

# House Bill 2532

Sponsored by Representative REARDON; Representatives HELM, KENY-GUYER, NOSSE, SANCHEZ, Senator BOQUIST (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Oregon Transportation Commission to adopt rules establishing quantitative system for scoring and ranking transportation projects that are being considered by commission for inclusion in Statewide Transportation Improvement Program.

Directs Department of Transportation to post certain information on its website about selection process for transportation projects and about transportation projects selected for inclusion in Statewide Transportation Improvement Program.

Directs department to use least-cost planning and practical design for all projects. Directs department to report to Legislative Assembly and commission on results of using least-cost planning and practical design.

Directs department to update highway design manual.

## A BILL FOR AN ACT

1  
2 Relating to transportation; creating new provisions; and amending ORS 184.610, 184.621 and 184.653.

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

### 4 5 **DECLARATION AND GOALS RELATED TO** 6 **TRANSPORTATION PROJECT SELECTION AND** 7 **TRANSPARENCY OF SELECTION PROCESS**

8  
9 **SECTION 1. Sections 2, 4 and 7 of this 2017 Act are added to and made a part of ORS**  
10 **184.610 to 184.656.**

11 **SECTION 2. The Legislative Assembly declares that:**

12 **(1) It is essential to develop a transparent transportation planning process;**

13 **(2) The planning process must evaluate the relative benefits of transportation projects**  
14 **in this state; and**

15 **(3) All modes of transportation must be taken into account when ranking transportation**  
16 **projects.**

17 **SECTION 3. ORS 184.610 is amended to read:**

18 184.610. As used in ORS 184.610 to 184.656, unless the context requires otherwise:

19 (1) "Commission" means the Oregon Transportation Commission.

20 (2) "Department" means the Department of Transportation.

21 (3) "Director" means the Director of Transportation.

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

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

25 (b) Are consistent with the long-range transportation plan developed pursuant to ORS 184.618  
26 and with metropolitan plans; and

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

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

2 (5) "Transportation project" has the meaning given that term in ORS 367.010.

3 **SECTION 4.** (1) The goals of the state's transportation planning process are to:

4 (a) Prioritize transportation projects to accomplish the state's long-range plan for a safe,  
5 multimodal transportation system, as described in ORS 184.618; and

6 (b) Provide information to the public about the transportation project selection process.

7 (2) To accomplish the goals described in subsection (1) of this section, the Oregon  
8 Transportation Commission shall develop a scoring and ranking system for the selection of  
9 transportation projects, as described in ORS 184.621, and provide information to the public  
10 about the transportation selection process, as described in section 6 of this 2017 Act.

11  
12 **SCORING AND RANKING SYSTEM FOR**  
13 **SELECTING TRANSPORTATION PROJECTS**  
14

15 **SECTION 5.** ORS 184.621 is amended to read:

16 184.621. [*The Oregon Transportation Commission shall work with stakeholders to review and up-*  
17 *date the criteria used to select projects within the Statewide Transportation Improvement Program.*  
18 *When revising the project selection criteria the commission shall consider whether the project:]*

19 (1) The Oregon Transportation Commission, after consulting with stakeholders, shall  
20 adopt rules establishing a quantitative system for scoring and ranking transportation  
21 projects that are being considered by the commission for inclusion in the Statewide Trans-  
22 portation Improvement Program. The commission shall determine the score for each project.  
23 After assigning a score for each project, the commission shall rank each project based on its  
24 score. In determining the score, the commission shall consider the following factors:

25 (a) A transportation project's enhancement of:

26 (A) Accessibility;

27 (B) Mobility;

28 (C) Economic vitality;

29 (D) Sustainability; and

30 (E) Safety.

31 (b) The financial cost of the transportation project.

32 (c) The ability of the project to accomplish the state's long-range plan for a safe, multi-  
33 modal transportation system, as described in ORS 184.618.

34 (2) When scoring the transportation projects, the commission may prioritize transporta-  
35 tion projects differently in different regions of this state. For purposes of this section:

36 (a) Region one consists of Clackamas, Hood River, Multnomah and Washington Counties.

37 (b) Region two consists of Benton, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk,  
38 Tillamook and Yamhill Counties.

39 (c) Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties.

40 (d) Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake,  
41 Sherman, Wasco and Wheeler Counties.

42 (e) Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and  
43 Wallowa Counties.

44 (3) The commission, after consulting with stakeholders, may revise the process used to  
45 select projects within the Statewide Transportation Improvement Program. When revising

1 **the project selection criteria, the commission shall consider the criteria developed under**  
 2 **subsection (1) of this section for scoring and ranking projects and may also consider the**  
 3 **degree to which a project:**

4 [(1)] (a) Improves the state highway system or major access routes to the state highway system  
 5 on the local road system to relieve congestion by expanding capacity, enhancing operations or oth-  
 6 erwise improving travel times within high-congestion corridors.

7 [(2)] (b) Enhances the safety of the traveling public by decreasing traffic crash rates, promoting  
 8 the efficient movement of people and goods and preserving the public investment in the transporta-  
 9 tion system.

