

HB 2592-12
(LC 2947)
5/20/19 (ASD/ps)

Requested by JOINT COMMITTEE ON TRANSPORTATION (at the request of Representative
Caddy McKeown)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2592**

1 In line 2 of the printed bill, before the period insert “; creating new pro-
2 visions; amending ORS 184.612, 184.665, 319.665, 319.671, 320.400, 320.430,
3 320.440, 320.470, 366.747, 367.080, 367.081, 367.084, 367.095, 367.097, 801.194,
4 801.285, 803.203, 803.420, 818.340, 823.012, 825.141, 825.450, 825.452 and 825.454
5 and section 18, chapter 30, Oregon Laws 2010, section 7, chapter 700, Oregon
6 Laws 2015, sections 45, 71f, 148, 149 and 150, chapter 750, Oregon Laws 2017,
7 and sections 30a and 30b, chapter 93, Oregon Laws 2018; repealing ORS
8 367.089 and 824.237 and section 1, chapter 55, Oregon Laws 2012, and section
9 71c, chapter 750, Oregon Laws 2017; and prescribing an effective date”.

10 Delete lines 4 through 9 and insert:

11 **“SECTION 1.** ORS 320.400, as amended by section 10, chapter 93, Oregon
12 Laws 2018, is amended to read:

13 “320.400. As used in ORS 320.400 to 320.490 and 803.203:

14 “(1)(a) ‘Bicycle’ means:

15 **“(A)** A vehicle that is designed to be operated on the ground on wheels
16 and is propelled exclusively by human power[.]; **or**

17 “[*(b)*] **(B)** [*‘Bicycle’ includes*] An electric assisted bicycle as defined in
18 ORS 801.258.

19 “[*(c)*] **(b)** ‘Bicycle’ does not include:

20 **“(A) Carts;**

21 **“(B) Durable medical equipment;[.]**

- 1 “(C) **In-line skates;**
- 2 “(D) **Roller skates;**
- 3 “(E) **Skateboards;**
- 4 “(F) **Stand-up scooters;**
- 5 “(G) **Strollers designed for the transportation of children;**
- 6 “(H) **Trailer cycles or other bicycle attachments; or**
- 7 “(I) **Wagons.**

8 “(2)(a) ‘Retail sales price’ means the total price paid at retail for a taxable
9 vehicle, exclusive of the amount of any excise, privilege or use tax, to a
10 seller by a purchaser of the taxable vehicle.

11 “(b) ‘Retail sales price’ does not include the retail value of:

12 “(A) Modifications to a taxable vehicle that are necessary for a person
13 with a disability to enter or drive or to otherwise operate or use the vehicle.

14 “(B) Customized industrial modifications to the chassis of a truck that
15 has a gross vehicle weight rating of at least 10,000 pounds and not more than
16 26,000 pounds.

17 “(3) ‘Seller’ means:

18 “(a) With respect to the privilege tax imposed under ORS 320.405 and the
19 use tax imposed under ORS 320.410, a vehicle dealer.

20 “(b) With respect to the excise tax imposed under ORS 320.415, a person
21 engaged in whole or in part in the business of selling bicycles.

22 “(4) ‘Taxable bicycle’ means a new bicycle that has a retail sales price
23 of \$200 or more.

24 “(5) ‘Taxable motor vehicle’ means a vehicle that:

25 “(a) Has a gross vehicle weight rating of 26,000 pounds or less;

26 “(b)(A) If equipped with an odometer, has 7,500 miles or less on the
27 odometer; or

28 “(B) If not equipped with an odometer, has a manufacturer’s certificate
29 of origin or a manufacturer’s statement of origin; and

30 “(c) Is:

1 “(A) A vehicle as defined in ORS 744.850, other than an all-terrain vehicle
2 or a trailer;

3 “(B) A camper as defined in ORS 801.180;

4 “(C) A commercial bus as defined in ORS 801.200;

5 “(D) A commercial motor vehicle as defined in ORS 801.208;

6 “(E) A commercial vehicle as defined in ORS 801.210;

7 “(F) A fixed load vehicle as defined in ORS 801.285;

8 “(G) A moped as defined in ORS 801.345;

9 “(H) A motor home as defined in ORS 801.350;

10 “(I) A motor truck as defined in ORS 801.355;

11 “(J) A tank vehicle as defined in ORS 801.522;

12 “(K) A trailer as defined in ORS 801.560 that is required to be registered
13 in this state;

14 “(L) A truck tractor as defined in ORS 801.575; or

15 “(M) A worker transport bus as defined in ORS 801.610.

16 “(6) ‘Taxable vehicle’ means a taxable bicycle or a taxable motor vehicle.

17 “(7) ‘Transportation project taxes’ means the privilege tax imposed under
18 ORS 320.405, the use tax imposed under ORS 320.410 and the excise tax im-
19 posed under ORS 320.415.

20 “(8)(a) ‘Vehicle dealer’ means:

21 “(A) A person engaged in business in this state that is required to obtain
22 a vehicle dealer certificate under ORS 822.005; and

23 “(B) A person engaged in business in another state that would be subject
24 to ORS 822.005 if the person engaged in business in this state.

25 “(b) Notwithstanding paragraph (a) of this subsection, a person is not a
26 vehicle dealer for purposes of ORS 320.400 to 320.490 and 803.203 to the ex-
27 tent the person:

28 “(A) Conducts an event that lasts less than seven consecutive days, for
29 which the public is charged admission and at which otherwise taxable motor
30 vehicles are sold at auction; or

1 “(B) Sells an otherwise taxable motor vehicle at auction at an event de-
2 scribed in this paragraph.

3 **“SECTION 2.** ORS 320.430 is amended to read:

4 “320.430. (1)(a) If the amount of transportation project taxes paid by a
5 seller or purchaser exceeds the amount of taxes due, the Department of
6 Revenue shall refund the amount of the excess.

7 “[2] (b) Except as provided in **paragraph (c) of this** subsection [(3) of
8 *this section*], the period prescribed for the department to allow or make a
9 refund of any overpayment of transportation project taxes paid shall be as
10 provided in ORS 314.415.

11 “[3] (c) The department shall apply any overpayment of tax first to any
12 amount of transportation project taxes that is then outstanding.

13 **“(2)(a) This subsection applies whenever a taxable motor vehicle**
14 **with respect to which the privilege tax imposed under ORS 320.405 has**
15 **been paid by the vehicle dealer is returned by or on behalf of the**
16 **purchaser to the vehicle dealer pursuant to ORS 646A.400 to 646A.418.**

17 **“(b) The vehicle dealer shall notify the department of the return**
18 **of the taxable motor vehicle, and the department shall refund the**
19 **amount of the privilege tax collected with respect to the taxable motor**
20 **vehicle to the vehicle dealer.**

21 **“(c) Upon receipt of the refund under this subsection, the vehicle**
22 **dealer shall return the amount received under paragraph (b) of this**
23 **subsection to the purchaser.**

24 **“SECTION 3.** The amendments to ORS 320.430 by section 2 of this
25 **2019 Act apply to privilege taxes paid with respect to taxable motor**
26 **vehicles that are returned by the purchaser on or after the effective**
27 **date of this 2019 Act.**

28 **“SECTION 4.** ORS 801.194 is amended to read:

29 “801.194. (1) ‘Class III all-terrain vehicle’ means a motorcycle that travels
30 on two tires and that is actually being operated off highway.

1 “(2) ‘Class IV all-terrain vehicle’ means any motorized vehicle that:
2 “(a) Travels on four or more pneumatic tires that are six inches or more
3 in width and that are designed for use on wheels with a rim diameter of 14
4 inches or less;
5 “(b) Is designed for or capable of cross-country travel on or immediately
6 over land, water, sand, snow, ice, marsh, swampland or other natural terrain;
7 “(c) Has nonstraddle seating;
8 “(d) Has a steering wheel for steering control;
9 “(e) Has a dry weight of [1,800] **2,500** pounds or less; and
10 “(f) Is [65] **80** inches wide or less at its widest point.

11 **“SECTION 5. Section 6 of this 2019 Act is added to and made a part**
12 **of the Oregon Vehicle Code.**

13 **“SECTION 6. Notwithstanding ORS 803.445 (5), a metropolitan ser-**
14 **vice district established under ORS chapter 268 may impose a vehicle**
15 **registration fee that does not exceed the sum of the fee imposed under**
16 **ORS 803.420 (6)(a) and the fee applicable to the registered vehicle under**
17 **ORS 803.422, if the vehicle registration fee is approved by the electors**
18 **of the district before December 31, 2022.**

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

21 **“Sec. 45. (1)(a) For calendar years beginning on or after January 1, 2020,**
22 **the rates determined under ORS 319.020 (1)(b) and 319.530 (1) shall each be**
23 **increased by two cents only if the Oregon Transportation Commission sub-**
24 **mits a report in the manner provided by ORS 192.245 on or before December**
25 **1, 2019, to the Joint Committee on Transportation established under ORS**
26 **171.858 stating that:**

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

30 **“(B) The set of uniform standards required under ORS 184.657 (1) has been**

1 developed and the standards are being followed;

2 “(C) The reports [*required*] **received** from cities and counties under ORS
3 184.657 (2) have been submitted and posted by the commission as required
4 under ORS 184.657 (3);

5 “(D) The Department of Transportation is implementing the registration
6 fees and title fees described in ORS 803.091 and 803.422; and

7 “(E) The Interstate 205 Active Traffic Management Project and the
8 Interstate 205 Corridor Bottleneck Project have been completed.

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

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

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

18 “(C) The construction and financial status of uncompleted in-progress
19 projects exceeding \$20 million identified in chapter 750, Oregon Laws 2017;

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

22 “(E) Design, cost analysis and construction option packages for the
23 Interstate 5 Rose Quarter Project for consideration by the Legislative As-
24 sembly; and

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

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

7 “(A) The Continuous Improvement Advisory Committee appointed under
8 ORS 184.665 has reviewed and reported to the commission on all transporta-
9 tion projects costing \$50 million or more and completed not less than six
10 months prior to the date of the report required under this paragraph;

11 “(B) The recommendations for improvement reported by the Continuous
12 Improvement Advisory Committee to the commission at least six months
13 prior to the date of the report required under this paragraph, **and approved**
14 **by the commission**, have been implemented **or plans for implementation**
15 **have been developed**;

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

19 “(D) The set of uniform standards required under ORS 184.657 (1) has been
20 developed and **the standards** are being followed;

21 “(E) The reports [*required*] **received** from cities and counties under ORS
22 184.657 (2) have been [*submitted and*] posted by the commission as required
23 under ORS 184.657 (3);

24 “(F) Under ORS 184.657 (4), payments from the State Highway Fund have
25 been withheld from cities and counties that failed to submit reports as re-
26 quired under ORS 184.657 (2); **and**

27 “[*(G) To the best knowledge of the commission, all bodies scheduled to re-*
28 *ceive fuel tax revenue pursuant to chapter 750, Oregon Laws 2017, after the*
29 *operative date of the increase are in compliance with ORS 279C.305 or under*
30 *review by the Bureau of Labor and Industries for compliance with ORS*

1 279C.305, or the commission has requested from the bureau confirmation of
2 such compliance; and]

3 “[*(H)*] **(G)** The Department of Transportation is implementing the regis-
4 tration fees and title fees described in ORS 803.091 and 803.422.

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

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

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

14 “(C) The construction and financial status of uncompleted in-progress
15 projects exceeding \$50 million identified in chapter 750, Oregon Laws 2017;
16 and

17 “(D) The design, construction, financial status and progress of projects
18 costing more than \$20 million that are identified in chapter 750, Oregon
19 Laws 2017, including, but not limited to, the Interstate 5 Rose Quarter
20 Project, the Interstate 205 Abernethy Bridge Project, the Interstate 205
21 Freeway Widening Project, the State Highway 217 Northbound Project, the
22 Newberg-Dundee Bypass Project and the State Highway 217 Southbound
23 Project, and any other state transportation projects implemented after Oc-
24 tober 6, 2017.

25 “**(c) If the Commissioner of the Bureau of Labor and Industries has**
26 **found substantial evidence, under ORS 279C.306, that a contracting**
27 **agency that would otherwise receive increased amounts of fuel tax**
28 **revenues pursuant to this section on or after January 1, 2022, has vi-**
29 **olated ORS 279C.305 within the five years immediately preceding the**
30 **date of the commissioner’s finding, or has materially breached an**

1 **agreement entered into pursuant to ORS 279C.306, the Department of**
2 **Transportation shall withhold the increased amounts until the final**
3 **resolution of the violation or breach is determined under ORS 279C.306.**

4 “(3)(a) For calendar years beginning on or after January 1, 2024, the rates
5 determined under ORS 319.020 (1)(b) and 319.530 (1) and subsections (1) and
6 (2) of this section shall each be increased by two cents only if the Oregon
7 Transportation Commission submits a report in the manner provided by ORS
8 192.245 on or before December 1, 2023, to the Joint Committee on Transpor-
9 tation established under ORS 171.858 stating that:

10 “(A) The Continuous Improvement Advisory Committee appointed under
11 ORS 184.665 has reviewed and reported to the commission on all transporta-
12 tion projects costing \$50 million or more and completed not less than six
13 months prior to the date of the report required under this paragraph;

14 “(B) The recommendations for improvement reported by the Continuous
15 Improvement Advisory Committee to the commission at least six months
16 prior to the date of the report required under this paragraph, **and approved**
17 **by the commission, have been implemented or plans for implementation**
18 **have been developed;**

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

22 “(D) The set of uniform standards required under ORS 184.657 (1) has been
23 developed and **the standards** are being followed;

24 “(E) The reports [*required*] **received** from cities and counties under ORS
25 184.657 (2) have been [*submitted and*] posted by the commission as required
26 under ORS 184.657 (3); **and**

27 “(F) Under ORS 184.657 (4), payments from the State Highway Fund have
28 been withheld from cities and counties that failed to submit reports as re-
29 quired under ORS 184.657 (2).[; *and*]

30 “[*(G) To the best knowledge of the commission, all bodies scheduled to re-*”

1 *ceive fuel tax revenue pursuant to chapter 750, Oregon Laws 2017, after the*
2 *operative date of the increase are in compliance with ORS 279C.305 or under*
3 *review by the Bureau of Labor and Industries for compliance with ORS*
4 *279C.305, or the commission has requested from the bureau confirmation of*
5 *such compliance.]*

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

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

12 “(B) The amount of bonds the commission considers necessary to be issued
13 to complete shovel-ready highway projects scheduled to be commenced after
14 January 1, 2024; and

15 “(C) The design, construction, financial status and progress of projects
16 costing more than \$20 million that are identified in chapter 750, Oregon
17 Laws 2017, including, but not limited to, the Interstate 5 Rose Quarter
18 Project, the Interstate 205 Abernethy Bridge Project, the Interstate 205
19 Freeway Widening Project, the State Highway 217 Northbound Project, the
20 Newberg-Dundee Bypass Project and the State Highway 217 Southbound
21 Project, and any other state transportation projects implemented after Oc-
22 tober 6, 2017.

