer trip permit, \$10.*]

25 “[*(c) For a light vehicle trip permit, \$33.*]

26 “[*(d) For a recreational vehicle trip permit, \$33.*]

27 “[*(e) For a registration weight trip permit, \$5.*]

28 “[*(f) For a registered vehicle trip permit, \$7.50.*]

29 “[*(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer*
30 *certificate or a towing business certificate, \$15.*]

31 “[*(3) For the period beginning on January 1, 2022, and ending on December 31, 2023, fees for trip*
32 *permits issued under ORS 803.600 are as follows:*]

33 “[*(a) For a heavy motor vehicle trip permit, \$43.*]

34 “[*(b) For a heavy trailer trip permit, \$10.*]

35 “[*(c) For a light vehicle trip permit, \$34.*]

36 “[*(d) For a recreational vehicle trip permit, \$34.*]

37 “[*(e) For a registration weight trip permit, \$5.*]

38 “[*(f) For a registered vehicle trip permit, \$7.50.*]

39 “[*(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer*
40 *certificate or a towing business certificate, \$15.*]

41 **“SECTION 50. The amendments to ORS 803.645 by section 49 of this 2017 Act apply to fees**
42 **imposed on or after January 1, 2024.**

43 **“SECTION 51.** ORS 818.225 is amended to read:

44 **“818.225. (1) As used in this section, ‘equivalent single-axle load’ means the relationship**
45 **between actual or requested weight and an 18,000 pound single-axle load as determined by the**

1 **American Association of State Highway and Transportation Officials Road Tests reported at**
2 **the Proceedings Conference of 1962.**

3 “[*(1)(a)*] **(2)(a)** In addition to any fee for a single-trip nondivisible load permit, a person who is
4 issued the permit or who operates a vehicle in a manner that requires the permit is liable for pay-
5 ment of a road use assessment fee [*of seven and one-tenths cents*] **computed on the basis of the**
6 **following rates** per equivalent single-axle load mile traveled[.]:

7 **“(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, eight**
8 **and five-tenths cents.**

9 **“(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, nine**
10 **and five-tenths cents.**

11 **“(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, ten**
12 **and five-tenths cents.** [*As used in this subsection, ‘equivalent single-axle load’ means the relationship*
13 *between actual or requested weight and an 18,000 pound single-axle load as determined by the Ameri-*
14 *can Association of State Highway and Transportation Officials Road Tests reported at the Proceedings*
15 *Conference of 1962. The Department of Transportation may adopt rules to standardize the determi-*
16 *nation of equivalent single-axle load computation based on average highway conditions.]*

17 “(b) If the road use assessment fee is not collected at the time of issuance of the permit, the
18 department shall bill the permittee for the amount due. The account shall be considered delinquent
19 if not paid within 60 days of billing.

20 “(c) The miles of travel authorized by a single-trip nondivisible load permit shall be exempt from
21 taxation under ORS chapter 825.

22 “[*(2) The department by rule may establish procedures for payment, collection and enforcement of*
23 *the fees and assessments established by this chapter.*]

24 **“(3) The department may adopt rules:**

25 **“(a) To standardize the determination of equivalent single-axle load computation based**
26 **on average highway conditions; and**

27 **“(b) To establish procedures for payment, collection and enforcement of the fees and**
28 **assessments established by this chapter.**

29 **“SECTION 52.** ORS 818.225, as amended by section 51 of this 2017 Act, is amended to read:

30 “818.225. (1) As used in this section, ‘equivalent single-axle load’ means the relationship between
31 actual or requested weight and an 18,000 pound single-axle load as determined by the American
32 Association of State Highway and Transportation Officials Road Tests reported at the Proceedings
33 Conference of 1962.

34 “(2)(a) In addition to any fee for a single-trip nondivisible load permit, a person who is issued
35 the permit or who operates a vehicle in a manner that requires the permit is liable for payment of
36 a road use assessment fee **of eleven and eight-tenths cents** [*computed on the basis of the following*
37 *rates*] per equivalent single-axle load mile traveled[.]:

38 “[*(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, eight and*
39 *five-tenths cents.*]

40 “[*(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, nine and*
41 *five-tenths cents.*]

42 “[*(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, ten and*
43 *five-tenths cents.*]

44 “(b) If the road use assessment fee is not collected at the time of issuance of the permit, the
45 department shall bill the permittee for the amount due. The account shall be considered delinquent

1 if not paid within 60 days of billing.

2 “(c) The miles of travel authorized by a single-trip nondivisible load permit shall be exempt from
3 taxation under ORS chapter 825.

4 “(3) The department may adopt rules:

5 “(a) To standardize the determination of equivalent single-axle load computation based on aver-
6 age highway conditions; and

7 “(b) To establish procedures for payment, collection and enforcement of the fees and assessments
8 established by this chapter.

9 “**SECTION 53. The amendments to ORS 818.225 by section 52 of this 2017 Act apply to**
10 **road use assessment fees imposed on or after January 1, 2024.**

11 “**SECTION 54.** ORS 818.270 is amended to read:

12 “818.270. (1) **For the period beginning on January 1, 2018, and ending on December 31,**
13 **2019:**

14 “[*1*] (a) The fee for issuance of a variance permit under ORS 818.200 may be any amount de-
15 termined by a road authority, not to exceed [*\$*8] **\$8.50**. If the variance permit is issued by a private
16 contractor, the contractor may charge an additional fee not to exceed [*\$*5] **\$5.50**.

17 “[*2*] (b) The fee for issuance of a sifting or leaking load permit under ORS 818.230 is [*\$*8]
18 **\$8.50**.

19 “[*3*] (c) The fee for issuance of a dragging permit under ORS 818.240 is [*\$*8] **\$8.50**.

20 “(2) **For the period beginning on January 1, 2020, and ending on December 31, 2021:**

21 “(a) **The fee for issuance of a variance permit under ORS 818.200 may be any amount**
22 **determined by a road authority, not to exceed \$9. If the variance permit is issued by a private**
23 **contractor, the contractor may charge an additional fee not to exceed \$6.**

24 “(b) **The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$9.**

25 “(c) **The fee for issuance of a dragging permit under ORS 818.240 is \$9.**

26 “(3) **For the period beginning on January 1, 2022, and ending on December 31, 2023:**

27 “(a) **The fee for issuance of a variance permit under ORS 818.200 may be any amount**
28 **determined by a road authority, not to exceed \$9.50. If the variance permit is issued by a**
29 **private contractor, the contractor may charge an additional fee not to exceed \$6.50.**

30 “(b) **The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$9.50.**

31 “(c) **The fee for issuance of a dragging permit under ORS 818.240 is \$9.50.**

32 “(4) The fee for issuance of a permit under ORS 818.260 for the use of bus safety lights is a fee
33 established by rule by the Department of Transportation. Any fee established for purposes of this
34 subsection [*shall*] **may** not exceed the actual costs of issuing the permit.

35 “**SECTION 55.** ORS 818.270, as amended by section 54 of this 2017 Act, is amended to read:

36 “818.270. [*1*] *For the period beginning on January 1, 2018, and ending on December 31, 2019:*]

37 “[*a*] *The fee for issuance of a variance permit under ORS 818.200 may be any amount determined*
38 *by a road authority, not to exceed \$8.50. If the variance permit is issued by a private contractor, the*
39 *contractor may charge an additional fee not to exceed \$5.50.]*

40 “[*b*] *The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$8.50.]*

41 “[*c*] *The fee for issuance of a dragging permit under ORS 818.240 is \$8.50.]*

42 “[*2*] *For the period beginning on January 1, 2020, and ending on December 31, 2021:*]

43 “[*a*] *The fee for issuance of a variance permit under ORS 818.200 may be any amount determined*
44 *by a road authority, not to exceed \$9. If the variance permit is issued by a private contractor, the*
45 *contractor may charge an additional fee not to exceed \$6.]*

1 “[(b) The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$9.]
2 “[(c) The fee for issuance of a dragging permit under ORS 818.240 is \$9.]
3 “[(3) For the period beginning on January 1, 2022, and ending on December 31, 2023:]
4 “[(a) The fee for issuance of a variance permit under ORS 818.200 may be any amount determined
5 by a road authority, not to exceed \$9.50. If the variance permit is issued by a private contractor, the
6 contractor may charge an additional fee not to exceed \$6.50.]
7 “[(b) The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$9.50.]
8 “[(c) The fee for issuance of a dragging permit under ORS 818.240 is \$9.50.]
9 “(1) **The fee for issuance of a variance permit under ORS 818.200 may be any amount**
10 **determined by a road authority, not to exceed \$10. If the variance permit is issued by a pri-**
11 **ivate contractor, the contractor may charge an additional fee not to exceed \$7.**
12 “(2) **The fee for issuance of a sifting or leaking load permit under ORS 818.230 is \$10.**
13 “(3) **The fee for issuance of a dragging permit under ORS 818.240 is \$10.**
14 “(4) The fee for issuance of a permit under ORS 818.260 for the use of bus safety lights is a fee
15 established by rule by the Department of Transportation. Any fee established for purposes of this
16 subsection may not exceed the actual costs of issuing the permit.
17 “**SECTION 56. The amendments to ORS 818.270 by section 55 of this 2017 Act apply to fees**
18 **imposed on or after January 1, 2024.**
19 “**SECTION 57.** ORS 825.450 is amended to read:
20 “825.450. (1) Except as otherwise permitted under ORS 825.470, the Department of Transporta-
21 tion shall issue a receipt stating the combined weight of each self-propelled or motor-driven vehicle
22 and any train or combination of vehicles to be used *[therewith]* **with the self-propelled or motor-**
23 **driven vehicle.**
24 “(2) A person may not load any motor vehicle in excess of its combined weight permit rating
25 *[thus]* determined **under subsection (1) of this section** except as variations may necessarily result
26 in passenger loading. *[A fee of \$8]* **The following fee** shall be paid to the department for each weight
27 receipt issued[.]:
28 “(a) **For the period beginning on January 1, 2018, and ending on December 31, 2019, \$8.50.**
29 “(b) **For the period beginning on January 1, 2020, and ending on December 31, 2021, \$9.**
30 “(c) **For the period beginning on January 1, 2022, and ending on December 31, 2023, \$9.50.**
31 “(3) Receipts issued under this section *[shall be]* **are** valid from the first day of any calendar
32 quarter to the last day of the fourth consecutive calendar quarter. Each carrier may select the
33 calendar quarter in which the period will begin except that, if necessary for administrative con-
34 venience, the department may require a carrier to adopt a starting date chosen by the department.
35 “(4) All vehicles operating under the carrier’s authority shall have the same four-quarter period
36 of receipt validity. The department may allow a carrier to operate with expired receipts for up to
37 one extra quarter if the renewal application has been submitted and the required fees have been
38 paid on or before the last day of the period of validity of the receipt. The extension of time allowed
39 by this subsection shall be granted only if the department determines that the extension is necessary
40 for the administrative convenience of the department.
41 “(5) The department may adopt rules necessary to administer the provisions of this section.
42 “**SECTION 58.** ORS 825.450, as amended by section 57 of this 2017 Act, is amended to read:
43 “825.450. (1) Except as otherwise permitted under ORS 825.470, the Department of Transporta-
44 tion shall issue a receipt stating the combined weight of each self-propelled or motor-driven vehicle
45 and any train or combination of vehicles to be used with the self-propelled or motor-driven vehicle.

1 “(2) A person may not load any motor vehicle in excess of its combined weight permit rating
2 determined under subsection (1) of this section except as variations may necessarily result in pas-
3 senger loading. [The following fee] **A fee of \$10** shall be paid to the department for each weight re-
4 ceipt issued.[:]

5 “[a] For the period beginning on January 1, 2018, and ending on December 31, 2019, \$8.50.]

6 “[b] For the period beginning on January 1, 2020, and ending on December 31, 2021, \$9.]

7 “[c] For the period beginning on January 1, 2022, and ending on December 31, 2023, \$9.50.]

8 “(3) Receipts issued under this section are valid from the first day of any calendar quarter to
9 the last day of the fourth consecutive calendar quarter. Each carrier may select the calendar quar-
10 ter in which the period will begin except that, if necessary for administrative convenience, the de-
11 partment may require a carrier to adopt a starting date chosen by the department.

12 “(4) All vehicles operating under the carrier’s authority shall have the same four-quarter period
13 of receipt validity. The department may allow a carrier to operate with expired receipts for up to
14 one extra quarter if the renewal application has been submitted and the required fees have been
15 paid on or before the last day of the period of validity of the receipt. The extension of time allowed
16 by this subsection shall be granted only if the department determines that the extension is necessary
17 for the administrative convenience of the department.

18 “(5) The department may adopt rules necessary to administer the provisions of this section.

19 “**SECTION 59. The amendments to ORS 825.450 by section 58 of this 2017 Act apply to fees**
20 **imposed on or after January 1, 2024.**

21 “**NOTE:** Sections 60 to 62 were deleted by amendment. Subsequent sections were not renun-
22 bered.

23 “**SECTION 63.** ORS 825.476 is amended to read:

24 “825.476. (1) **For the period beginning on January 1, 2018, and ending on December 31,**
25 **2019:**

26 “

27
28 MILEAGE TAX RATE TABLE “A”

29 Declared Combined	Fee Rates
30 Weight Groups	Per Mile
31 (Pounds)	(Mills)
32 26,001 to 28,000	[49.8] 62.3
33 28,001 to 30,000	[52.8] 66.0
34 30,001 to 32,000	[55.2] 68.9
35 32,001 to 34,000	[57.6] 72.1
36 34,001 to 36,000	[59.9] 74.9
37 36,001 to 38,000	[63.0] 78.7
38 38,001 to 40,000	[65.4] 81.7
39 40,001 to 42,000	[67.7] 84.7
40 42,001 to 44,000	[70.2] 87.8
41 44,001 to 46,000	[72.6] 90.7
42 46,001 to 48,000	[74.9] 93.7
43 48,001 to 50,000	[77.4] 96.8
44 50,001 to 52,000	[80.3] 100.4
45 52,001 to 54,000	[83.3] 104.1

1	54,001 to 56,000	[86.4]	108.0
2	56,001 to 58,000	[90.0]	112.5
3	58,001 to 60,000	[94.1]	117.7
4	60,001 to 62,000	[99.0]	123.7
5	62,001 to 64,000	[104.5]	130.6
6	64,001 to 66,000	[110.4]	138.0
7	66,001 to 68,000	[118.3]	147.8
8	68,001 to 70,000	[126.6]	158.3
9	70,001 to 72,000	[135.0]	168.7
10	72,001 to 74,000	[142.7]	178.3
11	74,001 to 76,000	[150.0]	187.5
12	76,001 to 78,000	[157.2]	196.6
13	78,001 to 80,000	[163.8]	204.8

14 “

15
16 **AXLE-WEIGHT MILEAGE**

17 **TAX RATE TABLE “B”**

18 Declared Combined	19 Number of Axles				
20 Weight Groups	5	6	7	8	9 or
21 (Pounds)	22 (Mills)				
					23 more
24 80,001 to 82,000	[169.2]	154.8	144.7	137.4	129.6]
	211.5	193.4	180.8	171.8	162.0
25 82,001 to 84,000	[174.7]	157.2	147.0	139.2	131.3]
	218.3	196.6	183.8	174.0	164.2
26 84,001 to 86,000	[179.9]	160.9	149.4	140.9	133.2]
	224.9	201.1	186.8	176.2	166.5
27 86,001 to 88,000	[186.0]	164.3	151.8	143.4	135.0]
	232.5	205.4	189.7	179.3	168.7
28 88,001 to 90,000	[193.2]	168.6	154.3	145.8	137.4]
	241.5	210.7	192.8	182.2	171.8
29 90,001 to 92,000	[201.6]	173.4	156.5	148.2	139.8]
	252.0	216.8	195.6	185.2	174.8
30 92,001 to 94,000	[210.7]	178.2	159.0	150.5	141.7]
	263.3	222.7	198.7	188.2	177.1
31 94,001 to 96,000	[220.2]	183.6	162.0	153.0	143.9]
	275.3	229.5	202.5	191.3	179.9
32 96,001 to 98,000	[230.4]	190.2	165.6	155.5	146.4]
	288.1	237.8	207.0	194.4	183.0
33 98,001 to 100,000	[197.3]	169.2	158.4	148.8]	
	246.7	211.5	198.0	186.0	
34 100,001 to 102,000			[172.8]	162.0	151.3]
			216.0	202.5	189.1
35 102,001 to 104,000			[176.4]	165.6	154.3]
			220.5	207.0	192.8
36 104,001 to 105,500			[181.1]	169.2	157.2]

226.4 211.5 196.6

“(2) For the period beginning on January 1, 2020, and ending on December 31, 2021:

MILEAGE TAX RATE TABLE “A”

Declared Combined Weight Groups (Pounds)	Fee Rates Per Mile (Mills)
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

AXLE-WEIGHT MILEAGE TAX RATE TABLE “B”

Declared Combined Weight Groups (Pounds)	Number of Axles				
	5	6	7	8	9 or more
80,001 to 82,000	222.1	203.1	189.9	180.4	170.1

1	82,001 to 84,000	229.3	206.4	193.0	182.7	172.4
2	84,001 to 86,000	236.1	211.1	196.1	185.0	174.8
3	86,001 to 88,000	244.1	215.7	199.2	188.2	177.1
4	88,001 to 90,000	253.6	221.3	202.5	191.3	180.4
5	90,001 to 92,000	264.6	227.6	205.4	194.5	183.5
6	92,001 to 94,000	276.5	233.8	208.7	197.6	186.0
7	94,001 to 96,000	289.1	241.0	212.6	200.8	188.9
8	96,001 to 98,000	302.5	249.7	217.3	204.1	192.2
9	98,001 to 100,000		259.0	222.1	207.9	195.3
10	100,001 to 102,000			226.8	212.6	198.5
11	102,001 to 104,000			231.5	217.3	202.5
12	104,001 to 105,500			237.8	222.1	206.4

13 “

14

15 “(3) For the period beginning on January 1, 2022, and ending on December 31, 2023:

16 “

17

18

MILEAGE TAX RATE TABLE “A”

19

Declared Combined

Fee Rates

20

Weight Groups

Per Mile

21

(Pounds)

(Mills)

22

26,001 to 28,000

72.0

23

28,001 to 30,000

76.4

24

30,001 to 32,000

79.8

25

32,001 to 34,000

83.4

26

34,001 to 36,000

86.6

27

36,001 to 38,000

91.1

28

38,001 to 40,000

94.5

29

40,001 to 42,000

98.0

30

42,001 to 44,000

101.6

31

44,001 to 46,000

105.0

32

46,001 to 48,000

108.4

33

48,001 to 50,000

112.0

34

50,001 to 52,000

116.1

35

52,001 to 54,000

120.5

36

54,001 to 56,000

125.0

37

56,001 to 58,000

130.2

38

58,001 to 60,000

136.1

39

60,001 to 62,000

143.2

40

62,001 to 64,000

151.1

41

64,001 to 66,000

159.7

42

66,001 to 68,000

171.1

43

68,001 to 70,000

183.1

44

70,001 to 72,000

195.2

45

72,001 to 74,000

206.4

1	74,001 to 76,000	217.0
2	76,001 to 78,000	227.4
3	78,001 to 80,000	237.0

4 “

AXLE-WEIGHT MILEAGE

TAX RATE TABLE “B”

8	Declared Combined	Number of Axles				
9	Weight Groups	5	6	7	8	9 or
10	(Pounds)	(Mills)				
11	80,001 to 82,000	244.7	223.8	209.2	198.8	187.5
12	82,001 to 84,000	252.6	227.4	212.7	201.3	190.0
13	84,001 to 86,000	260.2	232.7	216.1	203.8	192.7
14	86,001 to 88,000	269.0	237.7	219.5	207.4	195.2
15	88,001 to 90,000	279.5	243.8	223.1	210.9	198.8
16	90,001 to 92,000	291.5	250.8	226.4	214.3	202.2
17	92,001 to 94,000	304.7	257.7	230.0	217.7	204.9
18	94,001 to 96,000	318.6	265.6	234.3	221.3	208.2
19	96,001 to 98,000	333.3	275.2	239.5	224.9	211.8
20	98,001 to 100,000		285.4	244.7	229.1	215.2
21	100,001 to 102,000			249.9	234.3	218.8
22	102,001 to 104,000			255.2	239.5	223.1
23	104,001 to 105,500			262.0	244.7	227.4

24 “

26 **“SECTION 64.** ORS 825.476, as amended by section 63 of this 2017 Act, is amended to read:

27 “825.476. [(1) For the period beginning on January 1, 2018, and ending on December 31, 2019:]

28 “[_____]

MILEAGE TAX RATE TABLE “A”

31	Declared Combined	Fee Rates
32	Weight Groups	Per Mile
33	(Pounds)	(Mills)
34	26,001 to 28,000	62.3
35	28,001 to 30,000	66.0
36	30,001 to 32,000	68.9
37	32,001 to 34,000	72.1
38	34,001 to 36,000	74.9
39	36,001 to 38,000	78.7
40	38,001 to 40,000	81.7
41	40,001 to 42,000	84.7
42	42,001 to 44,000	87.8
43	44,001 to 46,000	90.7
44	46,001 to 48,000	93.7
45	48,001 to 50,000	96.8

1	50,001 to 52,000	100.4
2	52,001 to 54,000	104.1
3	54,001 to 56,000	108.0
4	56,001 to 58,000	112.5
5	58,001 to 60,000	117.7
6	60,001 to 62,000	123.7
7	62,001 to 64,000	130.6
8	64,001 to 66,000	138.0
9	66,001 to 68,000	147.8
10	68,001 to 70,000	158.3
11	70,001 to 72,000	168.7
12	72,001 to 74,000	178.3
13	74,001 to 76,000	187.5
14	76,001 to 78,000	196.6
15	78,001 to 80,000	204.8

16 “[_____]

17

18 *AXLE-WEIGHT MILEAGE*

19 *TAX RATE TABLE “B”*

20 <i>Declared Combined</i>	<i>Number of Axles</i>				
21 <i>Weight Groups</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9 or</i>
22 <i>(Pounds)</i>			<i>(Mills)</i>		<i>more</i>
23 80,001 to 82,000	211.5	193.4	180.8	171.8	162.0
24 82,001 to 84,000	218.3	196.6	183.8	174.0	164.2
25 84,001 to 86,000	224.9	201.1	186.8	176.2	166.5
26 86,001 to 88,000	232.5	205.4	189.7	179.3	168.7
27 88,001 to 90,000	241.5	210.7	192.8	182.2	171.8
28 90,001 to 92,000	252.0	216.8	195.6	185.2	174.8
29 92,001 to 94,000	263.3	222.7	198.7	188.2	177.1
30 94,001 to 96,000	275.3	229.5	202.5	191.3	179.9
31 96,001 to 98,000	288.1	237.8	207.0	194.4	183.0
32 98,001 to 100,000		246.7	211.5	198.0	186.0
33 100,001 to 102,000			216.0	202.5	189.1
34 102,001 to 104,000			220.5	207.0	192.8
35 104,001 to 105,500			226.4	211.5	196.6

36 “[_____]

37

38 “[(2) For the period beginning on January 1, 2020, and ending on December 31, 2021:]

39 “[_____]

40

41 *MILEAGE TAX RATE TABLE “A”*

42 <i>Declared Combined</i>	<i>Fee Rates</i>
43 <i>Weight Groups</i>	<i>Per Mile</i>
44 <i>(Pounds)</i>	<i>(Mills)</i>
45 26,001 to 28,000	65.4

1	28,001 to 30,000	69.3
2	30,001 to 32,000	72.4
3	32,001 to 34,000	75.7
4	34,001 to 36,000	78.6
5	36,001 to 38,000	82.7
6	38,001 to 40,000	85.8
7	40,001 to 42,000	88.9
8	42,001 to 44,000	92.2
9	44,001 to 46,000	95.3
10	46,001 to 48,000	98.4
11	48,001 to 50,000	101.6
12	50,001 to 52,000	105.4
13	52,001 to 54,000	109.3
14	54,001 to 56,000	113.4
15	56,001 to 58,000	118.1
16	58,001 to 60,000	123.5
17	60,001 to 62,000	129.9
18	62,001 to 64,000	137.1
19	64,001 to 66,000	144.9
20	66,001 to 68,000	155.2
21	68,001 to 70,000	166.2
22	70,001 to 72,000	177.1
23	72,001 to 74,000	187.3
24	74,001 to 76,000	196.9
25	76,001 to 78,000	206.4
26	78,001 to 80,000	215.0

27 “[_____]

28
29
30

*AXLE-WEIGHT MILEAGE
TAX RATE TABLE “B”*

31 Declared Combined 32 Weight Groups 33 (Pounds)	34 Number of Axles				
	5	6	7	8	9 or 35 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
			226.8	212.6	198.5
			231.5	217.3	202.5

1 104,001 to 105,500 237.8 222.1 206.4
 2 “[_____]
 3
 4 “[(3) For the period beginning on January 1, 2022, and ending on December 31, 2023:]
 5 “[_____]
 6

7 MILEAGE TAX RATE TABLE “A”

<i>Declared Combined</i>	<i>Fee Rates</i>
<i>Weight Groups</i>	<i>Per Mile</i>
<i>(Pounds)</i>	<i>(Mills)</i>
11 26,001 to 28,000	72.0
12 28,001 to 30,000	76.4
13 30,001 to 32,000	79.8
14 32,001 to 34,000	83.4
15 34,001 to 36,000	86.6
16 36,001 to 38,000	91.1
17 38,001 to 40,000	94.5
18 40,001 to 42,000	98.0
19 42,001 to 44,000	101.6
20 44,001 to 46,000	105.0
21 46,001 to 48,000	108.4
22 48,001 to 50,000	112.0
23 50,001 to 52,000	116.1
24 52,001 to 54,000	120.5
25 54,001 to 56,000	125.0
26 56,001 to 58,000	130.2
27 58,001 to 60,000	136.1
28 60,001 to 62,000	143.2
29 62,001 to 64,000	151.1
30 64,001 to 66,000	159.7
31 66,001 to 68,000	171.1
32 68,001 to 70,000	183.1
33 70,001 to 72,000	195.2
34 72,001 to 74,000	206.4
35 74,001 to 76,000	217.0
36 76,001 to 78,000	227.4
37 78,001 to 80,000	237.0

38 “[_____]
 39

40 AXLE-WEIGHT MILEAGE
 41 TAX RATE TABLE “B”

<i>Declared Combined</i>	<i>Number of Axles</i>				
<i>Weight Groups</i>	5	6	7	8	9 or
<i>(Pounds)</i>	<i>(Mills)</i>				<i>more</i>
45 80,001 to 82,000	244.7	223.8	209.2	198.8	187.5

1	82,001 to 84,000	252.6	227.4	212.7	201.3	190.0
2	84,001 to 86,000	260.2	232.7	216.1	203.8	192.7
3	86,001 to 88,000	269.0	237.7	219.5	207.4	195.2
4	88,001 to 90,000	279.5	243.8	223.1	210.9	198.8
5	90,001 to 92,000	291.5	250.8	226.4	214.3	202.2
6	92,001 to 94,000	304.7	257.7	230.0	217.7	204.9
7	94,001 to 96,000	318.6	265.6	234.3	221.3	208.2
8	96,001 to 98,000	333.3	275.2	239.5	224.9	211.8
9	98,001 to 100,000		285.4	244.7	229.1	215.2
10	100,001 to 102,000			249.9	234.3	218.8
11	102,001 to 104,000			255.2	239.5	223.1
12	104,001 to 105,500			262.0	244.7	227.4

13 “[_____]

14

15 “ _____

16

MILEAGE TAX RATE TABLE “A”

18	Declared Combined	Fee Rates
19	Weight Groups	Per Mile
20	(Pounds)	(Mills)
21	26,001 to 28,000	76.4
22	28,001 to 30,000	80.9
23	30,001 to 32,000	84.6
24	32,001 to 34,000	88.4
25	34,001 to 36,000	91.8
26	36,001 to 38,000	96.6
27	38,001 to 40,000	100.2
28	40,001 to 42,000	103.8
29	42,001 to 44,000	107.7
30	44,001 to 46,000	111.3
31	46,001 to 48,000	114.9
32	48,001 to 50,000	118.7
33	50,001 to 52,000	123.1
34	52,001 to 54,000	127.7
35	54,001 to 56,000	132.5
36	56,001 to 58,000	138.0
37	58,001 to 60,000	144.3
38	60,001 to 62,000	151.7
39	62,001 to 64,000	160.1
40	64,001 to 66,000	169.3
41	66,001 to 68,000	181.3
42	68,001 to 70,000	194.1
43	70,001 to 72,000	206.9
44	72,001 to 74,000	218.7
45	74,001 to 76,000	230.0

1	76,001 to 78,000	241.1
2	78,001 to 80,000	251.2

3 “

4

5 **AXLE-WEIGHT MILEAGE**

6 **TAX RATE TABLE “B”**

7 Declared Combined	Number of Axles				
8 Weight Groups	5	6	7	8	9 or
9 (Pounds)	(Mills)				
					more
10 80,001 to 82,000	259.4	237.3	221.8	210.7	198.7
11 82,001 to 84,000	267.8	241.1	225.4	213.4	201.4
12 84,001 to 86,000	275.8	246.6	229.1	216.1	204.2
13 86,001 to 88,000	285.2	252.0	232.7	219.9	206.9
14 88,001 to 90,000	296.2	258.4	236.5	223.5	210.7
15 90,001 to 92,000	309.0	265.9	239.9	227.1	214.4
16 92,001 to 94,000	323.0	273.1	243.8	230.8	217.2
17 94,001 to 96,000	337.7	281.5	248.3	234.6	220.7
18 96,001 to 98,000	353.3	291.7	253.9	238.4	224.5
19 98,001 to 100,000		302.5	259.4	242.8	228.1
20 100,001 to 102,000			264.9	248.3	231.9
21 102,001 to 104,000			270.5	253.9	236.5
22 104,001 to 105,500			277.7	259.4	241.1

23 “

24

25 **“SECTION 65. The amendments to ORS 825.476 by section 64 of this 2017 Act apply to**

26 **taxes imposed on or after January 1, 2024.**

27 **“SECTION 66. ORS 825.480 is amended to read:**

28 **“825.480. (1)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating mo-**

29 **tor vehicles in the transportation of logs, poles, peeler cores or piling may pay annual fees for such**

30 **operation computed at the following rate [of seven dollars and fifty-nine cents] for each 100 pounds**

31 **of declared combined weight[.]:**

32 **“(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$9.10.**

33 **“(B) For the period beginning on January 1, 2020, and ending on December 31, 2021,**

34 **\$10.20.**

35 **“(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$11.30.**

36 **“(b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt**

37 **from taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over**

38 **public highways whenever operations are for the purpose of repair, maintenance, servicing or mov-**

39 **ing from one exempt highway operation to another.**

40 **“(2) The annual fees provided in subsections (1), (4) and (5) of this section may be paid on a**

41 **monthly basis. Any carrier electing to pay fees under this method may not change an election during**

42 **the same calendar year in which the election is made, but may be relieved from the payment due**

43 **for any month [on] during which a motor vehicle [which] is not operated. A carrier electing to pay**

44 **fees under this method shall report and pay these fees on or before the 10th of each month for the**

45 **preceding month’s operations. A monthly report shall be made on all vehicles on the annual fee basis**

1 including any vehicle not operated for the month.

2 “(3)(a) In lieu of the fees provided in ORS 825.470 to 825.474, motor vehicles described in ORS
3 825.024 with a combined weight of less than 46,000 pounds that are being operated under a permit
4 issued under ORS 825.102 may pay annual fees for such operation computed at the **following** rate
5 [of six dollars and twenty-three cents] for each 100 pounds of declared combined weight[.]:

6 “(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$7.50.

7 “(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$8.30.

8 “(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$9.30.

9 “(b) The annual fees provided in this subsection shall be paid in advance but may be paid on a
10 monthly basis on or before the first day of the month. A carrier may be relieved from the fees due
11 for any month during which the motor vehicle is not operated for hire if a statement to that effect
12 is filed with the Department of Transportation on or before the fifth day of the first month for which
13 relief is sought.

14 “(4)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in the operation of motor
15 vehicles equipped with dump bodies and used in the transportation of sand, gravel, rock, dirt, debris,
16 cinders, asphaltic concrete mix, metallic ores and concentrates or raw nonmetallic products,
17 whether crushed or otherwise, moving from mines, pits or quarries may pay annual fees for such
18 operation computed at the **following** rate [of seven dollars and fifty-three cents] for each 100 pounds
19 of declared combined weight[.]:

20 “(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$9.10.

21 “(B) For the period beginning on January 1, 2020, and ending on December 31, 2021,
22 \$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 vehi-
29 cles in the transportation of wood chips, sawdust, barkdust, hog fuel or shavings may pay annual
30 fees for such operation computed at the **following** rate [of thirty dollars and sixty-five cents] for each
31 100 pounds of declared combined weight[.]:

32 “(A) For the period beginning on January 1, 2018, and ending on December 31, 2019,
33 \$36.80.

34 “(B) For the period beginning on January 1, 2020, and ending on December 31, 2021,
35 \$41.00.

36 “(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$45.50.