10 [(3)] (c) Increases the operational effectiveness and reliability of the existing system by using  
 11 technological innovation, providing linkages to other existing components of the transportation  
 12 system and relieving congestion.

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

14 [(5)] (e) Improves the condition, connectivity and capacity of freight-reliant infrastructure serv-  
 15 ing the state.

16 [(6)] (f) Supports improvements necessary for this state’s economic growth and competitiveness,  
 17 accessibility to industries and economic development.

18 [(7)] (g) Provides the greatest benefit in relation to project costs.

19 [(8)] (h) Fosters livable communities by demonstrating that the investment does not undermine  
 20 sustainable urban development.

21 [(9)] (i) Enhances the value of transportation projects through designs and development that  
 22 reflect environmental stewardship and community sensitivity.

23 [(10)] (j) Is consistent with the state’s greenhouse gas emissions reduction goals and reduces this  
 24 state’s dependence on foreign oil.

25 **(4) The commission is not required to select a transportation project based on the rank-**  
 26 **ing of the project alone. If a lower ranking project is selected over a higher ranking project,**  
 27 **the commission shall describe the reasons for selecting the lower ranking project.**

28 **SECTION 6. No later than January 1, 2019, the Oregon Transportation Commission shall**  
 29 **adopt rules, as required under ORS 184.621, establishing a quantitative system for scoring**  
 30 **and ranking transportation projects that are being considered by the commission for inclu-**  
 31 **sion in the Statewide Transportation Improvement Program.**

32  
 33 **WEBSITE**  
 34

35 **SECTION 7. The Department of Transportation shall post, in accordance with ORS**  
 36 **183.750, on the department’s website all of the following:**

37 **(1) An explanation of the scoring and ranking system developed under ORS 184.621.**

38 **(2) A description of each transportation project that is considered for the STIP, including**  
 39 **its location on an interactive map, scores, ranking, cost, purpose and need, status of devel-**  
 40 **opment and transportation project application.**

41 **(3) An explanation describing why a transportation project was not selected for the STIP,**  
 42 **if a lower ranking project was chosen in lieu of a higher ranking project.**

43  
 44 **PRACTICAL DESIGN**  
 45

**SECTION 8.** ORS 184.653 is amended to read:

184.653. (1) As used in this section[,]:

(a) “Least-cost planning” means a process of comparing direct and indirect costs of demand and supply options to meet transportation goals, policies or both, where the intent of the process is to identify the most cost-effective mix of options.

(b) “Practical design” means a performance-based approach to making decisions about transportation projects that focuses on the need for the project and looks for cost-effective solutions.

(2) The Department of Transportation shall, in consultation with local governments and metropolitan planning organizations, develop a least-cost planning model and a practical design model for use as [a] decision-making [tool] tools in the development of plans and projects at both the state and regional level.

(3) The department shall use least-cost planning and practical design for all transportation projects to reduce costs and to make transportation projects safe for all users and as multimodal as possible.

(4) If the department identifies cost savings realized as a result of implementing least-cost planning or practical design, the department shall reallocate the savings realized to another transportation project in the same funding program within the department, as defined by the department by rule.

**REPORT**

**SECTION 9.** The Department of Transportation shall submit a written report on or before September 15 of each year to the Legislative Assembly and the Oregon Transportation Commission. The report must include a summary of:

(1) How least-cost planning and practical design, as defined in ORS 184.653, have been applied;

(2) Any cost savings realized as a result of using practical design; and

(3) If there were cost savings, where the funds were reallocated, including a list of additional transportation projects funded as a result of the savings.

**UPDATING HIGHWAY DESIGN MANUAL AND  
LEADERSHIP TRAINING**

**SECTION 10.** (1) By December 31, 2019, the Department of Transportation shall update the highway design manual to improve cost-effectiveness by enhancing design flexibility and using innovative approaches to transportation project planning and project designing.

(2) To assist and advise the department in updating the highway design manual, the department shall convene an advisory group consisting of:

(a) A representative of a city;

(b) A representative of a county;

(c) An engineer employed by the department;

(d) A representative of a freight carrier;

(e) A representative of an organization that represents motorists;

(f) A representative of an organization that represents bicyclists;

- 1 (g) A representative of an organization that represents pedestrians;
- 2 (h) A representative of an urban development entity;
- 3 (i) A representative of an economic development entity;
- 4 (j) A representative of an education provider;
- 5 (k) A representative of a public health organization;
- 6 (L) A representative of mass transit;
- 7 (m) A representative of regional transit;
- 8 (n) A representative of a metropolitan planning organization;
- 9 (o) A city elected official;
- 10 (p) A county elected official; and
- 11 (q) A state elected official.

12 **SECTION 11.** Section 10 of this 2017 Act is repealed on January 2, 2020.

13

14

**CAPTIONS**

15

16 **SECTION 12.** The unit captions used in this 2017 Act are provided only for the conven-  
17 **ience of the reader and do not become part of the statutory law of this state or express any**  
18 **legislative intent in the enactment of this 2017 Act.**

19