23 “(c) **If the Commissioner of the Bureau of Labor and Industries has**
24 **found substantial evidence, under ORS 279C.306, that a contracting**
25 **agency that would otherwise receive increased amounts of fuel tax**
26 **revenues pursuant to this section on or after January 1, 2024, has vi-**
27 **olated ORS 279C.305 within the five years immediately preceding the**
28 **date of the commissioner’s finding, or has materially breached an**
29 **agreement entered into pursuant to ORS 279C.306, the Department of**
30 **Transportation shall withhold the increased amounts until the final**

1 **resolution of the violation or breach is determined under ORS 279C.306.**

2 **“SECTION 8.** ORS 184.612 is amended to read:

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

7 “(2) The Governor shall appoint members of the commission in compliance
8 with all of the following:

9 “(a) Members shall be appointed with consideration of the different ge-
10 ographic regions of the state with one member being a resident of the area
11 east of the Cascade Range.

12 “(b) Not more than three members who belong to one political party.
13 Party affiliation shall be determined by the appropriate entry on official
14 election registration cards.

15 “[*(3) At the time of appointment, a member may not have any direct or in-*
16 *direct financial or fiduciary interest related to the commission’s duties. If a*
17 *conflict arises after a member’s appointment, the member shall declare the*
18 *conflict and abstain from deliberations and voting on the matter under con-*
19 *sideration by the commission.*]

20 **“(3) At the time of appointment, a member or a relative of a**
21 **member, as defined in ORS 244.020, may not have an actual conflict**
22 **of interest, as defined in ORS 244.020.**

23 **“(4) Notwithstanding ORS 244.120 (2), when met with a potential or**
24 **actual conflict of interest, as those terms are defined in ORS 244.020,**
25 **a member shall announce publicly the nature of the potential or actual**
26 **conflict and:**

27 **“(a) Except as provided in paragraph (b) of this subsection, refrain**
28 **from participating as a public official in any discussion or debate on**
29 **the issue out of which the potential or actual conflict arises or from**
30 **voting on the issue.**

1 **“(b) If the member’s vote is necessary to meet a requirement of a**
2 **minimum number of votes to take official action, be eligible to vote,**
3 **but not to participate as a public official in any discussion or debate**
4 **on the issue out of which the potential or actual conflict arises.**

5 ~~“(4) (5)~~ The term of office of each member is four years. Before the
6 expiration of the term of a member, the Governor shall appoint a successor
7 whose term begins on July 1 next following. A member is eligible for reap-
8 pointment. In case of a vacancy for any cause, the Governor shall appoint
9 a person to fill the office for the unexpired term.

10 ~~“(5) (6)~~ The Governor shall appoint one of the members as chairperson.
11 The chairperson shall appoint one of the other members as vice chairperson.
12 The chairperson and vice chairperson shall have such terms, duties and
13 powers as the Oregon Transportation Commission determines are necessary
14 for the performance of such offices.

15 ~~“(6) (7)~~ A majority of the members of the commission constitutes a
16 quorum. If a quorum is present at a meeting, the commission may take action
17 by an affirmative vote by a majority of the members who are present. An
18 individual member may not exercise individually any administrative author-
19 ity with respect to the Department of Transportation.

20 ~~“(7) (8)~~ The commission shall meet at least quarterly, at a time and
21 place determined by the commission. The commission shall also meet at such
22 other times and places as are specified by the call of the chairperson or of
23 a majority of the commission.

24 ~~“(8) (9)~~ A vacancy does not impair the right of the remaining members
25 to exercise all the powers of the commission, except that three members of
26 the commission must agree in the selection, vacation or abandonment of
27 state highways, and in case the members are unable to agree the Governor
28 shall have the right to vote as a member of the commission.

29 ~~“(9) (10)~~ The commission shall keep complete and accurate records of
30 all the meetings, transactions and business of the commission at the office

1 of the department.

2 “[~~(10)~~] (11) The commission may provide an official seal.

3 “[~~(11)~~] (12) The commission may hire staff the commission deems neces-
4 sary to assist the commission in carrying out its duties. The staff shall be
5 considered employees of the department for purposes of the State Personnel
6 Relations Law under ORS chapter 240.

7 “[~~(12)~~] (13) A member of the commission is entitled to compensation and
8 expenses as provided by ORS 292.495.

9 **“SECTION 9.** ORS 184.665 is amended to read:

10 “184.665. (1) The Oregon Transportation Commission shall appoint a
11 Continuous Improvement Advisory Committee composed of members of the
12 commission, employees of the Department of Transportation and transporta-
13 tion stakeholders. The committee shall be of such size and representation as
14 the commission determines appropriate.

15 “(2) The committee shall:

16 “(a) Advise the commission on ways to maximize the efficiency of the
17 department to allow increased investment in the transportation system over
18 the short, medium and long term.

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

25 “(3) The committee shall periodically report to the commission. The re-
26 ports must include recommendations on ways the commission and the de-
27 partment may execute their duties more efficiently.

28 “(4) Each odd-numbered year, the commission shall submit a report, in the
29 manner provided by ORS 192.245, to the Joint Committee on Transportation
30 established under ORS 171.858. The report must include information on the

1 activities and recommendations of the committee and information on any
2 actions taken by the commission or the department to implement recom-
3 mendations of the committee.

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

8 “(6) **Members of the committee are entitled to compensation and**
9 **expenses as provided under ORS 292.495.**

10 “**SECTION 10.** Section 71f, chapter 750, Oregon Laws 2017, is amended
11 to read:

12 “**Sec. 71f.** (1) Notwithstanding ORS 367.080 to [367.086] **367.089** and sub-
13 ject to subsection (3) of this section and the availability of funds, the De-
14 partment of Transportation shall first distribute the moneys in the Connect
15 Oregon Fund, other than moneys dedicated for purposes described in Article
16 XV, section 4a, of the Oregon Constitution, for the projects listed in sub-
17 section (2) of this section.

18 “(2) The department shall distribute the following amounts for the
19 projects listed below:

- 20 “ _____
- 21 (a) Mid-Willamette Valley
 - 22 Intermodal Facility..... \$ 25 million
 - 23 (b) Treasure Valley
 - 24 Intermodal Facility..... \$ 26 million
 - 25 (c) Rail expansion in
 - 26 East Beach Industrial
 - 27 Park at the
 - 28 Port of Morrow..... \$ 6.55 million
 - 29 (d) Extend [Brooks] rail
 - 30 siding **along the Amtrak**

1 Cascade line in Oregon
2 south of the City
3 of Portland..... \$ 2.6 million

4 “
5 “(3) No later than January 1, 2020, to receive a distribution under this
6 section, a potential recipient of moneys shall prepare and submit a plan to
7 the Oregon Transportation Commission. At a minimum, the plan submitted
8 must certify when and how the potential recipient plans to spend the moneys
9 for the project with no more than five percent of the allocated funds to be
10 available to recipients for development of the plan. The commission shall
11 promptly review any submitted plans and if the commission approves the
12 plan, the Department of Transportation shall distribute the moneys after
13 adopting an agreement with the recipient. The agreement shall follow rules
14 adopted by the commission for projects that receive grants from the Connect
15 Oregon Fund.

16 “(4) After the distributions, if any, are made under this section, the re-
17 mainder of the moneys in the Connect Oregon Fund shall be distributed as
18 described in ORS 367.080 to [367.086] **367.089**.

19 “**SECTION 11.** Section 18, chapter 30, Oregon Laws 2010, as amended by
20 section 71L, chapter 750, Oregon Laws 2017, and section 32, chapter 93,
21 Oregon Laws 2018, is amended to read:

22 “**Sec. 18.** [(1) *The Department of Transportation shall report semiannually*
23 *to the legislative committees on revenue if the Legislative Assembly is in ses-*
24 *sion or, if the Legislative Assembly is not in session, to the Legislative Reve-*
25 *nue Officer. The department’s report shall include an estimate of the amounts*
26 *received in the previous two quarters from the increased taxes and fees estab-*
27 *lished in chapter 865, Oregon Laws 2009, and an estimate of the projected*
28 *revenue in the current quarter from the increased taxes and fees established*
29 *in chapter 865, Oregon Laws 2009.]*

30 “[2) *In addition to the report described in subsection (1) of this section,*]

1 The Department of Transportation shall report semiannually to the legisla-
2 tive committees on revenue if the Legislative Assembly is in session or, if
3 the Legislative Assembly is not in session, to the Legislative Revenue Offi-
4 cer. The department's report shall include:

5 “[(a)] (1) An estimate of the amounts received in the previous two quar-
6 ters from the increased taxes and fees established in ORS 803.091 and 803.422
7 and section 45, chapter 750, Oregon Laws 2017, and the amendments to ORS
8 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, [825.450,] 825.476, 825.480
9 and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, [57,] 63, 64, 66, 67
10 and 70, chapter 750, Oregon Laws 2017, and an estimate of the projected
11 revenue in the current quarter and the next quarter from the increased taxes
12 and fees established in ORS 803.091 and 803.422 and section 45, chapter 750,
13 Oregon Laws 2017, and the amendments to ORS 319.020, 319.530, 803.420,
14 803.645, 818.225, 818.270, [825.450,] 825.476, 825.480 and 826.023 by sections 34,
15 35, 40 to 43, 48, 49, 51, 52, 54, [57,] 63, 64, 66, 67 and 70, chapter 750, Oregon
16 Laws 2017.

17 “[(b)] (2) An estimate of the amounts received in the previous biennium
18 to date from the increased taxes and fees established in ORS 803.091 and
19 803.422 and section 45, chapter 750, Oregon Laws 2017, and the amendments
20 to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, [825.450,] 825.476,
21 825.480 and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, [57,] 63, 64,
22 66, 67 and 70, chapter 750, Oregon Laws 2017, and an estimate of the
23 projected revenue in the remaining current biennium from the increased
24 taxes and fees established in ORS 803.091 and 803.422 and section 45, chapter
25 750, Oregon Laws 2017, and the amendments to ORS 319.020, 319.530, 803.420,
26 803.645, 818.225, 818.270, [825.450,] 825.476, 825.480 and 826.023 by sections 34,
27 35, 40 to 43, 48, 49, 51, 52, 54, [57,] 63, 64, 66, 67 and 70, chapter 750, Oregon
28 Laws 2017.

29 “[(c)] (3) Information about the expenditures and distributions made under
30 ORS 367.095, including but not limited to:

1 “[A] (a) Information about the department’s total funds as well as the
2 funds raised separately by the increased taxes and fees established in ORS
3 803.091 and 803.422 and section 45, chapter 750, Oregon Laws 2017, and the
4 amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270,
5 [825.450,] 825.476, 825.480 and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51,
6 52, 54, [57,] 63, 64, 66, 67 and 70, chapter 750, Oregon Laws 2017, and ex-
7 pended as described in ORS 367.095 [(3)(c)] (3).

8 “[B] (b) Semiannual amounts that include all the actual and forecasted
9 expenditures and distributions made under ORS 367.095 for each quarter of
10 the current biennium and the forecasted expenditures and distributions for
11 the following biennium.

12 **“SECTION 12.** ORS 803.203 is amended to read:

13 “803.203. (1) A person that purchases a taxable motor vehicle from a seller
14 that is not subject to the privilege tax imposed under ORS 320.405 may not
15 register or title the taxable motor vehicle in Oregon unless the person pro-
16 vides proof that *[the person]*:

17 “(a) **The person** paid the use tax imposed under ORS 320.410; *[or]*

18 “(b) **The person** is not required to pay the use tax for the reasons pro-
19 vided in ORS 320.410 (4)[.]; **or**

20 “(c) **The taxable motor vehicle was purchased and titled by a car**
21 **rental company as defined in ORS 803.219 using an electronic**
22 **integrator.**

23 “(2) The person shall provide the proof described in subsection (1) of this
24 section to the Department of Transportation in the manner established by
25 the department by rule.

26 **“SECTION 13.** ORS 818.340 is amended to read:

27 “818.340. (1) A person commits the offense of operating in violation of a
28 variance permit if the person has been issued a variance permit under ORS
29 818.200 that authorized the movement of anything and the person does any
30 of the following:

1 “(a) Drives, moves or operates anything in violation of the terms of the
2 permit.