37 “(b) Any carrier electing to pay under this method may, as to vehicles otherwise exempt from
38 taxation, elect to be taxed on the mileage basis for movement of such empty vehicles over public
39 highways whenever operations are for the purpose of repair, maintenance, service or moving from
40 one exempt highway operation to another.

41 “**SECTION 67.** ORS 825.480, as amended by section 66 of this 2017 Act, is amended to read:

42 “825.480. (1)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating mo-
43 tor vehicles in the transportation of logs, poles, peeler cores or piling may pay annual fees for such
44 operation computed at the [following] rate of **\$12.60** for each 100 pounds of declared combined
45 weight.[.]

1 “[(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$9.10.]

2 “[(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$10.20.]

3 “[(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$11.30.]

4 “(b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt
5 from taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over
6 public highways whenever operations are for the purpose of repair, maintenance, servicing or mov-
7 ing from one exempt highway operation to another.

8 “(2) The annual fees provided in subsections (1), (4) and (5) of this section may be paid on a
9 monthly basis. Any carrier electing to pay fees under this method may not change an election during
10 the same calendar year in which the election is made, but may be relieved from the payment due
11 for any month during which a motor vehicle is not operated. A carrier electing to pay fees under
12 this method shall report and pay these fees on or before the 10th of each month for the preceding
13 month’s operations. A monthly report shall be made on all vehicles on the annual fee basis including
14 any vehicle not operated for the month.

15 “(3)(a) In lieu of the fees provided in ORS 825.470 to 825.474, motor vehicles described in ORS
16 825.024 with a combined weight of less than 46,000 pounds that are being operated under a permit
17 issued under ORS 825.102 may pay annual fees for such operation computed at the [following] rate
18 **of \$10.30** for each 100 pounds of declared combined weight.[.]

19 “[(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$7.50.]

20 “[(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$8.30.]

21 “[(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$9.30.]

22 “(b) The annual fees provided in this subsection shall be paid in advance but may be paid on a
23 monthly basis on or before the first day of the month. A carrier may be relieved from the fees due
24 for any month during which the motor vehicle is not operated for hire if a statement to that effect
25 is filed with the Department of Transportation on or before the fifth day of the first month for which
26 relief is sought.

27 “(4)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in the operation of motor
28 vehicles equipped with dump bodies and used in the transportation of sand, gravel, rock, dirt, debris,
29 cinders, asphaltic concrete mix, metallic ores and concentrates or raw nonmetallic products,
30 whether crushed or otherwise, moving from mines, pits or quarries may pay annual fees for such
31 operation computed at the [following] rate **of \$12.60** for each 100 pounds of declared combined
32 weight.[.]

33 “[(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$9.10.]

34 “[(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$10.20.]

35 “[(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$11.30.]

36 “(b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt for
37 taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public
38 highways whenever operations are for the purpose of repair, maintenance, servicing or moving from
39 one exempt highway operation to another.

40 “(5)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehi-
41 cles in the transportation of wood chips, sawdust, barkdust, hog fuel or shavings may pay annual
42 fees for such operation computed at the [following] rate **of \$50.80** for each 100 pounds of declared
43 combined weight.[.]

44 “[(A) For the period beginning on January 1, 2018, and ending on December 31, 2019, \$36.80.]

45 “[(B) For the period beginning on January 1, 2020, and ending on December 31, 2021, \$41.00.]

1 “[(C) For the period beginning on January 1, 2022, and ending on December 31, 2023, \$45.50.]

2 “(b) Any carrier electing to pay under this method may, as to vehicles otherwise exempt from
3 taxation, elect to be taxed on the mileage basis for movement of such empty vehicles over public
4 highways whenever operations are for the purpose of repair, maintenance, service or moving from
5 one exempt highway operation to another.

6 **“SECTION 68. The amendments to ORS 825.480 by section 67 of this 2017 Act apply to fees
7 imposed on or after January 1, 2024.**

8 **“NOTE:** Section 69 was deleted by amendment. Subsequent sections were not renumbered.

9 **“SECTION 70.** ORS 826.023 is amended to read:

10 “826.023. (1) The fee for issuance of a duplicate or replacement registration card is [\$2.50] **\$3.**

11 “(2) The fee for issuance of each original, replacement or duplicate registration plate is [\$2.50]
12 **\$3** and includes a registration card and sticker.

13 “(3) The fee for renewal of a registration plate is [\$2.50] **\$3** and includes a registration card and
14 sticker.

15 “(4) The fee for issuance of replacement registration stickers is [\$2.50] **\$3.**

16 “(5) If a second plate is required for one vehicle, the fee for the plate or for a sticker for the
17 plate is [\$2.50] **\$3.**

18 **“SECTION 71. The amendments to ORS 826.023 by section 70 of this 2017 Act apply to fees
19 imposed on or after January 1, 2020.**

20
21 **“(Tax and Fee Distribution and Projects)**

22
23 **“SECTION 71a. (1) The following amounts shall be distributed in the manner prescribed
24 in this section:**

25 **“(a) The amount attributable to the increase in tax rates by section 45 of this 2017 Act
26 and the amendments to ORS 319.020 and 319.530 by sections 40 to 43 of this 2017 Act.**

27 **“(b) The amount attributable to the vehicle registration and title fees imposed under
28 sections 32, 33, 37 and 38 of this 2017 Act.**

29 **“(c) The amount attributable to the increase in taxes and fees by the amendments to
30 ORS 803.420, 803.645, 818.225, 818.270, 825.450, 825.476, 825.480 and 826.023 by sections 34, 35,
31 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and 70 of this 2017 Act.**

32 **“(2) The amounts described in subsection (1) of this section shall be distributed in the
33 following order and for the following purposes:**

34 **“(a) For calendar years beginning on or after January 1, 2022, \$30 million shall be used
35 for the Interstate 5 Rose Quarter Project. This amount shall be used for the Interstate 5
36 Rose Quarter Project only until the later of the date on which the project is completed or
37 on which all bonds issued to fund the project have been repaid.**

38 **“(b) \$10 million per year shall be deposited into the Safe Routes to Schools Fund for the
39 purpose of providing Safe Routes to Schools matching grants under section 123 of this 2017
40 Act. The remainder of the moneys shall be distributed as described in subsection (3) of this
41 section.**

42 **“(3) The moneys described in subsection (1) of this section that remain after the allo-
43 cation of moneys described in subsection (2) of this section shall be allocated as follows:**

44 **“(a) 50 percent to the Department of Transportation.**

45 **“(b) 30 percent to counties for distribution as provided in ORS 366.762.**

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

2 “(4) The moneys described in subsection (3)(a) of this section or equivalent amounts that

3 become available to the Department of Transportation shall be allocated as follows:

4 “(a) \$10 million for safety.

5 “(b) Of the remaining balance:

6 “(A) Forty percent for bridges.

7 “(B) Thirty percent for seismic improvements related to highways and bridges.

8 “(C) Twenty-four percent for state highway pavement preservation and culverts.

9 “(D) Six percent for state highway maintenance and safety improvements.

10 “**SECTION 71b.** Section 71a of this 2017 Act is amended to read:

11 “**Sec. 71a.** (1) The following amounts shall be distributed in the manner prescribed in this sec-

12 tion:

13 “(a) The amount attributable to the increase in tax rates by section 45 of this 2017 Act and the

14 amendments to ORS 319.020 and 319.530 by sections 40 to 43 of this 2017 Act.

15 “(b) The amount attributable to the vehicle registration and title fees imposed under sections

16 32, 33, 37 and 38 of this 2017 Act.

17 “(c) The amount attributable to the increase in taxes and fees by the amendments to ORS

18 803.420, 803.645, 818.225, 818.270, 825.450, 825.476, 825.480 and 826.023 by sections 34, 35, 48, 49, 51,

19 52, 54, 55, 57, 58, 63, 64, 66, 67 and 70 of this 2017 Act.

20 “(2) The amounts described in subsection (1) of this section shall be distributed in the following

21 order and for the following purposes:

22 “(a) [*For calendar years beginning on or after January 1, 2022,*] \$30 million shall be used for the

23 Interstate 5 Rose Quarter Project. This amount shall be used for the Interstate 5 Rose Quarter

24 Project only until the later of the date on which the project is completed or on which all bonds is-

25 sued to fund the project have been repaid.

26 “(b) [*\$10*] \$15 million per year shall be deposited into the Safe Routes to Schools Fund for the

27 purpose of providing Safe Routes to Schools matching grants under section 123 of this 2017 Act. The

28 remainder of the moneys shall be distributed as described in subsection (3) of this section.

29 “(3) The moneys described in subsection (1) of this section that remain after the allocation of

30 moneys described in subsection (2) of this section shall be allocated as follows:

31 “(a) 50 percent to the Department of Transportation.

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

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

34 “(4) The moneys described in subsection (3)(a) of this section or equivalent amounts that become

35 available to the Department of Transportation shall be allocated as follows:

36 “(a) \$10 million for safety.

37 “(b) Of the remaining balance:

38 “(A) Forty percent for bridges.

39 “(B) Thirty percent for seismic improvements related to highways and bridges.

40 “(C) Twenty-four percent for state highway pavement preservation and culverts.

41 “(D) Six percent for state highway maintenance and safety improvements.

42 “**SECTION 71c.** The amendments to section 71a of this 2017 Act by section 71b of this 2017

43 Act become operative on January 1, 2023.

44 “**SECTION 71d.** (1) The Oregon Transportation Commission shall use the proceeds of

45 bonds, as defined in ORS 367.010, authorized under ORS 367.620 (3)(d) to finance the trans-

1 portation projects listed in this section. The commission shall determine the order of com-
2 pletion for the projects listed in subsection (2) of this section.

3 “(2) No later than January 1, 2024, the commission shall allocate the following amounts
4 to each region, as described in ORS 366.805, for the projects listed below, provided that the
5 commission determines that the projects could constitutionally be funded by revenues de-
6 scribed in Article IX, section 3a, of the Oregon Constitution:

7 “ _____

8
9 (a) Region one: \$ 249,700,000

10 (A) State Highway 211
11 improvements beginning where
12 the highway intersects with
13 State Highway 213 and ending
14 where the highway intersects
15 Molalla Avenue in the
16 City of Molalla

17 (B) WaNaPa Street improvements
18 in the City of Cascade
19 Locks

20 (C) Port of Hood River bridge
21 replacement environmental
22 impact study

23 (D) Columbia Boulevard
24 pedestrian safety

25 (E) Southeast Powell
26 Boulevard jurisdiction
27 transfer as described
28 under section 134
29 of this 2017 Act

30 (F) Interstate 205 active traffic
31 management project

32 (G) Interstate 205 corridor
33 bottleneck project

34 (H) State Highway 217
35 Northbound project

36 (I) State Highway 217
37 Southbound project

38 (J) Improvements to Graham
39 Road where it intersects
40 with Interstate 84 in
41 the City of Troutdale

42 (b) Region 2: \$ 201,950,000

43 (A) Oregon Manufacturing
44 Innovation Center
45 Access Roads in Columbia

- 1 **County**
- 2 **(B) Interstate 5 at the**
- 3 **Aurora-Donald interchange,**
- 4 **Phase I**
- 5 **(C) State Highway 99E in**
- 6 **the City of Halsey**
- 7 **(D) State Highway 214**
- 8 **pedestrian safety**
- 9 **improvements at the**
- 10 **intersection with**
- 11 **Jefferson Street in the**
- 12 **City of Silverton**
- 13 **(E) Territorial Highway**
- 14 **jurisdiction transfer**
- 15 **as described under**
- 16 **section 134 of this**
- 17 **this 2017 Act**
- 18 **(F) U.S. Highway 20 safety**
- 19 **upgrades from the**
- 20 **City of Albany to the**
- 21 **City of Corvallis**
- 22 **(G) State Highway 58, adding**
- 23 **passing lanes west of the**
- 24 **City of Oakridge**
- 25 **(H) State Highway 22 and Center**
- 26 **Street Bridge, seismic**
- 27 **retrofit in the City**
- 28 **of Salem**
- 29 **(I) State Highway 99 in**
- 30 **City of Eugene**
- 31 **jurisdiction transfer**
- 32 **as described**
- 33 **under section 134 of**
- 34 **this 2017 Act**
- 35 **(J) State Highway 126**
- 36 **Florence-Eugene**
- 37 **Highway for**
- 38 **environmental impact study**
- 39 **(K) 42nd Street in the City**
- 40 **of Springfield**
- 41 **(L) Newberg and Dundee Bypass,**
- 42 **State Highway 99W,**
- 43 **Phase II, design only**
- 44 **(c) Region 3: \$ 75 million**
- 45 **(A) Scottsburg Bridge on**

1 **State Highway 38 in**
 2 **Douglas County**
 3 **(B) Southern Oregon seismic**
 4 **trriage transportation**
 5 **project**
 6 **(d) Region 4: \$ 76,493,000**
 7 **(A) U.S. Highway 97 Cooley**
 8 **Road mid-term**
 9 **improvements**
 10 **(B) U.S. Highway 97 at**
 11 **Terrabonne**
 12 **(C) Improvements to Alder**
 13 **Creek Road in**
 14 **Wheeler County**
 15 **(D) Pedestrian safety**
 16 **improvements**
 17 **in the City of Dufur**
 18 **(E) Pedestrian safety**
 19 **improvements in the**
 20 **City of Prineville**
 21 **(F) Tom McCall Road**
 22 **roundabout**
 23 **(G) Pedestrian safety**
 24 **improvements**
 25 **in the City of Arlington**
 26 **(e) Region 5: \$ 43,647,000**
 27 **(A) Port of Umatilla Road**
 28 **(B) Hermiston North First**
 29 **Place Project in the**
 30 **City of Hermiston**
 31 **(C) State Highway 30 and**
 32 **Hughes Lane intersection**
 33 **in Baker County**
 34 **(D) Eastern Oregon Trade and**
 35 **Event Center access road**
 36 **(E) Pedestrian safety**
 37 **improvements in the**
 38 **City of Heppner**
 39 **(F) Pedestrian safety**
 40 **improvements in the**
 41 **City of Milton-Freewater**
 42 **(G) Columbia Development**
 43 **Authority Access Road**
 44 **(H) Pedestrian safety**
 45 **improvements**

- 1 **in the City of Burns**
- 2 **(I) Pedestrian safety**
- 3 **improvements**
- 4 **in the City of Irrigon**
- 5 **(J) U.S. Highway 20 freight**
- 6 **mobility enhancements**
- 7 **(K) Cedar Street and Hughes**
- 8 **Lane enhancements in**
- 9 **Baker County**

10 “ _____

11

12 **“(3)(a) When the commission determines that a project described in this section is com-**
 13 **pleted, the commission shall reallocate any amount remaining from the allocation made un-**
 14 **der this section to another project described in the same region.**

15 **“(b) When the commission determines that all of the projects within a region are com-**
 16 **pleted, the commission shall reallocate any amount remaining from the allocation made un-**
 17 **der this section to any other project listed in this section.**

18 **“(4) The amounts described in this section for jurisdiction transfers described in section**
 19 **134 of this 2017 Act may not be allocated until after the transfer for which the allocation is**
 20 **dedicated occurs.**

21 **“NOTE:** Section 71e was deleted by amendment. Subsequent sections were not renumbered.

22 **“SECTION 71f. Multimodal projects.** (1) Notwithstanding ORS 367.080 to 367.086 and sub-
 23 **ject to subsection (3) of this section and the availability of funds, the Department of Trans-**
 24 **portation shall first distribute the moneys in the Connect Oregon Fund, other than moneys**
 25 **dedicated for purposes described in Article XV, section 4a, of the Oregon Constitution, for**
 26 **the projects listed in subsection (2) of this section.**

27 **“(2) The department shall distribute the following amounts for the projects listed below:**

28 “ _____

29

- 30 **(a) Mid-Willamette Valley**
- 31 **Intermodal Facility \$ 25 million**
- 32 **(b) Treasure Valley**
- 33 **Intermodal Facility \$ 26 million**
- 34 **(c) Rail expansion in**
- 35 **East Beach Industrial**
- 36 **Park at the**
- 37 **Port of Morrow \$ 6.55 million**
- 38 **(d) Extend Brooks rail**
- 39 **siding..... \$ 2.6 million**

40 “ _____

41

42 **“(3) No later than January 1, 2020, to receive a distribution under this section, a potential**
 43 **recipient of moneys shall prepare and submit a plan to the Oregon Transportation Commis-**
 44 **sion. At a minimum, the plan submitted must certify when and how the potential recipient**
 45 **plans to spend the moneys for the project with no more than five percent of the allocated**

1 funds to be available to recipients for development of the plan. The commission shall
2 promptly review any submitted plans and if the commission approves the plan, the Depart-
3 ment of Transportation shall distribute the moneys after adopting an agreement with the
4 recipient. The agreement shall follow rules adopted by the commission for projects that re-
5 ceive grants from the Connect Oregon Fund.

6 “(4) After the distributions, if any, are made under this section, the remainder of the
7 moneys in the Connect Oregon Fund shall be distributed as described in ORS 367.080 to
8 367.086.

9 “NOTE: Section 71g was deleted by amendment. Subsequent sections were not renumbered.

10 “SECTION 71h. (1) Notwithstanding section 71a (4) of this 2017 Act, the Department of
11 Transportation may use amounts available under section 71a of this 2017 Act to pay debt
12 service for the purposes described in 367.620 (3)(d).

13 “(2) Any amounts remaining after the payment of debt service shall be used as described
14 in section 71a (4) of this 2017 Act.

15 “SECTION 71i. ORS 367.620 is amended to read:

16 “367.620. (1) The principal amount of Highway User Tax Bonds issued under ORS 367.615 shall
17 be subject to the provisions of ORS 286A.035.

18 “(2) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described in
19 ORS 367.622 in an aggregate principal amount sufficient to produce net proceeds of not more than
20 \$500 million.

21 “(3)(a) Highway User Tax Bonds may be issued under ORS 367.615 for bridge purposes described
22 in section 10 (1), chapter 618, Oregon Laws 2003, in an aggregate principal amount sufficient to
23 produce net proceeds of not more than \$1.6 billion.

24 “(b) Highway User Tax Bonds may be issued under ORS 367.615 for modernization purposes
25 described in sections 10 (2) and 11, chapter 618, Oregon Laws 2003, in an aggregate principal amount
26 sufficient to produce net proceeds of not more than \$300 million.

27 “(c) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described
28 section 64, chapter 865, Oregon Laws 2009, in an aggregate principal amount sufficient to produce
29 net proceeds of not more than \$840 million. The proceeds from bonds issued as described in this
30 paragraph that are not required for the purposes described in section 64, chapter 865, Oregon Laws
31 2009, shall be allocated to transportation projects, as defined in ORS 367.010, that are approved by
32 the Legislative Assembly by law.

33 “(d) Highway User Tax Bonds may be issued under ORS 367.615 for purposes described in
34 section 71d of this 2017 Act in an aggregate principal amount sufficient to produce net pro-
35 ceeds of not more than \$480 million.

36 “[d] (e) The Department of Transportation, with the approval of the State Treasurer, may
37 designate the extent to which a series of bonds authorized under this subsection is secured and
38 payable on a parity of lien or on a subordinate basis to existing or future Highway User Tax Bonds.

39 “SECTION 71j. The amendments to ORS 367.620 by section 71i of this 2017 Act do not
40 impair the interest of the holders of Highway User Tax Bonds that are outstanding on the
41 effective date of this 2017 Act or any obligations of the agreements of the Department of
42 Transportation under its Amended and Restated Master Highway User Tax Revenue Bond
43 Declaration dated June 1, 2006, as amended and supplemented.

44 “SECTION 71k. Sections 71h and 71j of this 2017 Act and the amendments to ORS 367.620
45 by section 71i of this 2017 Act become operative on January 1, 2020.

1 “**SECTION 71L.** Section 18, chapter 30, Oregon Laws 2010, is amended to read:

2 “**Sec. 18. (1)** The Department of Transportation shall report quarterly to the legislative com-
3 mittees on revenue if the Legislative Assembly is in session or, if the Legislative Assembly is not
4 in session, to the Legislative Revenue Officer. The department’s report shall include an estimate of
5 the amounts received in the previous quarter from the increased taxes and fees established in
6 chapter 865, Oregon Laws 2009, and an estimate of the projected revenue in the current quarter
7 from the increased taxes and fees established in chapter 865, Oregon Laws 2009.

8 “**(2)** In addition to the report described in subsection (1) of this section, the Department
9 of Transportation shall report quarterly to the legislative committees on revenue if the
10 Legislative Assembly is in session or, if the Legislative Assembly is not in session, to the
11 Legislative Revenue Officer. The department’s report shall include:

12 “(a) An estimate of the amounts received in the previous quarter from the increased
13 taxes and fees established in sections 32, 33, 37, 38 and 45 of this 2017 Act and the amend-
14 ments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450, 825.476, 825.480 and
15 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and 70 of this 2017
16 Act, and an estimate of the projected revenue in the current quarter from the increased
17 taxes and fees established in sections 32, 33, 37, 38 and 45 of this 2017 Act and the amend-
18 ments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450, 825.476, 825.480 and
19 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and 70 of this 2017
20 Act.

21 “(b) An estimate of the amounts received in the previous biennium to date from the in-
22 creased taxes and fees established in sections 32, 33, 37, 38 and 45 of this 2017 Act and the
23 amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450, 825.476, 825.480
24 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
25 2017 Act, and an estimate of the projected revenue in the remaining current biennium from
26 the increased taxes and fees established in sections 32, 33, 37, 38 and 45 of this 2017 Act and
27 the amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450, 825.476,
28 825.480 and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66, 67 and
29 70 of this 2017 Act.

30 “(c) Information about the expenditures and distributions made under section 71a of this
31 2017 Act, including but not limited to:

32 “(A) Information about the department’s total funds as well as the funds raised sepa-
33 rately by the increased taxes and fees established in sections 32, 33, 37, 38 and 45 of this 2017
34 Act and the amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450,
35 825.476, 825.480 and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 55, 57, 58, 63, 64, 66,
36 67 and 70 of this 2017 Act and expended as described in section 71a (3)(c) of this 2017 Act.

37 “(B) Quarterly amounts that include all the actual and forecasted expenditures and dis-
38 tributions made under section 71a of this 2017 Act for each quarter of the current biennium
39 and the forecasted expenditures and distributions for the following biennium.

40
41 “(Small Cities and Counties)
42

43 “**SECTION 72.** ORS 366.805 is amended to read:

44 “366.805. (1) Except as provided in subsection (2) of this section, the appropriation specified in
45 ORS 366.800 shall be allocated to the cities as provided in this subsection. The moneys subject to

1 allocation under this subsection shall be distributed by the Department of Transportation according
2 to the following:

3 “(a) The moneys shall be distributed to all the cities.

4 “(b) Each city shall receive such share of the moneys as its population bears to the total popu-
5 lation of the cities.

6 “(2) Each year, the sum of [*\$500,000*] **\$2,500,000** shall be withdrawn from the appropriation
7 specified in ORS 366.800 and [*\$500,000*] **\$2,500,000** shall be withdrawn from moneys available to the
8 Department of Transportation from the State Highway Fund. [*and set up in*] **The sums withdrawn**
9 **shall be transferred to** a separate account to be administered by the Department of Transporta-
10 tion. The following apply to the account described in this subsection:

11 “(a) Money from the account shall [*only*] be used **only** upon streets:

12 “(A) That are not a part of the state highway system;

13 “(B) That are within cities with populations of 5,000 or fewer persons; and

14 “(C) That are inadequate for the capacity [*they*] **the streets** serve or are in a condition detri-
15 mental to safety.

16 “(b) All moneys in the account shall be allotted each year.

17 “(c) Subject to paragraph (d) of this subsection, the department shall determine the distribution
18 of the expenditures after considering applications [*made to it therefor*] from the cities **submitted to**
19 **the department**.

20 “(d) The department may enter into agreements with cities upon the advice and counsel of or-
21 ganizations representing cities to establish:

22 “(A) The method of allotting moneys from the account; or

23 “(B) The method of considering applications from cities and determining distribution based on
24 the applications.

25 “(3) **The Director of Transportation shall establish a small city advisory committee. The**
26 **advisory committee shall review applications submitted by small cities and shall recommend**
27 **applications for approval to the director. In consultation with the League of Oregon Cities,**
28 **the director shall appoint to the advisory committee one representative of a small city in**
29 **each of the five regions of this state.**

30 “(4) **For purposes of this section:**

31 “(a) **Region one consists of Clackamas, Hood River, Multnomah and Washington Coun-**
32 **ties.**

33 “(b) **Region two consists of Benton, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk,**
34 **Tillamook and Yamhill Counties.**

35 “(c) **Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties.**

36 “(d) **Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake,**
37 **Sherman, Wasco and Wheeler Counties.**

38 “(e) **Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and**
39 **Wallowa Counties.**

40 “**SECTION 73.** ORS 366.772 is amended to read:

41 “366.772. (1) Not later than July 31 in each calendar year, the sum of [*\$500,000*] **\$5,500,000** shall
42 be withdrawn from the appropriation specified in ORS 366.762[,] and the sum of \$250,000 shall be
43 withdrawn from moneys available to the Department of Transportation from the State Highway
44 Fund. The sums withdrawn shall be [*set up in*] **transferred to** a separate account to be administered
45 by the Department of Transportation.

1 “(2) Not later than July 31 in each calendar year, the sum of [~~\$750,000~~] **\$5,750,000** shall be
2 withdrawn from the separate account described in subsection (1) of this section and distributed to
3 counties [*that had a county road base funding deficit in the prior fiscal year. A county’s share of the*
4 *\$750,000 shall be based on the ratio of the amount of the county’s road base funding deficit to the total*
5 *amount of county road base funding deficits of all counties.*] **as follows:**

6 “(a) **An amount of \$750,000 shall be distributed to the following counties in the following**
7 **amounts:**

- 8 (A) **Harney County** \$ **271,909**
- 9 (B) **Malheur County** \$ **187,947**
- 10 (C) **Morrow County** \$ **108,073**
- 11 (D) **Gilliam County** \$ **94,036**
- 12 (E) **Sherman County** \$ **79,700**
- 13 (F) **Wheeler County** \$ **8,335**

14 “(b) **An amount of \$5,000,000 shall be distributed proportionally to counties with fewer**
15 **than 200,000 registered vehicles based on a ratio of registered vehicles to road miles main-**
16 **tained by each county.**

17 “(3) Moneys allocated as provided in this section may be used only for maintenance, repair and
18 improvement of existing roads **that are**[.]:

19 “(a) **Not a part of the state highway system;**

20 “(b) **Within counties with fewer than 200,000 registered vehicles; and**

21 “(c) **Inadequate for the capacity the roads serve or are in a condition detrimental to**
22 **safety.**

23 “(4) **All moneys in the account shall be allotted each year.**

24 “[*4 As used in this section:*]

25 “[*(a) ‘Arterial highway’ has the meaning given that term in ORS 801.127.*]

26 “[*(b) ‘Collector highway’ has the meaning given that term in ORS 801.197.*]

27 “[*(c) ‘County road base funding deficit’ means the amount of a county’s minimum county road base*
28 *funding minus the amount of that county’s dedicated county road funding. A county has a county road*
29 *base funding deficit only if the amount of the dedicated county road funding is less than the amount*
30 *of the minimum county road base funding.*]

31 “[*(d) ‘Dedicated county road funding’ for a county means:*]

32 “[*(A) Moneys received from federal forest reserves and apportioned to the county road fund in ac-*
33 *cordance with ORS 294.060;*]

34 “[*(B) State Highway Fund moneys distributed to the county, other than moneys distributed under*
35 *this section and not including moneys allocated under section 15, chapter 911, Oregon Laws 2007;*
36 *and*]

37 “[*(C) Federal Highway Administration revenues allocated by formula to the county annually under*
38 *the federal-aid highway program authorized by 23 U.S.C. chapter 1. These moneys do not include fed-*
39 *eral funds received by the county through a competitive grant process.*]

40 “[*(e) ‘Minimum county road base funding’ means \$4,500 per mile of county roads that are arterial*
41 *and collector highways beginning on July 1, 2008, and thereafter means \$4,500 per mile of county roads*
42 *that are arterial and collector highways as adjusted annually on the basis of the Portland-Salem,*
43 *OR-WA, Consumer Price Index for All Urban Consumers for All Items, as published by the Bureau*
44 *of Labor Statistics of the United States Department of Labor.*]

45 “**SECTION 74.** ORS 366.155 is amended to read:

1 “366.155. (1) The Department of Transportation shall, among other things:

2 “(a) So far as practicable, compile statistics relative to the public highways of the state and
3 collect all information in regard thereto which the Director of Transportation may deem important
4 or of value in connection with highway location, construction, maintenance, improvement or opera-
5 tion.

6 “(b) Keep on file in the office of the department copies of all plans, specifications and estimates
7 prepared by the department.

8 “(c) Make all necessary surveys for the location or relocation of highways and cause to be made
9 and kept in the department a general highway plan of the state.

10 “(d) Collect and compile information and statistics relative to the mileage, character and con-
11 dition of highways and bridges in the different counties in the state, both with respect to state and
12 county highways.

13 “(e) Investigate and determine the methods of road construction best adapted in the various
14 counties or sections of the state, giving due regard to the topography, natural character and avail-
15 ability of road-building materials and the cost of building and maintaining roads under this Act.

16 “(f) Prepare surveys, plans, specifications and estimates for the construction, reconstruction,
17 improvement, maintenance and repair of any bridge, street, road and highway. In advertising for bids
18 on any such project the director shall invite bids in conformity with such plans and specifications.

19 “(g) Keep an accurate and detailed account of all moneys expended in the location, survey,
20 construction, reconstruction, improvement, maintenance or operation of highways, roads and streets,
21 including costs for rights of way, under this Act, and keep a record of the number of miles so lo-
22 cated, constructed, maintained or operated in each county, the date of construction, the width of
23 such highways and the cost per mile for the construction and maintenance of the highways.

24 “(h) Upon request of a county governing body, assist the county on matters relating to road
25 location, construction or maintenance. Plans and specifications for bridges or culverts that are
26 provided under this paragraph shall be provided without cost to the 10 counties with the lowest
27 [*dedicated county road funding, as defined in ORS 366.772*] **ratio of registered vehicles to road**
28 **miles maintained by each county**. Standard specifications for road projects shall be provided
29 without cost to all counties. The Department of Transportation shall determine an amount to be
30 charged for assistance under this paragraph in establishing specifications and standards for roads
31 under ORS 368.036. The costs of assistance not specifically provided for under this paragraph shall
32 be paid as provided by agreement between the county governing body and the director.

33 “(i) Upon request of the State Parks and Recreation Department, assist the State Parks and
34 Recreation Department in evaluating the potential need for construction, reconstruction, improve-
35 ment, maintenance or operation of highways, roads and streets that would result if the State Parks
36 and Recreation Commission acquired and developed a new historic site, park or recreation area
37 under the criteria established pursuant to ORS 390.112 or any other criteria for acquisition estab-
38 lished by the State Parks and Recreation Commission.

39 “(2) The director may require duties with respect to audits and accounting procedures provided
40 for in this section and ORS 366.165 to be performed and responsibilities to be assumed by the fiscal
41 officer of the department appointed under ORS 184.637.

42 “(3) In carrying out the duties set forth in this section, the director shall act in a manner that
43 is consistent with the goal set forth in ORS 468B.155.

44 “**SECTION 74a. The amendments to ORS 366.155, 366.772 and 366.805 by sections 72, 73**
45 **and 74 of this 2017 Act become operative on January 1, 2018.**

1 “(Study and Report)

2
3 “**SECTION 75.** (1) The Oregon Transportation Commission shall conduct a study. The
4 purpose of the study is to determine:

5 “(a) The proportionate share that users of vehicles that are powered by different means
6 should pay for the costs of maintenance, operation and improvement of the highways in this
7 state; and

8 “(b) Whether users of vehicles that are powered by different means are paying that
9 share.

10 “(2) If the commission determines that users are not paying a proportionate share, then
11 the commission may include in the report recommendations for legislation.

12 “(3) This section applies to users paying the vehicle registration fee under ORS 803.420
13 (6)(a).

14 “(4) The commission shall report the results of the study to the Joint Committee on
15 Transportation established under section 26 of this 2017 Act, in the manner provided by ORS
16 192.245, no later than September 15, 2023.

17 “**SECTION 76.** Section 75 of this 2017 Act is repealed on January 2, 2024.

18 “**NOTE:** Section 77 was deleted by amendment. Subsequent sections were not renumbered.

19
20 “**MULTIMODAL TRANSPORTATION**

21 “(Connect Oregon)

22
23 “**SECTION 78.** ORS 367.080 is amended to read:

24 “367.080. (1) As used in ORS 367.080 to 367.086:

25 “(a) ‘Bicycle’ has the meaning given that term in ORS 801.150.

26 “(b) ‘Private entity’ means any entity that is not a public body, including but not limited
27 to a corporation, partnership, company, nonprofit organization or other legal entity or na-
28 tural person.

29 “(c) ‘Public body’ has the meaning given that term in ORS 174.109.

30 “(d) ‘Statewide significance’ means a transportation project that:

31 “(A) Benefits the regional and statewide economy; and

32 “(B) Sustains employment within the community or region in which the transportation
33 project is located beyond the employment associated with construction or implementation
34 of the project.

