

# Senate Bill 743

Sponsored by Senator BOQUIST; Senators BENTZ, THOMSEN, WINTERS, Representatives BOSHART DAVIS, EVANS, ZIKA

## 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**.

Requires Interstate 5 Rose Quarter Project and Interstate 205 Abernethy Bridge Project to include new additional travel lanes along specified portion of highway. Requires Oregon Transportation Commission to identify status and progress of such new additional travel lanes in report required for conditional fuel tax increases in 2022 and 2024.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to the requirement of new additional travel lanes for certain interstate construction  
3 projects; creating new provisions; amending section 45, chapter 750, Oregon Laws 2017; and  
4 prescribing an effective date.

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

6 **SECTION 1.** Section 45, chapter 750, Oregon Laws 2017, as amended by section 43, chapter 93,  
7 Oregon Laws 2018, is amended to read:

8 **Sec. 45.** (1)(a) For calendar years beginning on or after January 1, 2020, the rates determined  
9 under ORS 319.020 (1)(b) and 319.530 (1) shall each be increased by two cents only if the Oregon  
10 Transportation Commission submits a report in the manner provided by ORS 192.245 on or before  
11 December 1, 2019, to the Joint Committee on Transportation established under ORS 171.858 stating  
12 that:

13 (A) The commission has identified sufficient shovel-ready highway projects and highway main-  
14 tenance or operational uses of the increased fuel tax revenue to justify the increase;

15 (B) The set of uniform standards required under ORS 184.657 (1) has been developed and the  
16 standards are being followed;

17 (C) The reports required from cities and counties under ORS 184.657 (2) have been submitted  
18 and posted by the commission as required under ORS 184.657 (3);

19 (D) The Department of Transportation is implementing the registration fees and title fees de-  
20 scribed in ORS 803.091 and 803.422; and

21 (E) The Interstate 205 Active Traffic Management Project and the Interstate 205 Corridor Bot-  
22 tleneck Project have been completed.

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

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

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

29 (C) The construction and financial status of uncompleted in-progress projects exceeding \$20

**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 million identified in chapter 750, Oregon Laws 2017;

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

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

6 (F) The design, construction, financial status and progress of projects costing more than \$20  
7 million that are identified in chapter 750, Oregon Laws 2017, including, but not limited to, the  
8 Interstate 205 Abernethy Bridge Project, the Interstate 205 Freeway Widening Project, the State  
9 Highway 217 Northbound Project and the State Highway 217 Southbound Project, and any other  
10 state transportation projects implemented after October 6, 2017.

11 (2)(a) For calendar years beginning on or after January 1, 2022, the rates determined under ORS  
12 319.020 (1)(b) and 319.530 (1) and subsection (1) of this section shall each be increased by two cents  
13 only if the Oregon Transportation Commission submits a report in the manner provided by ORS  
14 192.245 on or before December 1, 2021, to the Joint Committee on Transportation established under  
15 ORS 171.858 stating that:

16 (A) The Continuous Improvement Advisory Committee appointed under ORS 184.665 has re-  
17 viewed and reported to the commission on all transportation projects costing \$50 million or more  
18 and completed not less than six months prior to the date of the report required under this para-  
19 graph;

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

23 (C) The commission has identified sufficient shovel-ready highway projects and highway main-  
24 tenance or operational uses of the increased fuel tax revenue to justify the increase;

25 (D) The set of uniform standards required under ORS 184.657 (1) has been developed and are  
26 being followed;

27 (E) The reports required from cities and counties under ORS 184.657 (2) have been submitted  
28 and posted by the commission as required under ORS 184.657 (3);

29 (F) Under ORS 184.657 (4), payments from the State Highway Fund have been withheld from  
30 cities and counties that failed to submit reports as required under ORS 184.657 (2);

31 (G) To the best knowledge of the commission, all bodies scheduled to receive fuel tax revenue  
32 pursuant to chapter 750, Oregon Laws 2017, after the operative date of the increase are in compli-  
33 ance with ORS 279C.305 or under review by the Bureau of Labor and Industries for compliance with  
34 ORS 279C.305, or the commission has requested from the bureau confirmation of such compliance;  
35 and

36 (H) The Department of Transportation is implementing the registration fees and title fees de-  
37 scribed in ORS 803.091 and 803.422.