3 “(b) Owns anything and causes or permits it to be driven, moved or op-
4 erated in violation of the permit. Operation in violation of this section is
5 prima facie evidence that the owner caused or permitted the operation and
6 the owner shall be liable for any penalties imposed under subsection (5) of
7 this section as a result of the operation.

8 “(2) A person is in violation of the terms of a permit for purposes of this
9 section if the person misrepresents any size or weight required to be specified
10 when applying for the permit.

11 “(3) It shall be a defense to any charge of violation of this section if the
12 person so charged produces a variance permit issued under ORS 818.200 that
13 authorized the operation and that was issued prior to and valid at the time
14 of operation.

15 “(4) A person does not commit the offense described in this section if the
16 person is driving, moving or operating anything under a variance permit is-
17 sued under ORS 818.200 and:

18 “(a) The permit authorizes the person to exceed the maximum weight
19 limitations;

20 “(b) The person is operating a vehicle with a fully functional idle re-
21 duction system designed to reduce fuel use and emissions from engine idling;
22 and

23 “(c) The total weight of the vehicle is not more than [400] **550** pounds
24 greater than the weight authorized by the variance permit.

25 “(5) Violation of the offense described in this section is subject to civil
26 liability under ORS 818.410.

27 “(6) The offense described in this section, operating in violation of a
28 variance permit, is punishable according to the following:

29 “(a) Violation of any provision of the permit, other than the violations
30 described in paragraph (b), (c) or (d) of this subsection, is a Class D vio-

1 lation.

2 “(b) Violation of any weight provision by a vehicle that is authorized by
3 permit to exceed axle or tandem axle weights specified in ORS 818.010 (1)
4 or (2) is subject to penalty under Schedule II of the penalties in ORS 818.430.

5 “(c) Violation of any weight provision by a vehicle listed in ORS 818.210
6 is subject to penalty under Schedule I of the penalties in ORS 818.430.

7 “(d) Violation related to the required number of pilot vehicles or routing
8 in accordance with the terms, limits or conditions established on a permit
9 under ORS 818.220 (1)(c) is a Class A traffic violation.

10 **“SECTION 14.** ORS 320.470 is amended to read:

11 “320.470. (1) Notwithstanding the confidentiality provisions of ORS
12 320.475, the Department of Revenue may disclose information received under
13 ORS 320.400 to 320.490 and 803.203 to the Department of Transportation for
14 the purposes of carrying out the provisions of ORS 320.410 and 803.203.

15 “(2) The Department of Transportation may disclose information obtained
16 under ORS 320.410 and 803.203 to the Department of Revenue for the pur-
17 poses of carrying out the provisions of ORS 320.400 to 320.490 and 803.203.

18 **“(3) Any officer or employee of the Department of Transportation**
19 **to whom information is disclosed under subsection (1) of this section**
20 **is not required to execute a certificate under ORS 314.840 (3)(a).**

21 “[3] (4) Except as otherwise provided in ORS 320.400 to 320.490 and
22 803.203, a person aggrieved by an act or determination of the Department of
23 Revenue or its authorized agent under ORS 320.400 to 320.490 and 803.203
24 may appeal, within 90 days after the act or determination, to the Oregon Tax
25 Court in the manner provided in ORS 305.404 to 305.560. These appeal rights
26 are the exclusive remedy available to determine the person’s liability for the
27 transportation project taxes.

28 **“SECTION 15.** ORS 367.097 is amended to read:

29 “367.097. (1) Notwithstanding ORS 367.095 (4), the Department of Trans-
30 portation may use amounts available under ORS 367.095 to **secure and** pay

1 **bond** debt service [*for the purposes described in ORS 367.620 (3)(d)*] **on**
2 **Highway User Tax Bonds under ORS 367.615.**

3 “(2) Any amounts remaining after the payment of debt service shall be
4 used as described in ORS 367.095 (4).

5 **“SECTION 16.** ORS 803.420, as amended by section 3, chapter 114, Oregon
6 Laws 2018, is amended to read:

7 “803.420. (1) The vehicle registration fees imposed under this section shall
8 be based on the classifications determined by the Department of Transpor-
9 tation by rule. The department may classify a vehicle to ensure that regis-
10 tration fees for the vehicle are the same as for other vehicles the department
11 determines to be comparable.

12 “(2) Except as otherwise provided in this section, or unless the vehicle is
13 registered quarterly, the fees described in this section are for an entire reg-
14 istration period for the vehicle as described under ORS 803.415. For a vehicle
15 registered for a quarterly registration period under ORS 803.415, the depart-
16 ment shall apportion any fee under this section to reflect the number of
17 quarters registered.

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

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

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

27 “(6) The registration fees for each year of the registration period for ve-
28 hicles subject to biennial registration are as follows:

29 “(a) Passenger vehicles not otherwise provided for in this section or ORS
30 821.320, \$43.

1 “(b) Utility trailers or light trailers, as those terms are defined by rule
2 by the department, \$58.

3 “(c) Mopeds and motorcycles, \$39.

4 “(d) Low-speed vehicles, \$58.

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

6 “(7) The registration fees for vehicles that are subject to biennial regis-
7 tration and that are listed in this subsection are as follows:

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

10 “(b) Fixed load vehicles:

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

13 “(B) If no declaration of weight is submitted or if the weight of the ve-
14 hicles is in excess of 3,000 pounds, \$82.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(d) Trailers, \$10.

8 “(e) **State-owned vehicles registered under ORS 805.045 and under-**
9 **cover vehicles registered under ORS 805.060, \$10.**

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

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

19 “(13) In addition to any other registration fees charged for registration
20 of vehicles in fleets under ORS 805.120, the department may charge the fol-
21 lowing 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,
24 \$2.

25 “(14)(a)(A) For the period beginning January 1, 2018, and ending Decem-
26 ber 31, 2019, the registration fee for motor vehicles required to establish a
27 registration weight under ORS 803.430 or 826.013, tow vehicles used to
28 transport property for hire other than as described in ORS 822.210 and com-
29 mercial buses is as provided in the following chart, based upon the weight
30 submitted in the declaration of weight prepared under ORS 803.435 or

1 826.015:

2 “

3	Weight in Pounds	Fee
4	8,000 or less	\$ 63
5	8,001 to 10,000	396
6	10,001 to 12,000	450
7	12,001 to 14,000	504
8	14,001 to 16,000	558
9	16,001 to 18,000	612
10	18,001 to 20,000	682
11	20,001 to 22,000	736
12	22,001 to 24,000	808
13	24,001 to 26,000	879
14	26,001 to 28,000	375
15	28,001 to 30,000	391
16	30,001 to 32,000	422
17	32,001 to 34,000	438
18	34,001 to 36,000	468
19	36,001 to 38,000	485
20	38,001 to 40,000	515
21	40,001 to 42,000	532
22	42,001 to 44,000	562
23	44,001 to 46,000	578
24	46,001 to 48,000	593
25	48,001 to 50,000	625
26	50,001 to 52,000	656
27	52,001 to 54,000	672
28	54,001 to 56,000	686
29	56,001 to 58,000	717
30	58,001 to 60,000	750

1	60,001	to	62,000	780
2	62,001	to	64,000	811
3	64,001	to	66,000	827
4	66,001	to	68,000	857
5	68,001	to	70,000	874
6	70,001	to	72,000	904
7	72,001	to	74,000	921
8	74,001	to	76,000	951
9	76,001	to	78,000	967
10	78,001	to	80,000	998
11	80,001	to	82,000	1,014
12	82,001	to	84,000	1,045
13	84,001	to	86,000	1,061
14	86,001	to	88,000	1,092
15	88,001	to	90,000	1,108
16	90,001	to	92,000	1,139
17	92,001	to	94,000	1,155
18	94,001	to	96,000	1,185
19	96,001	to	98,000	1,202
20	98,001	to	100,000	1,218
21	100,001	to	102,000	1,249
22	102,001	to	104,000	1,265
23	104,001	to	105,500	1,295

24 “ _____

25 “(B) For the period beginning on January 1, 2020, and ending on Decem-

26 ber 31, 2021, the registration fee for motor vehicles required to establish a

27 registration weight under ORS 803.430 or 826.013, tow vehicles used to

28 transport property for hire other than as described in ORS 822.210 and com-

29 mercial buses is as provided in the following chart, based upon the weight

30 submitted in the declaration of weight prepared under ORS 803.435 or

1 826.015:

2 “

3	Weight in Pounds	Fee
4	8,000 or less	\$ 70
5	8,001 to 10,000	437
6	10,001 to 12,000	497
7	12,001 to 14,000	556
8	14,001 to 16,000	616
9	16,001 to 18,000	676
10	18,001 to 20,000	753
11	20,001 to 22,000	813
12	22,001 to 24,000	893
13	24,001 to 26,000	970
14	26,001 to 28,000	375
15	28,001 to 30,000	391
16	30,001 to 32,000	422
17	32,001 to 34,000	438
18	34,001 to 36,000	468
19	36,001 to 38,000	485
20	38,001 to 40,000	515
21	40,001 to 42,000	532
22	42,001 to 44,000	562
23	44,001 to 46,000	578
24	46,001 to 48,000	593
25	48,001 to 50,000	625
26	50,001 to 52,000	656
27	52,001 to 54,000	672
28	54,001 to 56,000	686
29	56,001 to 58,000	717
30	58,001 to 60,000	750

1	60,001	to	62,000	780
2	62,001	to	64,000	811
3	64,001	to	66,000	827
4	66,001	to	68,000	857
5	68,001	to	70,000	874
6	70,001	to	72,000	904
7	72,001	to	74,000	921
8	74,001	to	76,000	951
9	76,001	to	78,000	967
10	78,001	to	80,000	998
11	80,001	to	82,000	1,014
12	82,001	to	84,000	1,045
13	84,001	to	86,000	1,061
14	86,001	to	88,000	1,092
15	88,001	to	90,000	1,108
16	90,001	to	92,000	1,139
17	92,001	to	94,000	1,155
18	94,001	to	96,000	1,185
19	96,001	to	98,000	1,202
20	98,001	to	100,000	1,218
21	100,001	to	102,000	1,249
22	102,001	to	104,000	1,265
23	104,001	to	105,500	1,295

24 “ _____

25 “(b)(A)(i) For the period beginning January 1, 2018, and ending December

26 31, 2019, the registration fee for motor vehicles with a registration weight

27 of more than 8,000 pounds that are described in ORS 825.015, that are oper-

28 ated by a charitable organization as defined in ORS 825.017 (13), is as pro-

29 vided in the following chart:

30 “ _____

1	Weight in Pounds	Fee
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

1	66,001	to	68,000	349
2	68,001	to	70,000	356
3	70,001	to	72,000	368
4	72,001	to	74,000	375
5	74,001	to	76,000	387
6	76,001	to	78,000	394
7	78,001	to	80,000	406
8	80,001	to	82,000	413
9	82,001	to	84,000	425
10	84,001	to	86,000	432
11	86,001	to	88,000	445
12	88,001	to	90,000	451
13	90,001	to	92,000	464
14	92,001	to	94,000	470
15	94,001	to	96,000	483
16	96,001	to	98,000	489
17	98,001	to	100,000	495
18	100,001	to	102,000	508
19	102,001	to	104,000	514
20	104,001	to	105,500	527

21 “ _____
22 “(ii) For the period beginning on January 1, 2020, and ending on Decem-
23 ber 31, 2021, the registration fee for motor vehicles with a registration
24 weight of more than 8,000 pounds that are described in ORS 825.015, that are
25 operated by a charitable organization as defined in ORS 825.017 (13), is as
26 provided in the following chart:

27 “ _____

28	Weight in Pounds	Fee
29	8,001 to 10,000	\$ 68
30	10,001 to 12,000	81

1	12,001	to	14,000	88
2	14,001	to	16,000	101
3	16,001	to	18,000	108
4	18,001	to	20,000	122
5	20,001	to	22,000	128
6	22,001	to	24,000	142
7	24,001	to	26,000	149
8	26,001	to	28,000	162
9	28,001	to	30,000	169
10	30,001	to	32,000	182
11	32,001	to	34,000	189
12	34,001	to	36,000	203
13	36,001	to	38,000	209
14	38,001	to	40,000	223
15	40,001	to	42,000	230
16	42,001	to	44,000	243
17	44,001	to	46,000	250
18	46,001	to	48,000	257
19	48,001	to	50,000	270
20	50,001	to	52,000	284
21	52,001	to	54,000	290
22	54,001	to	56,000	297
23	56,001	to	58,000	311
24	58,001	to	60,000	324
25	60,001	to	62,000	338
26	62,001	to	64,000	351
27	64,001	to	66,000	358
28	66,001	to	68,000	371
29	68,001	to	70,000	378
30	70,001	to	72,000	392

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

18 “ _____
19 “(B)(i) For the period beginning January 1, 2018, and ending December
20 31, 2019, the registration fee for motor vehicles that are certified under ORS
21 822.205, unless the motor vehicles are registered under paragraph (a) of this
22 subsection, or that are used exclusively to transport manufactured struc-
23 tures, is as provided in the following chart:

24 “ _____

25	Weight in Pounds	Fee
26	8,000 or less	\$ 56
27	8,001 to 10,000	130
28	10,001 to 12,000	155
29	12,001 to 14,000	168
30	14,001 to 16,000	194

1	16,001	to	18,000	207
2	18,001	to	20,000	232
3	20,001	to	22,000	245
4	22,001	to	24,000	272
5	24,001	to	26,000	284
6	26,001	to	28,000	310
7	28,001	to	30,000	324
8	30,001	to	32,000	349
9	32,001	to	34,000	362
10	34,001	to	36,000	389
11	36,001	to	38,000	401
12	38,001	to	40,000	427
13	40,001	to	42,000	439
14	42,001	to	44,000	466
15	44,001	to	46,000	479
16	46,001	to	48,000	491
17	48,001	to	50,000	517
18	50,001	to	52,000	544
19	52,001	to	54,000	556
20	54,001	to	56,000	569
21	56,001	to	58,000	594
22	58,001	to	60,000	621
23	60,001	to	62,000	646
24	62,001	to	64,000	673
25	64,001	to	66,000	686
26	66,001	to	68,000	711
27	68,001	to	70,000	724
28	70,001	to	72,000	751
29	72,001	to	74,000	763
30	74,001	to	76,000	789