35 “[*b*] (e) ‘Transportation project’ means a project or undertaking for transit, rail, marine, avi-
36 ation and bicycle and pedestrian capital infrastructure, including bridges, paths and ways, or a
37 project that facilitates the transportation of materials, animals or people. A transportation project
38 does not include costs associated with operating expenses or the purchase of bicycles.

39 “(2) The Connect Oregon Fund is established in the State Treasury, separate and distinct from
40 the General Fund. Earnings on moneys in the Connect Oregon Fund shall be deposited into the fund.
41 Moneys in the Connect Oregon Fund are continuously appropriated to the Department of Trans-
42 portation for the purposes described in subsection (3) of this section and in ORS 367.086. The fund
43 consists of the following:

44 “(a) Moneys transferred to the fund under sections 96 and 97 of this 2017 Act.

45 “(b) Moneys appropriated to the fund by the Legislative Assembly.

1 “(c) **Earnings on moneys in the fund.**

2 “(d) **Lottery bond proceeds.**

3 “(e) **Moneys from any other source.**

4 “(3) The department shall use moneys in the Connect Oregon Fund to provide grants for trans-
5 portation projects as provided in ORS 367.080 to 367.086. Grants may be provided only for projects
6 that involve one or more of the following modes of transportation:

7 “(a) Air;

8 “(b) Marine;

9 “(c) Rail; **and**

10 “[(d) *Public transit*; and]

11 “[(e)] (d) Bicycle and pedestrian.

12 “**SECTION 79.** ORS 367.082 is amended to read:

13 “367.082. (1) Except as provided in subsection (2) of this section, the Department of Transpor-
14 tation may provide, from moneys in the Connect Oregon Fund established [by] **under** ORS 367.080,
15 grants for transportation projects to public bodies, as defined in ORS 174.109, and to private entities.

16 “(2) Grants may not be made from the Connect Oregon Fund for transportation projects that
17 could constitutionally be funded by revenues described in [section 3a,] Article IX, **section 3a**, of the
18 Oregon Constitution.

19 “(3) The Department of Transportation shall adopt rules specifying the process by which a
20 public body or private entity may apply for a grant under this section and prescribing the terms and
21 conditions of grants[, *including but not necessarily limited to a requirement that the public body or*
22 *private entity receiving the grant provide at least 30 percent of the moneys required for the transpor-*
23 *tation project*]. **An applicant receiving a grant must provide the following amounts:**

24 “(a) **For public bodies and private entities, other than Class I railroads, 30 percent of the**
25 **moneys required for the transportation project.**

26 “(b) **For Class I railroads, 50 percent of the moneys required for the transportation**
27 **project.**

28 “**SECTION 80.** ORS 367.084 is amended to read:

29 “367.084. (1) The Oregon Transportation Commission shall select transportation projects to be
30 funded with moneys in the Connect Oregon Fund established [by] **under** ORS 367.080.

31 “(2)(a) **Prior to selecting transportation projects, the commission shall seek input from**
32 **the applicable area commission on transportation.**

33 “[(2)(a)] (b) Prior to selecting aeronautic and airport transportation projects, the commission
34 shall solicit recommendations from the State Aviation Board.

35 “[(b)] (c) Prior to selecting freight transportation projects, the commission shall solicit recom-
36 mendations from the Freight Advisory Committee.

37 “[(c)] (d) Prior to selecting [public transit and] rail projects, the commission shall solicit recom-
38 mendations from [its public transit and] **the** rail advisory [committees] **committee.**

39 “[(d)] (e) Prior to selecting marine projects, the commission shall solicit recommendations from
40 the Oregon Business Development Department.

41 “[(e)] (f) Prior to selecting bicycle and pedestrian projects, the commission shall solicit recom-
42 mendations from the advisory committee created by ORS 366.112.

43 “(3) **The commission shall divide the Connect Oregon program into two parts to be known**
44 **as Connect Oregon Part One and Connect Oregon Part Two.**

45 “(4) **Connect Oregon Part One consists of transportation projects that involve one or**

1 **more of the following modes of transportation:**

2 **“(a) Air;**

3 **“(b) Marine;**

4 **“(c) Rail; and**

5 **“(d) Bicycle and pedestrian.**

6 **“(5) Connect Oregon Part Two consists of transportation projects that:**

7 **“(a) Are transportation projects of statewide significance; and**

8 **“(b) Enhance or maintain one or more of the following modes of transportation:**

9 **“(A) Air;**

10 **“(B) Marine;**

11 **“(C) Class I railroads;**

12 **“(D) Class II railroads; or**

13 **“(E) Class III railroads.**

14 **“(3) (6) In selecting transportation projects within Connect Oregon Part One, the commis-**
15 **sion shall consider:**

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

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

19 **“(c) Whether a proposed transportation project is a critical link connecting elements of Oregon’s**
20 **transportation system that will measurably improve utilization and efficiency of the system;**

21 **“(d) How much of the cost of a proposed transportation project can be borne by the applicant**
22 **for the grant from any source other than the Connect Oregon Fund;**

23 **“(e) Whether a proposed transportation project is ready for construction; [and]**

24 **“(f) Whether a proposed transportation project has a useful life expectancy that offers maximum**
25 **benefit to the state[.]; and**

26 **“(g) Whether a proposed transportation project is located near operations conducted for**
27 **mining aggregate or processing aggregate as described in ORS 215.213 (2)(d) or 215.283 (2)(b).**

28 **“(7) The commission may award grants only for bicycle and pedestrian transportation**
29 **projects that expand and improve commuter routes for nonmotorized vehicles and pedestri-**
30 **ans, including bicycle trails, footpaths and multiuse trails.**

31 **“(8) In selecting marine enhancement transportation projects within Connect Oregon**
32 **Part Two, the commission shall consider whether a proposed transportation project:**

33 **“(a) Is located in a deepwater port;**

34 **“(b) Is located in a port with commercial activities where freight is transferred between**
35 **water and another mode of freight transport;**

36 **“(c) Improves efficiency of port operations or transportation system;**

37 **“(d) Improves accessibility, connections, safety or mobility between a port and another**
38 **modes of transportation;**

39 **“(e) Has a significant economic benefit to this state including but not limited to adding**
40 **jobs, retaining a high number of existing jobs or supporting business expansion at a port fa-**
41 **ility; and**

42 **“(f) Leverages private funding.**

43 **“(9) In selecting marine maintenance transportation projects within Connect Oregon Part**
44 **Two, the commission shall consider whether a proposed transportation project:**

45 **“(a) Maintains or improves channel depth or width;**

1 “(b) Preserves high-use or high-volume dock or pier infrastructure;

2 “(c) Maintains connections to a port facility, including railroads or highways; and

3 “(d) Preserves critical equipment necessary to maintain port functionality including but

4 not limited to cranes, lifts, hoists and moorings.

5 “(10) In selecting Class II or III railroad enhancement transportation projects within

6 Connect Oregon Part Two, the commission shall consider whether a proposed transportation

7 project:

8 “(a) Allows a Class II or III railroad to transport a substantial volume or value of freight

9 in relation to other Class II or III railroads;

10 “(b) Connects a Class II or III railroad to a deepwater port;

11 “(c) Improves efficiency of the line;

12 “(d) Improves capacity of the line;

13 “(e) Connects to new or expanding businesses requiring rail service; and

14 “(f) Improves connectivity with Class I railroads.

15 “(11) In selecting Class II or III railroad maintenance transportation projects within

16 Connect Oregon Part Two, the commission shall consider whether a proposed transportation

17 project:

18 “(a) Maintains or increases functionality of the railroad;

19 “(b) Maintains or improves a critical bridge, tunnel or other structure necessary to

20 maintain rail service;

21 “(c) Provides jobs to economically disadvantaged areas, as determined by the Oregon

22 Business Development Department by rule;

23 “(d) Helps protect critical rail infrastructure from seismic vulnerability;

24 “(e) Improves railroads that serve industries that are important to this state;

25 “(f) Increases the volume or value of freight; and

26 “(g) Improves connections to highways or intermodal terminals.

27 “(12) In selecting Class I railroad enhancement transportation projects within Connect

28 Oregon Part Two, the commission shall consider whether a proposed transportation project:

29 “(a) Eliminates or improves an identified rail congestion point;

30 “(b) Improves the capacity or efficiency of the rail system;

31 “(c) Has a strong benefit to Oregon’s economy;

32 “(d) Improves operations and efficiency of shared rail passenger service providers;

33 “(e) Improves accessibility to ports or other intermodal terminals; and

34 “(f) Improves the safety or reliability of the rail system.

35 “(13) In selecting Class I railroad maintenance transportation projects within Connect

36 Oregon Part Two, the commission shall consider whether a proposed transportation project:

37 “(a) Connects to Class II or III railroads, ports, intermodal terminals or highways; and

38 “(b) Improves seismically vulnerable portions of the railroad or bridges.

39 “(14) To receive a grant under Connect Oregon Part Two a proposed aviation transpor-

40 tation project must benefit a category I, II, III or IV airport, as defined by the Oregon De-

41 partment of Aviation by rule and the airport must be eligible for federal matching funds. In

42 addition the commission shall consider whether a proposed transportation project:

43 “(a) Facilitates rescue or recovery efforts following a seismic event;

44 “(b) Serves joint military and civilian operations; or

45 “(c) Facilitates expanded commercial service, excluding the acquisition or operation of

1 **aircraft.**

2 “[4] (15) To promote fairness in the selection process, the Director of Transportation may not
3 choose a member of a final review committee:

4 “(a) Who represents an entity that submitted an application for a Connect Oregon Fund grant
5 that is being considered for funding by a final review committee; or

6 “(b) Has a direct financial interest in an application that is being considered for funding by a
7 final review committee.

8 “**SECTION 80a.** Section 7, chapter 700, Oregon Laws 2015, is amended to read:

9 “**Sec. 7.** (1) The following amounts shall be distributed in the manner prescribed in this section:

10 “(a) Any amount of tax on aircraft fuel usable in aircraft operated by turbine engines that is
11 computed on a basis in excess of one cent per gallon and any amount of tax on all other aircraft fuel
12 that is computed on a basis in excess of nine cents per gallon, under ORS 319.020 (2); and

13 “(b) Any amount of tax on aircraft fuel usable in aircraft operated by turbine engines in excess
14 of one cent per gallon and any amount of tax on all other aircraft fuel in excess of nine cents per
15 gallon, that is deducted before the refunding of tax under ORS 319.330 (1).

16 “(2) Applications for distributions under this section may not be approved unless the applicant
17 demonstrates a commitment to contribute at least five percent of the costs of the project to which
18 the application relates. The Oregon Department of Aviation shall adopt rules for purposes of this
19 subsection.

20 “(3)(a) The State Aviation Board shall establish a review committee composed of one member
21 from each of the area commissions on transportation chartered by the Oregon Transportation Com-
22 mission.

23 “(b) The review committee shall meet as necessary to review applications for distributions of
24 amounts pursuant to this section. The criteria specified in ORS 367.084 [(3)] (6) apply to the review
25 process of the review committee.

26 “(c) The review committee shall recommend applications to the State Aviation Board, which
27 shall select applications with the following priority:

28 “(A) First, to applications filed pursuant to subsection (5)(a)(A) of this section;

29 “(B) Second, to applications filed with respect to safety and infrastructure development; and

30 “(C) Third, to applications filed with respect to aviation-related economic benefits related to
31 airports.

32 “(4)(a) Five percent of the amounts described in subsection (1) of this section are appropriated
33 to the Oregon Department of Aviation for the costs of the department and the State Aviation Board
34 in administering this section.

35 “(b) The remaining 95 percent of the amounts described in subsection (1) of this section shall
36 be distributed pursuant to subsections (5) to (7) of this section.

37 “(5)(a) Fifty percent of the amounts described in subsection (4)(b) of this section shall be dis-
38 tributed for the following purposes:

39 “(A) To assist airports in Oregon with match requirements for Federal Aviation Administration
40 Airport Improvement Program grants.

41 “(B) To make grants for emergency preparedness and infrastructure projects, in accordance with
42 the Oregon Resilience Plan, including grants for emergency management plan development, seismic
43 studies and emergency generators and similar equipment.

44 “(C) To make grants for:

45 “(i) Services critical or essential to aviation, including, but not limited to, fuel, sewer, water and

1 weather equipment.

2 “(ii) Aviation-related business development, including, but not limited to, hangars, parking for
3 business aircraft and related facilities.

4 “(iii) Airport development for local economic benefit, including, but not limited to, signs and
5 marketing.

6 “(b) Priority in distributing grants shall be given to projects for which applicants demonstrate
7 a commitment to contribute the greatest amounts toward the costs of the projects to which the ap-
8 plications relate.

9 “(6) Twenty-five percent of the amounts described in subsection (4)(b) of this section shall be
10 distributed for the purpose of assisting commercial air service to rural Oregon.

11 “(7) Twenty-five percent of the amounts described in subsection (4)(b) of this section shall be
12 distributed to state-owned airports for the purposes of:

13 “(a) Safety improvements recommended by the State Aviation Board and local community air-
14 ports.

15 “(b) Infrastructure projects at public use airports.

16 “(8)(a) The State Aviation Board shall submit reports, in the manner provided in ORS 192.245
17 and paragraph (b) of this subsection, that describe in detail the projects for which applications have
18 been submitted and approved, the airports affected, the names of the applicants and the persons who
19 will perform the work proposed in the applications, the progress of projects for which applications
20 have been approved and any other information the board considers necessary for a comprehensive
21 analysis of the implementation of this section.

22 “(b) The reports described in paragraph (a) of this subsection shall be submitted:

23 “(A) Not later than February 10 of each year to the committees of the Legislative Assembly
24 related to air transportation; and

25 “(B) Not later than September 30 of each year to the interim committees of the Legislative As-
26 sembly related to air transportation.

27 “**SECTION 81.** ORS 367.086 is amended to read:

28 “367.086. (1) The Department of Transportation, in cooperation with the Oregon Department of
29 Aviation, shall administer aeronautic and airport transportation projects selected under ORS 367.084
30 for funding with moneys in the Connect Oregon Fund. The Oregon Department of Aviation may use
31 moneys from the Connect Oregon Fund to pay administrative costs incurred by the Oregon Depart-
32 ment of Aviation in carrying out the provisions of ORS 367.080 to 367.086.

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

37 “**SECTION 82. Sections 83 to 85 of this 2017 Act are added to and made a part of ORS**
38 **367.080 to 367.086.**

39 “**SECTION 83. (1) If there is \$75 million or more in the Connect Oregon Fund on July 1**
40 **of an odd-numbered year, the amounts available under ORS 367.080 shall be distributed for**
41 **transportation projects within the Connect Oregon program as follows:**

42 “(a) **For projects within Connect Oregon Part One:**

43 “(A) **Forty-seven percent for transportation projects that involve one or more of the**
44 **following modes of transportation:**

45 “(i) **Aviation;**

1 “(ii) Marine; or

2 “(iii) Rail.

3 “(B) Seven percent for bicycle and pedestrian transportation projects.

4 “(C) One percent is appropriated to the Department of Transportation to pay adminis-
5 trative costs incurred by the department in carrying out the provisions of ORS 367.080 to
6 367.086.

7 “(b) For transportation projects within Connect Oregon Part Two, forty-five percent.

8 “(2) If there is less than \$75 million in the Connect Oregon Fund on July 1 of an odd-
9 numbered year, the amounts available under ORS 367.080 shall be distributed for transpor-
10 tation projects within the Connect Oregon program as follows for projects within Connect
11 Oregon Part One:

12 “(a) Ninety-two percent for transportation projects that involve one or more of the fol-
13 lowing modes of transportation:

14 “(A) Aviation;

15 “(B) Marine; or

16 “(C) Rail.

17 “(b) Seven percent for bicycle and pedestrian transportation projects.

18 “(c) One percent is appropriated to the Department of Transportation to pay adminis-
19 trative costs incurred by the department in carrying out the provisions of ORS 367.080 to
20 367.086.

21 “(3) To the extent that proposed transportation projects meet the qualifications estab-
22 lished by the Oregon Transportation Commission by rule, the commission shall allocate at
23 least 10 percent of the amount described in subsection (1) or (2) of this section to each of the
24 five regions described in ORS 366.805.

25 “SECTION 84. (1) When the Department of Transportation provides a grant under ORS
26 367.080 to 367.086 for a bicycle and pedestrian transportation project that is consistent with
27 any restrictions under Article XV, section 4 or 4a, of the Oregon Constitution, the depart-
28 ment may request reimbursement from the State Parks and Recreation Department in an
29 amount not to exceed \$4 million each biennium.

30 “(2) If the State Parks and Recreation Department determines that the grant for the
31 bicycle and pedestrian transportation project is consistent with any restrictions of Article
32 XV, section 4 or 4a, of the Oregon Constitution, the State Parks and Recreation Department
33 shall reimburse the Department of Transportation from the Parks Subaccount established
34 under ORS 390.135 within five days after receiving the request for reimbursement.

35 “SECTION 85. (1) The Oregon Transportation Commission shall pursue methods to
36 streamline the process for submitting applications under ORS 367.080 to 367.086.

37 “(2) The Oregon Transportation Commission shall report to the Joint Committee on
38 Transportation established under section 26 of this 2017 Act no later than September 15, 2017,
39 on the implementation of this section.

40

41 “(Dredging)

42

43 “SECTION 86. ORS 319.415 is amended to read:

44 “319.415. (1) On or before July 15 of each year, the Oregon Department of Administrative Ser-
45 vices, after consultation with the Department of Transportation and the State Marine Board, shall

1 determine the amount of the motor vehicle fuel tax imposed under ORS 319.010 to 319.430 during the
2 preceding fiscal year with respect to fuel purchased and used to operate or propel motor boats. The
3 amount determined shall be reduced by the amount of any refunds for motor boats used for com-
4 mercial purposes actually paid during the preceding year on account of ORS 319.280 (1)(a).

5 “(2)(a) The Oregon Department of Administrative Services shall estimate the amount of fuel de-
6 scribed in subsection (1) of this section that is used to operate or propel motor boats by conducting
7 a statistically valid, unbiased, independent survey of boat owners. The survey shall be conducted
8 once every four years and shall be designed to estimate the average daily fuel consumption by motor
9 boats and the total days of motor boat use per year. The survey shall be used to determine the
10 amount of the transfer required by subsection (3) of this section for the first transfer that occurs
11 after the survey is completed. If the tax rate changes during the fiscal year, the amount of tax to
12 be transferred shall be prorated based on the percentage of total motor boat use taking place during
13 each tax period.

14 “(b) In years when no survey is conducted, the amount to be transferred under subsection (3)
15 of this section shall be calculated by multiplying the per boat fuel consumption factors from the
16 preceding survey by the number of motor boats as shown by the annual actual count of boat regis-
17 trations. The resulting amount, in gallons per year, shall be the basis for the determination of the
18 amount to be transferred.

19 “(c) The survey required by paragraph (a) of this subsection shall be developed by a research
20 department within Oregon State University, in consultation with the State Marine Board and the
21 Department of Transportation. The Oregon Department of Administrative Services shall contract for
22 the development and conduct of the survey, and the costs shall be paid by the Department of
23 Transportation. Costs paid by the Department of Transportation may be deducted from the amount
24 transferred to the State Marine Board **and to the Oregon Business Development Department**
25 under subsection (3) of this section.

26 “(3) The Oregon Department of Administrative Services shall certify the amount of the estimate
27 made under subsection (1) of this section, as reduced by refunds, to the Department of Transporta-
28 tion, to the State Marine Board, **to the Oregon Business Development Department** and to the
29 State Treasurer. Thereupon, that amount shall be transferred from the Department of Transportation
30 Driver and Motor Vehicle Suspense Account to the:

31 “(a) Boating Safety, Law Enforcement and Facility Account created under ORS 830.140, and is
32 continuously appropriated to the State Marine Board for the purposes for which the moneys in the
33 Boating Safety, Law Enforcement and Facility Account are appropriated[.]; **and**

34 “(b) **Marine Navigation Improvement Fund established under ORS 777.267, and is contin-**
35 **uously appropriated to the Oregon Business Development Department for the Oregon**
36 **Infrastructure Finance Authority for the purposes of paying for portions of the cost of**
37 **maintenance dredging projects undertaken with equipment owned by the State of Oregon at**
38 **publicly owned ports and marinas.**

39 “(4) **Of the amounts transferred under subsection (3) of this section, two cents per gallon**
40 **of fuel shall first be transferred to the Marine Navigation Improvement Fund and the re-**
41 **maining amounts shall be transferred to the Boating Safety, Law Enforcement and Facility**
42 **Account.**

43 “**SECTION 87.** ORS 777.267 is amended to read:

44 “777.267. (1) The Marine Navigation Improvement Fund is established in the State Treasury,
45 separate and distinct from the General Fund. Interest earned by the Marine Navigation Improve-

1 ment Fund shall be credited to the fund. The moneys in the fund and interest earnings on the mon-
2 eys in the fund are continuously appropriated to the Oregon Business Development Department for
3 the Oregon Infrastructure Finance Authority for the purposes of:

4 “(a) Paying a portion of the construction costs of dredging activities that constitute new feder-
5 ally authorized navigation improvement projects and are carried out in the harbors and channels
6 on the Oregon coast and along the Columbia River when federal law or regulation requires a portion
7 of the costs to be paid by nonfederal interests;

8 “(b) Paying the study and construction costs of other new navigation improvement projects that
9 directly support, or provide access to, a federally authorized navigation improvement project; [and]

10 “(c) Paying the study and construction costs of maintenance projects related to existing feder-
11 ally authorized navigation improvement projects[.]; **and**

12 **“(d) Paying for portions of the cost of maintenance dredging projects undertaken with**
13 **equipment owned by the State of Oregon at publicly owned ports and marinas.**

14 “(2) The Marine Navigation Improvement Fund established by this section consists of:

15 “(a) Moneys appropriated **or otherwise deposited into** [to] the fund by the Legislative
16 Assembly[.];

17 “(b) Repayment of loans made with moneys in the fund; and

18 “(c) Bond proceeds deposited in the fund.

19 “(3) Moneys in the fund shall be used primarily to make loans to ports for eligible projects. The
20 authority may award a grant or provide other assistance from moneys in the fund to a port for an
21 eligible project only if a loan is not feasible due to the financial hardship of the port or other special
22 circumstances, as set forth in rules adopted by the department.

23 “(4) Eligibility for assistance from the Marine Navigation Improvement Fund shall be limited to
24 and funded, subject to the availability of funds, in the following order of priority:

25 “(a) Maintenance projects related to existing federally authorized navigation improvement
26 projects.

27 “(b) Other new navigation improvement projects that directly support, or provide access to, a
28 federally authorized navigation improvement project or a federally authorized navigation channel.

29 “(c) New federally authorized navigation improvement projects.

30 **“(d) Payment of portions of the cost of maintenance dredging projects undertaken with**
31 **equipment owned by the State of Oregon at publicly owned ports and marinas.**

32 “(5) The authority shall limit financial assistance for construction costs under subsection (1)(a)
33 of this section to those projects that have completed all federally required studies.

34 “(6) The authority shall limit financial assistance for construction costs under subsection (1)(b)
35 of this section to projects sponsored by a port, as defined in ORS 777.005 or 778.005, that meet cri-
36 teria developed by the authority.

37 “(7) The authority shall limit financial assistance for study costs under subsection (1)(b) of this
38 section to projects that meet criteria developed by the authority.

39 “(8) The authority shall limit financial assistance for study and construction costs under sub-
40 section (1)(c) of this section to projects that meet criteria developed by the authority.

41 **“SECTION 88.** ORS 802.110 is amended to read:

42 “802.110. Any procedures the Department of Transportation establishes for financial adminis-
43 tration of those functions of the department dealing with driver and motor vehicle services and for
44 the disposition and payment of moneys it receives from the provision of driver and motor vehicle
45 services shall comply with all of the following:

1 “(1) The department shall deposit all moneys it receives related to driver and motor vehicle
2 services in the Department of Transportation Driver and Motor Vehicle Suspense Account for ap-
3 proved expenses and disbursements before payment of general administrative expenses of the department
4 related to the provision of driver and motor vehicle services. Notwithstanding this subsection, the
5 department may return a bank check or money order when received in incorrect or incomplete form
6 or when not accompanied by the proper application.

7 “(2) The department shall pay the following approved expenses and disbursements from the Depart-
8 ment of Transportation Driver and Motor Vehicle Suspense Account before payment of the general
9 administrative expenses of the department related to driver and motor vehicle services:

10 “(a) Refunds authorized by any statute administered by the department when such refunds are
11 approved by the department.

12 “(b) Amounts transferred to the State Treasurer under ORS 319.410 (2) for the purpose of car-
13 rying out the state aviation laws, amounts transferred to the Boating Safety, Law Enforcement and
14 Facility Account **and to the Marine Navigation Improvement Fund** by ORS 319.415, amounts
15 transferred to the State Aviation Account by ORS 319.417 and amounts transferred to the Depart-
16 ment of Transportation Operating Fund by ORS 184.643.

17 “(c) After deduction of expenses of collection, transfer and administration, the department shall
18 pay moneys collected from the Student Driver Training Fund eligibility fee under ORS 807.040,
19 807.150 and 807.370 to the State Treasurer for deposit in the Student Driver Training Fund. The
20 moneys deposited in the Student Driver Training Fund under this paragraph are continuously ap-
21 propriated to the department for the following purposes:

22 “(A) To the extent of not more than 10 percent of the amount transferred into the Student
23 Driver Training Fund in any biennium, to pay the expenses of administering ORS 336.795, 336.800,
24 336.805, 336.810 (2) and 336.815.

25 “(B) The remaining moneys, for reimbursing school districts and commercial driver training
26 schools as provided under ORS 336.805.

27 “(d) After deduction of expenses of collection, transfer and administration, the department shall
28 pay moneys collected for the Motorcycle Safety Subaccount under ORS 807.170 to the State Treas-
29 urer for deposit in the Motorcycle Safety Subaccount of the Transportation Safety Account. Moneys
30 paid to the State Treasurer under this paragraph shall be used for the purpose of ORS 802.320.

31 “(e) After deduction of expenses for the administration of the issuance of customized registration
32 plates under ORS 805.240, the department shall place moneys received from the sale of customized
33 registration plates in the Passenger Rail Transportation Account. The moneys placed in the account
34 are continuously appropriated to the department and shall be used for the payment of expenses in-
35 curred in administering passenger rail programs.

36 “(f) After deduction of expenses of collection, transfer and administration, the department shall
37 pay moneys from any registration fees established by the governing bodies of counties or a district,
38 as defined in ORS 801.237, under ORS 801.041 or 801.042 to the appropriate counties or districts.
39 The department shall make the payments on at least a monthly basis unless another basis is estab-
40 lished by the intergovernmental agreements required by ORS 801.041 and 801.042 between the de-
41 partment and the governing bodies of a county or a district.

42 “(g) After deducting the expenses of the department in collecting and transferring the moneys,
43 the department shall make disbursements and payments of moneys collected for or dedicated to any
44 other purpose or fund except the State Highway Fund, including but not limited to, payments to the
45 Department of Transportation Operating Fund established by ORS 184.642 (1) and (2).

1 “(3) The department shall refund from the Department of Transportation Driver and Motor Ve-
2 hicle Suspense Account any excess or erroneous payment to a person who made the payment or to
3 the person’s legal representative when the department determines that money has been received by
4 it in excess of the amount legally due and payable or that it has received money in which it has
5 no legal interest. Refunds payable under this subsection are continuously appropriated for such
6 purposes in the manner for payment of refunds under this section. If the department determines that
7 a refund is due, the department may refund the amount of excess or erroneous payment without a
8 claim being filed. Except as provided in ORS 319.290, 319.375, 319.820 and 319.831, any claim for a
9 refund from the department must be filed within 12 months after the date payment is received by
10 the department.

11 “(4) After payment of those expenses and disbursements approved for payment before general ad-
12 ministrative expenses related to the provision of driver and motor vehicle services, the department
13 shall pay from the Department of Transportation Driver and Motor Vehicle Services Administrative
14 Account its general administrative expenses incurred in the administration of any law related to
15 driver and motor vehicle services that the department is charged with administering and any other
16 expenses the department is permitted by law to pay from moneys held by the department before
17 transfer of the moneys to the State Highway Fund. The following limitations apply to payments of
18 administrative expenses under this subsection:

19 “(a) The department shall make payment of the expenses of administering the issuance of winter
20 recreation parking permits under ORS 811.595 from those moneys received from issuing the permits.

21 “(b) The department shall pay its expenses for administering the registration and titling of
22 snowmobiles under ORS 821.060 and 821.100 from the fees collected from administering those
23 sections. The department shall also pay its expenses for the administration of the snowmobile driver
24 permit program under ORS 821.160 from the moneys otherwise described in this paragraph.

25 “(c) The department shall pay its expenses for determining the amount of money to be withheld
26 under ORS 802.120 from the fees collected for administering the registration and titling of
27 snowmobiles. The amount used to pay expenses under this paragraph shall be such sum as necessary
28 but may not exceed \$10,000 during each biennium.

29 “(d) The department shall retain not more than \$15,000 in any biennium for the expenses of
30 collecting and transferring moneys to the Student Driver Training Fund under this section and for
31 the administration of ORS 336.810 (3).

32 “(5) Except as otherwise provided in this subsection, the department shall transfer to the State
33 Highway Fund the moneys not used for payment of the general administrative expenses or for ap-
34 proved expenses and disbursements before payment of general administrative expenses. The following
35 apply to this subsection:

36 “(a) If the Director of Transportation certifies the amount of principal or interest of highway
37 bonds due on any particular date, the department may make available for the payment of such in-
38 terest or principal any sums that may be necessary to the extent of moneys on hand available for
39 the State Highway Fund regardless of the dates otherwise specified under this section.

40 “(b) Notwithstanding paragraph (a) of this subsection, the department may not make available
41 for purposes described in paragraph (a) of this subsection any moneys described in ORS 367.605
42 when there are not sufficient amounts of such moneys in the State Highway Fund for purposes of
43 bonds issued under ORS 367.615.

44 “(6) Notwithstanding any other provision of this section, the following moneys shall be trans-
45 ferred to the State Highway Fund at the times described:

1 “(a) Moneys received under ORS 802.120 and not used for the payment of administrative ex-
2 penses of the department shall be transferred before July 31 of each year.

3 “(b) Moneys received from the registration of snowmobiles that are not to be used for payment
4 of administrative expenses of the department shall be transferred within 30 days after the end of the
5 quarter.

6 “(c) Moneys received from the issuance of winter recreation parking permits that are not used
7 for payment of administrative expenses of the department shall be transferred within 30 days after
8 the end of the quarter.

9 “(7) The following moneys transferred to the State Highway Fund under this section may be
10 used only for the purposes described as follows:

11 “(a) Moneys collected from the issuance of winter recreation parking permits, and the interest
12 on such moneys, shall be used to enforce the requirement for winter recreation parking permits and
13 to remove snow from winter recreation parking locations designated under ORS 810.170. Any re-
14 maining moneys shall, upon approval by the Winter Recreation Advisory Committee:

15 “(A) Be used to maintain parking locations developed with moneys obtained under ORS 810.170
16 and snowmobile facilities that are parking lots developed with moneys as provided under this sec-
17 tion;

18 “(B) Be used to develop additional winter recreation parking locations under ORS 810.170; or

19 “(C) Be carried over to be used in subsequent years for the purposes and in the manner de-
20 scribed in this paragraph.

21 “(b) Moneys received from the registration of snowmobiles or under ORS 802.120 may be used
22 for development and maintenance of multiuse trails within urban growth boundaries [*described in*
23 *ORS 367.017*] or for the development and maintenance of snowmobile facilities, including the acqui-
24 sition of land therefor by any means other than the exercise of eminent domain. Moneys received
25 under ORS 802.120 may also be used for the enforcement of ORS 811.590, 821.100 to 821.120, 821.140,
26 821.150, 821.190, 821.210 and 821.240 to 821.290.

27 “(8) The department shall maintain the Revolving Account for Emergency Cash Advances sepa-
28 rate from other moneys described in this section. From the account, the department may pay for the
29 taking up of dishonored remittances returned by banks or the State Treasurer and for emergency
30 cash advances to be subsequently reimbursed. The account shall be used only as a revolving fund.
31 The department shall at all times be accountable for the amount of the account, either in cash or
32 unreimbursed items and advances. The moneys in the account are continuously appropriated for the
33 purposes of this subsection. The amount of moneys in the account under this subsection may not
34 exceed \$40,000 from moneys received by the department in the performance of its driver and motor
35 vehicle services functions and moneys otherwise appropriated for purposes of this subsection. The
36 account under this subsection shall be kept on deposit with the State Treasurer. The State Treas-
37 urer is authorized to honor and pay all properly signed and indorsed checks or warrants drawn
38 against the account.

39
40 **“REVENUE FOR TRAFFIC CONGESTION RELIEF,**
41 **FREIGHT MOBILITY AND CONNECT OREGON**
42

43 **“SECTION 89. Definitions for sections 89 to 111. As used in sections 89 to 111 of this 2017**

44 **Act:**

45 **“(1)(a) ‘Bicycle’ means a vehicle that is designed to be operated on the ground on wheels**

1 and is propelled exclusively by human power.

2 “(b) ‘Bicycle’ does not include durable medical equipment.

3 “(2) ‘New motor vehicle’ has the meaning given that term in ORS 803.350 (8)(c).