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

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

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

44 (C) The construction and financial status of uncompleted in-progress projects exceeding \$50  
45 million identified in chapter 750, Oregon Laws 2017; [and]

1 (D) The design, construction, financial status and progress of projects costing more than \$20  
2 million that are identified in chapter 750, Oregon Laws 2017, including, but not limited to, the  
3 Interstate 5 Rose Quarter Project, the Interstate 205 Abernethy Bridge Project, the Interstate 205  
4 Freeway Widening Project, the State Highway 217 Northbound Project, the Newberg-Dundee Bypass  
5 Project and the State Highway 217 Southbound Project, and any other state transportation projects  
6 implemented after October 6, 2017[.]; **and**

7 **(E) The status and progress of the new additional travel lanes described in section 2 of**  
8 **this 2019 Act for both the Interstate 5 Rose Quarter Project and the Interstate 205**  
9 **Abernethy Bridge Project.**

10 (3)(a) For calendar years beginning on or after January 1, 2024, the rates determined under ORS  
11 319.020 (1)(b) and 319.530 (1) and subsections (1) and (2) of this section shall each be increased by  
12 two cents only if the Oregon Transportation Commission submits a report in the manner provided  
13 by ORS 192.245 on or before December 1, 2023, to the Joint Committee on Transportation estab-  
14 lished under ORS 171.858 stating that:

15 (A) The Continuous Improvement Advisory Committee appointed under ORS 184.665 has re-  
16 viewed and reported to the commission on all transportation projects costing \$50 million or more  
17 and completed not less than six months prior to the date of the report required under this para-  
18 graph;

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

22 (C) The commission has identified sufficient shovel-ready highway projects and highway main-  
23 tenance or operational uses of the increased fuel tax revenue to justify the increase;

24 (D) The set of uniform standards required under ORS 184.657 (1) has been developed and are  
25 being followed;

26 (E) The reports required from cities and counties under ORS 184.657 (2) have been submitted  
27 and posted by the commission as required under ORS 184.657 (3);

28 (F) Under ORS 184.657 (4), payments from the State Highway Fund have been withheld from  
29 cities and counties that failed to submit reports as required under ORS 184.657 (2); and

30 (G) To the best knowledge of the commission, all bodies scheduled to receive fuel tax revenue  
31 pursuant to chapter 750, Oregon Laws 2017, after the operative date of the increase are in compli-  
32 ance with ORS 279C.305 or under review by the Bureau of Labor and Industries for compliance with  
33 ORS 279C.305, or the commission has requested from the bureau confirmation of such compliance.

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

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

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

40 (C) The design, construction, financial status and progress of projects costing more than \$20  
41 million that are identified in chapter 750, Oregon Laws 2017, including, but not limited to, the  
42 Interstate 5 Rose Quarter Project, the Interstate 205 Abernethy Bridge Project, the Interstate 205  
43 Freeway Widening Project, the State Highway 217 Northbound Project, the Newberg-Dundee Bypass  
44 Project and the State Highway 217 Southbound Project, and any other state transportation projects  
45 implemented after October 6, 2017[.]; **and**

1       **(D) The status and progress of the new additional travel lanes described in section 2 of**  
2 **this 2019 Act for both the Interstate 5 Rose Quarter Project and the Interstate 205**  
3 **Abernethy Bridge Project.**

4       **SECTION 2. (1) The Interstate 5 Rose Quarter Project must include at least one new**  
5 **additional northbound travel lane and at least one new additional southbound travel lane on**  
6 **the portion of Interstate 5 beginning with and including the Fremont Bridge and ending with**  
7 **and including the Marquam Bridge.**

8       **(2) The Interstate 205 Abernethy Bridge Project must include at least one new additional**  
9 **westbound travel lane and at least one new additional eastbound travel lane on the portion**  
10 **of Interstate 205 beginning where Interstate 5 intersects with Interstate 205 and ending with**  
11 **and including the Abernethy Bridge.**

12       **SECTION 3. This 2019 Act takes effect on the 91st day after the date on which the 2019**  
13 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

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