1	76,001	to	78,000	801
2	78,001	to	80,000	828
3	80,001	to	82,000	841
4	82,001	to	84,000	866
5	84,001	to	86,000	879
6	86,001	to	88,000	906
7	88,001	to	90,000	918
8	90,001	to	92,000	944
9	92,001	to	94,000	958
10	94,001	to	96,000	983
11	96,001	to	98,000	996
12	98,001	to	100,000	1,008
13	100,001	to	102,000	1,035
14	102,001	to	104,000	1,048
15	104,001	to	105,500	1,073

16 “ _____
17 “(ii) For the period beginning on January 1, 2020, and ending on Decem-
18 ber 31, 2021, the registration fee for motor vehicles that are certified under
19 ORS 822.205, unless the motor vehicles are registered under paragraph (a)
20 of this subsection, or that are used exclusively to transport manufactured
21 structures, is as provided in the following chart:

22 “ _____

23	Weight in Pounds	Fee
24	8,000 or less	\$ 61
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

1	20,001	to	22,000	261
2	22,001	to	24,000	289
3	24,001	to	26,000	302
4	26,001	to	28,000	329
5	28,001	to	30,000	344
6	30,001	to	32,000	371
7	32,001	to	34,000	385
8	34,001	to	36,000	413
9	36,001	to	38,000	427
10	38,001	to	40,000	454
11	40,001	to	42,000	467
12	42,001	to	44,000	495
13	44,001	to	46,000	509
14	46,001	to	48,000	522
15	48,001	to	50,000	549
16	50,001	to	52,000	578
17	52,001	to	54,000	591
18	54,001	to	56,000	605
19	56,001	to	58,000	632
20	58,001	to	60,000	660
21	60,001	to	62,000	687
22	62,001	to	64,000	716
23	64,001	to	66,000	729
24	66,001	to	68,000	756
25	68,001	to	70,000	770
26	70,001	to	72,000	798
27	72,001	to	74,000	811
28	74,001	to	76,000	838
29	76,001	to	78,000	852
30	78,001	to	80,000	880

1	80,001	to	82,000	894
2	82,001	to	84,000	921
3	84,001	to	86,000	934
4	86,001	to	88,000	963
5	88,001	to	90,000	976
6	90,001	to	92,000	1,003
7	92,001	to	94,000	1,018
8	94,001	to	96,000	1,045
9	96,001	to	98,000	1,058
10	98,001	to	100,000	1,072
11	100,001	to	102,000	1,100
12	102,001	to	104,000	1,114
13	104,001	to	105,500	1,141

14 “ _____
15 “(C) The owner of a vehicle described in subparagraph (A) or (B) of this
16 paragraph must certify at the time of initial registration, in a manner de-
17 termined by the department by rule, that the motor vehicle will be used ex-
18 clusively to transport manufactured structures or exclusively as described in
19 ORS 822.210, unless the motor vehicle is registered under paragraph (a) of
20 this subsection, or as described in ORS 825.015 or 825.017 (13). Registration
21 of a vehicle described in subparagraph (A) or (B) of this paragraph is invalid
22 if the vehicle is operated in any manner other than that described in the
23 certification under this subparagraph.

24 “(c)(A) For the period beginning on January 1, 2018, and ending on De-
25 cember 31, 2019, subject to paragraph (d) of this subsection, the registration
26 fee for motor vehicles registered as farm vehicles under ORS 805.300 is as
27 provided in the following chart, based upon the registration weight given in
28 the declaration of weight submitted under ORS 803.435:

29 “ _____

30	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

1	66,001	to	68,000	472
2	68,001	to	70,000	483
3	70,001	to	72,000	502
4	72,001	to	74,000	511
5	74,001	to	76,000	531
6	76,001	to	78,000	540
7	78,001	to	80,000	559
8	80,001	to	82,000	569
9	82,001	to	84,000	588
10	84,001	to	86,000	598
11	86,001	to	88,000	617
12	88,001	to	90,000	626
13	90,001	to	92,000	646
14	92,001	to	94,000	655
15	94,001	to	96,000	674
16	96,001	to	98,000	685
17	98,001	to	100,000	704
18	100,001	to	102,000	714
19	102,001	to	104,000	733
20	104,001	to	105,500	743

21 “ _____
22 “(B) For the period beginning on January 1, 2020, and ending on Decem-
23 ber 31, 2021, subject to paragraph (d) of this subsection, the registration fee
24 for motor vehicles registered as farm vehicles under ORS 805.300 is as pro-
25 vided in the following chart, based upon the registration weight given in the
26 declaration of weight submitted under ORS 803.435:

27 “ _____

28	Weight in Pounds	Fee
29	8,000 or less	\$ 47
30	8,001 to 10,000	62

1	10,001	to	12,000	72
2	12,001	to	14,000	92
3	14,001	to	16,000	103
4	16,001	to	18,000	123
5	18,001	to	20,000	134
6	20,001	to	22,000	154
7	22,001	to	24,000	163
8	24,001	to	26,000	185
9	26,001	to	28,000	194
10	28,001	to	30,000	215
11	30,001	to	32,000	225
12	32,001	to	34,000	246
13	34,001	to	36,000	257
14	36,001	to	38,000	277
15	38,001	to	40,000	288
16	40,001	to	42,000	308
17	42,001	to	44,000	317
18	44,001	to	46,000	339
19	46,001	to	48,000	348
20	48,001	to	50,000	369
21	50,001	to	52,000	379
22	52,001	to	54,000	389
23	54,001	to	56,000	410
24	56,001	to	58,000	431
25	58,001	to	60,000	440
26	60,001	to	62,000	451
27	62,001	to	64,000	471
28	64,001	to	66,000	491
29	66,001	to	68,000	502
30	68,001	to	70,000	513

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

19 “ _____

20 “(d) For any vehicle that is registered under a quarterly registration pe-
 21 riod, the registration fee is a minimum of \$15 for each quarter registered plus
 22 an additional fee of \$2.

23 “(15) The registration and renewal fees for vehicles specified in this
 24 subsection that are required to establish a registration weight under
 25 ORS 803.430 or 826.013 are as follows:

26 “(a) State-owned vehicles registered under ORS 805.045, \$10.

27 “(b) Undercover vehicles registered under ORS 805.060, \$10.

28 “SECTION 17. ORS 803.420, as amended by section 35, chapter 750,
 29 Oregon Laws 2017, and section 4, chapter 114, Oregon Laws 2018, is amended
 30 to read:

1 “803.420. (1) The vehicle registration fees imposed under this section shall
2 be based on the classifications determined by the Department of Transpor-
3 tation by rule. The department may classify a vehicle to ensure that regis-
4 tration fees for the vehicle are the same as for other vehicles the department
5 determines to be comparable.

6 “(2) Except as otherwise provided in this section, or unless the vehicle is
7 registered quarterly, the fees described in this section are for an entire reg-
8 istration period for the vehicle as described under ORS 803.415. For a vehicle
9 registered for a quarterly registration period under ORS 803.415, the depart-
10 ment shall apportion any fee under this section to reflect the number of
11 quarters registered.

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

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

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

21 “(6) The registration fees for each year of the registration period for ve-
22 hicles subject to biennial registration are as follows:

23 “(a) Passenger vehicles not otherwise provided for in this section or ORS
24 821.320, \$43.

25 “(b) Utility trailers or light trailers, as those terms are defined by rule
26 by the department, \$63.

27 “(c) Mopeds and motorcycles, \$44.

28 “(d) Low-speed vehicles, \$63.

29 “(e) Medium-speed electric vehicles, \$63.

30 “(7) The registration fees for vehicles that are subject to biennial regis-

1 tration and that are listed in this subsection are as follows:

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

4 “(b) Fixed load vehicles:

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

7 “(B) If no declaration of weight is submitted or if the weight of the ve-
8 hicles is in excess of 3,000 pounds, \$82.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 “(d) Trailers, \$10.

2 “(e) **State-owned vehicles registered under ORS 805.045 and under-**
3 **cover vehicles registered under ORS 805.060, \$10.**

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

8 “(12) The registration fee for vehicles with proportional registration un-
9 der ORS 826.009, or proportional fleet registration under ORS 826.011, is the
10 same fee as the fee for vehicles of the same type under this section except
11 that the fees shall be fixed on an apportioned basis as provided under the
12 agreement established under ORS 826.007.

13 “(13) In addition to any other registration fees charged for registration
14 of vehicles in fleets under ORS 805.120, the department may charge the fol-
15 lowing fees:

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

17 “(b) Service charge for each vehicle in the fleet at the time of renewal,
18 \$2.

19 “(14)(a) The registration fee for motor vehicles required to establish a
20 registration weight under ORS 803.430 or 826.013, tow vehicles used to
21 transport property for hire other than as described in ORS 822.210 and com-
22 mercial buses is as provided in the following chart, based upon the weight
23 submitted in the declaration of weight prepared under ORS 803.435 or
24 826.015:

25 “

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

1	14,001	to	16,000	655
2	16,001	to	18,000	718
3	18,001	to	20,000	801
4	20,001	to	22,000	864
5	22,001	to	24,000	949
6	24,001	to	26,000	1,031
7	26,001	to	28,000	375
8	28,001	to	30,000	391
9	30,001	to	32,000	422
10	32,001	to	34,000	438
11	34,001	to	36,000	468
12	36,001	to	38,000	485
13	38,001	to	40,000	515
14	40,001	to	42,000	532
15	42,001	to	44,000	562
16	44,001	to	46,000	578
17	46,001	to	48,000	593
18	48,001	to	50,000	625
19	50,001	to	52,000	656
20	52,001	to	54,000	672
21	54,001	to	56,000	686
22	56,001	to	58,000	717
23	58,001	to	60,000	750
24	60,001	to	62,000	780
25	62,001	to	64,000	811
26	64,001	to	66,000	827
27	66,001	to	68,000	857
28	68,001	to	70,000	874
29	70,001	to	72,000	904
30	72,001	to	74,000	921

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

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

22 “ _____

23	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

1	22,001	to	24,000	149
2	24,001	to	26,000	156
3	26,001	to	28,000	170
4	28,001	to	30,000	178
5	30,001	to	32,000	192
6	32,001	to	34,000	199
7	34,001	to	36,000	213
8	36,001	to	38,000	220
9	38,001	to	40,000	234
10	40,001	to	42,000	241
11	42,001	to	44,000	256
12	44,001	to	46,000	263
13	46,001	to	48,000	270
14	48,001	to	50,000	284
15	50,001	to	52,000	298
16	52,001	to	54,000	305
17	54,001	to	56,000	312
18	56,001	to	58,000	327
19	58,001	to	60,000	341
20	60,001	to	62,000	355
21	62,001	to	64,000	369
22	64,001	to	66,000	376
23	66,001	to	68,000	391
24	68,001	to	70,000	398
25	70,001	to	72,000	412
26	72,001	to	74,000	419
27	74,001	to	76,000	433
28	76,001	to	78,000	440
29	78,001	to	80,000	454
30	80,001	to	82,000	462

1	82,001	to	84,000	476
2	84,001	to	86,000	483
3	86,001	to	88,000	497
4	88,001	to	90,000	504
5	90,001	to	92,000	518
6	92,001	to	94,000	525
7	94,001	to	96,000	540
8	96,001	to	98,000	547
9	98,001	to	100,000	554
10	100,001	to	102,000	568
11	102,001	to	104,000	575
12	104,001	to	105,500	589

13 “ _____

14 “(B) The registration fee for motor vehicles that are certified under ORS
15 822.205, unless the motor vehicles are registered under paragraph (a) of this
16 subsection, or that are used exclusively to transport manufactured struc-
17 tures, is as provided in the following chart:

18 “ _____

19	Weight in Pounds			Fee
20	8,000	or	less	\$ 63
21	8,001	to	10,000	145
22	10,001	to	12,000	173
23	12,001	to	14,000	187
24	14,001	to	16,000	217
25	16,001	to	18,000	231
26	18,001	to	20,000	260
27	20,001	to	22,000	274
28	22,001	to	24,000	304
29	24,001	to	26,000	318
30	26,001	to	28,000	346

1	28,001	to	30,000	362
2	30,001	to	32,000	391
3	32,001	to	34,000	405
4	34,001	to	36,000	435
5	36,001	to	38,000	449
6	38,001	to	40,000	477
7	40,001	to	42,000	491
8	42,001	to	44,000	521
9	44,001	to	46,000	535
10	46,001	to	48,000	550
11	48,001	to	50,000	578
12	50,001	to	52,000	608
13	52,001	to	54,000	622
14	54,001	to	56,000	636
15	56,001	to	58,000	665
16	58,001	to	60,000	694
17	60,001	to	62,000	723
18	62,001	to	64,000	753
19	64,001	to	66,000	767
20	66,001	to	68,000	795
21	68,001	to	70,000	809
22	70,001	to	72,000	839
23	72,001	to	74,000	853
24	74,001	to	76,000	882
25	76,001	to	78,000	896
26	78,001	to	80,000	926
27	80,001	to	82,000	940
28	82,001	to	84,000	968
29	84,001	to	86,000	983
30	86,001	to	88,000	1,012

1	88,001	to	90,000	1,027
2	90,001	to	92,000	1,055
3	92,001	to	94,000	1,071
4	94,001	to	96,000	1,099
5	96,001	to	98,000	1,113
6	98,001	to	100,000	1,127
7	100,001	to	102,000	1,157
8	102,001	to	104,000	1,172
9	104,001	to	105,500	1,200

10 “ _____

11 “(C) The owner of a vehicle described in subparagraph (A) or (B) of this
 12 paragraph must certify at the time of initial registration, in a manner de-
 13 termined by the department by rule, that the motor vehicle will be used ex-
 14 clusively to transport manufactured structures or exclusively as described in
 15 ORS 822.210, unless the motor vehicle is registered under paragraph (a) of
 16 this subsection, or as described in ORS 825.015 or 825.017 (13). Registration
 17 of a vehicle described in subparagraph (A) or (B) of this paragraph is invalid
 18 if the vehicle is operated in any manner other than that described in the
 19 certification under this subparagraph.