4 “(3) ‘Retail sales price’ means the total price paid at retail for a taxable vehicle, exclusive
5 of the amount of any excise, privilege or use tax, to a seller by a purchaser of the taxable
6 vehicle.

7 “(4) ‘Seller’ means:

8 “(a) With respect to the privilege tax imposed under section 90 of this 2017 Act and the
9 use tax imposed under section 91 of this 2017 Act, a vehicle dealer.

10 “(b) With respect to the excise tax imposed under section 92 of this 2017 Act, a person
11 engaged in whole or in part in the business of selling bicycles.

12 “(5) ‘Taxable bicycle’ means a new bicycle that has wheels of at least 26 inches in diam-
13 eter and a retail sales price of \$200 or more.

14 “(6) ‘Taxable motor vehicle’ means a new motor vehicle with a gross vehicle weight rat-
15 ing of 26,000 pounds or less that is:

16 “(a) A vehicle as defined in ORS 744.850, other than an all-terrain vehicle;

17 “(b) A bus trailer as defined in ORS 801.165;

18 “(c) A camper as defined in ORS 801.180;

19 “(d) A commercial bus as defined in ORS 801.200;

20 “(e) A commercial motor vehicle as defined in ORS 801.208;

21 “(f) A commercial vehicle as defined in ORS 801.210;

22 “(g) An electric assisted bicycle as defined in ORS 801.258;

23 “(h) A fixed load vehicle as defined in ORS 801.285;

24 “(i) A moped as defined in ORS 801.345;

25 “(j) A motor assisted scooter as defined in ORS 801.348;

26 “(k) A motor home as defined in ORS 801.350;

27 “(L) A motor truck as defined in ORS 801.355;

28 “(m) A tank vehicle as defined in ORS 801.522;

29 “(n) A truck tractor as defined in ORS 801.575;

30 “(o) A truck trailer as defined in ORS 801.580; or

31 “(p) A worker transport bus as defined in ORS 801.610.

32 “(7) ‘Taxable vehicle’ means a taxable bicycle or a taxable motor vehicle.

33 “(8) ‘Transportation project taxes’ means the privilege tax imposed under section 90 of
34 this 2017 Act, the use tax imposed under section 91 of this 2017 Act and the excise tax im-
35 posed under section 92 of this 2017 Act.

36 “(9)(a) ‘Vehicle dealer’ means:

37 “(A) A person engaged in business in this state that has been issued a vehicle dealer
38 certificate under ORS 822.020; and

39 “(B) A person engaged in business in another state that would be subject to ORS 822.005
40 if the person engaged in business in this state.

41 “(b) Notwithstanding paragraph (a) of this subsection, a person is not a vehicle dealer for
42 purposes of sections 89 to 111 of this 2017 Act to the extent the person:

43 “(A) Conducts an event that lasts less than seven consecutive days, for which the public
44 is charged admission and at which otherwise taxable motor vehicles are sold at auction; or

45 “(B) Sells an otherwise taxable motor vehicle at auction at an event described in this

1 paragraph.

2 **“SECTION 90. Imposition of tax for privilege of engaging in the business of selling taxable**
3 **motor vehicles at retail; vehicle dealer allowed to collect amount of privilege tax from pur-**
4 **chaser of taxable motor vehicle.** (1) A tax is imposed on each vehicle dealer for the privilege
5 of engaging in the business of selling taxable motor vehicles at retail in this state.

6 **“(2) The privilege tax shall be computed at the rate of 0.5 percent of the retail sales price**
7 **of the taxable motor vehicle. The tax may be rounded to the nearest whole cent.**

8 **“(3)(a) A vehicle dealer may collect the amount of the privilege tax computed on the re-**
9 **tail sales price of a taxable motor vehicle from the purchaser of the taxable motor vehicle.**

10 **“(b) Notwithstanding paragraph (a) of this subsection, the purchaser of a taxable motor**
11 **vehicle from whom the privilege tax is collected is not considered a taxpayer for purposes**
12 **of the privilege tax imposed under this section.**

13 **“SECTION 90a.** ORS 822.043 is amended to read:

14 **“822.043. (1) As used in this section:**

15 **“(a) ‘Integrator’ has the meaning given that term in ORS 802.600.**

16 **“(b) ‘Vehicle dealer’ means a person issued a vehicle dealer certificate under ORS 822.020.**

17 **“(2) A vehicle dealer may elect to prepare, submit, or prepare and submit documents necessary**
18 **to:**

19 **“(a) Issue or transfer a certificate of title for a vehicle;**

20 **“(b) Register a vehicle or transfer registration of a vehicle;**

21 **“(c) Issue a registration plate;**

22 **“(d) Verify and clear a title;**

23 **“(e) Perfect, release or satisfy a lien or other security interest;**

24 **“(f) Comply with federal security requirements; or**

25 **“(g) Render any other services for the purpose of complying with state and federal laws related**
26 **to the sale of a vehicle.**

27 **“(3) A vehicle dealer who prepares any documents described in subsection (2) of this section:**

28 **“(a) May charge a purchaser of a vehicle a document processing fee for the preparation of those**
29 **documents.**

30 **“(b) May not charge a purchaser of a vehicle a document processing fee for the submission of**
31 **any document or the issuance of a registration plate.**

32 **“(c) May charge a purchaser of a vehicle a document processing fee for performing any of the**
33 **services described in subsection (2) of this section in connection with preparing the documents de-**
34 **scribed in subsection (2) of this section.**

35 **“(4) A purchaser of a vehicle may negotiate the amount of the document processing fee with a**
36 **vehicle dealer, but in no case shall the document processing fee charged by a vehicle dealer under**
37 **this section exceed:**

38 **“(a) \$150, if the vehicle dealer uses an integrator; or**

39 **“(b) \$115, if the vehicle dealer does not use an integrator.**

40 **“(5) If a vehicle dealer charges a document processing fee under subsection (4)(a) of this section,**
41 **of the amount collected \$25 shall be paid to the integrator.**

42 **“(6) Unless otherwise provided by rule, if a vehicle dealer uses an integrator and charges a**
43 **document processing fee greater than that charged for not using an integrator, the dealer must in-**
44 **form the purchaser of the vehicle of the option of using an integrator to prepare the documents. The**
45 **purchaser may then elect whether or not to have the vehicle dealer use an integrator to prepare the**

1 documents.

2 “(7) If the purchaser of a vehicle pays a document processing fee, the vehicle dealer shall pre-
3 pare and submit all documents to complete the transaction as permitted by law.

4 “(8)(a) A vehicle dealer who collects the privilege tax imposed under section 90 of this
5 2017 Act from the purchaser of a taxable motor vehicle may collect the privilege tax at the
6 same time and in the same manner as the vehicle dealer collects document processing fees
7 under this section. The amount of the privilege tax shall be in addition to and not in lieu of
8 document processing fees collected under this section.

9 “(b) A vehicle dealer may exclude the amount of the privilege tax from the capitalized
10 cost and offering price of a taxable motor vehicle as those terms are defined by the Depart-
11 ment of Justice by rule.

12 “SECTION 91. Imposition of use tax on taxable motor vehicles purchased at retail. (1) A
13 use tax is imposed on the storage, use or other consumption in this state of taxable motor
14 vehicles purchased at retail from any seller.

15 “(2) The use tax shall be computed at the rate of 0.5 percent of the retail sales price of
16 the taxable motor vehicle.

17 “(3) The use tax is a liability of the purchaser of the taxable motor vehicle.

18 “(4) The use tax shall be reduced, but not below zero, by the amount of any privilege,
19 excise, sales or use tax imposed by any jurisdiction on the sale, or on the storage, use or
20 other consumption, of the taxable motor vehicle. The reduction under this subsection shall
21 be made only upon a showing by the purchaser that a privilege, excise, sales or use tax has
22 been paid.

23 “(5) The amount of the use tax shall be separately stated on an invoice, receipt or other
24 similar document that the seller provides to the purchaser or shall be otherwise disclosed
25 to the purchaser.

26 “(6) A purchaser’s liability for the use tax is satisfied by a valid receipt given to the
27 purchaser under section 93 of this 2017 Act by the seller of the taxable motor vehicle.

28 “SECTION 92. Imposition of excise tax on retail sale of taxable bicycles. (1) An excise tax
29 of \$15 is imposed on each sale at retail in this state of a taxable bicycle.

30 “(2) The excise tax is a liability of the purchaser of the taxable bicycle.

31 “(3) The amount of the excise tax shall be separately stated on an invoice, receipt or
32 other similar document that the seller provides to the purchaser or shall be otherwise dis-
33 closed to the purchaser.

34 “(4) A seller shall collect the excise tax at the time of the taxable sale.

35 “(5) A purchaser’s liability for the excise tax is satisfied by a valid receipt given to the
36 purchaser by the seller of the taxable bicycle.

37 “SECTION 93. Collection of use tax. (1) A seller shall collect the use tax imposed under
38 section 91 of this 2017 Act from a purchaser of a taxable motor vehicle and give the pur-
39 chaser a receipt for the use tax in the manner and form prescribed by the Department of
40 Revenue if:

41 “(a) The seller is:

42 “(A) Engaged in business in this state;

43 “(B) Required to collect the use tax; or

44 “(C) Authorized by the department, under rules the department adopts, to collect the use
45 tax and, for purposes of the use tax, regarded as a seller engaged in business in this state;

1 and

2 “(b) The seller makes sales of taxable motor vehicles for storage, use or other con-
3 sumption in this state that are subject to the use tax.

4 “(2) A seller required to collect the use tax under this section shall collect the tax:

5 “(a) At the time of the taxable sale; or

6 “(b) If the storage, use or other consumption of the taxable motor vehicle is not taxable
7 at the time of sale, at the time the storage, use or other consumption becomes taxable.

8 “(3) To ensure the proper administration of section 91 of this 2017 Act, and to prevent
9 evasion of the use tax, the following presumptions are established:

10 “(a) A taxable motor vehicle is stored, used or otherwise consumed in this state if it is
11 present in this state for private or public display or storage.

12 “(b)(A) A taxable motor vehicle sold by any seller for delivery in this state was sold for
13 storage, use or other consumption in this state unless the contrary is proved.

14 “(B) The burden of proving the contrary is on the seller unless the seller takes from the
15 purchaser a resale certificate to the effect that the taxable motor vehicle was purchased for
16 resale in the ordinary course of the purchaser’s business.

17 “(c)(A) A taxable motor vehicle delivered outside this state to a purchaser known by the
18 seller to be a resident of this state was purchased from the seller for storage, use or other
19 consumption in this state and stored, used or otherwise consumed in this state unless the
20 contrary is proved.

21 “(B) The contrary may be proved by:

22 “(i) A statement in writing, signed by the purchaser or an authorized agent of the pur-
23 chaser and retained by the seller, that the taxable motor vehicle was purchased for storage,
24 use or other consumption exclusively at a designated point or points outside this state; or

25 “(ii) Other evidence satisfactory to the department that the taxable motor vehicle was
26 not purchased for storage, use or other consumption in this state.

27 “SECTION 94. Exempt sales. (1) Notwithstanding section 90 of this 2017 Act, a seller is
28 not liable for the privilege tax with respect to a taxable motor vehicle that is sold to:

29 (a) A purchaser who is not a resident of this state; or

30 (b) A business if the storage, use or other consumption of the taxable motor vehicle will
31 occur primarily outside this state.

32 “(2) Notwithstanding section 90 of this 2017 Act, a seller is not liable for the privilege tax
33 with respect to an otherwise taxable motor vehicle that is sold at an event that lasts less
34 than seven consecutive days, for which the public is charged admission and at which other-
35 wise taxable motor vehicles are sold at auction.

36 “(3) Notwithstanding sections 90 to 93 of this 2017 Act, a resale certificate taken from a
37 purchaser ordinarily engaged in the business of selling taxable vehicles relieves the seller
38 from the obligation to collect and remit transportation project taxes. A resale certificate
39 must be substantially in the form prescribed by the Department of Revenue by rule.

40 “SECTION 95. Refunds for excess payment. (1) If the amount of transportation project
41 taxes paid by a seller or purchaser exceeds the amount of taxes due, the Department of Re-
42 venue shall refund the amount of the excess.

43 “(2) Except as provided in subsection (3) of this section, the period prescribed for the
44 department to allow or make a refund of any overpayment of transportation project taxes
45 paid shall be as provided in ORS 314.415.

1 “(3) The department shall apply any overpayment of tax first to any amount of trans-
2 portation project taxes that is then outstanding.

3 “**SECTION 96. Deposit of revenue from privilege and use taxes on taxable motor vehicles.**

4 (1) The Department of Revenue shall deposit all revenue collected from the privilege tax
5 imposed under section 90 of this 2017 Act and the use tax imposed under section 91 of this
6 2017 Act in a suspense account established under ORS 293.445 for the purpose of receiving
7 the revenue. The department may pay expenses for the administration and enforcement of
8 the privilege and use taxes out of moneys received from the privilege and use taxes. Amounts
9 necessary to pay administrative and enforcement expenses are continuously appropriated to
10 the department from the suspense account.

11 “(2) After payment of administrative and enforcement expenses under subsection (1) of
12 this section and refunds or credits arising from erroneous overpayments, the department
13 shall transfer the balance of the moneys received from the privilege and use taxes as follows:

14 “(a) Moneys attributable to the privilege tax shall be transferred as follows:

15 “(A) \$12 million shall be transferred annually to the Zero-Emission Incentive Fund es-
16 tablished under section 152 of this 2017 Act.

17 “(B) After the transfer required under subparagraph (A) of this paragraph, the balance
18 of the moneys shall be transferred to the Connect Oregon Fund established under ORS
19 367.080.

20 “(b) Moneys attributable to the use tax shall be transferred to the State Highway Fund.

21 “**SECTION 96a.** Section 96 of this 2017 Act is amended to read:

22 **Sec. 96.** (1) The Department of Revenue shall deposit all revenue collected from the privilege
23 tax imposed under section 90 of this 2017 Act and the use tax imposed under section 91 of this 2017
24 Act in a suspense account established under ORS 293.445 for the purpose of receiving the revenue.
25 The department may pay expenses for the administration and enforcement of the privilege and use
26 taxes out of moneys received from the privilege and use taxes. Amounts necessary to pay adminis-
27 trative and enforcement expenses are continuously appropriated to the department from the sus-
28 pense account.

29 “(2) After payment of administrative and enforcement expenses under subsection (1) of this sec-
30 tion and refunds or credits arising from erroneous overpayments, the department shall transfer the
31 balance of the moneys received from the privilege and use taxes as follows:

32 “(a) Moneys attributable to the privilege tax shall be transferred [*as follows:*]

33 “[(A) \$12 million shall be transferred annually to the Zero-Emission Incentive Fund established
34 under section 152 of this 2017 Act.]

35 “[(B) After the transfer required under subparagraph (A) of this paragraph, the balance of the
36 moneys shall be transferred] to the Connect Oregon Fund established under ORS 367.080.

37 “(b) Moneys attributable to the use tax shall be transferred to the State Highway Fund.

38 “**SECTION 96b.** The amendments to section 96 of this 2017 Act by section 96a of this 2017
39 Act become operative on January 1, 2024.

40 “**SECTION 97. Deposit of revenue from excise tax on taxable bicycles.** (1) The Department
41 of Revenue shall deposit all revenue collected from the excise tax imposed under section 92
42 of this 2017 Act in a suspense account established under ORS 293.445 for the purposes of
43 receiving the excise tax revenue. The department may pay expenses for the administration
44 and enforcement of the excise tax out of moneys received from the excise tax. Amounts
45 necessary to pay administrative and enforcement expenses are continuously appropriated to

1 the department from the suspense account.

2 “(2) After payment of administrative and enforcement expenses under subsection (1) of
3 this section and refunds or credits arising from erroneous overpayments, the department
4 shall transfer the balance of the moneys received from the excise tax to the Connect Oregon
5 Fund established under ORS 367.080 for the purpose of providing grants for bicycle and pe-
6 destrian transportation projects.

7 “SECTION 98. Collection point for use tax and excise tax; returns and payment for
8 transportation project taxes. (1) Except as otherwise provided in sections 89 to 111 of this
9 2017 Act, the use tax imposed under section 91 of this 2017 Act and the excise tax imposed
10 under section 92 of this 2017 Act shall be collected at the point of sale and remitted by each
11 seller that engages in the retail sale of taxable vehicles. Each tax is considered a tax upon
12 the seller that is required to collect the tax, and the seller is considered a taxpayer.

13 “(2) Each seller of taxable vehicles that is liable for transportation project taxes shall file
14 a return with the Department of Revenue, in the form and manner prescribed by the de-
15 partment, on or before the last day of January, April, July and October of each year for the
16 previous calendar quarter.

17 “(3) Each seller shall pay the applicable transportation project taxes to the department
18 in the form and manner prescribed by the department, but not later than the date of sub-
19 mitting each quarterly return, without regard to extensions under subsection (5) of this
20 section.

21 “(4) Sellers of taxable vehicles shall file the returns required under this section with re-
22 spect to the privilege tax imposed under section 90 of this 2017 Act and the excise tax im-
23 posed under section 92 of this 2017 Act regardless of whether any taxes are owed.

24 “(5) The department may extend the time for making any return required under this
25 section if a written request is filed with the department during or prior to the period for
26 which the extension may be granted. The department may not grant an extension of more
27 than 30 days.

28 “(6) Interest shall be added to delinquent tax amounts at the rate established under ORS
29 305.220 from the time the return to which the delinquent tax amounts relate was originally
30 required to be filed to the time of payment.

31 “SECTION 99. Liability for tax; warrant for collection; conference; appeal. (1) Every
32 seller of taxable vehicles who collects any amount of transportation project taxes shall hold
33 the amount in trust for the State of Oregon and for payment to the Department of Revenue
34 in the manner and at the time provided in section 98 of this 2017 Act.

35 “(2) If a seller of taxable vehicles fails to remit any amount of transportation project
36 taxes, whether collected or not, the department may enforce collection by the issuance of a
37 distraint warrant for the collection of the delinquent amount and all penalties, interest and
38 collection charges accrued on the delinquent amount. The warrant shall be issued and pro-
39 ceeded upon in the same manner and shall have the same force and effect as is prescribed
40 with respect to warrants for the collection of delinquent income taxes.

41 “(3)(a) In the case of a seller that is assessed under the provisions of ORS 305.265 (12)
42 and 314.407 (1), the department may issue a notice of liability to any officer, employee or
43 member of the seller at any time within three years after the assessment. Within 30 days
44 after the date on which the notice of liability is mailed to the officer, employee or member,
45 the officer, employee or member shall pay the assessment, plus penalties and interest, or

1 advise the department in writing of objections to the liability and, if desired, request a con-
2 ference. A conference shall be governed by the provisions of ORS 305.265 pertaining to a
3 conference requested from a notice of deficiency.

4 “(b) After a conference or, if no conference is requested, a determination of the issues
5 raised in the written objections, the department shall mail the officer, employee or member
6 a conference letter affirming, canceling or adjusting the notice of liability. Within 90 days
7 after the date on which the conference letter is mailed to the officer, employee or member,
8 the officer, employee or member shall pay the assessment, plus penalties and interest, or
9 appeal to the tax court in the manner provided for an appeal from a notice of assessment.

10 “(c) If the department does not receive payment or written objection to the notice of li-
11 ability within 30 days after the notice of liability was mailed, the notice of liability becomes
12 final. The officer, employee or member may appeal the notice of liability to the tax court
13 within 90 days after the notice became final in the manner provided for an appeal from a
14 notice of assessment.

15 “(4)(a) In the case of a seller that fails to file a return on the due date, in addition to any
16 action described in the provisions of ORS 305.265 (10) and 314.400, the department may issue
17 a notice of determination and assessment to any officer, employee or member of the seller
18 at any time within three years after the assessment. The time of assessment against the
19 officer, employee or member is 30 days after the date on which the notice of determination
20 and assessment is mailed. Within 30 days after the date on which the notice of determination
21 and assessment is mailed to the officer, employee or member, the officer, employee or
22 member shall pay the assessment, plus penalties and interest, or advise the department in
23 writing of objections to the assessment and, if desired, request a conference. A conference
24 shall be governed by the provisions of ORS 305.265 pertaining to a conference requested from
25 a notice of deficiency.

26 “(b) After a conference or, if no conference is requested, a determination of the issues
27 raised in the written objections, the department shall mail the officer, employee or member
28 a conference letter affirming, canceling or adjusting the notice of determination and assess-
29 ment. Within 90 days after the date on which the conference letter is mailed to the officer,
30 employee or member, the officer, employee or member shall pay the assessment, plus pen-
31 alties and interest, or appeal to the tax court in the manner provided for an appeal from a
32 notice of assessment.

33 “(c) If the department does not receive payment or written objection to the notice of
34 determination and assessment within 30 days after the notice of determination and assess-
35 ment was mailed, the notice of determination and assessment becomes final. The officer,
36 employee or member may appeal the notice of determination and assessment to the tax court
37 within 90 days after the notice became final in the manner provided for an appeal from a
38 notice of assessment.

39 “(5)(a) More than one officer or employee of a corporation may be held jointly and se-
40 verally liable for payment of transportation project taxes.

41 “(b) Notwithstanding the confidentiality provisions of section 104 of this 2017 Act, if the
42 department determines that more than one officer or employee of a corporation may be held
43 jointly and severally liable for payment of the transportation project taxes, the department
44 may require any or all of the officers or employees to appear before the department for a
45 joint determination of liability. The department shall notify each officer or employee of the

1 time and place set for the determination of liability.

2 “(c) Each individual notified of a joint determination under this subsection must appear
3 and present such information as is necessary to establish the individual’s liability or nonli-
4 ability for payment of the taxes to the department. If an individual who was notified fails to
5 appear, the department shall make the determination on the basis of all the information and
6 evidence presented. The department’s determination is binding on all individuals notified and
7 required to appear under this subsection.

8 “(d)(A) If any individual determined to be liable for unpaid transportation project taxes
9 under this subsection appeals the determination to the Oregon Tax Court under section 103
10 of this 2017 Act, the individual plaintiff shall implead all individuals required to appear with
11 the plaintiff before the department under this subsection. The department may implead any
12 officer or employee who may be held jointly and severally liable for the payment of the
13 transportation project taxes. Each individual impleaded under this paragraph shall be made
14 a party to the action before the tax court and shall make available to the tax court the in-
15 formation that was presented before the department, as well as other information that may
16 be presented to the tax court.

17 “(B) The tax court may determine that one or more individuals impleaded under this
18 paragraph are liable for unpaid transportation project taxes without regard to any earlier
19 determination by the department that an impleaded individual was not liable for the unpaid
20 taxes.

21 “(C) If an individual required to appear before the tax court under this subsection fails
22 or refuses to appear or bring such information in part or in whole, or is outside the juris-
23 diction of the tax court, the tax court shall make its determination on the basis of all the
24 evidence introduced. Notwithstanding section 104 of this 2017 Act, the evidence introduced
25 in the tax court constitutes a public record and shall be available to the parties and the tax
26 court. The determination of the tax court is binding on all individuals made parties to the
27 action under this subsection.

28 “(e) This subsection may not be construed to preclude a determination by the department
29 or the tax court that more than one officer or employee is jointly and severally liable for
30 unpaid transportation project taxes.

31 “SECTION 100. Purchaser’s duties to remit use and excise tax. Any purchaser liable for
32 the use tax imposed under section 91 of this 2017 Act or the excise tax imposed under section
33 92 of this 2017 Act and from whom the tax has not been collected shall, on or before the 20th
34 day of the month following the close of the month in which the tax became due, file with the
35 Department of Revenue a report of the amount of tax due from the purchaser in a form and
36 manner prescribed by the department. The purchaser shall remit the amount of tax due with
37 the report.

38 “SECTION 101. Records. (1)(a) A seller of taxable vehicles shall keep receipts, invoices
39 and other pertinent records related to retail sales of taxable vehicles in the form required
40 by the Department of Revenue. Each record shall be preserved for five years from the time
41 to which the record relates, or for as long as the seller retains the taxable vehicles to which
42 the record relates, whichever is later.

43 “(b) During the retention period and at any time prior to the destruction of records, the
44 department may give written notice to the seller not to destroy records described in the
45 notice without written permission of the department.

1 “(c) Notwithstanding any other provision of law, the department shall preserve reports
2 and returns filed with the department for at least five years.

3 “(2) ORS 314.425 applies to the authority of the Department of Revenue to examine, or
4 cause to be examined by an agent or representative designated by the department for the
5 purpose, any books, papers, records or memoranda bearing upon the matter required to be
6 included in any return required under sections 89 to 111 of this 2017 Act for the purpose of
7 ascertaining the correctness of the return or for the purpose of making an estimate of the
8 taxable sales of the taxpayer.

9 “SECTION 102. Subpoenas; enforcement. (1) The Department of Revenue may, by order
10 or subpoena to be served with the same force and effect and in the same manner as a
11 subpoena is served in a civil action in the circuit court or the Oregon Tax Court, require the
12 production at any time and place the department designates of any books, papers, accounts
13 or other information necessary to carry out sections 89 to 111 of this 2017 Act. The depart-
14 ment may require the attendance of any individual having knowledge in the premises, and
15 may take testimony and require proof material for the information, with power to administer
16 oaths to the individual.

17 “(2)(a) If an individual fails to comply with a subpoena or order of the department or to
18 produce or permit the examination or inspection of any books, papers, records and equip-
19 ment pertinent to an investigation or inquiry under sections 89 to 111 of this 2017 Act, or to
20 testify to any matter regarding which the individual is lawfully interrogated, the department
21 may apply to the Oregon Tax Court or to the circuit court of the county in which the indi-
22 vidual resides or where the individual is for an order to the individual to attend and testify
23 or otherwise comply with the demand or request of the department.

24 “(b) The department shall apply to the court by ex parte motion, upon which the court
25 shall make an order requiring the individual against whom the motion is directed to comply
26 with the request or demand of the department within 10 days after the service of the order,
27 or within the additional time granted by the court, or to justify the failure within that time.
28 The order shall be served upon the individual to whom it is directed in the manner required
29 by this state for service of process, which is required to confer jurisdiction upon the court.

30 “(3) Failure to obey any order issued by the court under this section is contempt of
31 court.

32 “(4) The remedy provided by this section is in addition to other remedies, civil or crimi-
33 nal, existing under the tax laws or other laws of this state.

34 “SECTION 103. Disclosure of information; appeals. (1) Notwithstanding the confidentiality
35 provisions of section 104 of this 2017 Act, the Department of Revenue may disclose informa-
36 tion received under sections 89 to 111 of this 2017 Act to the Department of Transportation
37 for the purposes of carrying out the provisions of sections 91 and 109 of this 2017 Act.

38 “(2) The Department of Transportation may disclose information obtained under sections
39 91 and 109 of this 2017 Act to the Department of Revenue for the purposes of carrying out
40 the provisions of sections 89 to 111 of this 2017 Act.

41 “(3) Except as otherwise provided in sections 89 to 111 of this 2017 Act, a person
42 aggrieved by an act or determination of the Department of Revenue or its authorized agent
43 under sections 89 to 111 of this 2017 Act may appeal, within 90 days after the act or deter-
44 mination, to the Oregon Tax Court in the manner provided in ORS 305.404 to 305.560. These
45 appeal rights are the exclusive remedy available to determine the person’s liability for the

1 transportation project taxes.

2 **“SECTION 104. Applicability of other provisions of tax law.** Except as otherwise provided
3 in sections 89 to 111 of this 2017 Act or where the context requires otherwise, the provisions
4 of ORS chapters 305 and 314 as to the audit and examination of returns, periods of limitation,
5 determinations of and notices of deficiencies, assessments, collections, liens, delinquencies,
6 claims for refund and refunds, conferences, appeals to the Oregon Tax Court, stays of col-
7 lection pending appeal, confidentiality of returns and the related penalties, and the related
8 procedures, apply to the determinations of taxes, penalties and interest under sections 89 to
9 111 of this 2017 Act.

10 **“SECTION 105. Department of Revenue to administer and enforce laws.** (1) The Depart-
11 ment of Revenue shall administer and enforce sections 89 to 111 of this 2017 Act.

12 **“(2)** The department may adopt or establish rules and procedures that the department
13 considers necessary or appropriate for the implementation, administration and enforcement
14 of sections 89 to 111 of this 2017 Act and that are consistent with sections 89 to 111 of this
15 2017 Act.

16 **“(3)** The Department of Transportation shall enter into an agreement with the Depart-
17 ment of Revenue for purposes of the implementation, administration and enforcement by the
18 Department of Transportation of those provisions of section 109 of this 2017 Act, and rules
19 or procedures adopted or established by the Department of Revenue under this section, that
20 the Department of Transportation and the Department of Revenue determine are necessary
21 for the effective and efficient implementation, administration and enforcement of section 109
22 of this 2017 Act.

23 **“SECTION 106. Department of Transportation assistance in use tax collection responsi-**
24 **bilities.** (1) The Department of Revenue and the Department of Transportation shall enter
25 into an agreement pursuant to which the Department of Transportation shall assist the De-
26 partment of Revenue in the collection of the use tax imposed under section 91 of this 2017
27 Act and any other functions of the Department of Revenue under sections 89 to 111 of this
28 2017 Act as may be provided under the agreement.

29 **“(2)** The agreement is not intended to preclude performance by the Department of Re-
30 venue of collection functions as from time to time may be required, nor is the agreement
31 intended to preclude the performance of functions by the Department of Transportation,
32 under less formal arrangements made with the Department of Revenue, with respect to the
33 use tax imposed under section 91 of this 2017 Act if the functions are not specifically men-
34 tioned in the agreement.

35 **“(3)** The Department of Transportation may contact, consult with and enter into agree-
36 ments with any public or private person for the purpose of assisting the Department of Re-
37 venue in the collection of the use tax under this section.

38 **“(4)** The collection of taxes under sections 89 to 111 of this 2017 Act by the Department
39 of Transportation does not render the Department of Transportation or the agents and em-
40 ployees of the Department of Transportation responsible for collection of the taxes.

41 **“SECTION 107. Applicability.** Sections 89 to 111 of this 2017 Act apply to sales of taxable
42 vehicles that become final, and the storage, use or other consumption in this state of taxable
43 vehicles that becomes taxable, on or after January 1, 2018.

44 **“SECTION 108.** Section 109 of this 2017 Act is added to and made a part of the Oregon
45 Vehicle Code.

1 **SECTION 109. Vehicle registration and titling; proof of payment of taxes.** (1) A person
2 that purchases a taxable motor vehicle from a seller that is not subject to the privilege tax
3 imposed under section 90 of this 2017 Act may not register or title the taxable motor vehicle
4 in Oregon unless the person provides proof that the person:

5 “(a) Paid the use tax imposed under section 91 of this 2017 Act; or

6 “(b) Is not required to pay the use tax for the reasons provided in section 91 (4) of this
7 2017 Act.

8 “(2) The person shall provide the proof described in subsection (1) of this section to the
9 Department of Transportation in the manner established by the department by rule.

10 **SECTION 110. Applicability.** Section 109 of this 2017 Act applies to taxable motor vehi-
11 cles purchased on or after January 1, 2018.

12 **SECTION 111. Tax moratorium.** (1) A local government may not impose a tax described
13 in subsection (2) of this section unless the tax is:

14 “(a) Authorized by statute; or

15 “(b) Approved by the governing body of the local government and in effect on or before
16 the effective date of this 2017 Act.

17 “(2) This section applies to:

18 “(a) A tax on the privilege of engaging in the business of selling taxable motor vehicles
19 at retail; and

20 “(b) Any other privilege, excise, sales or use tax on taxable motor vehicles.

21 **SECTION 111a.** Not later than September 15, 2019, and September 15, 2021, the Depart-
22 ment of Transportation shall submit reports in the manner required under ORS 192.245 to
23 the Joint Committee on Transportation established under section 26 of this 2017 Act de-
24 scribing in detail the enforcement by the department of the provisions of ORS chapter 822
25 governing the certification of vehicle dealers.

26 **SECTION 112. Legislative intent; expedited judicial review to Supreme Court; expiration.**
27 (1) It is the intent of the Legislative Assembly that revenue from the privilege tax imposed
28 under section 90 of this 2017 Act is not subject to the provisions of Article IX, section 3a,
29 of the Oregon Constitution.

30 “(2) Original jurisdiction to determine whether section 90 of this 2017 Act imposes a tax
31 or excise levied on the ownership, operation or use of motor vehicles that is subject to the
32 provisions of Article IX, section 3a, of the Oregon Constitution, is conferred on the Supreme
33 Court.

34 “(3)(a) Any person interested in or affected or aggrieved by section 90 of this 2017 Act
35 may petition for judicial review under this section. A petition for review must be filed within
36 30 days after the effective date of this 2017 Act.

37 “(b) The petition must state facts showing how the petitioner is interested, affected or
38 aggrieved and the grounds upon which the petition is based.

39 “(4) The filing of a petition under this section shall stay the transfer under section 96
40 (2)(a) of this 2017 Act of the balance of moneys received, pending the determination of the
41 Supreme Court. The Supreme Court may not stay the imposition of the tax under section
42 90 of this 2017 Act or the collection and enforcement of the tax under any provision of law.

