

House Bill 4059 with -10 Amendment

Monday 2/26/18

HB 4059 -9	Suggested By	Proposed Amendment
Sections 1 and 2 ORS 184.620 and a new section	Legislative Counsel	Clarifies that appointment of ODOT Director by the Oregon Transportation Commission is subject to Senate confirmation
Sections 3 and 4 805.045 and 805.205	Gerik Kransky, Street Trust	Corrects reference to “Bicycle Transportation Alliance” by replacing with the correct reference (“The Street Trust”)
Section 5 Sec. 71, c. 750, Oregon Laws 2017		Adds clarifying date for funding of projects specified in section; corrects spelling of “Terrebonne.” Changes project for Newberg Dundee bypass from “design only” to “shovel-ready preparations”
Sections 6 and 7 ORS 366.772 and 366.155	Mike Eliason, AOC	Corrects numerator-denominator for calculation of small county allocation
Sections 8 and 9 Sec 85, c. 750, Oregon Laws 2017	Legislative Counsel	Corrects date for Oregon Transportation Commission to file report on Connect Oregon streamlining process with Joint Committee on Transportation
Section 10 ORS 320.400		Modifies definition of “bicycle” to include electric assisted bicycles (current definition says “propelled exclusively by human power”)
Section 10 ORS 320.400	OADA	Modifies definition of “retail sales price” to exclude ADA modifications and customizable industrial modification to truck chassis

Section 10 ORS 320.400		Modifies definition of “taxable bicycle” by deleting reference to wheel size, so that definition now includes only “retail price of \$200 or more”
Section 10 ORS 320.400	DOR	Modifies definition of “taxable motor vehicle” to provide for vehicles without odometers (by referencing MCO/MSO) and excluding bus trailers, electric-assist bicycle, motor assisted scooter, and truck trailer
Section 10 ORS 320.400		Modifies definition of “vehicle dealer” to clarify it applies to persons who are “required to obtain” a vehicle dealer certificate
Section 11 ORS 320.405		Clarifies privilege tax becomes due at sale at retail of taxable motor vehicle
Section 12 ORS 320.415	DOR	Clarifies method for satisfying the purchaser’s liability for purposes of the bicycle excise tax and clarifies tax becomes due upon sale of bicycle
Section 13 ORS 320.445		Clarifies what information the tax return must show related to retail sales made during the calendar quarter to which the return relates
Section 14 ORS 320.455	DOR	Changes DOR filing due date requirement for privilege tax to 30 th day following date on which tax became due (sync with due date for titling and registration)
Section 15 ORS 320.490		Clarifies language related to moratorium prohibiting imposition of local imposition privilege tax
Section 16 ORS 320.550	DOR	Required technical fix to bring consistency with definition of “wages” regarding employee payroll tax
Section 17 ORS 316.189		Required technical fix to clarify non-applicability of employee payroll tax to deferred compensation
Section 18 New section	DEQ	Adds sections 148-152 of House Bill 2017 to ORS Chapter 468 to clarify DEQ administration and enforcement authority of ZEV rebate program
Sections 19 - 21 Sec. 149&150 c. 750, Oregon Laws 2017	DEQ	Clarifies ZEV incentive program applies to lease of qualified vehicles. Clarifies language related to sale or lease termination. Allows DEQ to hire or contract with any third-party organization, rather than only third-party “nonprofit” organizations, to implement and serve as administrator of ZEV incentive programs. Eliminates statutory requirements that person seeking to qualify for Charge Ahead Oregon program must scrap high-emission vehicle and must live in area of state with elevated concentrations of motor vehicle emission air contaminants.

Section 22 ORS 184.661	League of Oregon Cities	Eliminates requirement that reports from all cities under 5,000 population be included on ODOT project website
Sections 23 to 25 ORS 801.041, 801.042 and 803.445		Clarifies that upper limit on county-imposed registration fee is the combined state registration fee plus HB 2017 registration fee surcharge
Sections 26 & 27 ORS 803.645	Bob Russell, OTA	Road assessment fee
Section 28 ORS 818.270	Bob Russell, OTA	Reduces fee for variance permits, sifting or leaking load permits, and dragging permits (adjustment for higher weight-mile tax in House Bill 2017)
Section 29 & 29a ORS 825.480	Bob Russell, OTA	Reduces flat rate fees
Sections 30 & 30a	Bob Russell, OTA	Provides that amendments to ORS 818.270 apply to fees imposed on or after January 1, 2020
Section 31 Section 139, c. 750, Oregon Laws 2017		Makes conforming amendments to operative date for amendments to ORS 818.270 by section 28 of this 2018 Act
Section 32 Sec 71L, c. 750, Oregon Laws 2017	ODOT	Changes quarterly revenue reports for House Bill 2017 and HB 2001 (2009) to semi-annual reports
Section 33 ORS 184.751	TriMet	Clarifies STIF moneys may not be used for light rail <i>capital expenses</i> but may be used for light rail <i>operation expenses</i>
Section 34 ORS 184.758	ODOT,	Specifies that 1% for Technical Resource Center for STIF also be used for administrative costs and associated expenses; if practicable, requires each qualified entity to spend at least 1% of STIF funds received to implement programs to provide student transit services for students grades 9-12
Section 35 ORS 366.483	Alex Cuyler, Lane County	Adds three bridges on State Highway 200 (Territorial Highway) to be retained by ODOT until bridges are replaced (mile markers 4.59, 7.07, 17.92)

Section 36 Sec. 2, c. 823, Oregon Laws 2009	Ginny Lang, OSCF	Eliminates the statutory limit of 80,000 sets of Pacific Wonderland vehicle registration plates
Section 37 ORS 811.215	Amanda Hess, CTUIR	Extends seat belt exemption for transit agencies to operators of tribal government public transportation vehicles
Section 38 ORS 184.766	Drew Hagegorn, Or. Transit Assn.	Modifies dates for required reports to ODOT from qualified entities receiving percentage distribution (extending report on actions taken to 60 days)
Section 39 Sec. 119, c. 750, Oregon Laws 2017	ODOT	Repeals requirement for feasibility study of highway cost allocation study in metro area (which was holdover to earlier iteration of HB 2017)
Section 40 ORS 811.485	J.L. Wilson for Daimler Trucks	Modifies offense of following too closely to exempt persons operating vehicle that is part of a connected automated braking system
Section 41 Sec. 2, c. 646, Oregon Laws 2017	Sen. Hansell	Repeals trigger for rulemaking for program allowing nonprofits to post information on human trafficking at highway rest areas (SB 375, 2017)
Section 42 ORS 184.761	Sen. Hansell	Specifies that governing bodies of two or more qualified entities may appoint members to a joint advisory committee under conditions set by rule by OTC
Section 43 Sec. 45, c. 750, OL 2017	Yamhill Co. Parkway Comm.	Add Newberg-Dundee Bypass project to list of projects exceeding \$20 million in report from OTC justifying step increases in transportation taxes and fees
Section 44 Sec 122r, c. 750, Oregon Laws 2017	Aaron Deas, TriMet	Suggests moving up the date of implementation of the STIF application, review, and distribution process (sections 122m-122p) to July 1, 2018 (currently 1/1/19), to allow implementation of TriMet's low-income fare program
Sections 45 - 49	Tom Barrows, Scott Barrie	Compensation to outdoor advertising sign companies for signs damaged, destroyed or moved due to construction