20 “(c) Subject to paragraph (d) of this subsection, the registration fee for
 21 motor vehicles registered as farm vehicles under ORS 805.300 is as provided
 22 in the following chart, based upon the registration weight given in the dec-
 23 laration of weight submitted under ORS 803.435:

24 “ _____

25	Weight in Pounds			Fee
26	8,000	or	less	\$ 50
27	8,001	to	10,000	65
28	10,001	to	12,000	75
29	12,001	to	14,000	97
30	14,001	to	16,000	108

1	16,001	to	18,000	129
2	18,001	to	20,000	141
3	20,001	to	22,000	162
4	22,001	to	24,000	172
5	24,001	to	26,000	195
6	26,001	to	28,000	204
7	28,001	to	30,000	226
8	30,001	to	32,000	237
9	32,001	to	34,000	258
10	34,001	to	36,000	270
11	36,001	to	38,000	291
12	38,001	to	40,000	302
13	40,001	to	42,000	324
14	42,001	to	44,000	334
15	44,001	to	46,000	356
16	46,001	to	48,000	366
17	48,001	to	50,000	388
18	50,001	to	52,000	399
19	52,001	to	54,000	409
20	54,001	to	56,000	432
21	56,001	to	58,000	453
22	58,001	to	60,000	463
23	60,001	to	62,000	474
24	62,001	to	64,000	496
25	64,001	to	66,000	517
26	66,001	to	68,000	528
27	68,001	to	70,000	540
28	70,001	to	72,000	561
29	72,001	to	74,000	571
30	74,001	to	76,000	594

1	76,001	to	78,000	604
2	78,001	to	80,000	625
3	80,001	to	82,000	636
4	82,001	to	84,000	657
5	84,001	to	86,000	669
6	86,001	to	88,000	690
7	88,001	to	90,000	700
8	90,001	to	92,000	723
9	92,001	to	94,000	733
10	94,001	to	96,000	754
11	96,001	to	98,000	765
12	98,001	to	100,000	787
13	100,001	to	102,000	798
14	102,001	to	104,000	819
15	104,001	to	105,500	831

16 “ _____

17 “(d) For any vehicle that is registered under a quarterly registration pe-
18 riod, the registration fee is a minimum of \$15 for each quarter registered plus
19 an additional fee of \$2.

20 “(15) The registration and renewal fees for vehicles specified in this
21 subsection that are required to establish a registration weight under
22 ORS 803.430 or 826.013 are as follows:

23 “(a) State-owned vehicles registered under ORS 805.045, \$10.

24 “(b) Undercover vehicles registered under ORS 805.060, \$10.

25 “SECTION 18. Section 19 of this 2019 Act is added to and made a
26 part of ORS 320.400 to 320.490.

27 “SECTION 19. For purposes of ORS 315.037, any tax expenditure
28 enacted with respect to any or all transportation project taxes shall
29 remain in continuous effect until the Legislative Assembly expressly
30 provides otherwise.

1 **“SECTION 20.** ORS 367.080 is amended to read:

2 “367.080. (1) As used in ORS 367.080 to 367.089:

3 “[(a) ‘Bicycle’ has the meaning given that term in ORS 801.150.]

4 “[(b)] **(a)** ‘Private entity’ means any entity that is not a public body, in-
5 cluding but not limited to a corporation, partnership, company, nonprofit
6 organization or other legal entity or natural person.

7 “[(c)] **(b)** ‘Public body’ has the meaning given that term in ORS 174.109.

8 “[(d) ‘Statewide significance’ means a transportation project that:]

9 “[(A) Benefits the regional and statewide economy; and]

10 “[(B) Sustains employment within the community or region in which the
11 transportation project is located beyond the employment associated with con-
12 struction or implementation of the project.]

13 “[(e) ‘Transportation project’ means a project or undertaking for transit,
14 rail, marine, aviation and bicycle and pedestrian capital infrastructure, in-
15 cluding bridges, paths and ways, or a project that facilitates the transportation
16 of materials, animals or people. A transportation project does not include costs
17 associated with operating expenses or the purchase of bicycles.]

18 **“(c)(A) ‘Transportation project’ means a project or undertaking for
19 rail, marine or aviation capital infrastructure, including bridges, or a
20 project that facilitates the transportation of materials, animals or
21 people.**

22 **“(B) A transportation project does not include costs associated with
23 operating expenses.**

24 “(2) The Connect Oregon Fund is established in the State Treasury, sep-
25 arate and distinct from the General Fund. Earnings on moneys in the Con-
26 nect Oregon Fund shall be deposited into the fund. Moneys in the Connect
27 Oregon Fund are continuously appropriated to the Department of Transpor-
28 tation for the purposes described in subsection (3) of this section and in ORS
29 367.086. The fund consists of the following:

30 “(a) Moneys transferred to the fund under ORS 320.435 [*and 320.440*].

1 “(b) Moneys appropriated to the fund by the Legislative Assembly.

2 “(c) Earnings on moneys in the fund.

3 “(d) Lottery bond proceeds.

4 “(e) Moneys from any other source.

5 “(3) The department shall use moneys in the Connect Oregon Fund to
6 provide grants for transportation projects as provided in ORS 367.080 to
7 367.089. Grants may be provided only for projects that involve one or more
8 of the following modes of transportation:

9 “(a) [Air] **Aviation;**

10 “(b) Marine; **and**

11 “(c) Rail.[: *and*]

12 “[*d*] *Bicycle and pedestrian.*]

13 **“SECTION 21.** ORS 367.081 is amended to read:

14 **“367.081. (1) Each biennium, the Department of Transportation may**
15 **provide grants for transportation projects under ORS 367.080 only if**
16 **the department determines that \$50 million or more will be available**
17 **in the Connect Oregon Fund for the biennium in which the grants are**
18 **provided.**

19 **“(2) The department may use up to one percent of the amounts**
20 **available within the Connect Oregon Fund to pay administrative costs**
21 **incurred by the department in carrying out the provisions of ORS**
22 **367.080 to 367.089.**

23 **“(3) Each biennium, the department shall transfer seven percent**
24 **of the moneys in the Connect Oregon Fund to the Multimodal Active**
25 **Transportation Fund established under section 23 of this 2019 Act for**
26 **the purpose of providing grants for bicycle and pedestrian transporta-**
27 **tion projects.**

28 *“(1) If there is \$75 million or more in the Connect Oregon Fund on July*
29 *1 of an odd-numbered year, the amounts available under ORS 367.080 shall*
30 *be distributed for transportation projects within the Connect Oregon program*

1 *as follows:]*

2 *“[(a) For projects within Connect Oregon Part One:]*

3 *“[(A) Forty-seven percent for transportation projects that involve one or*
4 *more of the following modes of transportation:]*

5 *“[(i) Aviation;]*

6 *“[(ii) Marine; or]*

7 *“[(iii) Rail.]*

8 *“[(B) Seven percent for bicycle and pedestrian transportation projects.]*

9 *“[(C) One percent is appropriated to the Department of Transportation to*
10 *pay administrative costs incurred by the department in carrying out the pro-*
11 *visions of ORS 367.080 to 367.089.]*

12 *“[(b) For transportation projects within Connect Oregon Part Two, forty-*
13 *five percent.]*

14 *“[(2) If there is less than \$75 million in the Connect Oregon Fund on July*
15 *1 of an odd-numbered year, the amounts available under ORS 367.080 shall*
16 *be distributed for transportation projects within the Connect Oregon program*
17 *as follows for projects within Connect Oregon Part One:]*

18 *“[(a) Ninety-two percent for transportation projects that involve one or more*
19 *of the following modes of transportation:]*

20 *“[(A) Aviation;]*

21 *“[(B) Marine; or]*

22 *“[(C) Rail.]*

23 *“[(b) Seven percent for bicycle and pedestrian transportation projects.]*

24 *“[(c) One percent is appropriated to the Department of Transportation to*
25 *pay administrative costs incurred by the department in carrying out the pro-*
26 *visions of ORS 367.080 to 367.089.]*

27 *“[(3) To the extent that proposed transportation projects meet the quali-*
28 *fications established by the Oregon Transportation Commission by rule, the*
29 *commission shall allocate at least 10 percent of the amount described in sub-*
30 *section (1) or (2) of this section to each of the five regions described in ORS*

1 366.805.]

2 **“SECTION 22.** ORS 367.084 is amended to read:

3 “367.084. (1) The Oregon Transportation Commission shall select trans-
4 portation projects to be funded with moneys in the Connect Oregon Fund
5 established under ORS 367.080.

6 “(2)(a) Prior to selecting transportation projects, the commission shall
7 seek input from the applicable area commission on transportation.

8 “(b) Prior to selecting aeronautic and airport transportation projects, the
9 commission shall solicit recommendations from the State Aviation Board.

10 “(c) Prior to selecting freight transportation projects, the commission
11 shall solicit recommendations from the Freight Advisory Committee.

12 “(d) Prior to selecting rail projects, the commission shall solicit recom-
13 mendations from the rail advisory committee.

14 “(e) Prior to selecting marine projects, the commission shall solicit rec-
15 ommendations from the Oregon Business Development Department.

16 “[*f*] Prior to selecting bicycle and pedestrian projects, the commission shall
17 solicit recommendations from the advisory committee created by ORS
18 366.112.]

19 “[*3*] The commission shall divide the Connect Oregon program into two
20 parts to be known as Connect Oregon Part One and Connect Oregon Part
21 Two.]

22 “[*4*] Connect Oregon Part One consists of transportation projects that in-
23 volve one or more of the following modes of transportation:]

24 “[*a*] Air;]

25 “[*b*] Marine;]

26 “[*c*] Rail; and]

27 “[*d*] Bicycle and pedestrian.]

28 “[*5*] Connect Oregon Part Two consists of transportation projects that:]

29 “[*a*] Are transportation projects of statewide significance; and]

30 “[*b*] Enhance or maintain one or more of the following modes of transpor-

1 *tation:]*

2 “[*(A) Air;*]

3 “[*(B) Marine;*]

4 “[*(C) Class I railroads;*]

5 “[*(D) Class II railroads; or*]

6 “[*(E) Class III railroads.*]

7 “[*(6) (3) In selecting transportation projects [within Connect Oregon Part*
8 *One], the commission shall consider:*

9 “(a) Whether a proposed transportation project reduces transportation
10 costs for Oregon businesses or improves access to jobs and sources of labor;

11 “(b) Whether a proposed transportation project results in an economic
12 benefit to this state;

13 “(c) Whether a proposed transportation project is a critical link connect-
14 ing elements of Oregon’s transportation system that will measurably improve
15 utilization and efficiency of the system;

16 “(d) How much of the cost of a proposed transportation project can be
17 borne by the applicant for the grant from any source other than the Connect
18 Oregon Fund;

19 “(e) Whether a proposed transportation project is ready for construction;

20 “(f) Whether a proposed transportation project has a useful life expect-
21 ancy that offers maximum benefit to the state; and

22 “(g) Whether a proposed transportation project is located near operations
23 conducted for mining aggregate or processing aggregate as described in ORS
24 215.213 (2)(d) or 215.283 (2)(b).