43 “(5) Judicial review under this section shall be limited to:

44 “(a) The provisions of this 2017 Act authorizing the imposition of the privilege tax; and

45 “(b) The legislative history and any supporting documents related to Article IX, section

1 **3a, of the Oregon Constitution.**

2 **“(6) In the event the Supreme Court determines that there are factual issues in the pe-**
3 **tion, the Supreme Court may appoint a special master to hear evidence and to prepare re-**
4 **commended findings of fact.**

5 **“(7) Proceedings for review under this section shall be given priority over all other mat-**
6 **ters before the Supreme Court.**

7 **“(8) If the Supreme Court determines that section 90 of this 2017 Act imposes a tax or**
8 **excise levied on the ownership, operation or use of motor vehicles that is subject to the**
9 **provisions of Article IX, section 3a, of the Oregon Constitution, sections 90 and 91 of this**
10 **2017 Act are repealed and moneys from the privilege tax imposed under section 90 of this 2017**
11 **Act that, as of the date of the determination, have not been expended or irrevocably pledged**
12 **for repayment of bonded indebtedness shall be transferred to the State Highway Fund.**

13 **“NOTE:** Sections 113 and 114 were deleted by amendment. Subsequent sections were not re-
14 numbered.

15 **“SECTION 115.** ORS 305.992 is amended to read:

16 **“305.992. (1) If any returns required to be filed under ORS 475B.700 to 475B.760 or sections 89**
17 **to 111 of this 2017 Act or ORS chapter 118, 314, 316, 317, 318, 321 or 323 or under a local tax ad-**
18 **ministered by the Department of Revenue under ORS 305.620 are not filed for three consecutive**
19 **years by the due date (including extensions) of the return required for the third consecutive year,**
20 **there shall be a penalty for each year of 100 percent of the tax liability determined after credits and**
21 **prepayments for each such year.**

22 **“(2) The penalty imposed under this section is in addition to any other penalty imposed by law.**
23 **However, the total amount of penalties imposed for any taxable year under this section, ORS 305.265**
24 **(13), 314.400, 323.403, 323.585 or 475B.755 may not exceed 100 percent of the tax liability.**

25 **“SECTION 116.** ORS 366.505 is amended to read:

26 **“366.505. (1) The State Highway Fund shall consist of:**

27 **“(a) All moneys and revenues derived under and by virtue of the sale of bonds, the sale of which**
28 **is authorized by law and the proceeds thereof to be dedicated to highway purposes.**

29 **“(b) All moneys and revenues accruing from the licensing of motor vehicles, operators and**
30 **chauffeurs.**

31 **“(c) Moneys and revenues derived from any tax levied upon gasoline, distillate, liberty fuel or**
32 **other volatile and inflammable liquid fuels, except moneys and revenues described in ORS 184.642**
33 **(2)(a) that become part of the Department of Transportation Operating Fund.**

34 **“(d) Moneys and revenues derived from the road usage charges imposed under ORS 319.885.**

35 **“(e) Moneys and revenues derived from the use tax imposed under section 91 of this 2017**
36 **Act.**

37 **“[(e)] (f) Moneys and revenues derived from or made available by the federal government for**
38 **road construction, maintenance or betterment purposes.**

39 **“[(f)] (g) All moneys and revenues received from all other sources which by law are allocated**
40 **or dedicated for highway purposes.**

41 **“(2) The State Highway Fund shall be deemed and held as a trust fund, separate and distinct**
42 **from the General Fund, and may be used only for the purposes authorized by law and is continually**
43 **appropriated for such purposes.**

44 **“(3) Moneys in the State Highway Fund may be invested as provided in ORS 293.701 to 293.857.**
45 **All interest earnings on any of the funds designated in subsection (1) of this section shall be placed**

1 to the credit of the highway fund.

2 “**SECTION 117.** ORS 803.585 is amended to read:

3 “803.585. (1) Except as otherwise provided in this section or ORS 801.041 or 801.042, the regis-
4 tration fees under the vehicle code are in lieu of all other taxes and licenses, except municipal li-
5 cense fees under regulatory ordinances, [*to which such*] **imposed on vehicles [or], the owners**
6 [*thereof may be subject*] **of such vehicles or the use of or any privilege related to such**
7 **vehicles.** Fixed load vehicles are not exempt from ad valorem taxation by this section.

8 “(2) Travel trailers subject to registration and titling under the vehicle code are not subject to
9 ad valorem taxation, but may be reclassified as manufactured structures and made subject to taxa-
10 tion as provided in ORS 308.880.

11 “**(3) This section does not apply to the privilege tax imposed under section 90 of this 2017**
12 **Act or the use tax imposed under section 91 of this 2017 Act.**

13 “**SECTION 118.** ORS 319.885 is amended to read:

14 “319.885. (1)(a) Except as provided in paragraph (b) of this subsection, the registered owner of
15 a subject vehicle shall pay a per-mile road usage charge for metered use by the subject vehicle of
16 the highways in Oregon.

17 “(b) During the term of a lease, the lessee of a subject vehicle shall pay the per-mile road usage
18 charge for metered use by the subject vehicle of the highways in Oregon.

19 “(2) The per-mile road usage charge is [*1.5 cents per mile*]:

20 “(a) **For the calendar year beginning on January 1, 2018, 1.7 cents per mile.**

21 “(b) **For the calendar year beginning on January 1, 2020, 1.8 cents per mile.**

22 “(c) **For the calendar year beginning on January 1, 2022, 1.9 cents per mile.**

23 “**SECTION 118a.** ORS 319.885, as amended by section 118 of this 2017 Act, is amended to read:

24 “319.885. (1)(a) Except as provided in paragraph (b) of this subsection, the registered owner of
25 a subject vehicle shall pay a per-mile road usage charge for metered use by the subject vehicle of
26 the highways in Oregon.

27 “(b) During the term of a lease, the lessee of a subject vehicle shall pay the per-mile road usage
28 charge for metered use by the subject vehicle of the highways in Oregon.

29 “(2) The per-mile road usage charge is[:]
30 **2.1 cents per mile.**

31 “[*(a) For the calendar year beginning on January 1, 2018, 1.7 cents per mile.*]

32 “[*(b) For the calendar year beginning on January 1, 2020, 1.8 cents per mile.*]

33 “[*(c) For the calendar year beginning on January 1, 2022, 1.9 cents per mile.*]

34 “**SECTION 118b.** **The amendments to ORS 319.885 by section 118a of this 2017 Act apply**
35 **to metered use by subject vehicles of the highways in Oregon on or after January 1, 2024.**

36 “**SECTION 118c.** ORS 319.890 is amended to read:

37 “319.890. (1) A person wishing to pay the per-mile road usage charge imposed under ORS 319.885
38 must apply to the Department of Transportation on a form prescribed by the department.

39 “(2) The department shall approve a valid and complete application submitted under this section
40 if:

41 “(a) The applicant is the registered owner or lessee of a motor vehicle;

42 “(b) The motor vehicle is equipped with a method selected pursuant to ORS 319.900 for collect-
43 ing and reporting the metered use by the motor vehicle of the highways in Oregon;

44 “(c) The motor vehicle has a gross vehicle weight rating of 10,000 pounds or less; and

45 “(d) Approval does not cause the number of subject vehicles active in the road usage charge
program on the date of approval to exceed 5,000, of which no more than 1,500 may have a rating

1 of less than 17 miles per gallon and no more than 1,500 may have a rating of at least 17 miles per
2 gallon and less than 22 miles per gallon, such ratings to be determined pursuant to a method es-
3 tablished by the department.

4 **“(3) An electric vehicle for which an application is approved under this section is not**
5 **subject to the additional amount of registration fees imposed under section 32 of this 2017**
6 **Act.**

7 **“[(3)] (4) Approval of an application under this section subjects the applicant to the require-**
8 **ments of ORS 319.920 until the person ends the person’s voluntary participation in the road usage**
9 **charge program in the manner required under subsection [(4)] (5) of this section.**

10 **“[(4)] (5) A person may end the person’s voluntary participation in the road usage charge pro-**
11 **gram at any time by notifying the department, returning any emblem issued under ORS 319.945 to**
12 **the department and paying any outstanding amount of road usage charge for metered use by the**
13 **person’s subject vehicle.**

14
15 **“TRAFFIC CONGESTION RELIEF**

16
17 **“SECTION 119. Feasibility study of highway cost allocation study within certain political**
18 **subdivisions. (1) The Oregon Department of Administrative Services shall conduct a study**
19 **to determine the feasibility of performing a highway cost allocation study within the bound-**
20 **aries of a county, Metro and Tri-Met, but otherwise as described in ORS 366.506, with respect**
21 **to revenue raised within the county, Metro and Tri-Met, respectively, that is subject to Ar-**
22 **icle IX, section 3a (3), of the Oregon Constitution. The department may consult with any**
23 **public or private body the department considers necessary or appropriate for conducting the**
24 **study required under this section.**

25 **“(2) The department shall submit a report, in the manner provided in ORS 192.245, con-**
26 **taining the results of the study required under this section to the Joint Committee on**
27 **Transportation established under section 26 of this 2017 Act not later than September 15,**
28 **2018.**

29
30 **“(Traffic Congestion Relief Program)**

31
32 **“SECTION 120. (1) The Oregon Transportation Commission shall establish a traffic con-**
33 **gestion relief program.**

34 **“(2) No later than December 31, 2018, the commission shall seek approval from the Fed-**
35 **eral Highway Administration, if required by federal law, to implement value pricing as de-**
36 **scribed in this section.**

37 **“(3) After seeking and receiving approval from the Federal Highway Administration, the**
38 **commission shall implement value pricing to reduce traffic congestion. Value pricing may**
39 **include, but is not limited to, variable time-of-day pricing. The commission shall implement**
40 **value pricing in the following locations:**

41 **“(a) On Interstate 205, beginning at the Washington state line and ending where it**
42 **intersects with Interstate 5 in this state.**

43 **“(b) On Interstate 5, beginning at the Washington state line and ending where it inter-**
44 **sects with Interstate 205.**

45 **“(4) In addition to areas listed in subsection (3) of this section, the commission may im-**

1 plement value pricing in other areas of this state.

2 “(5) Notwithstanding ORS 383.009, the revenues received from value pricing under this
3 section shall be deposited into the Congestion Relief Fund established under section 120a of
4 this 2017 Act for the implementation and administration of the congestion relief program
5 established pursuant to this section, including but not limited to the Value Pricing Set-Up
6 Project.

7 “(6) Subject to any restrictions in an agreement with the Federal Highway Adminis-
8 tration or other federal law, in addition to the amounts received from value pricing under
9 this section, the moneys in the Congestion Relief Fund shall be used to implement and ad-
10 minister the traffic congestion relief program.

11 “(7) Before imposing value pricing, the commission shall report to the Joint Committee
12 on Transportation established under section 26 of this 2017 Act.

13 “(8) The commission may enter into agreements with the State of Washington, or the
14 State of Washington’s designee, relating to establishing, reviewing, adjusting and collecting
15 tolls for the program described in this section.

16 “SECTION 120a. Congestion Relief Fund. (1) The Congestion Relief Fund is established in
17 the State Treasury, separate and distinct from the General Fund. Interest earned by the
18 Congestion Relief Fund shall be credited to the fund.

19 “(2) The Congestion Relief Fund consists of:

20 “(a) Moneys appropriated or otherwise transferred to the fund by the Legislative As-
21 sembly;

22 “(b) Notwithstanding ORS 383.009 (1)(d), net proceeds of tolls imposed under section 120
23 of this 2017 Act;

24 “(c) Moneys received from federal sources or other state or local sources, other than
25 proceeds of Highway User Tax Bonds issued under ORS 367.615;

26 “(d) Amounts donated to the fund;

27 “(e) Investment earnings received on moneys in the fund; and

28 “(f) Other amounts deposited in the fund from any source.

29 “(3) Moneys in the fund are continuously appropriated to the Department of Transpor-
30 tation for distribution to the Oregon Transportation Commission for the purposes of imple-
31 menting and administering the congestion relief program established pursuant to section 120
32 of this 2017 Act.

33 “(4) The Department of Transportation may receive gifts, grants, contributions, bequests
34 or other donations of any kind from any public or private source for deposit in the Con-
35 gestion Relief Fund.

36 “(5) Moneys in the Congestion Relief Fund may be invested and reinvested as provided
37 in ORS 293.701 to 293.857.

38
39 “(Task Force on Mega Transportation Projects)

40
41 “SECTION 121. (1) The Task Force on Mega Transportation Projects is established. For
42 the purposes of this section, a ‘mega transportation project’ includes transportation projects,
43 as defined in ORS 367.010, that cost at least \$360 million to complete, that attract a high level
44 of public attention or political interest because of substantial direct and indirect impacts on
45 the community or environment or that require a high level of attention to manage the

1 project successfully.

2 “(2) The task force consists of nine members appointed as follows:

3 “(a) The President of the Senate shall appoint two members from among members of the
4 Senate.

5 “(b) The Speaker of the House of Representatives shall appoint two members from among
6 members of the House of Representatives.

7 “(c) The Governor shall appoint three members who represent highway users.

8 “(d) The chairperson of the Oregon Transportation Commission shall appoint two mem-
9 bers from among members of the commission.

10 “(3) The task force shall study how the State of Oregon selects and approves mega
11 transportation projects.

12 “(4) Members of the Legislative Assembly appointed to the task force are nonvoting
13 members of the task force and may act in an advisory capacity only.

14 “(5) A majority of the voting members of the task force constitutes a quorum for the
15 transaction of business.

16 “(6) Official action by the task force requires the approval of a majority of the voting
17 members of the task force.

18 “(7) The task force shall elect one of its members to serve as chairperson.

19 “(8) If there is a vacancy for any cause, the appointing authority shall make an appoint-
20 ment to become immediately effective.

21 “(9) The task force shall meet at times and places specified by the call of the chairperson
22 or of a majority of the members of the task force.

23 “(10) The task force may adopt rules necessary for the operation of the task force.

24 “(11) The task force shall submit a report in the manner provided by ORS 192.245, and
25 may include recommendations for legislation, to the Joint Committee on Transportation es-
26 tablished under section 26 of this 2017 Act no later than September 15, 2018.

27 “(12) The Legislative Policy and Research Director shall provide staff support to the task
28 force.

29 “(13) Members of the task force who are not members of the Legislative Assembly are
30 not entitled to compensation or reimbursement for expenses and serve as volunteers on the
31 task force.

32 “(14) All agencies of state government, as defined in ORS 174.111, are directed to assist
33 the task force in the performance of the task force’s duties and, to the extent permitted by
34 laws relating to confidentiality, to furnish information and advice the members of the task
35 force consider necessary to perform their duties.

36 “SECTION 122. Section 121 of this 2017 Act is repealed on December 31, 2018.

37
38 “PUBLIC TRANSPORTATION AND PUBLIC SAFETY

39 “(Public Transit)

40
41 “SECTION 122a. (1) As used in this section:

42 “(a) ‘Employer’ has the meaning given that term in ORS 316.162.

43 “(b) ‘Resident of this state’ has the meaning given that term in ORS 316.027.

44 “(c) ‘Wages’ has the meaning given that term in ORS 316.162.

45 “(2) A tax is imposed at the rate of one-tenth of one percent of:

1 “(a) The wages of an employee who is:
2 “(A) A resident of this state, regardless of where services are performed.
3 “(B) Not a resident of this state, for services performed in this state.
4 “(b) The periodic payments under ORS 316.189.
5 “(3) Every employer at the time of the payment of wages shall deduct and withhold from
6 the total amount of the wages paid for services described under subsection (2) of this section
7 an amount equal to the total amount of wages, without exemption or deduction, multiplied
8 by the rate of tax imposed under subsection (2) of this section.
9 “(4) Every payer at the time of making a periodic payment under ORS 316.189 shall de-
10 duct and withhold from the payment an amount equal to the total amount of the payment,
11 without exemption or deduction, multiplied by the rate of tax imposed under subsection (2)
12 of this section.
13 “(5) An employer or payer shall report and pay the tax imposed under this section to the
14 Department of Revenue at the time and in the manner determined by the department by
15 rule.
16 “(6) For purposes of the tax imposed under this section, an employer or payer is consid-
17 ered a taxpayer.
18 “(7) If a lender, surety or other person who supplies funds to or for the account of an
19 employer for the purpose of paying wages of the employees of such employer has actual no-
20 tice or knowledge that such employer does not intend to or will not be able to make timely
21 payment or deposit of the tax required to be deducted and withheld, such lender, surety or
22 other person shall be liable to the State of Oregon in a sum equal to the taxes, together with
23 interest, that are not timely paid over to the Department of Revenue. Such liability shall be
24 limited to the principal amount supplied by the lender, surety or other person, and any
25 amounts so paid to the department shall be credited against the liability of the employer.
26 “(8)(a) An employer or payer shall submit an annual return pursuant to ORS 316.202 to
27 the Department of Revenue. The amounts deducted from the wages during any calendar year
28 in accordance with this section shall be considered to be in payment of the tax imposed under
29 subsection (2) of this section.
30 “(b) The return submitted by the employer shall be accepted by the Department of Re-
31 venue as evidence in favor of the employee of the amounts so deducted from the employee’s
32 wages.
33 “(9) Nothing in this section prohibits the Department of Revenue from including the tax
34 imposed under this section in the combined quarterly tax report required under ORS 316.168.
35 “(10) An employer that fails to deduct and withhold the tax required under this section:
36 “(a) Is deemed responsible for the payment of the tax obligation in an amount equal to
37 the amount required to be withheld from the employee’s wages and remitted to the Depart-
38 ment of Revenue; and
39 “(b) Is subject to a penalty of \$250 per employee, up to a maximum penalty of \$25,000, if
40 the employer knowingly fails to deduct and withhold the tax.
41 “(11) Residents subject to the tax imposed under this section on wages earned outside
42 this state from an employer not doing business within this state shall report and pay the tax
43 at the time and in the manner determined by the Department of Revenue by rule.
44 “SECTION 122b. ORS 316.164 is amended to read:
45 “316.164. (1) Except as provided in subsection (3) of this section, if the Department of Revenue

1 makes the findings required under subsection (2) of this section, the department may require any
2 employer subject to ORS 316.162 to 316.221, except the state or its political subdivisions, to post a
3 surety bond, or irrevocable letter of credit issued by an insured institution, as defined in ORS
4 706.008, with the department, to secure future payment of amounts required to be withheld and paid
5 over to the department under ORS 316.162 to 316.221 **or section 122a of this 2017 Act**. The bond
6 or letter of credit shall be in an amount equal to the amounts required to be withheld upon the
7 wages paid or estimated to be paid by the employer for a period of four calendar quarters. The bond
8 or letter of credit shall be in a form acceptable to the department. Posting of the bond or letter of
9 credit shall not relieve the employer from withholding and paying over amounts based on wages paid
10 by the employer under any provision of ORS 316.162 to 316.221 **or section 122a of this 2017 Act**.
11 The department may, in its discretion, at any time apply such bond or letter of credit or part thereof
12 to the delinquencies or indebtedness of the employer arising under any provision of ORS 316.162 to
13 316.221 **and section 122a of this 2017 Act** and accruing after the date the bond or letter of credit
14 was posted. Appeal of an action of the department under this section shall not relieve an employer
15 of the requirement during the pendency of the appeal.

16 “(2) Before requiring an employer to post a bond or irrevocable letter of credit under subsection
17 (1) of this section, the department shall determine that the employer has failed to make payment to
18 the department of amounts required to be withheld and paid over under any provision of ORS
19 316.162 to 316.221 **or section 122a of this 2017 Act** for at least three calendar quarters, and the
20 total amount of delinquent payments exceeds \$2,500, exclusive of interest or penalties. For purposes
21 of this subsection, a payment shall not be considered delinquent if the employer’s liability to with-
22 hold is subject to appeal to the tax court.

23 “(3) The department shall not require a bond or irrevocable letter of credit to be posted under
24 this section if the employer elects to notify the department of the times of payment of wages to the
25 employees of the employer, and, notwithstanding ORS 316.197, to pay over amounts withheld within
26 three banking days after the dates the wages were paid.

27 “(4) Before requiring an employer to post a bond or irrevocable letter of credit or make payment
28 of amounts required to be withheld in the manner prescribed in subsection (3) of this section, the
29 department shall attempt to obtain payment of delinquent amounts through other methods of col-
30 lection, however, the department is not required to seize or sell real or personal property in order
31 to comply with the requirements of this subsection.

32 “(5) Any bond or irrevocable letter of credit required under subsection (1) of this section shall
33 become the sole property of the department and shall be held by the department to guarantee pay-
34 ment of withholding taxes by the employer. The bond or letter of credit shall be held for the benefit
35 of the State of Oregon, subject only to the provisions of subsection (6) of this section. The bond or
36 letter of credit shall be prior to all other liens, claims or encumbrances and shall be exempt from
37 any process, attachment, garnishment or execution.

38 “(6) If an employer ceases to be an employer subject to ORS 316.162 to 316.221 **or section 122a**
39 **of this 2017 Act**, the department shall, upon receipt of all payments due from the employer for
40 withheld amounts, cancel any bond or irrevocable letter of credit given under this section. Such
41 bonds or letters of credit held for the benefit of the State of Oregon shall first be applied to any
42 indebtedness or deficiencies due from the employer under ORS 316.162 to 316.221 **and section 122a**
43 **of this 2017 Act** and accruing after the date the bond or letter of credit was posted before any re-
44 turn is made to the employer. The employer shall have no interest in such bond or letter of credit
45 prior to full compliance with this section and all provisions of ORS 316.162 to 316.221 **and section**

1 **122a of this 2017 Act.**

2 “(7) If an employer required to post a bond or irrevocable letter of credit or make payment of
3 amounts withheld in the manner prescribed under this section makes full payment of all delinquent
4 amounts due and owing at the time the bond, letter of credit or accelerated payment schedule was
5 required and makes payment of amounts due under ORS 316.162 to 316.221 **and section 122a of this**
6 **2017 Act** and files returns required in connection with those payments in a timely manner for the
7 succeeding four calendar quarters, the department shall release the employer from the requirement
8 to post the bond or letter of credit or make accelerated payments of amounts withheld.

9 “(8) If any employer fails to comply with subsections (1) to (7) of this section, the Oregon Tax
10 Court, upon commencement of an action by the department for that purpose, may order the employer
11 to post the required bond or irrevocable letter of credit or make accelerated payments of amounts
12 withheld. The employer’s failure to obey an order of the court is punishable by contempt. If the
13 Oregon Tax Court determines that an order of compliance enforceable by contempt proceedings will
14 not assure the payment of withheld taxes by the employer, the court may enjoin the employer from
15 further employing individuals in this state or continuing in business therein until the employer has
16 complied with subsections (1) to (7) of this section.

17 “**SECTION 122c.** ORS 316.169 is amended to read:

18 “316.169. (1) If a lender, surety or other person who is not an employer with respect to an em-
19 ployee pays wages directly to the employee, or to an agent on behalf of the employee, the lender,
20 surety or other person shall deduct and retain from the wages, and shall be liable to this state for,
21 an amount equal to the amount required to be withheld from the employee’s wages by the employer
22 under ORS 316.167 **and section 122a of this 2017 Act.**

23 “(2) A lender, surety or other person described under this section shall file a combined quarterly
24 tax report and make payment of the tax or assessment that is due in the time and manner prescribed
25 for employers under ORS 316.168.

26 “(3) Amounts paid under this section shall be credited against the liability of the employer under
27 ORS 316.167 **and section 122a of this 2017 Act.**

28 “(4) A lender, surety or other person described under this section shall be considered to be an
29 employer with respect to withholdings made under this section or required to be made under this
30 section for purposes of ORS 316.191, 316.197, 316.202, 316.207 and 316.212 **and section 122a of this**
31 **2017 Act.**

32 “(5) The employer of an employee that receives wages from a lender, surety or other person
33 shall not be discharged from any liability or other obligation under ORS 316.162 to 316.221 **or sec-**
34 **tion 122a of this 2017 Act** except as provided for in subsection (3) of this section.

35 “**SECTION 122d.** ORS 316.189 is amended to read:

36 “316.189. (1) As used in this section:

37 “(a) ‘Commercial annuity’ means an annuity, endowment or life insurance contract issued by an
38 insurance company authorized to transact insurance in the State of Oregon.

39 “(b) ‘Department’ means the Oregon Department of Revenue.

40 “(c) ‘Designated distribution’ means any distribution or payment from or under an employer de-
41 ferred compensation plan, an individual retirement plan or a commercial annuity. ‘Designated dis-
42 tribution’ does not include any amount treated as wages as defined in ORS 316.162, the portion of
43 any distribution or payment that is not includable in the gross income of the recipient or any dis-
44 tribution or payment made under section 404(k)(2) of the Internal Revenue Code.

45 “(d) ‘Employer deferred compensation plan’ means any pension, annuity, profit-sharing or stock

1 bonus plan or other plan deferring the receipt of compensation.

2 “(e) ‘Individual retirement plan’ means an individual retirement account described in section
3 408(a) of the Internal Revenue Code or an individual retirement annuity described in section 408(b)
4 of the Internal Revenue Code.

5 “(f) ‘Nonperiodic distribution’ means any designated distribution which is not a periodic pay-
6 ment.

7 “(g) ‘Payer’ means any payer of a designated distribution doing business in or making payments
8 or distributions from sources in this state.

9 “(h) ‘Periodic payment’ means a designated distribution which is an annuity or similar periodic
10 payment.

11 “(i) ‘Plan administrator’ means a plan administrator as described in section 414(g) of the Internal
12 Revenue Code, who is the administrator of a plan created by an Oregon employer.

13 “(j) ‘Qualified total distribution’ means any designated distribution made under a retirement,
14 annuity or deferred compensation plan described in section 401(a), 403(a) or 457(b) of the Internal
15 Revenue Code, that consists of the balance to the credit of the employee, exclusive of accumulated
16 deductible employee contributions, made within one tax year of the recipient.

17 “(2)(a) The payer of any periodic payment shall withhold from such payment the amount which
18 would be required to be withheld from such payment under ORS 316.167 **or section 122a of this**
19 **2017 Act** if the payment were wages paid by an employer to an employee. The time and manner of
20 payment of withheld amounts to the department shall be the same as that required under ORS
21 316.197 for withholding of income taxes from wages.

22 “(b) The payer of any nonperiodic distribution shall withhold from such distribution an amount
23 determined under tables prescribed by the department.

24 “(c) The maximum amount to be withheld under this section on any designated distribution shall
25 not exceed 10 percent of the amount of money and the fair market value of other property received
26 in the distribution. If the distribution is not subject to withholding for federal income tax purposes
27 under section 3405 of the Internal Revenue Code, it shall not be subject to withholding under this
28 section.

29 “(3)(a) Except as provided in paragraph (b) of this subsection, the payer of a designated dis-
30 tribution shall withhold and be liable for payment of amounts required to be withheld under this
31 section.

32 “(b) In the case of any plan described in section 401(a), 403(a) or 457(b) of the Internal Revenue
33 Code, or section 301(d) of the Tax Reduction Act of 1975, the plan administrator shall withhold and
34 be liable for payment of amounts required to be withheld under this section, unless the plan ad-
35 ministrator has directed the payer to withhold the tax and has provided the payer with the infor-
36 mation required by rule of the department.

37 “(4)(a) An individual may elect to have no withholding by a payer under subsection (2) of this
38 section. If an individual has elected to have no federal withholding from payments or distributions
39 described in this section the individual shall be deemed to have elected no withholding for state
40 purposes, unless the individual notifies the payer otherwise.

41 “(b) An election made under this subsection shall be effective as provided under rules
42 promulgated by the department. The rules required under this paragraph shall provide the manner
43 in which an election may be revoked and when such revocation shall be effective.

44 “(c) **An election made under this subsection does not apply to amounts required to be**
45 **withheld under section 122a of this 2017 Act.**

1 “(5) The payer of any periodic payment or nonperiodic distribution shall give notice to the payee
2 of the right to make an election to have no state withholding from the payment or distribution. The
3 department shall provide by rule for the time and manner of giving the notice required under this
4 subsection.

5 “(6) Any rules permitted or required to be promulgated by the department under this section
6 shall, insofar as is practicable, be consistent with corresponding provisions of section 3405 of the
7 Internal Revenue Code and regulations promulgated thereunder.

8 “(7) Any designated distribution shall be treated as if it were wages paid by an employer to an
9 employee within the meaning of ORS 316.162 to 316.221 **and section 122a of this 2017 Act** for all
10 other purposes of ORS 316.162 to 316.221 **and section 122a of this 2017 Act**. In the case of any
11 designated distribution not subject to withholding by reason of an election under subsection (4) of
12 this section, the amount withheld shall be treated as zero.

13 “**SECTION 122e.** ORS 316.197 is amended to read:

14 “316.197. (1)(a) Except as provided under ORS 316.191 or paragraph (b) of this subsection, within
15 the time that each employer is required to pay over taxes withheld for federal income tax purposes
16 for any period, the employer shall pay over to the Department of Revenue or to a financial agent
17 of the department the amounts required to be withheld under ORS 316.167 and 316.172 **and section**
18 **122a of this 2017 Act** for the same period. Any employer not required to withhold federal income
19 taxes for any period but who is required to deduct and retain amounts from wages paid to an em-
20 ployee under ORS 316.167 and 316.172 **and section 122a of this 2017 Act** for the same period shall
21 pay over to the department, or financial agent of the department, taxes withheld for the period,
22 within the time and in the manner, as if the employer were required to withhold taxes for the period
23 under federal law.

24 “(b) Notwithstanding the provisions of paragraph (a) of this subsection, any employer of agri-
25 cultural employees who is not required to withhold federal income taxes for any period but who is
26 required to deduct and retain amounts from wages paid to those employees under ORS 316.167 and
27 316.172 shall pay over to the department, or financial agent of the department, taxes so withheld
28 at the same time and for the same period for which the employer is required to pay over employer
29 and employee taxes under chapter 21 of the Internal Revenue Code (Federal Insurance Contributions
30 Act).

31 “(2) Every amount so paid over shall be accounted for as part of the collections under this
32 chapter. No employee has any right of action against an employer in respect of any moneys deducted
33 from wages and paid over in compliance or intended compliance with this section.

34 “(3) If any amount required to be withheld and paid over to the department is delinquent, in-
35 terest shall accrue at the rate prescribed under ORS 305.220 on that amount from the last day of
36 the month following the end of the calendar quarter within which the amount was required to be
37 paid to the department to the date of payment. The provisions of this subsection shall not relieve
38 any employer from liability for a late payment penalty under any other provision of law.

39 “**SECTION 122f.** ORS 316.202 is amended to read:

40 “316.202. (1) With each payment made to the Department of Revenue, every employer shall de-
41 liver to the department, on a form prescribed by the department showing the total amount of with-
42 held taxes in accordance with ORS 316.167 and 316.172 **and section 122a of this 2017 Act**, and
43 supply such other information as the department may require. The employer is charged with the
44 duty of advising the employee of the amount of moneys withheld, in accordance with such regu-
45 lations as the department may prescribe, using printed forms furnished or approved by the depart-

1 ment for such purpose.

2 “(2) Except as provided in subsection (4) of this section, every employer shall submit a combined
3 quarterly return to the department on a form provided by it showing the number of payments made,
4 the withheld taxes paid during the quarter and an explanation of federal withholding taxes as com-
5 puted by the employer. The report shall be filed with the department on or before the last day of
6 the month following the end of the quarter.

7 “(3) The employer shall make an annual return to the department on forms provided or approved
8 by it, summarizing the total compensation paid and the taxes withheld for all employees during the
9 calendar year and shall file the same with the department on or before the due date of the corre-
10 sponding federal return for the year for which report is made. Failure to file the annual report
11 without reasonable excuse on or before the 30th day after notice has been given to the employer
12 of failure subjects the employer to a penalty of \$100. The department may by rule require additional
13 information the department finds necessary to substantiate the annual return, including but not
14 limited to copies of federal form W-2 for individual employees, and may prescribe circumstances
15 under which the filing requirement imposed by this subsection is waived.

16 “(4) Notwithstanding the provisions of subsection (2) of this section, employers of agricultural
17 employees may submit returns annually showing the number of payments made and the withheld
18 taxes paid. However, such employers shall make and file a combined quarterly tax report with re-
19 spect to other tax programs, as required by ORS 316.168.

20 “(5) In addition to any other penalty required by law:

21 “(a) A person who fails to substantiate a report required under subsection (3) of this section,
22 or who files incomplete or incorrect substantiation, shall be subject to a penalty of \$50 per federal
23 form W-2 after the date on which the substantiation is due, up to a maximum penalty of \$2,500.

24 “(b) A person who knowingly fails to substantiate a report required under subsection (3) of this
25 section, or who knowingly files incomplete or incorrect substantiation, shall be subject to a penalty
26 of \$250 per federal form W-2 after the date on which the substantiation is due, up to a maximum
27 penalty of \$25,000.

28 “**SECTION 122g.** ORS 316.207 is amended to read:

29 “316.207. (1) Every employer who deducts and retains any amount under ORS 316.162 to 316.221
30 **and section 122a of this 2017 Act** shall hold the same in trust for the State of Oregon and for the
31 payment thereof to the Department of Revenue in the manner and at the time provided in ORS
32 316.162 to 316.221.

33 “(2) At any time the employer fails to remit any amount withheld, the department may enforce
34 collection by the issuance of a distraint warrant for the collection of the delinquent amount and all
35 penalties, interest and collection charges accrued thereon. Such warrant shall be issued, recorded
36 and proceeded upon in the same manner and shall have the same force and effect as is prescribed
37 with respect to warrants for the collection of delinquent income taxes.

