



May 13, 2019

Representative Nancy Nathanson, Chair
House Committee on Revenue
Oregon State Capitol
900 Court St. NE, HR A
Salem, OR 97301

RE: Concerns with HB 3023-A

Dear Chair Nathanson and Members of the Committee:

The City of Hillsboro shares the general concerns of our local government partners as it relates to the preemptive language in HB 3023-A.

Our most significant concern is related to the state imposed fee and revenue sharing arrangement proposed in the bill. While this is an improvement from the base bill that included no provision for fee collection while preempting locally imposed fees, we believe that HB 3023-A remains flawed in this regard.

As cities, we operate as trustees of the public rights of way and are obligated to manage rights of way in perpetuity for the public interest. As with all rights of way users both public and private and including our own water utility, the City of Hillsboro charges fees, or rent, for access to this important public asset. Rights of way fee revenue is used to support necessary municipal functions that fulfill our obligations as rights of way managers in the public interest.

Transportation Network Companies (TNCs) by nature use the public rights of way. Their business cannot function absent their existence. As such, we think it is critical to preserve the rights of cities to charge reasonable fees for use of the public rights of way. HB 3023-A proposes a fee sharing arrangement that inhibits the ability of cities to set reasonable fees tailored to the unique circumstances in each community.

While we have the above concerns with the preemptive language in HB 3023-A, we understand the need for statewide regulations for TNCs given their interjurisdictional functions. We support an approach that provides a necessary framework for statewide regulations while also preserving flexibility for cities to enact regulations that may be needed to meet local priorities, and to charge reasonable fees for access to the public rights of way. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads 'Andy Smith'.

Andy Smith
Government Relations Manager