25 “[*(7) The commission may award grants only for bicycle and pedestrian*
26 *transportation projects that expand and improve commuter routes for nonmo-*
27 *torized vehicles and pedestrians, including bicycle trails, footpaths and multi-*
28 *use trails.*]

29 “[*(8) In selecting marine enhancement transportation projects within Con-*
30 *nect Oregon Part Two, the commission shall consider whether a proposed*

1 *transportation project:]*

2 *“(a) Is located in a deepwater port;]*

3 *“(b) Is located in a port with commercial activities where freight is trans-*
4 *ferred between water and another mode of freight transport;]*

5 *“(c) Improves efficiency of port operations or transportation system;]*

6 *“(d) Improves accessibility, connections, safety or mobility between a port*
7 *and another modes of transportation;]*

8 *“(e) Has a significant economic benefit to this state including but not*
9 *limited to adding jobs, retaining a high number of existing jobs or supporting*
10 *business expansion at a port facility; and]*

11 *“(f) Leverages private funding.]*

12 *“(9) In selecting marine maintenance transportation projects within Con-*
13 *nect Oregon Part Two, the commission shall consider whether a proposed*
14 *transportation project:]*

15 *“(a) Maintains or improves channel depth or width;]*

16 *“(b) Preserves high-use or high-volume dock or pier infrastructure;]*

17 *“(c) Maintains connections to a port facility, including railroads or high-*
18 *ways; and]*

19 *“(d) Preserves critical equipment necessary to maintain port functionality*
20 *including but not limited to cranes, lifts, hoists and moorings.]*

21 *“(10) In selecting Class II or III railroad enhancement transportation*
22 *projects within Connect Oregon Part Two, the commission shall consider*
23 *whether a proposed transportation project:]*

24 *“(a) Allows a Class II or III railroad to transport a substantial volume*
25 *or value of freight in relation to other Class II or III railroads;]*

26 *“(b) Connects a Class II or III railroad to a deepwater port;]*

27 *“(c) Improves efficiency of the line;]*

28 *“(d) Improves capacity of the line;]*

29 *“(e) Connects to new or expanding businesses requiring rail service; and]*

30 *“(f) Improves connectivity with Class I railroads.]*

1 “[(11) *In selecting Class II or III railroad maintenance transportation*
2 *projects within Connect Oregon Part Two, the commission shall consider*
3 *whether a proposed transportation project:]*

4 “[(a) *Maintains or increases functionality of the railroad;*]

5 “[(b) *Maintains or improves a critical bridge, tunnel or other structure*
6 *necessary to maintain rail service;*]

7 “[(c) *Provides jobs to economically disadvantaged areas, as determined by*
8 *the Oregon Business Development Department by rule;*]

9 “[(d) *Helps protect critical rail infrastructure from seismic vulnerability;*]

10 “[(e) *Improves railroads that serve industries that are important to this*
11 *state;*]

12 “[(f) *Increases the volume or value of freight; and]*

13 “[(g) *Improves connections to highways or intermodal terminals.*]

14 “[(12) *In selecting Class I railroad enhancement transportation projects*
15 *within Connect Oregon Part Two, the commission shall consider whether a*
16 *proposed transportation project:]*

17 “[(a) *Eliminates or improves an identified rail congestion point;*]

18 “[(b) *Improves the capacity or efficiency of the rail system;*]

19 “[(c) *Has a strong benefit to Oregon’s economy;*]

20 “[(d) *Improves operations and efficiency of shared rail passenger service*
21 *providers;*]

22 “[(e) *Improves accessibility to ports or other intermodal terminals; and]*

23 “[(f) *Improves the safety or reliability of the rail system.*]

24 “[(13) *In selecting Class I railroad maintenance transportation projects*
25 *within Connect Oregon Part Two, the commission shall consider whether a*
26 *proposed transportation project:]*

27 “[(a) *Connects to Class II or III railroads, ports, intermodal terminals or*
28 *highways; and]*

29 “[(b) *Improves seismically vulnerable portions of the railroad or bridges.*]

30 “[(14) *To receive a grant under Connect Oregon Part Two a proposed avi-*

1 *ation transportation project must benefit a category I, II, III or IV airport,*
2 *as defined by the Oregon Department of Aviation by rule and the airport must*
3 *be eligible for federal matching funds. In addition the commission shall con-*
4 *sider whether a proposed transportation project:]*

5 *“[(a) Facilitates rescue or recovery efforts following a seismic event;]*

6 *“[(b) Serves joint military and civilian operations; or]*

7 *“[(c) Facilitates expanded commercial service, excluding the acquisition or*
8 *operation of aircraft.]*

9 *“[(15)] (4) To promote fairness in the selection process, the Director of*
10 *Transportation may not choose a member of a final review committee:*

11 *“(a) Who represents an entity that submitted an application for a Connect*
12 *Oregon Fund grant that is being considered for funding by a final review*
13 *committee; or*

14 *“(b) Has a direct financial interest in an application that is being con-*
15 *sidered for funding by a final review committee.*

16 **“SECTION 23. (1) As used in this section and section 24 of this 2019**
17 **Act:**

18 **“(a) ‘Private entity’ means any entity that is not a public body,**
19 **including but not limited to a corporation, partnership, company,**
20 **nonprofit organization or other legal entity or natural person.**

21 **“(b) ‘Public body’ has the meaning given that term in ORS 174.109.**

22 **“(c) ‘Transportation project’ means a project or undertaking for**
23 **bicycle and pedestrian capital infrastructure, including bridges, paths**
24 **and ways. A transportation project does not include costs associated**
25 **with operating expenses or the purchase of bicycles.**

26 **“(2) The Multimodal Active Transportation Fund is established in**
27 **the State Treasury, separate and distinct from the General Fund.**
28 **Earnings on moneys in the Multimodal Active Transportation Fund**
29 **shall be deposited into the fund. Moneys in the fund are continuously**
30 **appropriated to the Department of Transportation for the purposes**

1 described in subsection (3) of this section and in section 24 of this 2019
2 Act. The fund consists of the following:

3 “(a) Moneys transferred to the fund under ORS 320.440.

4 “(b) Moneys transferred to the fund under ORS 367.081.

5 “(c) Moneys appropriated to the fund by the Legislative Assembly.

6 “(d) Earnings on moneys in the fund.

7 “(e) Moneys from any other source.

8 “(3) The department shall use moneys in the fund to award grants
9 for bicycle and pedestrian transportation projects as provided in sec-
10 tion 24 of this 2019 Act.

11 **“SECTION 24. (1) The Department of Transportation shall establish**
12 **the Multimodal Active Transportation Program. The department may**
13 **provide, from moneys in the Multimodal Active Transportation Fund**
14 **established under section 23 of this 2019 Act, grants for transportation**
15 **projects to public bodies and to private entities.**

16 “(2) The department shall adopt rules specifying the process by
17 which a public body or private entity may apply for a grant under this
18 section and prescribing the terms and conditions of grants. An appli-
19 cant receiving a grant must provide 30 percent of the moneys required
20 for the transportation project.

21 “(3) The Oregon Transportation Commission shall select transpor-
22 tation projects to be funded with moneys in the Multimodal Active
23 Transportation Fund. Before selecting bicycle and pedestrian trans-
24 portation projects, the commission shall solicit recommendations from
25 the advisory committee created by ORS 366.112.

26 **“SECTION 25. ORS 320.440 is amended to read:**

27 “320.440. (1) The Department of Revenue shall deposit all revenue col-
28 lected from the excise tax imposed under ORS 320.415 in a suspense account
29 established under ORS 293.445 for the purposes of receiving the excise tax
30 revenue. The department may pay expenses for the administration and

1 enforcement of the excise tax out of moneys received from the excise tax.
2 Amounts necessary to pay administrative and enforcement expenses are
3 continuously appropriated to the department from the suspense account.

4 “(2) After payment of administrative and enforcement expenses under
5 subsection (1) of this section and refunds or credits arising from erroneous
6 overpayments, the department shall transfer the balance of the moneys re-
7 ceived from the excise tax to the [*Connect Oregon Fund*] **Multimodal Active**
8 **Transportation Fund** established under [*ORS 367.080*] **section 23 of this**
9 **2019 Act** for the purpose of providing grants for bicycle and pedestrian
10 transportation projects **under section 24 of this 2019 Act.**

11 **“SECTION 26.** Section 7, chapter 700, Oregon Laws 2015, as amended by
12 section 80a, chapter 750, Oregon Laws 2017, is amended to read:

13 **“Sec. 7.** (1) The following amounts shall be distributed in the manner
14 prescribed in this section:

15 “(a) Any amount of tax on aircraft fuel usable in aircraft operated by
16 turbine engines that is computed on a basis in excess of one cent per gallon
17 and any amount of tax on all other aircraft fuel that is computed on a basis
18 in excess of nine cents per gallon, under ORS 319.020 (2); and

19 “(b) Any amount of tax on aircraft fuel usable in aircraft operated by
20 turbine engines in excess of one cent per gallon and any amount of tax on
21 all other aircraft fuel in excess of nine cents per gallon, that is deducted
22 before the refunding of tax under ORS 319.330 (1).

23 “(2) Applications for distributions under this section may not be approved
24 unless the applicant demonstrates a commitment to contribute at least five
25 percent of the costs of the project to which the application relates. The
26 Oregon Department of Aviation shall adopt rules for purposes of this sub-
27 section.

28 “(3)(a) The State Aviation Board shall establish a review committee
29 composed of one member from each of the area commissions on transporta-
30 tion chartered by the Oregon Transportation Commission.

1 “(b) The review committee shall meet as necessary to review applications
2 for distributions of amounts pursuant to this section. The criteria specified
3 in ORS 367.084 [(6)] (3) apply to the review process of the review committee.

4 “(c) The review committee shall recommend applications to the State
5 Aviation Board, which shall select applications with the following priority:

6 “(A) First, to applications filed pursuant to subsection (5)(a)(A) of this
7 section;

8 “(B) Second, to applications filed with respect to safety and infrastructure
9 development; and

10 “(C) Third, to applications filed with respect to aviation-related economic
11 benefits related to airports.

12 “(4)(a) Five percent of the amounts described in subsection (1) of this
13 section are appropriated to the Oregon Department of Aviation for the costs
14 of the department and the State Aviation Board in administering this sec-
15 tion.

16 “(b) The remaining 95 percent of the amounts described in subsection (1)
17 of this section shall be distributed pursuant to subsections (5) to (7) of this
18 section.

19 “(5)(a) Fifty percent of the amounts described in subsection (4)(b) of this
20 section shall be distributed for the following purposes:

21 “(A) To assist airports in Oregon with match requirements for Federal
22 Aviation Administration Airport Improvement Program grants.

23 “(B) To make grants for emergency preparedness and infrastructure
24 projects, in accordance with the Oregon Resilience Plan, including grants for
25 emergency management plan development, seismic studies and emergency
26 generators and similar equipment.

27 “(C) To make grants for:

28 “(i) Services critical or essential to aviation, including, but not limited
29 to, fuel, sewer, water and weather equipment.

30 “(ii) Aviation-related business development, including, but not limited to,

1 hangars, parking for business aircraft and related facilities.

2 “(iii) Airport development for local economic benefit, including, but not
3 limited to, signs and marketing.

4 “(b) Priority in distributing grants shall be given to projects for which
5 applicants demonstrate a commitment to contribute the greatest amounts
6 toward the costs of the projects to which the applications relate.

7 “(6) Twenty-five percent of the amounts described in subsection (4)(b) of
8 this section shall be distributed for the purpose of assisting commercial air
9 service to rural Oregon.

10 “(7) Twenty-five percent of the amounts described in subsection (4)(b) of
11 this section shall be distributed to state-owned airports for the purposes of:

12 “(a) Safety improvements recommended by the State Aviation Board and
13 local community airports.

14 “(b) Infrastructure projects at public use airports.

15 “(8)(a) The State Aviation Board shall submit reports, in the manner
16 provided in ORS 192.245 and paragraph (b) of this subsection, that describe
17 in detail the projects for which applications have been submitted and ap-
18 proved, the airports affected, the names of the applicants and the persons
19 who will perform the work proposed in the applications, the progress of
20 projects for which applications have been approved and any other informa-
21 tion the board considers necessary for a comprehensive analysis of the im-
22 plementation of this section.

23 “(b) The reports described in paragraph (a) of this subsection shall be
24 submitted:

25 “(A) Not later than February 10 of each year to the committees of the
26 Legislative Assembly related to air transportation; and

27 “(B) Not later than September 30 of each year to the interim committees
28 of the Legislative Assembly related to air transportation.

29 **“SECTION 27. The Department of Transportation shall transfer**
30 **from the Connect Oregon Fund, established under ORS 367.080, to the**

1 **Multimodal Active Transportation Fund, established under section 23**
2 **of this 2019 Act, any amounts remaining in the Connect Oregon Fund**
3 **on the effective date of this 2019 Act that are attributable to the**
4 **transfer of the excise tax revenues under ORS 320.440.**

5 **“SECTION 28. (1) Each biennium, in cooperation with the Depart-**
6 **ment of Transportation, the State Parks and Recreation Department**
7 **shall allocate, for bicycle and pedestrian transportation projects to**
8 **meet recreation and transportation needs, up to \$4 million of lottery**
9 **revenues designated for outdoor recreation improvement projects.**

10 **“(2) Each biennium, the State Parks and Recreation Department**
11 **shall allocate one-half of the funding described in subsection (1) of this**
12 **section for the purpose of providing grants for bicycle and pedestrian**
13 **transportation projects through local and regional grant programs.**

14 **“(3) Each biennium, the State Parks and Recreation Department**
15 **shall allocate one-half of the funding described in subsection (1) of this**
16 **section for the purpose of funding bicycle and pedestrian transporta-**
17 **tion projects on signature, scenic or recreation trails within the State**
18 **of Oregon.**

19 **“SECTION 29. Section 28 of this 2019 Act is repealed on January 2,**
20 **2025.**

21 **“SECTION 30. Section 31 of this 2019 Act is added to and made a**
22 **part of ORS 295.001 to 295.108.**

23 **“SECTION 31. (1) This section applies to the following moneys:**

24 **“(a) Motor fuel taxes, penalties and interest that are:**

25 **“(A) Imposed on motor carriers; and**

26 **“(B) Payable through a clearinghouse operated under an interna-**
27 **tional fuel tax agreement entered into under ORS 825.555; and**

28 **“(b) Registration fees and other fixed fees and taxes that are:**

29 **“(A) Imposed on motor carriers for motor vehicles proportionally**
30 **registered in this state and other jurisdictions;**

1 “(B) Apportioned to this state; and

2 “(C) Payable through a clearinghouse operated under an agreement
3 for proportional registration entered into under ORS 826.007.

4 “(2) Moneys described in subsection (1) of this section are not public
5 funds for purposes of ORS 295.001 to 295.108 for the period during which
6 the moneys are held by a clearinghouse described in subsection (1) of
7 this section pending disbursement to, or payment on behalf of, the
8 state.

9 “**NOTE:** Sections 32 and 33 were deleted by amendment. Subsequent
10 sections were not renumbered.