38 “(3)(a) In the case of an employer that is assessed pursuant to the provisions of ORS 305.265 (12)
39 and 314.407 (1), the department may issue a notice of liability to any officer, employee or member
40 described in ORS 316.162 (3)(b) of such employer within three years from the time of assessment.
41 Within 30 days from the date the notice of liability is mailed to the officer, employee or member,
42 such officer, employee or member shall pay the assessment, plus penalties and interest, or advise the
43 department in writing of objections to the liability and, if desired, request a conference. Any con-
44 ference shall be governed by the provisions of ORS 305.265 pertaining to a conference requested
45 from a notice of deficiency.

1 “(b) After a conference or, if no conference is requested, a determination of the issues consid-
2 ering the written objections, the department shall mail the officer, employee or member a conference
3 letter affirming, canceling or adjusting the notice of liability. Within 90 days from the date the
4 conference letter is mailed to the officer, employee or member, such officer, employee or member
5 shall pay the assessment, plus penalties and interest, or appeal to the tax court in the manner pro-
6 vided for an appeal from a notice of assessment.

7 “(c) If neither payment nor written objection to the notice of liability is received by the de-
8 partment within 30 days after the notice of liability has been mailed, the notice of liability becomes
9 final. In such event, the officer, employee or member may appeal the notice of liability to the tax
10 court within 90 days after it became final in the manner provided for an appeal from a notice of
11 assessment.

12 “(4)(a) In the case of a failure to file a withholding tax report on the due date, governed by the
13 provisions of ORS 305.265 (10) and 314.400, the department, in addition to the provisions of ORS
14 305.265 (10) and 314.400, may send notices of determination and assessment to any officer, employee
15 or member described in ORS 316.162 (3)(b) any time within three years after the assessment of an
16 employer described in ORS 316.162 (3)(a). The time of assessment against such officer, employee or
17 member shall be 30 days after the date the notice of determination and assessment is mailed. Within
18 30 days from the date the notice of determination and assessment is mailed to the officer, employee
19 or member, such officer, employee or member shall pay the assessment, plus penalties and interest,
20 or advise the department in writing of objections to the assessment, and if desired, request a con-
21 ference. Any conference shall be governed by the provisions of ORS 305.265 pertaining to a confer-
22 ence requested from a notice of deficiency.

23 “(b) After a conference or, if no conference is requested, a determination of the issues consid-
24 ering the written objections, the department shall mail the officer, employee or member a conference
25 letter affirming, canceling or adjusting the notice of determination and assessment. Within 90 days
26 from the date the conference letter is mailed to the officer, employee or member, such officer, em-
27 ployee or member shall pay the assessment, plus penalties and interest, or appeal in the manner
28 provided for an appeal from a notice of assessment.

29 “(c) If neither payment nor written objection to the notice of determination and assessment is
30 received by the department within 30 days after the notice of determination and assessment has
31 been mailed, the notice of determination and assessment becomes final. In such event, the officer,
32 employee or member may appeal the notice of determination and assessment to the tax court within
33 90 days after it became final in the manner provided for an appeal from a notice of assessment.

34 “(5)(a) More than one officer or employee of a corporation may be held jointly and severally li-
35 able for payment of withheld taxes.

36 “(b) Notwithstanding the provisions of ORS 314.835, 314.840 or 314.991, if more than one officer
37 or employee of a corporation may be held jointly and severally liable for payment of withheld taxes,
38 the department may require any or all of the officers, members or employees who may be held liable
39 to appear before the department for a joint determination of liability. The department shall notify
40 each officer, member or employee of the time and place set for the determination of liability.

41 “(c) Each person notified of a joint determination under this subsection shall appear and present
42 such information as is necessary to establish that person’s liability or nonliability for payment of
43 withheld taxes to the department. If any person notified fails to appear, the department shall make
44 its determination on the basis of all the information and evidence presented. The department’s de-
45 termination shall be binding on all persons notified and required to appear under this subsection.

1 “(d)(A) If an appeal is taken to the Oregon Tax Court pursuant to ORS 305.404 to 305.560 by
2 any person determined to be liable for unpaid withholding taxes under this subsection, each person
3 required to appear before the department under this subsection shall be impleaded by the plaintiff.
4 The department may implead any officer, employee or member who may be held jointly and severally
5 liable for the payment of withheld taxes. Each person impleaded under this paragraph shall be made
6 a party to the action before the tax court and shall make available to the tax court such information
7 as was presented before the department, as well as such other information as may be presented to
8 the court.

9 “(B) The court may determine that one or more persons impleaded under this paragraph are li-
10 able for unpaid withholding taxes without regard to any earlier determination by the department
11 that an impleaded person was not liable for unpaid withholding taxes.

12 “(C) If any person required to appear before the court under this subsection fails or refuses to
13 appear or bring such information in part or in whole, or is outside the jurisdiction of the tax court,
14 the court shall make its determination on the basis of all the evidence introduced. All such evidence
15 shall constitute a public record and shall be available to the parties and the court notwithstanding
16 ORS 314.835, 314.840 or 314.991. The determination of the tax court shall be binding on all persons
17 made parties to the action under this subsection.

18 “(e) Nothing in this section shall be construed to preclude a determination by the department
19 or the Oregon Tax Court that more than one officer, employee or member are jointly and severally
20 liable for unpaid withholding taxes.

21 “**SECTION 122h.** ORS 316.212 is amended to read:

22 “316.212. The provisions of the income tax laws in ORS chapters 305 and 314 and this chapter,
23 relating to penalties, misdemeanors and jeopardy assessments, apply to employers subject to the
24 provisions of ORS 316.162 to 316.221 **and section 122a of this 2017 Act**, and for these purposes any
25 amount deducted or required to be deducted and remitted to the Department of Revenue under ORS
26 316.162 to 316.221 **and section 122a of this 2017 Act** is considered the tax of the employer and with
27 respect to such amount the employer is considered as a taxpayer.

28 “**SECTION 122i.** **Except as otherwise provided in section 122a of this 2017 Act or where**
29 **the context requires otherwise, the provisions of ORS chapters 305 and 314 as to the audit**
30 **and examination of returns, periods of limitation, determination of and notices of deficien-**
31 **cies, assessments, collections, liens, delinquencies, claims for refund and refunds, confer-**
32 **ences, appeals to the Oregon Tax Court, stays of collection pending appeal, confidentiality**
33 **of returns and the penalties relative thereto, and the procedures relating thereto, apply to**
34 **the determinations of taxes, penalties and interest under section 122a of this 2017 Act.**

35 “**SECTION 122j.** (1) **All moneys received by the Department of Revenue from the tax im-**
36 **posed under section 122a of this 2017 Act shall be deposited in the State Treasury and cred-**
37 **ited to a suspense account established under ORS 293.445. The department may pay expenses**
38 **for the administration and enforcement of section 122a of this 2017 Act out of moneys re-**
39 **ceived from the tax imposed under section 122a of this 2017 Act. Amounts necessary to pay**
40 **administrative and enforcement expenses are continuously appropriated to the department**
41 **from the suspense account.**

42 “(2) **After the payment of administrative and enforcement expenses and refunds or**
43 **credits arising from erroneous overpayments, the department shall credit the balance of the**
44 **moneys received by the department to the Statewide Transportation Improvement Fund es-**
45 **tablished under section 122L of this 2017 Act.**

1 “**SECTION 122k.** Section 122a of this 2017 Act applies to tax periods beginning on or after
2 July 1, 2018.

3 “**SECTION 122L.** (1) The Statewide Transportation Improvement Fund is established in
4 the State Treasury, separate and distinct from the General Fund. Interest earned by the
5 Statewide Transportation Improvement Fund shall be credited to the fund. Moneys in the
6 fund are continuously appropriated to the Department of Transportation to finance invest-
7 ments and improvements in public transportation services, except that the moneys may not
8 be used for light rail.

9 “(2) The Statewide Transportation Improvement Fund consists of:

10 “(a) All moneys received from the tax imposed under section 122a of this 2017 Act;

11 “(b) Moneys appropriated or otherwise transferred to the fund by the Legislative As-
12 sembly; and

13 “(c) Other moneys deposited in the fund from any source.

14 “**SECTION 122m.** As used in sections 122m to 122p of this 2017 Act:

15 “(1) ‘Public transportation service provider’ includes a qualified entity and a city, county,
16 special district, intergovernmental entity or any other political subdivision or municipal or
17 public corporation that provides public transportation services and is not otherwise described
18 in subsection (2) of this section.

19 “(2) ‘Qualified entity’ means the following:

20 “(a) Counties in which no part of a mass transit district or transportation district exists;

21 “(b) Mass transit districts organized under ORS 267.010 to 267.390;

22 “(c) Transportation districts organized under ORS 267.510 to 267.650; and

23 “(d) Federally recognized Indian tribes.

24 “**SECTION 122n.** (1) The Oregon Transportation Commission shall distribute the moneys
25 in the Statewide Transportation Improvement Fund established under section 122L of this
26 2017 Act as follows:

27 “(a) Conditioned upon the commission’s approval of a public transportation improvement
28 plan, 90 percent to qualified entities;

29 “(b) Five percent to public transportation service providers based on a competitive grant
30 program adopted by the commission by rule;

31 “(c) Four percent to public transportation service providers to provide funding assistance
32 to cover the costs of improving public transportation services between two or more com-
33 munities; and

34 “(d) One percent to the Department of Transportation to establish a statewide public
35 transportation technical resource center, the purpose of which is to assist public transpor-
36 tation service providers in rural areas with training, transportation planning and information
37 technology.

38 “(2) For purposes of the percentage distributions under subsection (1)(a) of this section:

39 “(a) Each distribution must be in such shares that the amount of tax paid, as required
40 under section 122a of this 2017 Act, in the area of each qualified entity bears to the total
41 amount of the tax paid statewide, provided that each qualified entity receives an annual
42 amount of at least \$100,000.

43 “(b) Each public transportation service provider that receives funding under this section
44 shall receive at least a share that the amount of the tax paid, as required under section 122a
45 of this 2017 Act, in the area served by the provider bears to the amount of tax paid in the

1 area of the respective qualified entity in which the public transportation service provider
2 provides services.

3 “(c) If more than one mass transit district or transportation district is located within a
4 single county, the commission shall distribute the moneys to the larger district.

5 “(3) The commission shall adopt by rule:

6 “(a) A competitive grant program, by which a public transportation service provider may
7 apply for a percentage distribution under subsection (1)(b) of this section, and the terms and
8 conditions of grants.

9 “(b) A competitive grant program, by which a public transportation service provider may
10 apply for a percentage distribution under subsection (1)(c) of this section, and the terms and
11 conditions of grants.

12 “(c) A process to review and approve a public transportation improvement plan submitted
13 under subsection (4) of this section.

14 “(d) Procedures for appealing a rejection of a public transportation improvement plan
15 submitted under subsection (4) of this section.

16 “(e) Any other provisions or procedures that are necessary for the commission to carry
17 out the provisions of sections 122n to 122p of this 2017 Act.

18 “(4) To be eligible to receive a percentage distribution under subsection (1)(a) of this
19 section, a qualified entity shall prepare and submit a public transportation improvement plan
20 to the commission. The commission must approve the plan submitted by the qualified entity
21 before the commission may make a percentage distribution to the qualified entity.

22 “(5) At a minimum, a public transportation improvement plan submitted under this sec-
23 tion must include:

24 “(a) For each proposed project, the amount of moneys from the percentage distribution
25 that would be allocated to the project to fund the following:

26 “(A) Increased frequency of bus service schedules in communities with a high percentage
27 of low-income households;

28 “(B) Procurement of buses that are powered by natural gas or electricity for use in areas
29 with a population of 200,000 or more;

30 “(C) Implementation of programs to reduce fares for public transportation in communi-
31 ties with a high percentage of low-income households;

32 “(D) Expansion of bus routes and bus services to reach communities with a high per-
33 centage of low-income households;

34 “(E) Improvement in the frequency and reliability of service connections between com-
35 munities inside and outside of the qualified entity’s service area; and

36 “(F) Coordination between public transportation service providers to reduce fragmenta-
37 tion in the provision of transportation services;

38 “(b) For the current fiscal year, a summary of any plans and project proposals approved
39 by an advisory committee under section 122o of this 2017 Act; and

40 “(c) If a qualified entity was a recipient of a percentage distribution in the preceding
41 fiscal year, the amount of moneys received from the distribution that were allocated to a
42 project for the purposes described under paragraph (a) of this subsection.

43 “(6) After the commission makes a distribution under subsection (1) of this section,
44 qualified entities may enter into intergovernmental agreements under ORS chapter 190 to
45 combine the moneys received for public transportation improvements.

1 “(7) If the commission rejects a public transportation improvement plan or a grant ap-
2 plication submitted under this section, the commission shall notify the entity or provider in
3 writing and state the reasons for the rejection.

4 “(8) The Department of Transportation shall make all grant applications submitted under
5 this section available to the public.

6 “SECTION 122o. (1) The governing body of each qualified entity shall appoint an advisory
7 committee to advise and assist the governing body in prioritizing plans or projects to be
8 funded from the moneys received from a percentage distribution under section 122n of this
9 2017 Act to public transportation service providers that provide services within the jurisdic-
10 tion of the qualified entity.

11 “(2) Before receiving funding for a project under section 122n of this 2017 Act, a public
12 transportation service provider that provides services within the jurisdiction of a qualified
13 entity shall submit a plan or project proposal to the governing body of the qualified entity
14 and receive the advisory committee’s approval of the plan or project proposal. The plans or
15 project proposals submitted under this subsection must describe how the funds would be
16 used.

17 “(3) An advisory committee appointed under this section shall review every plan or
18 project proposal required under subsection (2) of this section and may propose any changes
19 to the policies or practices of the governing body that the advisory committee considers
20 necessary to ensure that:

21 “(a) A public transportation service provider that has received funding under section 122n
22 of this 2017 Act has applied the moneys received in accordance with and for the purposes
23 described in the provider’s plan or project proposal; and

24 “(b) A plan or project proposal submitted by a public transportation service provider does
25 not fragment the provision of public transportation services.

26 “(4) The Oregon Transportation Commission shall adopt by rule:

27 “(a) Requirements for the composition of an advisory committee appointed under this
28 section;

29 “(b) Criteria that must be included in a plan or project proposal required under sub-
30 section (2) of this section; and

31 “(c) A process by which an advisory committee shall review and approve a plan or project
32 proposal.

33 “SECTION 122p. Every qualified entity shall submit the following to the Department of
34 Transportation no later than 30 days prior to the end of the fiscal year in which the qualified
35 entity receives a percentage distribution under section 122n of this 2017 Act:

36 “(1) A report on any actions taken by a public transportation service provider located
37 within the area of a qualified entity to mitigate the impact of the tax imposed under section
38 122a of this 2017 Act on passengers who reside in low-income communities;

39 “(2) The adopted annual budget for the upcoming fiscal year; and

40 “(3) The results of any audits of the qualified entity or of a public transportation service
41 provider located within the area of the qualified entity as required by a local, state or federal
42 oversight agency for purposes of statewide reporting including, but not limited to:

43 “(a) The state financial report required under ORS 291.040;

44 “(b) The results of any comprehensive review completed by the Federal Transit Admin-
45 istration; and

1 “(z) U.S. Highway 101, southbound, near milepost 70.

2 “(2) Subject to subsection (4) of this section, in carrying out the provisions of subsection (1) of
3 this section, the council may enter into contracts necessary to accomplish the purposes of sub-
4 section (1) of this section.

5 “(3) The Department of Transportation shall:

6 “(a) Maintain ownership of any roadside rest area located along an interstate highway that the
7 council manages, maintains, improves and develops pursuant to subsection (1) of this section; and
8 “(b) Enter into an intergovernmental agreement with the council under which the council has
9 the authority to manage, maintain, improve and develop those rest areas owned by the department
10 that are listed in subsection (1) of this section.

11 “(4) Under the intergovernmental agreement entered into under subsection (3) of this section,
12 the council shall conduct public contracting activities in accordance with the provisions of ORS
13 377.836.

14 “(5) For the purpose of funding the management, maintenance, improvement and development
15 of roadside rest areas under this section, the department shall allocate to the council, [*no later than*
16 *January 2 of each year, \$6.55 million*] **for the period beginning on January 1, 2018, and ending**
17 **on June 30, 2018, \$3.33 million**, from the State Highway Fund.

18 “(6) The council may not use any moneys originating from a local transient lodging tax or a
19 state transient lodging tax, as those terms are defined in ORS 320.300, for the purpose of funding
20 the management, maintenance, improvement and development of roadside rest areas under this sec-
21 tion.

22 “**SECTION 126.** ORS 377.841, as amended by section 125 of this 2017 Act, is amended to read:
23 “377.841. (1) **For the purposes of this section, ‘roadside rest areas’ includes the following**
24 **roadside rest areas in this state:**

25 “(a) **Suncrest, Interstate 5, near milepost 22.**

26 “(b) **Manzanita, Interstate 5, near milepost 63.**

27 “(c) **Cabin Creek, Interstate 5, near milepost 143.**

28 “(d) **Gettings Creek, Interstate 5, near milepost 178.**

29 “(e) **Oak Grove, Interstate 5, near milepost 206.**

30 “(f) **Santiam River, Interstate 5, near milepost 241.**

31 “(g) **French Prairie, Interstate 5, near milepost 282.**

32 “(h) **Memaloose, Interstate 84, near milepost 73.**

33 “(i) **Boardman, Interstate 84, near milepost 161.**

34 “(j) **Stanfield, Interstate 84, near milepost 187.**

35 “(k) **Deadman Pass, Interstate 84, near milepost 229.**

36 “(L) **Charles Reynolds, Interstate 84, near milepost 269.**

37 “(m) **Baker Valley, Interstate 84, near milepost 295.**

38 “(n) **Weatherby, Interstate 84, near milepost 336.**

39 “(o) **Ontario, Interstate 84, near milepost 377.**

40 “(p) **The Maples, State Highway 22, near milepost 35.**

41 “(q) **Tillamook River, U.S. Highway 101, near milepost 71.**

42 “(r) **Sunset, U.S. Highway 26, near milepost 29.**

43 “(s) **Cow Canyon, U.S. Highway 97, near milepost 69.**

44 “(t) **Beaver Marsh, U.S. Highway 97, near milepost 207.**

45 “(u) **Midland, U.S. Highway 97, near milepost 282.**

1 “(v) **Government Camp, U.S. Highway 26, near milepost 54.**

2 “[(1)] **(2)** The Travel Information Council shall manage, maintain, improve and develop for local
3 economic development and other purposes identified in ORS 377.705 **the** roadside rest areas **listed**
4 **in subsection (1) of this section.** *[along the following highways:]*

5 “[(a) Interstate 5, northbound, near milepost 63.]

6 “[(b) Interstate 5, southbound, near milepost 63.]

7 “[(c) Interstate 5, northbound, near milepost 143.]

8 “[(d) Interstate 5, southbound, near milepost 143.]

9 “[(e) Interstate 5, northbound, near milepost 178.]

10 “[(f) Interstate 5, southbound, near milepost 178.]

11 “[(g) Interstate 5, northbound, near milepost 206.]

12 “[(h) Interstate 5, southbound, near milepost 206.]

13 “[(i) Interstate 5, northbound, near milepost 241.]

14 “[(j) Interstate 5, southbound, near milepost 241.]

15 “[(k) Interstate 5, northbound, near milepost 281.]

16 “[(L) Interstate 5, southbound, near milepost 281.]

17 “[(m) Interstate 84, eastbound, near milepost 73.]

18 “[(n) Interstate 84, westbound, near milepost 73.]

19 “[(o) Interstate 84, eastbound, near milepost 160.]

20 “[(p) Interstate 84, westbound, near milepost 160.]

21 “[(q) Interstate 84, eastbound, near milepost 187.]

22 “[(r) Interstate 84, westbound, near milepost 187.]

23 “[(s) Interstate 84, eastbound, near milepost 269.]

24 “[(t) Interstate 84, westbound, near milepost 269.]

25 “[(u) Interstate 84, eastbound, near milepost 295.]

26 “[(v) Interstate 84, westbound, near milepost 295.]

27 “[(w) Interstate 84, westbound, near milepost 336.]

28 “[(x) Interstate 84, westbound, near milepost 377.]

29 “[(y) U.S. Highway 26, westbound, near milepost 54.]

30 “[(z) U.S. Highway 101, southbound, near milepost 70.]

31 “[(2) Subject to subsection (4) of this section, in carrying out the provisions of subsection (1) of this
32 section, the council may enter into contracts necessary to accomplish the purposes of subsection (1) of
33 this section.]

34 “(3) The Department of Transportation **and the State Parks and Recreation Department**
35 shall:

36 “(a) Maintain ownership of *[any]* **the** roadside rest *[area located along an interstate highway]*
37 **areas, except for the Government Camp roadside rest area listed in subsection (1)(v) of this**
38 **section,** that the council manages, maintains, improves and develops pursuant to subsection [(1)] **(2)**
39 of this section; and

40 “(b) Enter into *[an]* intergovernmental *[agreement]* **agreements** with the council under which
41 the council has the authority to manage, maintain, improve and develop those **roadside** rest areas
42 owned by the *[department that are listed in subsection (1) of this section]* **departments.**

43 “(4) Under the intergovernmental *[agreement]* **agreements** entered into under subsection (3) of
44 this section, the council shall conduct public contracting activities in accordance with the pro-
45 visions of ORS 377.836.

1 “(5) For the purpose of funding the management, maintenance, improvement and development
2 of roadside rest areas under this section, the Department of **Transportation** shall allocate to the
3 council, for the period beginning on [January] **July** 1, 2018, and ending on June 30, [2018] **2019**,
4 [\$3.33] **\$8.005** million, from the State Highway Fund.

5 “(6) The council may not use any moneys originating from a local transient lodging tax or a
6 state transient lodging tax, as those terms are defined in ORS 320.300, for the purpose of funding
7 the management, maintenance, improvement and development of roadside rest areas under this sec-
8 tion.

9 “**SECTION 127.** ORS 377.841, as amended by sections 125 and 126 of this 2017 Act, is amended
10 to read:

11 “377.841. (1) For the purposes of this section, ‘roadside rest areas’ includes the following
12 roadside rest areas in this state:

13 “(a) Suncrest, Interstate 5, near milepost 22.

14 “(b) Manzanita, Interstate 5, near milepost 63.

15 “(c) Cabin Creek, Interstate 5, near milepost 143.

16 “(d) Gettings Creek, Interstate 5, near milepost 178.

17 “(e) Oak Grove, Interstate 5, near milepost 206.

18 “(f) Santiam River, Interstate 5, near milepost 241.

19 “(g) French Prairie, Interstate 5, near milepost 282.

20 “(h) Memaloose, Interstate 84, near milepost 73.

21 “(i) Boardman, Interstate 84, near milepost 161.

22 “(j) Stanfield, Interstate 84, near milepost 187.

23 “(k) Deadman Pass, Interstate 84, near milepost 229.

24 “(L) Charles Reynolds, Interstate 84, near milepost 269.

25 “(m) Baker Valley, Interstate 84, near milepost 295.

26 “(n) Weatherby, Interstate 84, near milepost 336.

27 “(o) Ontario, Interstate 84, near milepost 377.

28 “(p) The Maples, State Highway 22, near milepost 35.

29 “(q) Tillamook River, U.S. Highway 101, near milepost 71.

30 “(r) Sunset, U.S. Highway 26, near milepost 29.

31 “(s) Cow Canyon, U.S. Highway 97, near milepost 69.

32 “(t) Beaver Marsh, U.S. Highway 97, near milepost 207.

33 “(u) Midland, U.S. Highway 97, near milepost 282.

34 “(v) Government Camp, U.S. Highway 26, near milepost 54.

35 “(w) **Van Duzer Corridor State Park, State Highway 18, near milepost 10.**

36 “(x) **Ellmaker Wayside State Park, U.S. Highway 20, near milepost 32.**

37 “(y) **Peter Skene Ogden State Park, U.S. Highway 97, near milepost 113.**

38 “(2) The Travel Information Council shall manage, maintain, improve and develop for local eco-
39 nomic development and other purposes identified in ORS 377.705 the roadside rest areas listed in
40 subsection (1) of this section.

41 “(3) The Department of Transportation and the State Parks and Recreation Department shall:

42 “(a) Maintain ownership of the roadside rest areas, except for the Government Camp roadside
43 rest area listed in subsection (1)(v) of this section, that the council manages, maintains, improves
44 and develops pursuant to subsection (2) of this section; and

45 “(b) Enter into intergovernmental agreements with the council under which the council has the

1 authority to manage, maintain, improve and develop those roadside rest areas owned by the de-
2 partments.

3 “(4) Under the intergovernmental agreements entered into under subsection (3) of this section,
4 the council shall conduct public contracting activities in accordance with the provisions of ORS
5 377.836.

6 “(5) For the purpose of funding the management, maintenance, improvement and development
7 of roadside rest areas under this section, the Department of Transportation shall allocate to the
8 council, [*for the period beginning on July 1, 2018, and ending on June 30, 2019, \$8.005*] **no later than**
9 **July 1 of each year, \$9.16 million**, from the State Highway Fund.

10 “(6) The council may not use any moneys originating from a local transient lodging tax or a
11 state transient lodging tax, as those terms are defined in ORS 320.300, for the purpose of funding
12 the management, maintenance, improvement and development of roadside rest areas under this sec-
13 tion.

14 “**SECTION 128. (1) The amendments to ORS 377.841 by section 126 of this 2017 Act become**
15 **operative on July 1, 2018.**

16 “**(2) The amendments to ORS 377.841 by section 127 of this 2017 Act become operative on**
17 **July 1, 2019.**

18 “**SECTION 129. (1) The Travel Information Council, after consulting with the Department**
19 **of Transportation and the State Parks and Recreation Department, shall develop a plan for**
20 **transitioning the management of the roadside rest areas listed in ORS 377.841 from the de-**
21 **partments to the council.**

22 “**(2) The council shall provide a report on the transition plan to the Joint Committee on**
23 **Transportation established under section 26 of this 2017 Act in the manner provided by ORS**
24 **192.245 no later than September 15, 2018.**

25 “**SECTION 130. At least six months before the management of a roadside rest area listed**
26 **in ORS 377.841 is transferred to the Travel Information Council:**

27 “**(1) The state agency transferring the management of the roadside rest area shall pro-**
28 **vide to the council all site maps, interagency and intergovernmental agreements and con-**
29 **tracts associated with the applicable roadside rest area.**

30 “**(2) After receiving the information described in subsection (1) of this section, the**
31 **council shall conduct a full access, on-site inspection of the roadside rest area.**

32 “**SECTION 131. For the purpose of funding capital improvements to roadside rest areas**
33 **managed by the Travel Information Council under ORS 377.841, the Department of Trans-**
34 **portation shall allocate each year from the State Highway Fund to the council the following**
35 **amounts:**

36 “**(1) During the period beginning July 1, 2018, and ending June 30, 2019, \$2.8 million.**

37 “**(2) During the period beginning July 1, 2019, and ending June 30, 2020, \$5.8 million.**

38 “**(3) During the period beginning July 1, 2020, and ending June 30, 2021, \$1.5 million.**

39 “**(4) During the period beginning July 1, 2021, and ending June 30, 2022, \$443,900.**

40 “**(5) During the period beginning July 1, 2022, and ending June 30, 2023, \$3.6 million.**

41 “**(6) During the period beginning July 1, 2023, and ending June 30, 2024, \$1.3 million.**

42 “**(7) During the period beginning July 1, 2024, and ending June 30, 2025, \$3.3 million.**

43 “**(8) During the period beginning July 1, 2025, and ending June 30, 2026, \$766,000.**

44
45 “TRANSPORTATION GENERALLY

1 “**SECTION 132.** Section 1, chapter 637, Oregon Laws 2015, is amended to read:

2 “**Sec. 1.** (1) As soon as practicable after the operative date determined under section 2, **chapter**
3 **637, Oregon Laws 2015, [of this 2015 Act]** and until the 60th day following the operative date, the
4 City of Damascus shall post notices in at least two public locations in the city and on the website
5 of the city stating that:

6 “(a) Under subsection (2) of this section, the city is required to satisfy all current and pending
7 debts and obligations for which the city is liable; and

8 “(b) Persons believing themselves to be creditors of the city should present claims to the city
9 as soon as possible to ensure that all valid debts and obligations for which the city is liable will be
10 timely paid.

11 “(2) Notwithstanding ORS 221.650, during the period that begins on the 30th day following the
12 operative date determined under section 2, **chapter 637, Oregon Laws 2015, [of this 2015 Act]** and
13 ends on the 60th day following the operative date:

14 “(a) The City of Damascus shall expend moneys in the funds of the city to satisfy:

15 “(A) Current and pending debts and obligations for which the city is liable, including, but not
16 limited to, debt service payments, lease obligations, financing arrangements and similar obligations;

17 “(B) Outstanding obligations relating to employment of city employees, including pension and
18 other employee benefit obligations; and

19 “(C) Other debts, obligations, liabilities and expenses requiring financial satisfaction by a
20 disincorporating city.

21 “(b) As soon as practicable after making the expenditures required under paragraph (a) of this
22 subsection, the city shall transfer:

23 “(A) All moneys in the city road fund to Clackamas County for deposit in a separate account
24 in the county road fund created for purposes of this subparagraph. Moneys in the separate account
25 shall be expended by the county for the purposes for which moneys in the county road fund may be
26 expended, solely in the territory within the corporate boundaries of the City of Damascus as they
27 existed on the operative date determined under section 2, **chapter 637, Oregon Laws 2015 [of this**
28 **2015 Act]**.

29 “(B) An amount not to exceed \$3 million to Clackamas County for deposit in a separate account
30 in the county general fund created for purposes of this subparagraph. Moneys in the separate ac-
31 count shall be expended by the county for expenses related to the employment of employees of the
32 City of Damascus by Clackamas County pursuant to ORS 236.605 to 236.640, contracted law
33 enforcement services within the territory of the disincorporated city and other current service ex-
34 penses in the budget of the City of Damascus on the operative date determined under section 2,
35 **chapter 637, Oregon Laws 2015 [of this 2015 Act]**, and the administration by the county of this
36 subparagraph, including but not limited to the processing of expenditures under this subparagraph.

37 “(c) The City of Damascus shall transfer all moneys in the funds of the city in excess of the
38 moneys required to be expended under paragraph (a) of this subsection and transferred under para-
39 graph (b) of this subsection to Clackamas County for deposit in a separate account in the county
40 general fund created for purposes of this paragraph. Excess moneys in the separate account shall
41 be distributed by the county as provided in subsection (3) of this section.

42 “(3)(a) Excess moneys transferred to Clackamas County under subsection (2)(c) of this section
43 shall be distributed by the county on or as soon as practicable after January 1, 2018, to each person
44 that owned taxable property as of June 30, 2016, for which property taxes were paid in full to the
45 City of Damascus for the property tax year beginning on July 1, 2015, in an amount determined by

1 multiplying the amount of all excess moneys to be distributed under this subsection by the ratio of
2 the cumulative amount of ad valorem property taxes certified by the city and paid with respect to
3 the property owned by the person for the property tax years beginning on July 1, 2013, and ending
4 on June 30, 2016, to the cumulative amount of ad valorem property taxes certified by the city and
5 paid with respect to property owned by all persons eligible for the distribution under this subsection
6 for the property tax years beginning on July 1, 2013, and ending on June 30, 2016.

7 “(b) Notwithstanding paragraph (a) of this subsection, amounts that would otherwise be distrib-
8 uted under paragraph (a) of this subsection to a taxpayer with respect to a homestead granted
9 deferral under ORS 311.666 to 311.701 shall be paid to the credit of the account maintained for the
10 deferred property by the Department of Revenue pursuant to ORS 311.676. The county shall notify
11 the taxpayer upon making a payment to the department under this paragraph.

12 “(c) A distribution is not required under this subsection if the amount of the distribution would
13 be \$10 or less.

14 “(d) Before making the distributions described in this subsection, the county may retain an
15 amount of the excess moneys equal to the actual costs of the county in making the distributions.

16 “(e) Excess moneys to be distributed under this subsection that remain unclaimed on January
17 1, 2019, shall be transferred to the general fund of Clackamas County and may be expended by the
18 county in the same manner as other moneys in the general fund.

19 “(4)(a) Notwithstanding any other provision of law, in order to compensate Clackamas County
20 for the distribution of excess moneys under subsection (3) of this section, for the period that begins
21 on the 61st day following the operative date determined under section 2, **chapter 637, Oregon Laws**
22 **2015** [of this 2015 Act], and ending 10 years later[,]:

23 “(A) Funds that would otherwise have been distributed to the City of Damascus under ORS
24 323.455, [366.785 to 366.820,] 403.240 and 471.810 shall be distributed to Clackamas County for deposit
25 in a separate account in the general fund of the county created for purposes of this [subsection]
26 **subparagraph.**

27 “(B) **Funds that would otherwise have been distributed to the City of Damascus under**
28 **ORS 366.785 to 366.820 shall be distributed to Clackamas County for deposit in a separate**
29 **account in the general fund of the county created for purposes of this subparagraph.**

30 “(b)(A) Moneys described in paragraph (a)(A) of this subsection shall be expended by the county
31 on costs, including the actual costs of the county in administering this subsection, related to public
32 safety and law enforcement, urban comprehensive planning, code enforcement and waste water and
33 surface water management that are incurred solely in the territory within the corporate boundaries
34 of the City of Damascus as they existed on the operative date determined under section 2, **chapter**
35 **637, Oregon Laws 2015** [of this 2015 Act].

36 “(B) **Moneys described in paragraph (a)(B) of this subsection shall be expended by the**
37 **county for uses permitted under Article IX, section 3a, of the Oregon Constitution, solely in**
38 **the territory within the corporate boundaries of the City of Damascus as they existed on the**
39 **operative date determined under section 2, chapter 637, Oregon Laws 2015.**

40 “(c) Territory that is removed from the Metro urban growth boundary or that is annexed to
41 another city during the period described in paragraph (a) of this subsection shall, from the effective
42 date of the removal or annexation, be considered outside the corporate boundaries of the City of
43 Damascus for purposes of this subsection.

44 “**SECTION 133.** ORS 366.462 is amended to read:

45 “366.462. (1) The Department of Transportation shall construct fences on all freeway overpasses

1 that are built on and after November 4, 1993. The fences shall be designed to deter persons from
2 throwing objects from the overpasses onto the freeways.

3 “(2) [Beginning in the fiscal year that starts July 1, 1993,] The Department of Transportation
4 shall construct [at least 15] fences [per year] on existing freeway overpasses[. The department shall
5 develop a priority system to construct fences first on those overpasses] that involve the greatest risk
6 factors.

7 **“SECTION 134. (1) In accordance with ORS 374.329, the Department of Transportation**
8 **shall transfer jurisdiction of the following state highways to the following cities:**

9 **“(a) Pacific Highway West, State Highway 91, from the department to the City of Eugene.**
10 **The department shall transfer the following two portions:**

11 **“(A) The portion beginning where the highway intersects with the Beltline Highway and**
12 **ending where the highway intersects with Washington Street, but excluding the bridge at**
13 **milepost 121.42.**

14 **“(B) The portion beginning where the highway intersects with Walnut Street and ending**
15 **where the highway intersects with Interstate 5, but excluding the bridge at milepost 126.02.**

16 **“(b) Springfield Highway, State Highway 228 to the City of Springfield.**

17 **“(2) Notwithstanding section 71d (4) of this 2017 Act, the department shall use the funds**
18 **described in section 71d of this 2017 Act for the transfer of Powell Boulevard to upgrade the**
19 **portion of Southeast Powell Boulevard beginning where the highway intersects with Inter-**
20 **state 205 and ending where the highway intersects with the city limits. After the upgrades**
21 **are completed, in accordance with ORS 374.329, the department shall transfer jurisdiction**
22 **of the upgraded portion to the City of Portland. The department may upgrade and transfer**
23 **portions of the highway in phases.**

24 **“(3) In accordance with ORS 366.290:**

25 **“(a) The department shall transfer jurisdiction of the portion of Territorial Highway,**
26 **State Highway 200, that is located within Lane County from the department to the county.**
27 **The department may transfer portions of the highway in phases. The department shall retain**
28 **jurisdiction of bridges on Territorial Highway located at milepoints 18.72, 18.98, 19.28 and**
29 **25.49. The department shall transfer the jurisdiction of the bridges after the bridges are re-**
30 **placed.**

31 **“(b) The department shall transfer jurisdiction of the portion of the Springfield-Creswell**
32 **Highway, State Highway 222, beginning where it intersects with Jasper-Lowell Road and**
33 **ending where it intersects with Emerald Parkway to Lane County. The department shall re-**
34 **tain jurisdiction of bridges on Springfield-Creswell Highway located at mileposts 5.20, 5.41,**
35 **5.64 and 13.36. The department shall transfer the jurisdiction of a bridge after the bridge is**
36 **replaced.**

37 **“(c) Lane County shall transfer jurisdiction of the portion of Delta Highway beginning**
38 **where the highway intersects with Interstate 105 and ending where the highway intersects**
39 **with the Randy Pape Beltline from the county to the department.**

40 **“(d) Multnomah County and Washington County shall transfer jurisdiction of the portion**
41 **of Cornelius Pass Road beginning where the highway intersects with U.S. Highway 30 and**
42 **ending where the highway intersects with U.S. Highway 26 from the counties to the depart-**
43 **ment. The counties may transfer portions of the highway in phases.**

44 **“SECTION 135. Section 136 of this 2017 Act is added to and made a part of ORS chapter**
45 **366.**

1 “SECTION 136. The Oregon Transportation Commission shall develop a statewide winter
2 maintenance strategy and policy that includes the use of rock salt or similar solid salt pro-
3 ducts. In developing the strategy, the commission shall focus on highways under the De-
4 partment of Transportation’s jurisdiction as the road authority pursuant to ORS 810.010 and
5 take into consideration environmental best practices.

6 “SECTION 137. The Oregon Transportation Commission shall submit a report on the de-
7 velopment and implementation of the winter maintenance strategy and policy described in
8 section 136 of this 2017 Act. The commission shall submit the report to the Joint Committee
9 on Transportation established under section 26 of this 2017 Act in the manner provided under
10 ORS 192.245 no later than September 15, 2019.

11 “SECTION 138. Section 137 of this 2017 Act is repealed on January 2, 2020.

12 “SECTION 139. (1) Sections 32 and 37 of this 2017 Act and the amendments to ORS
13 803.420, 803.645, 818.225, 818.270, 825.450, 825.476 and 825.480 by sections 34, 48, 51, 54, 57, 63
14 and 66 of this 2017 Act become operative on January 1, 2018.

15 “(2) The amendments to ORS 826.023 by section 70 of this 2017 Act become operative on
16 January 1, 2020.

17 “(3) The amendments to sections 32 and 37 of this 2017 Act by sections 33 and 38 of this
18 2017 Act and the amendments to ORS 803.420 by section 35 of this 2017 Act become operative
19 on January 1, 2022.

20 “(4) The amendments to ORS 803.645, 818.225, 818.270, 825.450, 825.476 and 825.480 by
21 sections 49, 52, 55, 58, 64 and 67 of this 2017 Act become operative on January 1, 2024.

22
23 “REPEALS

24
25 “SECTION 140. ORS 184.613, 184.616, 184.618, 184.889 and 367.017 and section 17, chapter
26 63, Oregon Laws 2012, are repealed.

27 “SECTION 141. (1) The Urban Trail Fund, established under ORS 367.017, is abolished.

28 “(2) Any moneys remaining in the Urban Trail Fund on the effective date of this 2017
29 Act that are unexpended, unobligated and not subject to any conditions shall be transferred
30 to the Connect Oregon Fund established under ORS 367.080 for the purposes of providing
31 grants for bicycle and pedestrian transportation projects.

32
33 “CONFLICT AMENDMENTS

34
35 “SECTION 142. If House Bill 2149 becomes law, section 6, chapter 62, Oregon Laws 2017
36 (Enrolled House Bill 2149) (amending ORS 803.420), is repealed.

37 “SECTION 143. If House Bill 2149 becomes law, section 7, chapter 62, Oregon Laws 2017 (En-
38 rolled House Bill 2149), is amended to read:

39 “Sec. 7. (1) The amendments to ORS 801.041, 801.042, 803.350, 803.415[803.420] and 805.110 by
40 sections [1 to 6 of this 2017 Act] 1 to 5, chapter 62, Oregon Laws 2017 (Enrolled House Bill 2149),
41 apply to vehicles registered under ORS 805.110 on or after the effective date of [this 2017 Act]
42 chapter 62, Oregon Laws 2017 (Enrolled House Bill 2149).

43 “(2) [Notwithstanding ORS 803.420 (21) and 805.110,] A person who registered a vehicle under
44 ORS 805.110 before the effective date of [this 2017 Act] chapter 62, Oregon Laws 2017 (Enrolled
45 House Bill 2149), is not required to pay a renewal fee for the vehicle registered under ORS 805.110

1 on or after the effective date of [*this 2017 Act*] **chapter 62, Oregon Laws 2017 (Enrolled House**
2 **Bill 2149).**

3 “**SECTION 144. (1) If House Bill 2290 becomes law, sections 3, 6, 10, 11, 12, 13, 14, 15, 16,**
4 **17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, chapter __, Oregon Laws 2017 (Enrolled House**
5 **Bill 2290) (amending ORS 801.041, 801.042, 803.350, 803.415, 803.420, 803.445, 803.645, 805.047,**
6 **805.103, 805.105, 805.115, 805.205, 805.222, 805.255, 805.260, 805.263, 805.266, 805.278, 805.283 and**
7 **822.213 and section 2, chapter 823, Oregon Laws 2009), are repealed.**

8 “**(2) If House Bill 2290 becomes law, section 6a, chapter __, Oregon Laws 2017 (Enrolled**
9 **House Bill 2290) (amending ORS 803.420 and repealing section 6, chapter __, Oregon Laws**
10 **2017 (Enrolled House Bill 2290)), is repealed.**

11 “**SECTION 145.** If House Bill 2290 becomes law, section 31, chapter __, Oregon Laws 2017
12 (Enrolled House Bill 2290), is amended to read:

13 “**Sec. 31.** The amendments to [*ORS 801.041, 801.042, 803.134, 803.350, 803.415, 803.420, 803.445,*
14 *803.575, 803.645, 805.047, 805.103, 805.105, 805.115, 805.205, 805.222, 805.250, 805.255, 805.260, 805.263,*
15 *805.266, 805.278, 805.283, 807.370, 807.410, 809.312, 822.213 and 822.700 and section 2, chapter 823,*
16 *Oregon Laws 2009, by sections 1 to 29 of this 2017 Act*] **ORS 803.090, 803.134, 803.575, 805.250,**
17 **807.370, 807.410, 809.312 and 822.700 by sections 1 to 29, chapter __, Oregon Laws 2017 (En-**
18 **rolled House Bill 2290), apply to fees imposed on or after the operative date specified in section**
19 **32 [*of this 2017 Act*], chapter __, Oregon Laws 2017 (Enrolled House Bill 2290).**

20 “**SECTION 146.** If House Bill 2290 becomes law, section 32, chapter __, Oregon Laws 2017
21 (Enrolled House Bill 2290), is amended to read:

22 “**Sec. 32. (1)** The amendments to [*ORS 801.041, 801.042, 803.134, 803.350, 803.415, 803.420,*
23 *803.445, 803.575, 803.645, 805.047, 805.103, 805.105, 805.115, 805.205, 805.222, 805.250, 805.255, 805.260,*
24 *805.263, 805.266, 805.278, 805.283, 807.370, 807.410, 809.312, 822.213 and 822.700 and section 2, chapter*
25 *823, Oregon Laws 2009, by sections 1 to 29 of this 2017 Act*] **ORS 803.090, 803.134, 803.575, 805.250,**
26 **807.370, 807.410, 809.312 and 822.700 by sections 1 to 29, chapter __, Oregon Laws 2017 (En-**
27 **rolled House Bill 2290), become operative on July 1, 2018.**

28 “**(2)** The Department of Transportation may take any action before the operative date specified
29 in subsection (1) of this section that is necessary to enable the department to exercise, on and after
30 the operative date specified in subsection (1) of this section, all the duties, functions and powers
31 conferred on the department by the amendments to [*ORS 801.041, 801.042, 803.134, 803.350, 803.415,*
32 *803.420, 803.445, 803.575, 803.645, 805.047, 805.103, 805.105, 805.115, 805.205, 805.222, 805.250, 805.255,*
33 *805.260, 805.263, 805.266, 805.278, 805.283, 807.370, 807.410, 809.312, 822.213 and 822.700 and section*
34 *2, chapter 823, Oregon Laws 2009, by sections 1 to 29 of this 2017 Act*] **ORS 803.090, 803.134, 803.575,**
35 **805.250, 807.370, 807.410, 809.312 and 822.700 by sections 1 to 29, chapter __, Oregon Laws 2017**
36 **(Enrolled House Bill 2290).**

37
38 **“SEVERABILITY**

39
40 “**SECTION 147.** It is the intent of the Legislative Assembly that all parts of this 2017 Act
41 are independent and that if any part of this 2017 Act is held unconstitutional by a judicial
42 decision that is not subject to further review, or if any part of this 2017 Act is referred to
43 the people under Article IV, section 1, of the Oregon Constitution, and is not approved by a
44 majority of the voters voting on the referendum measure, all remaining parts of this 2017
45 Act shall remain in full force and effect.

1 **“ZERO-EMISSION AND ELECTRIC VEHICLE REBATES**
2 **“(Rebate Program; Provisions Operative January 1, 2018)**

3
4 **“SECTION 148. As used in sections 148 to 152 of this 2017 Act:**

5 **“(1) ‘Light-duty zero-emission vehicle’ means a motor vehicle that:**

6 **“(a) Has a gross vehicle weight rating of 8,500 pounds or less;**

7 **“(b) Is capable of attaining a speed of 55 miles per hour or more; and**

8 **“(c) Is powered:**

9 **“(A) Primarily by an electric battery and may or may not use a flywheel energy storage**
10 **device or a capacitor that also stores energy to assist in vehicle operation.**

11 **“(B) By polymer electrolyte membrane fuel cells or proton exchange membrane fuel cells**
12 **that use hydrogen fuel and oxygen from the air to produce electricity.**

13 **“(C) Primarily by a zero-emission energy storage device that provides enough power for**
14 **the vehicle to travel 75 miles or more using only electricity and may or may not use a backup**
15 **alternative power unit that does not operate until the energy storage device is fully depleted.**

16 **“(2) ‘Motor vehicle’ has the meaning given that term in ORS 801.360.**

17 **“(3) ‘Person’ means a person as defined in ORS 174.100 or a public body as defined in ORS**
18 **174.109.**

19 **“(4) ‘Plug-in hybrid electric vehicle’ means a hybrid electric motor vehicle that:**

20 **“(a) Has zero evaporative emissions from its fuel system;**

21 **“(b) Has an onboard electrical energy storage device with useful capacity of 10 or more**
22 **miles of urban dynamometer driving schedule range, as described by the United States En-**
23 **vironmental Protection Agency, on electricity alone;**

24 **“(c) Is equipped with an onboard charger;**

25 **“(d) Is rechargeable from an external connection to an off-board electrical source;**

26 **“(e) Meets the super ultra-low emission vehicle standards for exhaust emissions, as de-**
27 **defined by the Environmental Quality Commission by rule;**

28 **“(f) Has a warranty of at least 15 years and 150,000 miles on emission control compo-**
29 **nents; and**

30 **“(g) Is capable of attaining a speed of 55 miles per hour or more.**

31 **“(5) ‘Qualifying vehicle’ means a motor vehicle that:**

32 **“(a) Is a:**

33 **“(A) Light-duty zero-emission vehicle; or**

34 **“(B) Plug-in hybrid electric vehicle;**

35 **“(b) Is new, or has been previously used only as a dealership floor model or test-drive**
36 **vehicle;**

37 **“(c) Has not previously been registered;**

38 **“(d) Is constructed entirely from new parts that have never been the subject of a retail**
39 **sale;**

40 **“(e) Has a base manufacturer’s suggested retail price of less than \$50,000;**

41 **“(f) Is covered by a manufacturer’s express warranty on the vehicle drive train, including**
42 **the applicable energy storage system or battery pack, for at least 24 months from the date**
43 **of purchase; and**

44 **“(g) Is certified by the manufacturer to comply with all applicable federal safety stan-**
45 **dards issued by the National Highway Traffic Safety Administration for new motor vehicles**

1 and new motor vehicle equipment.

2 “(6)(a) ‘Vehicle dealer’ means:

3 “(A) A person engaged in business in this state that has been issued a vehicle dealer
4 certificate under ORS 822.020; and

5 “(B) A person engaged in business in another state that would be subject to ORS 822.005
6 if the person engaged in business in this state.

7 “(b) Notwithstanding paragraph (a) of this subsection, a person is not a vehicle dealer for
8 purposes of sections 148 to 152 of this 2017 Act to the extent the person:

9 “(A) Conducts an event that lasts less than seven consecutive days, for which the public
10 is charged admission and at which otherwise qualifying vehicles are sold at auction; or

11 “(B) Sells an otherwise qualifying vehicle at auction at an event described in this para-
12 graph.

13 “SECTION 149. (1) The Department of Environmental Quality shall establish a program
14 for providing rebates to persons that purchase qualifying vehicles for use in this state. The
15 Director of the Department of Environmental Quality may hire or contract with a third-
16 party nonprofit organization to implement and serve as the administrator of the program
17 required by this section.

18 “(2) The department may:

19 “(a) Specify design features for the program; and

20 “(b) Establish procedures to:

21 “(A) Prioritize available moneys for specific qualifying vehicles; and

22 “(B) Limit the number of rebates available for each type of qualifying vehicle.

23 “(3) The purchaser or lessee of a qualifying vehicle may apply for a rebate for a portion
24 of the purchase price or may choose to assign the rebate to a vehicle dealer or lessor.

25 “(4) Rebates under the program shall be made from moneys credited to or deposited in
26 the Zero-Emission Incentive Fund established under section 152 of this 2017 Act. A rebate
27 may not be made until there are sufficient moneys available in the fund to make the rebate.

28 “(5) The department shall prescribe the rebate application procedure for purchasers and
29 lessees. All rebate applications must include a declaration under penalty of perjury in the
30 form required by ORCP 1 E.

31 “(6) Rebates for qualifying vehicles shall be set annually by the department as follows:

32 “(a) For light-duty zero-emission vehicles and plug-in hybrid electric vehicles with an
33 electrochemical energy storage capacity of 10 kilowatt hours or more, up to \$2,500 but not
34 less than \$1,500.

35 “(b) For light-duty zero-emission vehicles or plug-in hybrid electric vehicles with an
36 electrochemical energy storage capacity of less than 10 kilowatt hours, up to \$1,500 but not
37 less than \$750.

38 “(7) To be eligible for a rebate, a person requesting a rebate under the program shall:

39 “(a) Purchase or lease a qualifying vehicle. A lease must have a minimum term of 24
40 months.

41 “(b) Provide proof of an intent to use the qualifying vehicle primarily on the public
42 highways of this state, which may be satisfied by providing proof of registration of the
43 qualifying vehicle in Oregon.

44 “(c) Submit an application for a rebate to the administrator of the program within six
45 months after the date of purchase of the qualifying vehicle or six months after the date the

1 lease of the qualifying vehicle begins.

2 “(d) Retain registration of the qualifying vehicle for a minimum of 24 consecutive months
3 after the date of purchase or the date the lease begins.

4 “(8) A rebate recipient may not make or allow any modifications to the qualifying
5 vehicle’s emissions control systems, hardware, software calibrations or hybrid system.

6 “(9) If a rebate recipient intends to sell the qualifying vehicle, or terminate the qualifying
7 vehicle lease before the end of 24 months, the rebate recipient shall notify the administrator
8 of the program of the recipient’s intent to sell the vehicle or terminate the lease and shall
9 reimburse the administrator for the entire rebate amount.

10 “(10) Rebate recipients may be requested to participate in ongoing research efforts.

11 “(11) The administrator of the program shall work to ensure timely payment of rebates
12 with a goal of paying rebates within 60 days after receiving an application for a rebate.

13 “(12) A vehicle dealer may advertise the program on the premises owned or operated by
14 the vehicle dealer. If no moneys are available from the program or the program otherwise
15 changes, a vehicle dealer who advertises the program may not be held liable for advertising
16 false or misleading information.

17 “(13) The Environmental Quality Commission may adopt any rules necessary to carry out
18 the provisions of this section.

19
20 “(Charge Ahead Oregon Program)

21
22 “SECTION 150. (1) As used in this section:

23 “(a) ‘Area median income’ means the median income for the metropolitan statistical area
24 in which a household is located or, if the household is not located within a metropolitan
25 statistical area, for the metropolitan statistical area in closest proximity to the location of
26 the household, as determined by the Housing and Community Services Department, adjusted
27 for household size.

28 “(b) ‘Charge ahead rebate’ means a rebate for the purchase of a new or used light-duty
29 zero-emission vehicle issued through the Charge Ahead Oregon Program established under
30 this section.

31 “(c) ‘High-emission passenger motor vehicle’ means a motor vehicle that is:

32 “(A) Designed primarily for the transportation of persons; and

33 “(B) Powered by an internal combustion engine that is 20 years old or older.

34 “(d) ‘Low income household’ means a household with income less than or equal to 80
35 percent of the area median income.

36 “(e) ‘Moderate income household’ means a household with income less than or equal to
37 120 percent and greater than 80 percent of the area median income.

38 “(2) The Department of Environmental Quality shall establish a Charge Ahead Oregon
39 Program to provide for charge ahead rebates to low income households and moderate income
40 households that voluntarily retire or scrap high-emission passenger motor vehicles and re-
41 place those motor vehicles with new or used light-duty zero-emission vehicles. The Director
42 of the Department of Environmental Quality may hire or contract with a third-party
43 nonprofit organization to implement and serve as the administrator of the program required
44 by this section.

45 “(3) The department may:

1 “(a) Specify design features for the program; and
2 “(b) Establish procedures to:
3 “(A) Prioritize available moneys to specific income levels or geographic areas; and
4 “(B) Limit the number of charge ahead rebates available.
5 “(4) An eligible purchaser or lessee of a new or used light-duty zero-emission vehicle may
6 apply for a charge ahead rebate for a portion of the purchase price or may choose to assign
7 the charge ahead rebate to a vehicle dealer or lessor.
8 “(5) Rebates under the Charge Ahead Oregon Program shall be made from moneys cred-
9 ited to or deposited in the Zero-Emission Incentive Fund established under section 152 of this
10 2017 Act. A rebate may not be made until there are sufficient moneys available in the fund
11 to make the rebate.
12 “(6) The department shall prescribe the rebate application procedure for purchasers and
13 lessees. All rebate applications must include a declaration under penalty of perjury in the
14 form required by ORCP 1 E.
15 “(7) Charge ahead rebates shall be in an amount up to \$2,500, but not less than \$1,250.
16 “(8) To be eligible for a charge ahead rebate, a person requesting a rebate under the
17 program must:
18 “(a) Be a member of a low income household or a moderate income household.
19 “(b) Reside in an area of this state that has elevated concentrations of air contaminants
20 commonly attributable to motor vehicle emissions, such as particulate matter, benzene and
21 nitrogen oxides, relative to other areas of the state.
22 “(c) Document that the person will scrap or otherwise render inoperable a high-emission
23 passenger motor vehicle that, on the date of the rebate application, is registered as operable
24 and has been continuously registered for the last two years.
25 “(d) Purchase or lease a new or used light-duty zero-emission vehicle. A lease must have
26 a minimum term of 24 months.
27 “(e) Provide proof of an intent to use the light-duty zero-emission vehicle primarily on
28 the public highways of this state, which may be satisfied by providing proof of registration
29 of the vehicle in Oregon.
30 “(f) Submit an application for a charge ahead rebate to the administrator of the program
31 within six months of the date of purchase or six months from the date the lease begins.
32 “(g) Retain registration of the light-duty zero-emission vehicle for a minimum of 24
33 consecutive months following the date of purchase or following the date the lease begins.
34 “(9) A person that receives a charge ahead rebate may not make or allow any modifica-
35 tions to the vehicle’s emissions control systems, hardware, software calibrations or hybrid
36 system.
37 “(10) If a charge ahead rebate recipient intends to sell the vehicle, or otherwise terminate
38 the vehicle lease before the end of 24 months, the charge ahead rebate recipient shall notify
39 the administrator of the program of the recipient’s intent to sell the vehicle or terminate a
40 lease and shall reimburse the administrator for the entire charge ahead rebate amount.
41 “(11) Charge ahead rebate recipients may be requested to participate in ongoing research
42 efforts.
43 “(12) The administrator of the program shall work to ensure timely payment of charge
44 ahead rebates with a goal of paying rebates within 60 days of receiving an application for a
45 charge ahead rebate.

1 “(e) The results of any audits conducted under subsection (1) of this section.

2
3 “(Zero-Emission Incentive Fund)

4
5 “**SECTION 152.** (1) The Zero-Emission Incentive Fund is established in the State Treas-
6 ury, separate and distinct from the General Fund. Interest earned by the Zero-Emission In-
7 centive Fund shall be credited to the fund.

8 “(2) Moneys in the Zero-Emission Incentive Fund shall consist of:

9 “(a) Amounts donated to the fund;

10 “(b) Amounts transferred to the fund by the Department of Revenue under section 96
11 of this 2017 Act;

12 “(c) Amounts appropriated or otherwise transferred to the fund by the Legislative As-
13 ssembly;

14 “(d) Other amounts deposited in the fund from any public or private source; and

15 “(e) Interest earned by the fund.

16 “(3) The Department of Environmental Quality shall encourage gifts, grants, donations
17 or other contributions to the fund.

18 “(4) Moneys in the fund are continuously appropriated to the department to be used to
19 carry out the provisions of sections 148 to 152 of this 2017 Act.

20 “(5) No more than 10 percent of the moneys deposited in the fund per biennium may be
21 expended to pay the expenses incurred in the administration of sections 148 to 152 of this
22 2017 Act by:

23 “(a) The department; and

24 “(b) Any third-party organization that the department hires or contracts with under
25 sections 149 and 150 of this 2017 Act.

26 “(6) The Environmental Quality Commission may adopt by rule provisions for the allo-
27 cation of moneys deposited in the fund between the programs established under sections 149
28 and 150 of this 2017 Act. Rules adopted under this subsection must require that at least 10
29 percent of the moneys deposited in the fund per biennium are allocated to fund the provision
30 of rebates through the Charge Ahead Oregon Program established under section 150 of this
31 2017 Act.

32
33 “(Rebate Program; Provisions Operative January 1, 2019)

34
35 “**SECTION 153.** The amendments to sections 148 and 149 of this 2017 Act by sections 154
36 and 155 of this 2017 Act become operative January 1, 2019.

37 “**SECTION 154.** Section 148 of this 2017 Act is amended to read:

38 “**Sec. 148.** As used in sections 148 to 152 of this 2017 Act:

39 “(1) ‘Light-duty zero-emission vehicle’ means a motor vehicle that:

40 “(a) Has a gross vehicle weight rating of 8,500 pounds or less;

41 “(b) Is capable of attaining a speed of 55 miles per hour or more; and

42 “(c) Is powered:

43 “(A) Primarily by an electric battery and may or may not use a flywheel energy storage device
44 or a capacitor that also stores energy to assist in vehicle operation.

45 “(B) By polymer electrolyte membrane fuel cells or proton exchange membrane fuel cells that

1 use hydrogen fuel and oxygen from the air to produce electricity.

2 “(C) Primarily by a zero-emission energy storage device that provides enough power for the ve-
3 hicle to travel 75 miles or more using only electricity and may or may not use a backup alternative
4 power unit that does not operate until the energy storage device is fully depleted.

5 “(2) ‘Motor vehicle’ has the meaning given that term in ORS 801.360.

6 “(3) **‘Neighborhood electric vehicle’ means a low-speed vehicle that:**

7 **“(a) Is powered using an electric battery;**

8 **“(b) Has a gross vehicle weight not exceeding 3,000 pounds; and**

9 **“(c) Has at least four wheels.**

10 “[3] (4) ‘Person’ means a person as defined in ORS 174.100 or a public body as defined in ORS
11 174.109.

12 “[4] (5) ‘Plug-in hybrid electric vehicle’ means a hybrid electric motor vehicle that:

13 “(a) Has zero evaporative emissions from its fuel system;

14 “(b) Has an onboard electrical energy storage device with useful capacity of 10 or more miles
15 of urban dynamometer driving schedule range, as described by the United States Environmental
16 Protection Agency, on electricity alone;

17 “(c) Is equipped with an onboard charger;

18 “(d) Is rechargeable from an external connection to an off-board electrical source;

19 “(e) Meets the super ultra-low emission vehicle standards for exhaust emissions, as defined by
20 the Environmental Quality Commission by rule;

21 “(f) Has a warranty of at least 15 years and 150,000 miles on emission control components; and

22 “(g) Is capable of attaining a speed of 55 miles per hour or more.

23 “[5] (6) ‘Qualifying vehicle’ means a motor vehicle that:

24 “(a) Is a:

25 “(A) Light-duty zero-emission vehicle; or

26 “(B) Plug-in hybrid electric vehicle;

27 “(b) Is new, or has been previously used only as a dealership floor model or test-drive vehicle;

28 “(c) Has not previously been registered;

29 “(d) Is constructed entirely from new parts that have never been the subject of a retail sale;

30 “(e) Has a base manufacturer’s suggested retail price of less than \$50,000;

31 “(f) Is covered by a manufacturer’s express warranty on the vehicle drive train, including the
32 applicable energy storage system or battery pack, for at least 24 months from the date of purchase;
33 and

34 “(g) Is certified by the manufacturer to comply with all applicable federal safety standards is-
35 sued by the National Highway Traffic Safety Administration for new motor vehicles and new motor
36 vehicle equipment.

37 “[6](a) (7)(a) ‘Vehicle dealer’ means:

38 “(A) A person engaged in business in this state that has been issued a vehicle dealer certificate
39 under ORS 822.020; and

40 “(B) A person engaged in business in another state that would be subject to ORS 822.005 if the
41 person engaged in business in this state.

42 “(b) Notwithstanding paragraph (a) of this subsection, a person is not a vehicle dealer for pur-
43 poses of sections 148 to 152 of this 2017 Act to the extent the person:

44 “(A) Conducts an event that lasts less than seven consecutive days, for which the public is
45 charged admission and at which otherwise qualifying vehicles are sold at auction; or

1 “(B) Sells an otherwise qualifying vehicle at auction at an event described in this paragraph.

2 “(8) **‘Zero-emission motorcycle’ means a motorcycle that:**

3 “(a) **Has zero evaporative emissions from its fuel system;**

4 “(b) **Is capable of attaining a speed of 55 miles per hour or more;**

5 “(c) **Is designed to travel on two wheels; and**

6 “(d) **Is powered by electricity.**

7 “**SECTION 155.** Section 149 of this 2017 Act is amended to read:

8 “**Sec. 149.** (1) The Department of Environmental Quality shall establish a program for providing
9 rebates to persons that purchase qualifying vehicles for use in this state. The Director of the De-
10 partment of Environmental Quality may hire or contract with a third-party nonprofit organization
11 to implement and serve as the administrator of the program required by this section.

12 “(2) The department may:

13 “(a) Specify design features for the program; and

14 “(b) Establish procedures to:

15 “(A) Prioritize available moneys for specific qualifying vehicles; and

16 “(B) Limit the number of rebates available for each type of qualifying vehicle.

17 “(3) The purchaser or lessee of a qualifying vehicle may apply for a rebate for a portion of the
18 purchase price or may choose to assign the rebate to a vehicle dealer or lessor.

19 “(4) Rebates under the program shall be made from moneys credited to or deposited in the
20 Zero-Emission Incentive Fund established under section 152 of this 2017 Act. A rebate may not be
21 made until there are sufficient moneys available in the fund to make the rebate.

22 “(5) The department shall prescribe the rebate application procedure for purchasers and lessees.
23 All rebate applications must include a declaration under penalty of perjury in the form required by
24 ORCP 1 E.

25 “(6) Rebates for qualifying vehicles shall be set annually by the department as follows:

26 “(a) For light-duty zero-emission vehicles and plug-in hybrid electric vehicles with an
27 electrochemical energy storage capacity of 10 kilowatt hours or more, up to \$2,500 but no less than
28 \$1,500.

29 “(b) For light-duty zero-emission vehicles or plug-in hybrid electric vehicles with an
30 electrochemical energy storage capacity of less than 10 kilowatt hours, up to \$1,500 but no less than
31 \$750.

32 “(c) **For neighborhood electric vehicles, up to \$750 but not less than \$375.**

33 “(d) **For zero-emission motorcycles, up to \$750 but not less than \$375.**

34 “(7) To be eligible for a rebate, a person requesting a rebate under the program shall:

35 “(a) Purchase or lease a qualifying vehicle. A lease must have a minimum term of 24 months.

36 “(b) Provide proof of an intent to use the qualifying vehicle primarily on the public highways
37 of this state, which may be satisfied by providing proof of registration of the qualifying vehicle in
38 Oregon.

39 “(c) Submit an application for a rebate to the administrator of the program within six months
40 after the date of purchase of the qualifying vehicle or six months after the date the lease of the
41 qualifying vehicle begins.

42 “(d) Retain registration of the qualifying vehicle for a minimum of 24 consecutive months after
43 the date of purchase or the date the lease begins.

44 “(8) A rebate recipient may not make or allow any modifications to the qualifying vehicle’s
45 emissions control systems, hardware, software calibrations or hybrid system.

1 “(9) If a rebate recipient intends to sell the qualifying vehicle, or terminate the qualifying ve-
2 hicle lease before the end of 24 months, the rebate recipient shall notify the administrator of the
3 program of the recipient’s intent to sell the vehicle or terminate the lease and shall reimburse the
4 administrator for the entire rebate amount.

5 “(10) Rebate recipients may be requested to participate in ongoing research efforts.

6 “(11) The administrator of the program shall work to ensure timely payment of rebates with a
7 goal of paying rebates within 60 days after receiving an application for a rebate.

8 “(12) A vehicle dealer may advertise the program on the premises owned or operated by the
9 vehicle dealer. If no moneys are available from the program or the program otherwise changes, a
10 vehicle dealer who advertises the program may not be held liable for advertising false or misleading
11 information.