11 “**SECTION 34.** Section 148, chapter 750, Oregon Laws 2017, as amended
12 by section 154, chapter 750, Oregon Laws 2017, is amended to read:

13 “**Sec. 148.** As used in sections 148 to 152, **chapter 750, Oregon Laws**
14 **2017** [*of this 2017 Act*]:

15 “(1) ‘Light-duty zero-emission vehicle’ means a motor vehicle that:

16 “(a) Has a gross vehicle weight rating of 8,500 pounds or less;

17 “(b) Is capable of attaining a speed of 55 miles per hour or more; and

18 “(c) Is powered:

19 “(A) Primarily by an electric battery and may or may not use a flywheel
20 energy storage device or a capacitor that also stores energy to assist in ve-
21 hicle operation.

22 “(B) By polymer electrolyte membrane fuel cells or proton exchange
23 membrane fuel cells that use hydrogen fuel and oxygen from the air to
24 produce electricity.

25 “(C) Primarily by a zero-emission energy storage device that provides
26 enough power for the vehicle to travel 75 miles or more using only electricity
27 and may or may not use a backup alternative power unit that does not op-
28 erate until the energy storage device is fully depleted.

29 “(2) ‘Motor vehicle’ has the meaning given that term in ORS 801.360.

30 “(3) ‘Neighborhood electric vehicle’ means a low-speed vehicle that:

1 “(a) Is powered using an electric battery;
2 “(b) Has a gross vehicle weight not exceeding 3,000 pounds; and
3 “(c) Has at least four wheels.
4 “(4) ‘Person’ means a person as defined in ORS 174.100 or a public body
5 as defined in ORS 174.109.
6 “(5) ‘Plug-in hybrid electric vehicle’ means a hybrid electric motor vehicle
7 that:
8 “(a) Has zero evaporative emissions from its fuel system;
9 “(b) Has an onboard electrical energy storage device with useful capacity
10 of 10 or more miles of urban dynamometer driving schedule range, as de-
11 scribed by the United States Environmental Protection Agency, on electricity
12 alone;
13 “(c) Is equipped with an onboard charger;
14 “(d) Is rechargeable from an external connection to an off-board electrical
15 source;
16 “(e) Meets the super ultra-low emission vehicle standards for exhaust
17 emissions, as defined by the Environmental Quality Commission by rule;
18 “(f) Has a warranty of at least 15 years and 150,000 miles on emission
19 control components; and
20 “(g) Is capable of attaining a speed of 55 miles per hour or more.
21 “(6) ‘Qualifying vehicle’ means a motor vehicle that:
22 “(a) Is a:
23 “(A) Light-duty zero-emission vehicle; [or]
24 “(B) **Neighborhood electric vehicle;**
25 “[(B)] (C) Plug-in hybrid electric vehicle; **or**
26 “(D) **Zero-emission motorcycle;**
27 “(b) Is new, or has been previously used only as a dealership floor model
28 or test-drive vehicle;
29 “(c) Has not previously been registered;
30 “(d) Is constructed entirely from new parts that have never been the

1 subject of a retail sale;

2 “(e) Has a base manufacturer’s suggested retail price of less than \$50,000;

3 “(f) Is covered by a manufacturer’s express warranty on the vehicle drive
4 train, including the applicable energy storage system or battery pack, for at
5 least 24 months from the date of purchase; and

6 “(g) Is certified by the manufacturer to comply with all applicable federal
7 safety standards issued by the National Highway Traffic Safety Adminis-
8 tration for new motor vehicles and new motor vehicle equipment.

9 “(7)(a) ‘Vehicle dealer’ means:

10 “(A) A person engaged in business in this state that has been issued a
11 vehicle dealer certificate under ORS 822.020; and

12 “(B) A person engaged in business in another state that would be subject
13 to ORS 822.005 if the person engaged in business in this state.

14 “(b) Notwithstanding paragraph (a) of this subsection, a person is not a
15 vehicle dealer for purposes of sections 148 to 152, **chapter 750, Oregon**
16 **Laws 2017**, [of this 2017 Act] to the extent the person:

17 “(A) Conducts an event that lasts less than seven consecutive days, for
18 which the public is charged admission and at which otherwise qualifying
19 vehicles are sold at auction; or

20 “(B) Sells an otherwise qualifying vehicle at auction at an event described
21 in this paragraph.

22 “(8) ‘Zero-emission motorcycle’ means a motorcycle that:

23 “(a) Has zero evaporative emissions from its fuel system;

24 “(b) Is capable of attaining a speed of 55 miles per hour or more;

25 “(c) Is designed to travel on two wheels; and

26 “(d) Is powered by electricity.

27 **“SECTION 35.** Section 149, chapter 750, Oregon Laws 2017, as amended
28 by section 155, chapter 750, Oregon Laws 2017, and section 20, chapter 93,
29 Oregon Laws 2018, is amended to read:

30 **“Sec. 149.** (1) The Department of Environmental Quality shall establish

1 a program for providing rebates to persons that purchase or lease qualifying
2 vehicles for use in this state. The Director of the Department of Environ-
3 mental Quality may hire or contract with a third-party organization to im-
4 plement and serve as the administrator of the program required by this
5 section.

6 “(2) The department may:

7 “(a) Specify design features for the program; and

8 “(b) Establish procedures to:

9 “(A) Prioritize available moneys for specific qualifying vehicles; and

10 “(B) Limit the number of rebates available for each type of qualifying
11 vehicle.

12 “(3) The purchaser or lessee of a qualifying vehicle may apply for a rebate
13 for a portion of the purchase price or may choose to assign the rebate to a
14 vehicle dealer or lessor.

15 “(4) Rebates under the program shall be made from moneys credited to
16 or deposited in the Zero-Emission Incentive Fund established under section
17 152, chapter 750, Oregon Laws 2017. A rebate may not be made until there
18 are sufficient moneys available in the fund to make the rebate.

19 “(5) The department shall prescribe the rebate application procedure for
20 purchasers and lessees. All rebate applications must include a declaration
21 under penalty of perjury in the form required by ORCP 1 E.

22 “(6) Rebates for qualifying vehicles shall be set annually by the depart-
23 ment as follows:

24 “(a) For light-duty zero-emission vehicles and plug-in hybrid electric ve-
25 hicles with an electrochemical energy storage capacity of 10 kilowatt hours
26 or more, up to \$2,500 but no less than \$1,500.

27 “(b) For light-duty zero-emission vehicles or plug-in hybrid electric vehi-
28 cles with an electrochemical energy storage capacity of less than 10 kilowatt
29 hours, up to \$1,500 but no less than \$750.

30 “(c) For neighborhood electric vehicles, up to \$750 but not less than \$375.

1 “(d) For zero-emission motorcycles, up to \$750 but not less than \$375.

2 “(7) To be eligible for a rebate, a person requesting a rebate under the
3 program shall:

4 “(a) Purchase or lease a qualifying vehicle. A lease must have a minimum
5 term of 24 months.

6 “(b) Provide proof of an intent to use the qualifying vehicle primarily on
7 the public highways of this state, which may be satisfied by providing proof
8 of registration of the qualifying vehicle in Oregon.

9 “(c) Submit an application for a rebate to the administrator of the pro-
10 gram within six months after the date of purchase of the qualifying vehicle
11 or six months after the date the lease of the qualifying vehicle begins.

12 “(d) Retain registration of the qualifying vehicle for a minimum of 24
13 consecutive months after the date of purchase or the date the lease begins.

14 “(8) A rebate recipient may not make or allow any modifications to the
15 qualifying vehicle’s emissions control systems, hardware, software cali-
16 brations or hybrid system.

17 “(9)(a) If a rebate recipient sells the qualifying vehicle[,] or terminates
18 the qualifying vehicle lease before the end of 24 months, the rebate recipient
19 shall:

20 “(A) Notify the administrator of the program of the sale or termination;
21 and [*shall*]

22 “(B) Reimburse the administrator for the [*entire rebate amount*] **rebate**
23 **in a prorated amount based on the number of months that the rebate**
24 **recipient owned or leased the qualifying vehicle.**

25 “(b) **The administrator may waive the reimbursement requirement**
26 **under paragraph (a) of this subsection if the administrator determines**
27 **that a waiver is appropriate given unforeseeable or unavoidable cir-**
28 **cumstances that gave rise to a need for the rebate recipient to sell the**
29 **qualifying vehicle or terminate the qualifying vehicle lease before the**
30 **end of 24 months.**

1 “(10) Rebate recipients may be requested to participate in ongoing re-
2 search efforts.

3 “(11) The administrator of the program shall work to ensure timely pay-
4 ment of rebates with a goal of paying rebates within 60 days after receiving
5 an application for a rebate.

6 “(12) A vehicle dealer may advertise the program on the premises owned
7 or operated by the vehicle dealer. If no moneys are available from the pro-
8 gram or the program otherwise changes, a vehicle dealer who advertises the
9 program may not be held liable for advertising false or misleading informa-
10 tion.

11 “(13) The Environmental Quality Commission may adopt any rules neces-
12 sary to carry out the provisions of this section.

13 “**SECTION 36.** Section 150, chapter 750, Oregon Laws 2017, as amended
14 by section 21, chapter 93, Oregon Laws 2018, is amended to read:

15 “**Sec. 150.** (1) As used in this section:

16 “(a) ‘Area median income’ means the median income for the metropolitan
17 statistical area in which a household is located or, if the household is not
18 located within a metropolitan statistical area, for the metropolitan statistical
19 area in closest proximity to the location of the household, as determined by
20 the Housing and Community Services Department, adjusted for household
21 size.

22 “(b) ‘Charge ahead rebate’ means a rebate for the purchase or lease of a
23 new or used light-duty zero-emission vehicle **or plug-in hybrid electric ve-**
24 **hicle** issued through the Charge Ahead Oregon Program established under
25 this section.

26 “(c) ‘Low income household’ means a household with income less than or
27 equal to 80 percent of the area median income.

28 “(d) ‘Moderate income household’ means a household with income less
29 than or equal to 120 percent and greater than 80 percent of the area median
30 income.

1 “(2) The Department of Environmental Quality shall establish a Charge
2 Ahead Oregon Program to provide for charge ahead rebates to low income
3 households and moderate income households. The Director of the Department
4 of Environmental Quality may hire or contract with a third-party organiza-
5 tion to implement and serve as the administrator of the program required
6 by this section.

7 “(3) The department may:

8 “(a) Specify design features for the program; and

9 “(b) Establish procedures to:

10 “(A) Prioritize available moneys to specific income levels or geographic
11 areas; and

12 “(B) Limit the number of charge ahead rebates available.

13 “(4) An eligible purchaser or lessee of a new or used light-duty zero-
14 emission vehicle **or plug-in hybrid electric vehicle** may apply for a charge
15 ahead rebate for a portion of the purchase price or may choose to assign the
16 charge ahead rebate to a vehicle dealer or lessor.

17 “(5) Rebates under the Charge Ahead Oregon Program shall be made from
18 moneys credited to or deposited in the Zero-Emission Incentive Fund estab-
19 lished under section 152, chapter 750, Oregon Laws 2017. A rebate may not
20 be made until there are sufficient moneys available in the fund to make the
21 rebate.

22 “(6) The department shall prescribe the rebate application procedure for
23 purchasers and lessees. All rebate applications must include a declaration
24 under penalty of perjury in the form required by ORCP 1 E.

25 “(7) Charge ahead rebates shall be in an amount up to \$2,500, but not less
26 than \$1,250.

27 “(8) To be eligible for a charge ahead rebate, a person requesting a rebate
28 under the program must:

29 “(a) Be a member of a low income household or a moderate income
30 household.

1 “(b) Purchase or lease a new or used light-duty zero-emission vehicle **or**
2 **plug-in hybrid electric vehicle**. A lease must have a minimum term of 24
3 months.

4 “(c) Provide proof of an intent to use the light-duty zero-emission vehicle
5 **or plug-in hybrid electric vehicle** primarily on the public highways of this
6 state, which may be satisfied by providing proof of registration of the vehicle
7 in Oregon.

8 “(d) Submit an application for a charge ahead rebate to the administrator
9 of the program within six months of the date of purchase or six months from
10 the date the lease begins.

11 “(e) Retain registration of the light-duty zero-emission vehicle for a min-
12 imum of 24 consecutive months following the date of purchase or following
13 the date the lease begins.

14 “(9) A person that receives a charge ahead rebate may not make or allow
15 any modifications to the vehicle’s emissions control systems, hardware, soft-
16 ware calibrations or hybrid system.

17 “(10)(a) If a charge ahead rebate recipient sells the vehicle[,] or termi-
18 nates the vehicle lease before the end of 24 months, the charge ahead rebate
19 recipient shall:

20 “(A) Notify the administrator of the program of the sale or termination;
21 and [*shall*]

22 “(B) Reimburse the administrator for the [*entire charge ahead rebate*
23 *amount*] **rebate in a prorated amount based on the number of months**
24 **that the rebate recipient owned or leased the qualifying vehicle.**

25 “(b) **The administrator may waive the reimbursement requirement**
26 **under paragraph (a) of this subsection if the administrator determines**
27 **that a waiver is appropriate given unforeseeable or unavoidable cir-**
28 **cumstances that gave rise to a need for the rebate recipient to sell the**
29 **qualifying vehicle or terminate the qualifying vehicle lease before the**
30 **end of 24 months.**

1 “(11) Charge ahead rebate recipients may be requested to participate in
2 ongoing research efforts.

3 “(12) The administrator of the program shall work to ensure timely pay-
4 ment of charge ahead rebates with a goal of paying rebates within 60 days
5 of receiving an application for a charge ahead rebate.