12 “(13) The Environmental Quality Commission may adopt any rules necessary to carry out the
13 provisions of this section.

14
15 “(Miscellaneous)
16

17 “**SECTION 156. Rebates may be issued under sections 149 and 150 of this 2017 Act for**
18 **motor vehicles purchased or leased on or after the effective date of this 2017 Act.**

19 “**SECTION 157. (1) Sections 148 to 152 of this 2017 Act are repealed on January 2, 2024.**

20 “**(2) Any moneys remaining in the Zero-Emission Incentive Fund established under sec-**
21 **tion 152 of this 2017 Act on the date of the repeal specified in subsection (1) of this subsection**
22 **that are unexpended, unobligated and not subject to any conditions shall be transferred by**
23 **the State Treasurer to the credit of an account of the Department of Environmental Quality**
24 **to be used for vehicle emission reduction programs.**

25
26 “**LOW CARBON FUEL STANDARDS**

27 “(Provisions Operative January 1, 2018)
28

29 “**SECTION 158. (1) Sections 159 and 161 to 167 of this 2017 Act are added to and made a**
30 **part of ORS chapter 468A.**

31 “**(2) ORS 468A.275 is added to and made a part of sections 159 to 167 of this 2017 Act.**

32 “**SECTION 159. As used in sections 159 to 167 of this 2017 Act:**

33 “**(1) ‘Biodiesel’ means a motor vehicle fuel consisting of mono-alkyl esters of long chain**
34 **fatty acids derived from vegetable oils, animal fats or other nonpetroleum resources, not**
35 **including palm oil.**

36 “**(2) ‘Clean fuels program’ means the program adopted by rule by the Environmental**
37 **Quality Commission under ORS 468A.275 (1)(b).**

38 “**(3) ‘Compliance period’ means the calendar year during which a regulated party must**
39 **demonstrate compliance with the low carbon fuel standards through participation in the**
40 **clean fuels program.**

41 “**(4) ‘Credit’ means a unit of measure generated when a fuel with a carbon intensity that**
42 **is less than the applicable low carbon fuel standard is produced, imported or dispensed for**
43 **use in Oregon, such that one credit is equal to one metric ton of carbon dioxide equivalent.**

44 “**(5) ‘Credit aggregator’ means a person who voluntarily registers to participate in the**
45 **clean fuels program to facilitate credit generation on behalf of a credit generator and to**

1 trade credits with regulated parties, credit generators and other credit aggregators.

2 “(6) ‘Credit generator’ means a person eligible to generate credits by providing fuels for
3 use in Oregon with carbon intensities less than the applicable low carbon fuel standard.

4 “(7) ‘Deferral’ means a delay or change in the applicability of a scheduled applicable low
5 carbon fuel standard for a period of time, accomplished pursuant to an order issued under
6 section 164 or 165 of this 2017 Act.

7 “(8) ‘Deficit’ means a unit of measure generated when a fuel with a carbon intensity that
8 is more than the applicable low carbon fuel standard is produced, imported or dispensed for
9 use in Oregon, such that one deficit is equal to one metric ton of carbon dioxide equivalent.

10 “(9) ‘Greenhouse gas’ has the meaning given that term in ORS 468A.210.

11 “(10) ‘Low carbon fuel standard’ means a standard adopted by the commission by rule
12 under ORS 468A.275 for the reduction of greenhouse gas emissions, on average, per unit of
13 fuel energy.

14 “(11) ‘Motor vehicle’ has the meaning given that term in ORS 801.360.

15 “(12) ‘Regulated party’ means a person responsible for complying with the low carbon fuel
16 standards.

17 “(13) ‘Small deficit’ means a net deficit balance at the end of a compliance period, after
18 retirement of all credits held by a regulated party, that does not exceed a percentage set by
19 the commission by rule of the total number of deficits that the regulated party generated for
20 a compliance period and that may not be greater than 10 percent of the total number of
21 deficits that the regulated party generated for a compliance period.

22 “**SECTION 160.** ORS 468A.275 is amended to read:

23 “468A.275. [(1) As used in this section:]

24 “[a) ‘Greenhouse gas’ has the meaning given that term in ORS 468A.210.]

25 “[b) ‘Low carbon fuel standards’ means standards for the reduction of greenhouse gas emissions,
26 on average, per unit of fuel energy.]

27 “[c) ‘Motor vehicle’ has the meaning given that term in ORS 801.360.]

28 “[(2)(a)] (1) The Environmental Quality Commission, **by rule:**

29 “(a) Shall adopt [by rule] low carbon fuel standards for gasoline, diesel and fuels used as sub-
30 stitutes **or alternatives** for gasoline or diesel[.]; **and**

31 “(b) **Shall adopt a clean fuels program for facilitating compliance with the low carbon fuel**
32 **standards and for managing and containing the costs of compliance with the low carbon fuel**
33 **standards, in accordance with the requirements of sections 159 to 167 of this 2017 Act.**

34 “[b)] (2) The commission may adopt [the following] **rules** related to the **low carbon fuel** stan-
35 dards, including but not limited to:

36 “[A)] (a) A schedule to phase in implementation of the standards in a manner that reduces the
37 average amount of greenhouse gas emissions per unit of fuel energy of the fuels by 10 percent below
38 2010 levels by the year 2025 or by a later date if the commission determines that an extension is
39 appropriate to implement the **low carbon fuel** standards;

40 “[B)] (b) Standards for greenhouse gas emissions attributable to the fuels throughout [their
41 lifecycles] **the lifecycles of the fuels**, including but not limited to emissions from the production,
42 storage, transportation and combustion of the fuels and from changes in land use associated with
43 the fuels;

44 “[C)] (c) Provisions allowing the use of all types of low carbon fuels to meet the low carbon fuel
45 standards, including but not limited to biofuels, biogas, natural gas, liquefied petroleum gas, gaso-

1 line, diesel, hydrogen and electricity;

2 “[(D) Standards for the issuance of deferrals, established with adequate lead time, as necessary to
3 ensure adequate fuel supplies;]

4 “[(E)] (d) Exemptions for fuels that are used in volumes below thresholds established by the
5 commission;

6 “[(F)] (e) Standards, specifications, testing requirements and other measures as needed to ensure
7 the quality of fuels produced in accordance with the low carbon fuel standards, including but not
8 limited to the requirements of ORS 646.910 to 646.923 and administrative rules adopted by the State
9 Department of Agriculture for motor fuel quality; and

10 “[(G)] (f) Adjustments to the amounts of greenhouse gas emissions per unit of fuel energy as-
11 signed to fuels for combustion and drive train efficiency.

12 “[(c)] (3) Before adopting **low carbon fuel** standards under this section, the commission shall
13 consider the low carbon fuel standards of other states[, *including but not limited to Washington,*] for
14 the purpose of determining schedules and goals for the reduction of the average amount of
15 greenhouse gas emissions per unit of fuel energy and the default values for these reductions for
16 applicable fuels.

17 “[(d) The commission shall adopt by rule provisions for managing and containing the costs of
18 compliance with the standards, including but not limited to provisions to facilitate compliance with the
19 standards by ensuring that persons may obtain credits for fuels used as substitutes for gasoline or
20 diesel and by creating opportunities for persons to trade credits.]

21 “[(e)] (4) The commission shall exempt from the **low carbon fuel** standards any person who im-
22 ports in a calendar year less than 500,000 gallons of gasoline and diesel fuel, in total. Any fuel im-
23 ported by persons that are related or share common ownership or control shall be aggregated
24 together to determine whether a person is exempt under this [paragraph] **subsection**.

25 “[(f)(A) The commission by rule shall prohibit fuels that contain biodiesel from being considered
26 an alternative fuel under these standards unless the fuel meets the following standards:]

27 “[(i) Fuel that consists entirely of biodiesel, designated as B100, shall comply with ASTM D 6751
28 and shall have an oxidation stability induction period of not less than eight hours as determined by
29 the test method described in European standard EN 15751; and]

30 “[(ii) Fuel that consists of a blend of diesel fuel and between 6 and 20 volume percent biodiesel,
31 and designated as biodiesel blends B6 to B20, shall comply with ASTM D 7467 and shall have an
32 oxidation stability induction period of not less than 20 hours as determined by the test method de-
33 scribed in European standard EN 15751.]

34 “[(B) The commission may adopt rules different from those required under subparagraph (A) of
35 this paragraph if an ASTM or EN standard applicable to biodiesel is approved or amended after
36 March 12, 2015, or if the commission finds that different rules are necessary due to changes in tech-
37 nology or fuel testing or production methods.]

38 “[(C) As used in this subsection, ‘biodiesel’ means a motor vehicle fuel consisting of mono-alkyl
39 esters of long chain fatty acids derived from vegetable oils, animal fats or other nonpetroleum re-
40 sources, not including palm oil.]

41 “[(3)] (5) In adopting rules under this section, the [Environmental Quality] commission shall
42 evaluate:

43 “(a) Safety, feasibility, net reduction of greenhouse gas emissions and cost-effectiveness;

44 “(b) Potential adverse impacts to public health and the environment, including but not limited
45 to air quality, water quality and the generation and disposal of waste in this state;

1 “(c) Flexible implementation approaches to minimize compliance costs; and
2 “(d) Technical and economic studies of comparable greenhouse gas emissions reduction measures
3 implemented in other states and any other studies as determined by the commission.
4 “[*(4)(a) The provisions of this section do not apply to fuel that is demonstrated to have been used*
5 *in any of the following:*]
6 “[*(A) Motor vehicles registered as farm vehicles under the provisions of ORS 805.300.*]
7 “[*(B) Farm tractors, as defined in ORS 801.265.*]
8 “[*(C) Implements of husbandry, as defined in ORS 801.310.*]
9 “[*(D) Motor trucks, as defined in ORS 801.355, used primarily to transport logs.*]
10 “[*(E) Motor vehicles that are not designed primarily to transport persons or property, that are op-*
11 *erated on highways only incidentally, and that are used primarily for construction work.*]
12 “[*(F) Watercraft.*]
13 “[*(G) Railroad locomotives.*]
14 “[*(b) The Environmental Quality Commission shall by rule adopt standards for persons to qualify*
15 *for the exemptions provided in this subsection.*]
16 “**SECTION 161. (1) The Environmental Quality Commission by rule shall prohibit fuel that**
17 **consists entirely of biodiesel, designated as B100, from being considered a low carbon fuel**
18 **under the low carbon fuel standards unless the fuel complies with ASTM D 6751 and has an**
19 **oxidation stability induction period of not less than eight hours as determined by the test**
20 **method described in European standard EN 15751.**
21 “**(2) The commission may adopt rules different from those required under subsection (1)**
22 **of this section if an ASTM or EN standard applicable to biodiesel is approved or amended**
23 **after March 12, 2015, or if the commission finds that different rules are necessary due to**
24 **changes in technology or fuel testing or production methods.**
25 “**SECTION 162. (1) The clean fuels program adopted by the Environmental Quality Com-**
26 **mission by rule under ORS 468A.275 must be designed such that:**
27 “**(a) Regulated parties generate deficits and may reconcile the deficits, and thus comply**
28 **with the low carbon fuel standards for a compliance period, by obtaining and retiring credits;**
29 “**(b) Regulated parties and credit generators may generate credits for fuels used as sub-**
30 **stitutes or alternatives for gasoline or diesel;**
31 “**(c) Regulated parties, credit generators and credit aggregators shall have opportunities**
32 **to trade credits; and**
33 “**(d) Regulated parties shall be allowed to carry over to the next compliance period a**
34 **small deficit without penalty.**
35 “**(2) The Department of Environmental Quality shall, throughout a compliance period,**
36 **regularly monitor the availability of fuels needed for compliance with the low carbon fuel**
37 **standards.**
38 “**(3)(a) Under the clean fuels program, the department shall monthly calculate the**
39 **volume-weighted average price of credits and, no later than the last day of the month im-**
40 **mediately following the month for which the calculation is completed, post the formula and**
41 **the nonaggregated data the department used for the calculation and the results of the cal-**
42 **culatation on the department’s website.**
43 “**(b) In completing the calculation required by this subsection, the department may ex-**
44 **clude from the data set credit transfers without a price or other credit transfers made for**
45 **a price that falls two standard deviations outside of the mean credit price for the month.**

1 The data posted on the department’s website under this section may not include any indi-
2 vidually identifiable information or information that would otherwise constitute a trade se-
3 cret under ORS 192.501.

4 “(4)(a) In addition to the calculation required under subsection (3) of this section, the
5 department shall annually calculate for the preceding calendar year:

6 “(A) The average cost or cost-savings of the low carbon fuel standards per gallon of
7 gasoline and per gallon of diesel; and

8 “(B) The total greenhouse gas emissions reductions attributable to the low carbon fuel
9 standards.

10 “(b) No later than April 15 of each year, the department shall post the formula the de-
11 partment used for the calculations required by this subsection and the results of the calcu-
12 lations on the department’s website.

13 “(c) The State Department of Agriculture shall furnish the formula and results of the
14 calculations required by this subsection to each gas station in this state to facilitate com-
15 pliance by gas station owners or operators with ORS 646.932.

16 “SECTION 163. (1) The division of the Oregon Department of Administrative Services
17 that serves as office of economic analysis shall annually coordinate with the Department of
18 Environmental Quality to develop a fuel supply forecast to project the availability of fuels
19 to Oregon necessary for compliance with the low carbon fuel standards. The fuel supply
20 forecast shall include, but need not be limited to, the following with reference to the next
21 compliance period of the clean fuels program:

22 “(a) An estimate of the potential volumes of gasoline, gasoline substitutes and gasoline
23 alternatives and diesel, diesel fuel substitutes and diesel alternatives available to Oregon;

24 “(b) An estimate of the total banked credits and carried over deficits held by regulated
25 parties, credit generators and credit aggregators at the beginning of the compliance period
26 and an estimate of the total credits attributable to fuels described in paragraph (a) of this
27 subsection;

28 “(c) An estimate of the credits needed to meet the scheduled applicable low carbon fuel
29 standard during the forecast compliance period; and

30 “(d) A comparison of the estimates under paragraphs (a) and (b) of this subsection with
31 the estimate under paragraph (c) of this subsection to indicate the availability of fuels needed
32 for compliance with the low carbon fuel standards.

33 “(2) In developing the estimate required under subsection (1)(a) of this section, the divi-
34 sion shall consider, but need not be limited to considering:

35 “(a) Constraints that may be preventing access to available and cost-effective low carbon
36 fuels by Oregon, such as geographic and logistical factors, and alleviating factors to the
37 constraints; and

38 “(b) The existing and future vehicle fleet in Oregon.

39 “(3) The division may appoint, in coordination with the Department of Environmental
40 Quality, a forecast review team of relevant experts to participate in the fuel supply forecast
41 or examination of data required by this section. The team may perform any functions as-
42 signed by the division, including but not limited to consulting on the design of the forecast.
43 The forecast required by this section must be completed and provided to the department no
44 later than 90 calendar days before the commencement of the compliance period for which the
45 forecast is developed.

1 **“SECTION 164. (1) No later than 30 calendar days before the commencement of a com-**
2 **pliance period, the Department of Environmental Quality shall issue an order declaring a**
3 **forecast deferral if the fuel supply forecast developed under section 163 of this 2017 Act**
4 **projects that the amount of credits that will be available during the forecast compliance pe-**
5 **riod will be less than 100 percent of the credits projected to be necessary for regulated par-**
6 **ties to comply with the scheduled applicable low carbon fuel standard for the forecast**
7 **compliance period.**

8 **“(2) An order declaring a forecast deferral under this section must set forth:**

9 **“(a) The duration of the forecast deferral;**

10 **“(b) The types of fuel to which the forecast deferral applies; and**

11 **“(c) Which of the following methods the department has selected for deferring compli-**
12 **ance with the scheduled applicable low carbon fuel standard during the forecast deferral:**

13 **“(A) Temporarily adjusting the scheduled applicable low carbon fuel standard to a**
14 **standard identified in the order that better reflects the forecast availability of credits during**
15 **the forecast compliance period and requiring regulated parties to comply with the temporary**
16 **standard;**

17 **“(B) Requiring regulated parties to comply only with the low carbon fuel standard appli-**
18 **cable during the compliance period prior to the forecast compliance period; or**

19 **“(C) Suspending deficit accrual for part or all of the forecast deferral period.**

20 **“(3)(a) In implementing a forecast deferral, the department may take an action for de-**
21 **fering compliance with the low carbon fuel standard other than, or in addition to, selecting**
22 **a method under subsection (2)(c) of this section only if the department determines that none**
23 **of the methods under subsection (2)(c) of this section will provide a sufficient mechanism for**
24 **containing the costs of compliance with the low carbon fuel standards during the forecast**
25 **deferral.**

26 **“(b) If the department makes the determination specified in paragraph (a) of this sub-**
27 **section, the department shall:**

28 **“(A) Include in the order declaring a forecast deferral the determination and the action**
29 **to be taken; and**

30 **“(B) Provide written notification and justification of the determination and the action to:**

31 **“(i) The Governor;**

32 **“(ii) The President of the Senate;**

33 **“(iii) The Speaker of the House of Representatives;**

34 **“(iv) The majority and minority leaders of the Senate; and**

35 **“(v) The majority and minority leaders of the House of Representatives.**

36 **“(4) The duration of a forecast deferral may not be less than one calendar quarter or**
37 **longer than one compliance period. Only the Environmental Quality Commission may ter-**
38 **minate, by order, a forecast deferral before the expiration date of the forecast deferral.**
39 **Termination of a forecast deferral is effective on the first day of the next calendar quarter**
40 **after the date that the order declaring the termination is adopted.**

41 **“SECTION 165. (1) The Department of Environmental Quality shall issue an order de-**
42 **claring an emergency deferral:**

43 **“(a) No later than 15 calendar days after the date that the department determines that:**

44 **“(A) There is a known shortage of a fuel or low carbon fuel that is needed for regulated**
45 **parties to comply with the low carbon fuel standard; and**

1 **“(B) The magnitude of the shortage of that fuel is greater than the equivalent of five**
2 **percent of the amount of the fuel forecasted to be available during the effective compliance**
3 **period; or**

4 **“(b) Immediately upon the issuance by the Governor of a proclamation, executive order**
5 **or directive pursuant to ORS 176.750 to 176.815 declaring an energy emergency due to a**
6 **shortage of gasoline or diesel.**

7 **“(2) An order declaring an emergency deferral under this section must set forth:**

8 **“(a) The duration of the emergency deferral;**

9 **“(b) The types of fuel to which the emergency deferral applies; and**

10 **“(c) Which of the following methods the department has selected for deferring compli-**
11 **ance with the scheduled applicable low carbon fuel standard during the emergency deferral:**

12 **“(A) Temporarily adjusting the scheduled applicable low carbon fuel standard to a**
13 **standard identified in the order that better reflects the availability of credits during the**
14 **emergency deferral and requiring regulated parties to comply with the temporary standard;**

15 **“(B) Allowing for the carryover of deficits accrued during the emergency deferral into**
16 **one or more future compliance periods without penalty; or**

17 **“(C) Suspending deficit accrual during the emergency deferral period.**

18 **“(3)(a) In implementing an emergency deferral, the department may take an action for**
19 **deferring compliance with the low carbon fuel standard other than, or in addition to, select-**
20 **ing a method under subsection (2)(c) of this section only if the department determines that**
21 **none of the methods under subsection (2)(c) of this section will provide a sufficient mech-**
22 **anism for containing the costs of compliance with the low carbon fuel standards during the**
23 **emergency deferral.**

24 **“(b) If the department makes the determination specified in paragraph (a) of this sub-**
25 **section, the department shall:**

26 **“(A) Include in the order declaring an emergency deferral the determination and the**
27 **action to be taken; and**

28 **“(B) Provide written notification and justification of the determination and the action to:**

29 **“(i) The Governor;**

30 **“(ii) The President of the Senate;**

31 **“(iii) The Speaker of the House of Representatives;**

32 **“(iv) The majority and minority leaders of the Senate; and**

33 **“(v) The majority and minority leaders of the House of Representatives.**

34 **“(4)(a) Except as provided in paragraph (b) of this subsection, the duration of an emer-**
35 **gency deferral:**

36 **“(A) Implemented using the method described in subsection (2)(c)(A) of this section may**
37 **not be less than one calendar quarter; and**

38 **“(B) Implemented using a method described in subsection (2)(c)(B) or (C) or subsection**
39 **(3) of this section may not be less than 30 calendar days.**

40 **“(b) An emergency deferral may not continue past the end of the compliance period**
41 **during which the emergency deferral is issued.**

42 **“(c) An emergency deferral may be terminated prior to the expiration date of the emer-**
43 **gency deferral only if new information becomes available indicating that the shortage for**
44 **which the emergency deferral was issued has ended. Only the Environmental Quality Com-**
45 **mission may terminate, by order, an emergency deferral before the expiration date of the**

1 emergency deferral. Termination of an emergency deferral is effective 15 calendar days after
2 the date that the order declaring the termination is adopted.

3 **“SECTION 166. (1) The clean fuels program adopted by the Environmental Quality Com-**
4 **mission by rule under ORS 468A.275 must include provisions necessary for the Department**
5 **of Environmental Quality to hold credit clearance markets as a means to facilitate compli-**
6 **ance with the low carbon fuel standards.**

7 **“(2)(a) The department shall hold a credit clearance market for any compliance period in**
8 **which at least one regulated party reports that the regulated party has a net deficit balance**
9 **at the end of the compliance period, after retirement of all credits held by the regulated**
10 **party, that is greater than a small deficit. A regulated party described by this paragraph is**
11 **required to participate in the credit clearance market.**

12 **“(b) If a regulated party has a small deficit at the end of a compliance period, the regu-**
13 **lated party shall notify the department that it will achieve compliance with the low carbon**
14 **fuel standard during the compliance period by either:**

15 **“(A) Participating in a credit clearance market; or**

16 **“(B) Carrying forward the small deficit.**

17 **“(3) For purposes of administering a credit clearance market required by this section, the**
18 **department shall:**

19 **“(a) Allow any regulated party, credit generator or credit aggregator that holds excess**
20 **credits at the end of a compliance period to voluntarily participate in the credit clearance**
21 **market as a seller by pledging a specified number of credits for sale in the market.**

22 **“(b) Require each regulated party participating in the credit clearance market as a pur-**
23 **chaser of credits to:**

24 **“(A) Have retired all credits in the party’s possession prior to participating in the credit**
25 **clearance market; and**

26 **“(B) Purchase the specified number of the total pledged credits that the department has**
27 **determined are that party’s pro rata share of the pledged credits.**

28 **“(c) Require all sellers to:**

29 **“(A) Agree to sell pledged credits at a price no higher than a maximum price for credits;**

30 **“(B) Accept all offers to purchase pledged credits at the maximum price for credits; and**

31 **“(C) Agree to withhold any pledged credits from sale outside the credit clearance market**
32 **until the credit clearance market is closed.**

33 **“(4)(a) The commission shall set the maximum price for credits in a credit clearance**
34 **market, which may not exceed \$200 for 2018.**

35 **“(b) For 2019 and subsequent years, the maximum price for credits may exceed \$200, but**
36 **only to the extent that a greater maximum price for credits is necessary to annually adjust**
37 **for inflation, beginning on January 1, 2019, pursuant to the increase, if any, from the pre-**
38 **ceding calendar year in the West Region Consumer Price Index for All Urban Consumers for**
39 **All Items, as published by the Bureau of Labor Statistics of the United States Department**
40 **of Labor.**

41 **“(5) A regulated party that has a net deficit balance after the close of a credit clearance**
42 **market:**

43 **“(a) Must carry over the remaining deficits into the next compliance period; and**

44 **“(b) May not be subject to interest greater than five percent, penalties or assertions of**
45 **noncompliance that accrue based on the carryover of deficits under this subsection.**

1 “(B) The magnitude of the shortage of that fuel is greater than the equivalent of five percent
2 of the amount of the fuel forecasted to be available during the effective compliance period; or

3 “(b) Immediately upon the issuance by the Governor of a proclamation, executive order or di-
4 rective pursuant to ORS 176.750 to 176.815 declaring an energy emergency due to a shortage of
5 gasoline or diesel.

6 “(2) An order declaring an emergency deferral under this section must set forth:

7 “(a) The duration of the emergency deferral;

8 “(b) The types of fuel to which the emergency deferral applies; and

9 “(c) Which of the following methods the department has selected for deferring compliance with
10 the scheduled applicable low carbon fuel standard during the emergency deferral:

11 “(A) Temporarily adjusting the scheduled applicable low carbon fuel standard to a standard
12 identified in the order that better reflects the availability of credits during the emergency deferral
13 and requiring regulated parties to comply with the temporary standard;

14 “(B) Allowing for the carryover of deficits accrued during the emergency deferral into one or
15 more future compliance periods without penalty; or

16 “(C) Suspending deficit accrual during the emergency deferral period.

17 “(3)(a) In implementing an emergency deferral, the department may take an action for deferring
18 compliance with the low carbon fuel standard other than, or in addition to, selecting a method under
19 subsection (2)(c) of this section only if the department determines that none of the methods under
20 subsection (2)(c) of this section will provide a sufficient mechanism for containing the costs of
21 compliance with the low carbon fuel standards during the emergency deferral.

22 “(b) If the department makes the determination specified in paragraph (a) of this subsection, the
23 department shall:

24 “(A) Include in the order declaring an emergency deferral the determination and the action to
25 be taken; and

26 “(B) Provide written notification and justification of the determination and the action to:

27 “(i) The Governor;

28 “(ii) The President of the Senate;

29 “(iii) The Speaker of the House of Representatives;

30 “(iv) The majority and minority leaders of the Senate; and

31 “(v) The majority and minority leaders of the House of Representatives.

32 “(4)(a) Except as provided in paragraph (b) of this subsection, the duration of an emergency
33 deferral:

34 “(A) Implemented using the method described in subsection (2)(c)(A) of this section may not be
35 less than one calendar quarter; and

36 “(B) Implemented using a method described in subsection (2)(c)(B) or (C) or subsection (3) of this
37 section may not be less than 30 calendar days.

38 “(b) An emergency deferral may not continue past the end of the compliance period during
39 which the emergency deferral is issued.

40 “(c) An emergency deferral may be terminated prior to the expiration date of the emergency
41 deferral only if new information becomes available indicating that the shortage for which the
42 emergency deferral was issued has ended. Only the Environmental Quality Commission may termi-
43 nate, by order, an emergency deferral before the expiration date of the emergency deferral. Termi-
44 nation of an emergency deferral is effective 15 calendar days after the date that the order declaring
45 the termination is adopted.

1 “(5) If the department determines during a compliance period that the volume-weighted
2 moving average price of credits for a consecutive three-month period increased by 100 per-
3 cent or more over the volume-weighted moving average price of credits for the
4 previous consecutive three-month period, or if the department otherwise determines that
5 abnormal market behavior exists, the department shall complete, no later than two months
6 after the determination is made, an analysis of the root cause of the price volatility. The
7 department may recommend and implement any remedy that the department determines is
8 necessary to address market stability based on the root cause analysis, including but not
9 limited to issuing an emergency deferral, provided that the remedy implemented does not:

10 “(a) Require a regulated party to purchase credits for an amount that exceeds the max-
11 imum price for credits in the most recent credit clearance market; or

12 “(b) Compel a person to sell credits.

13
14 “(Program Review)

15
16 “SECTION 170. (1) The Department of Environmental Quality shall, no later than Feb-
17 ruary 1, 2022, complete a review of the clean fuels program and submit a report on the
18 department’s review to the interim committees of the Legislative Assembly related to envi-
19 ronment and natural resources in the manner provided by ORS 192.245.

20 “(2) The review required by this section must consider all program compliance data
21 available and must include, but need not be limited to, a review of the following:

22 “(a) The progress of this state, through implementation of sections 159 to 167 of this 2017
23 Act and rules adopted pursuant to sections 159 to 167 of this 2017 Act, toward achieving the
24 goal of reducing the average amount of greenhouse gas emissions per unit of fuel energy of
25 the fuels by 10 percent below 2010 levels by the year 2025.

26 “(b) The environmental, economic, health and other benefits realized through the imple-
27 mentation of sections 159 to 167 of this 2017 Act and rules adopted pursuant to sections 159
28 to 167 of this 2017 Act, including but not limited to the economic benefits of supplying low
29 carbon fuels or electric vehicle charging and related infrastructure.

30 “(c) The projected availability of low carbon fuels and credits through the year 2025, us-
31 ing the methodology described in section 163 (2) of this 2017 Act.

32 “(d) Additional mechanisms that may be necessary to manage and contain the costs of
33 compliance with the low carbon fuel standards.

34 “(e) Whether adjustments to the low carbon fuel standards or the clean fuels program
35 are necessary, including for purposes of achieving regional harmonization and consistency
36 with the strategy described in ORS 184.617 (1)(j).

37 “(f) The effects of the maximum price for credits in the credit clearance market, as
38 provided for in section 166 of this 2017 Act, on implementation of sections 159 to 167 of this
39 2017 Act.

40 “(g) Adjustments that could serve to strengthen and enhance the low carbon fuel stan-
41 dards or the clean fuels program in terms of increased emissions reductions or other net
42 benefits attributable to the standards or program.

43 “(3) The review conducted by the department under this section must take into consid-
44 eration the fuel supply forecast required by section 163 of this 2017 Act and may be con-
45 ducted in coordination with the division of the Oregon Department of Administrative

1 Services that serves as office of economic analysis.

2
3 **“INDICATION OF INFLUENCE OF LOW CARBON FUEL**
4 **STANDARDS ON COST OF GASOLINE**

5
6 **“SECTION 171.** ORS 646.932 is amended to read:

7 **“646.932. (1)** As used in this section, ‘gas station’ includes a filling station, service station, ga-
8 rage or any other place where gasoline is sold for use in motor vehicles.

9 **“(2)** The owner or operator of a gas station shall post, in a manner visible to customers, the
10 following information:

11 **“(a)** The amount of the price per gallon that is federal tax;

12 **“(b)** The amount of the price per gallon that is state tax;

13 **“(c)** The amount of the price per gallon that is local tax; and

14 **“(d)** The total amount of federal, state and local taxes per gallon.

15 **“(3)** The Department of Transportation shall furnish the information described in subsection (2)
16 of this section to each gas station in *[the]* **this** state.

17 **“(4) The owner or operator of a gas station may disclose to customers the cost, per gal-**
18 **lon of gasoline and diesel, of the low carbon fuel standards adopted by rule under ORS**
19 **468A.275 after viewing on the Department of Environmental Quality’s website or receiving**
20 **from the State Department of Agriculture the annual calculations described in section 162**
21 **of this 2017 Act. An owner or operator that posts the cost per gallon of the low carbon fuel**
22 **standard shall also post the calculation of the concurrent total greenhouse gas emissions**
23 **reductions attributable to the low carbon fuel standard. The owner or operator may make**
24 **the disclosures provided for in this subsection by:**

25 **“(a) Posting the disclosures on a gasoline pump in a manner that is visible to customers;**

26 **“(b) Printing the disclosures on a receipt that the owner or operator provides to a cus-**
27 **tomer; or**

28 **“(c) Otherwise displaying the disclosures near the point of payment or another location**
29 **that is visible to customers.**

30 **“SECTION 172.** The amendments to ORS 646.932 by section 171 of this 2017 Act apply to
31 any transaction for a purchase of gasoline or diesel in this state that occurs on or after the
32 operative date specified in section 173 of this 2017 Act.

33
34 **“MISCELLANEOUS**

35 **“(Operative Date)**

36
37 **“SECTION 173. (1)** Sections 158, 159 and 161 to 167 of this 2017 Act and the amendments
38 to ORS 468A.275 and 646.932 by sections 160 and 171 of this 2017 Act become operative on
39 January 1, 2018.

40 **“(2)** The Environmental Quality Commission may adopt rules and the commission, the
41 Department of Environmental Quality and the Oregon Department of Administrative Ser-
42 vices may take any action before the operative date specified in subsection (1) of this section
43 that is necessary for the commission and the departments to exercise, on and after the op-
44 erative date specified in subsection (1) of this section, all of the duties, functions and powers
45 conferred on the commission and the departments by sections 158, 159 and 161 to 167 of this

1 2017 Act and the amendments to ORS 468A.275 and 646.932 by sections 160 and 171 of this 2017
2 Act. Rules adopted by the commission under this subsection become operative January 1,
3 2018.

4
5 “(Rules Adoption, Applicability of ORS 468A.275 (5))
6

7 “SECTION 174. The requirements of ORS 468A.275 (5) do not apply to the rulemaking by
8 the Environmental Quality Commission beginning before the operative date specified in sec-
9 tion 173 of this 2017 Act that is necessary for initial implementation of sections 158, 159 and
10 161 to 167 of this 2017 Act and the amendments to ORS 468A.275 and 646.932 by sections 160
11 and 171 of this 2017 Act.
12

13 “CAPTIONS
14

15 “SECTION 175. The unit and section captions used in this 2017 Act are provided only for
16 the convenience of the reader and do not become part of the statutory law of this state or
17 express any legislative intent in the enactment of this 2017 Act.
18

19 “EFFECTIVE DATE
20

21 “SECTION 176. This 2017 Act takes effect on the 91st day after the date on which the 2017
22 regular session of the Seventy-ninth Legislative Assembly adjourns sine die.”.
23