6 “(13) In establishing the Charge Ahead Oregon Program, the department
7 shall provide opportunities for public comment by low income households,
8 moderate income households and community-based organizations that are
9 located in areas of this state that have elevated concentrations of air con-
10 taminants attributable to motor vehicle emissions, relative to other areas of
11 the state. The department shall use the comments received pursuant to this
12 subsection to inform, evaluate and strengthen the design of the program in
13 order to increase the usage of light-duty zero-emission vehicles **and plug-in**
14 **hybrid electric vehicles.**

15 “(14) The administrator of the program shall, throughout the course of
16 implementing the program, conduct community outreach to low income
17 households, moderate income households and community-based organizations
18 that are located in areas of this state that have elevated concentrations of
19 air contaminants attributable to motor vehicle emissions, relative to other
20 areas of the state, in order to:

21 “(a) Solicit feedback on program implementation; and

22 “(b) Take steps to ensure that the program is promoted effectively.

23 “(15) A vehicle dealer may advertise the Charge Ahead Oregon Program
24 on the premises owned or operated by the vehicle dealer. If no moneys are
25 available from the program or the program otherwise changes, a vehicle
26 dealer who advertises the program may not be held liable for advertising
27 false or misleading information.

28 “(16) A charge ahead rebate may be combined with a rebate described in
29 section 149, chapter 750, Oregon Laws 2017.

30 “(17) An organization that the department has hired or contracted with

1 to implement and serve as the administrator of the program may offer ex-
2 panded financing mechanisms for program participants, including, but not
3 limited to, a loan or loan-loss reserve credit enhancement program to in-
4 crease consumer access to new or used light-duty zero-emission vehicles **and**
5 **plug-in hybrid electric vehicles.**

6 “(18) The Environmental Quality Commission may adopt any rules neces-
7 sary to carry out the provisions of this section.

8 **“SECTION 37. (1) Notwithstanding section 149 (7)(c), chapter 750,**
9 **Oregon Laws 2017, a person may submit an application for a rebate to**
10 **the administrator of the program established under section 149, chap-**
11 **ter 750, Oregon Laws 2017, within six months after the effective date**
12 **of this 2019 Act, if the person purchased or leased a vehicle at any time**
13 **beginning January 1, 2018, and ending August 2, 2018.**

14 **“(2) Notwithstanding section 150 (8)(d), chapter 750, Oregon Laws**
15 **2017, a person may submit an application for a charge ahead rebate to**
16 **the administrator of the Charge Ahead Oregon Program within six**
17 **months after the effective date of this 2019 Act, if the person pur-**
18 **chased or leased a vehicle at any time beginning January 1, 2018, and**
19 **ending August 2, 2018.**

20 **“SECTION 38.** ORS 825.450, as amended by section 58, chapter 750,
21 Oregon Laws 2017, and section 28a, chapter 93, Oregon Laws 2018, is
22 amended to read:

23 *“825.450. [(1) Except as otherwise permitted under ORS 825.470, the De-*
24 *partment of Transportation shall issue a receipt stating the combined weight*
25 *of each self-propelled or motor-driven vehicle and any train or combination of*
26 *vehicles to be used with the self-propelled or motor-driven vehicle.]*

27 **“(1) Upon application by a carrier, the Department of Transporta-**
28 **tion may issue a weight identifier for each vehicle the carrier enrolls**
29 **with the department, which must state the combined weight of the**
30 **vehicle or combination of vehicles. The department shall record each**

1 **weight identifier electronically. This subsection does not apply to ve-**
2 **hicles issued a temporary pass under ORS 825.470.**

3 “(2) A person may not load any motor vehicle in excess of *[its]* **the com-**
4 **bined weight** *[permit rating determined]* **stated on the weight identifier**
5 **issued for that motor vehicle** under subsection (1) of this section *[except*
6 *as variations may necessarily result in passenger loading. A fee of \$8 shall*
7 *be paid to the department for each weight receipt issued].*

8 “(3) *[Receipts]* **Weight identifiers** issued under this section are valid from
9 the first day of any calendar quarter to the last day of the fourth consecutive
10 calendar quarter. Each carrier may select the calendar quarter in which the
11 period will begin except that, if necessary for administrative convenience,
12 the department may require a carrier to adopt a starting date chosen by the
13 department.

14 “(4) All vehicles operating under the carrier’s authority shall have the
15 same four-quarter period of *[receipt]* **weight identifier** validity. The depart-
16 ment may allow a carrier to operate with expired *[receipts]* **weight identi-**
17 **fiers** for up to one extra quarter if the renewal application has been
18 submitted *[and the required fees have been paid on or before the last day of*
19 *the period of validity of the receipt]*. The extension of time allowed by this
20 subsection shall be granted only if the department determines that the ex-
21 tension is necessary for the administrative convenience of the department.

22 “(5) The department may adopt rules necessary to administer the pro-
23 visions of this section.

24 “**SECTION 39.** Section 30a, chapter 93, Oregon Laws 2018, is amended to
25 read:

26 “**Sec. 30a.** The amendments to ORS 818.270 *[and 825.450 by sections 28 and*
27 *28a]* **by section 28, chapter 93, Oregon Laws 2018,** *[of this 2018 Act]* be-
28 come operative on January 1, 2020.

29 “**SECTION 40.** Section 30b, chapter 93, Oregon Laws 2018, is amended to
30 read:

1 “**Sec. 30b.** The amendments to ORS 818.270 [*and 825.450 by sections 28 and*
2 *28a*] **by section 28, chapter 93, Oregon Laws 2018,** [*of this 2018 Act*] apply
3 to fees imposed on or after January 1, 2020.

4 “**SECTION 41.** ORS 825.452 is amended to read:

5 “825.452. In order to facilitate the registration issuance and registration
6 renewal processes, when a carrier initially registers under ORS 826.009 or
7 826.037, the Department of Transportation may assign a registration period
8 ranging from three to 12 months. [*Initial fees shall be adjusted accordingly.*]

9 “**SECTION 42.** ORS 825.454 is amended to read:

10 “825.454. (1) The Department of Transportation, in the discretion of the
11 department, may require the use of identification devices, such as cab cards,
12 stamps or carrier identification numbers, to identify and be carried with or
13 placed upon each motor vehicle authorized to be operated in Oregon subject
14 to the provisions of this chapter. The form of any identification device and
15 the method for its use shall be determined by the department.

16 “(2) Notwithstanding any other provision in this chapter, the department
17 may require applications for identification devices to be made annually [*and*
18 *may require each carrier holding or obtaining a permit under this chapter to*
19 *pay to the department a fee of not to exceed \$8 for each device issued on an*
20 *annual basis*].

21 “**SECTION 43.** ORS 319.665 is amended to read:

22 “319.665. (1) The seller of fuel for use in a motor vehicle shall collect the
23 tax provided by ORS 319.530 at the time the fuel is sold, unless one of the
24 following situations applies:

25 “(a) The **Department of Transportation has issued a weight identifier**
26 **under ORS 825.450 for the** vehicle into which the seller delivers or places
27 the fuel [*bears a valid permit or user’s emblem issued by the Department of*
28 *Transportation*].

29 “(b) The fuel is dispensed at a nonretail facility, in which case the seller
30 shall collect any tax owed at the same time the seller collects the purchase

1 price from the person to whom the fuel was dispensed at the nonretail fa-
2 cility. A seller is not required to collect the tax under this paragraph from
3 a person who certifies to the seller that the use of the fuel is exempt from
4 the tax imposed under ORS 319.530.

5 “(c) A cardlock card is used for purchase of the fuel at an attended por-
6 tion of a retail facility equipped with a cardlock card reader, in which case
7 the cardlock card issuer licensed in this state is responsible for collecting
8 and remitting the tax unless the person making the purchase certifies to the
9 seller that the use of the fuel is exempt from the tax imposed under ORS
10 319.530.

11 “(2) If a cardlock card is used for purchase of fuel at an attended portion
12 of a retail facility equipped with a cardlock card reader, the seller at the
13 retail facility may deduct fuel purchases made with a cardlock card from the
14 seller’s retail transactions if the seller provides the department with the
15 following information:

16 “(a) A monthly statement from a cardlock card issuer that details the
17 cardlock card purchases at the retail facility; and

18 “(b) A listing of cardlock card issuers and gallons of fuel purchased at
19 the retail facility by the issuers’ customers.

20 “(3) The department shall supply each seller of fuel for use in a motor
21 vehicle with a chart which sets forth the tax imposed on given quantities
22 of fuel.

23 **“SECTION 44.** ORS 319.671 is amended to read:

24 “319.671. (1) The seller of fuel for any purpose shall make a duplicate in-
25 voice for every sale of fuel for any purpose and shall retain one copy and
26 give the other copy to the user. The Department of Transportation may pre-
27 scribe the form of the invoice. The invoice shall show:

28 “(a) The seller’s name and address;

29 “(b) The date;

30 “(c) The amount of the sale in gallons; and

1 “(d) The name and address of the user.

2 “(2) In addition to the invoice entries listed in subsection (1) of this sec-
3 tion, the seller of fuel for use in a motor vehicle shall indicate on the invoice
4 the amount of the tax collected, if any, and:

5 “(a) The [*identification*] **license** plate number, if the vehicle bears [*an*
6 *identification*] **a license** plate issued by the department **or another juris-**
7 **diction;**

8 “(b) The emblem number, if the vehicle bears a user’s emblem; **or**

9 “(c) The temporary pass number [*or the receipt number*], if the vehicle
10 bears no valid user’s emblem or [*identification*] **license** plate issued by the
11 department.]; *or*]

12 “[*d*] *The license plate number if the vehicle bears no valid user’s emblem*
13 *or permit issued by the department.*]

14 “(3) Notwithstanding subsection (1) of this section, this section does not
15 require any invoice to be prepared for any sale where fuel is delivered into
16 the fuel tank of a vehicle described in this subsection unless the operator
17 of the vehicle requests an invoice. If an invoice is prepared under this sub-
18 section, the name and address of a user is not required to be shown on the
19 invoice for sales where the fuel is delivered into the fuel tanks of vehicles
20 described in this subsection. This subsection applies to vehicles:

21 “(a) That have a combined weight of 26,000 pounds or less; and

22 “(b)(A) For which the tax under ORS 319.530 must be paid at the time of
23 sale under ORS 319.665; or

24 “(B) For which an emblem has been issued under ORS 319.535.

25 “**SECTION 45.** ORS 366.747 is amended to read:

26 “366.747. (1) The following moneys shall be allocated as described in sub-
27 section (2) of this section:

28 “(a) The amount attributable to the increase in the inspection fee by the
29 amendments to ORS 803.215 by section 47, chapter 618, Oregon Laws 2003.

30 “(b) The amount attributable to any increase in registration plate fees by

1 the amendments to ORS 803.570 by section 48, chapter 618, Oregon Laws
2 2003.

3 “(c) The amount attributable to the increases in fees for driver licenses,
4 permits and endorsements by the amendments to ORS 807.370 by section 49,
5 chapter 618, Oregon Laws 2003.

6 “[*(d) The amount attributable to the increase in the weight receipt fee by*
7 *the amendments to ORS 825.450 by section 50, chapter 618, Oregon Laws*
8 *2003.*]

9 “(2) The moneys described in subsection (1) of this section shall be allo-
10 cated 60 percent to counties and 40 percent to cities. Moneys allocated under
11 this section shall be distributed in the same manner as moneys allocated to
12 counties and cities under ORS 366.739 are distributed.

13 **“SECTION 46.** ORS 367.095, as amended by section 71b, chapter 750,
14 Oregon Laws 2017, and section 30d, chapter 93, Oregon Laws 2018, is
15 amended to read:

16 “367.095. (1) The following amounts shall be distributed in the manner
17 prescribed in this section:

18 “(a) The amount attributable to the increase in tax rates by section 45,
19 chapter 750, Oregon Laws 2017, and the amendments to ORS 319.020 and
20 319.530 by sections 40 to 43, chapter 750, Oregon Laws 2017.

21 “(b) The amount attributable to the vehicle registration and title fees
22 imposed under ORS 803.091 and 803.422.

23 “(c) The amount attributable to the increase in taxes and fees by the
24 amendments to ORS 803.420, 803.645, 818.225, **818.270**, 825.476, 825.480 and
25 826.023 by sections 34, 35, 48, 49, 51, 52, **54**, 63, 64, 66, 67 and 70, chapter 750,
26 Oregon Laws 2017.

27 “(2) The amounts described in subsection (1) of this section shall be dis-
28 tributed in the following order and for the following purposes:

29 “(a) **For calendar years beginning on or after January 1, 2022**, \$30
30 million **per year** shall be used for the Interstate 5 Rose Quarter Project. This

1 amount shall be used **to pay** for the Interstate 5 Rose Quarter Project, **in-**
2 **cluding project costs on a current basis and paying for debt service**
3 **on bonds issued to finance the project**, only until the later of the date
4 on which the project is completed or on which all bonds issued to fund the
5 project have been repaid. **Any remaining moneys shall be distributed as**
6 **described in subsection (3) of this section.**

7 “(b) [~~\$15~~] **\$10** million per year shall be deposited into the Safe Routes to
8 Schools Fund for the purpose of providing Safe Routes to Schools matching
9 grants under ORS 184.742. The remainder of the moneys shall be distributed
10 as described in subsection (3) of this section.

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

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

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

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

17 “(4) The moneys described in subsection (3)(a) of this section or equiv-
18 alent amounts that become available to the Department of Transportation
19 shall be allocated as follows:

20 “(a) \$10 million for safety.

21 “(b) Of the remaining balance:

22 “(A) Forty percent for bridges.

23 “(B) Thirty percent for seismic improvements related to highways and
24 bridges.

25 “(C) Twenty-four percent for state highway pavement preservation and
26 culverts.

27 “(D) Six percent for state highway maintenance and safety improvements.

28 **“SECTION 47.** ORS 367.095, as amended by section 71b, chapter 750,
29 Oregon Laws 2017, section 30d, chapter 93, Oregon Laws 2018, and section
30 46 of this 2019 Act, is amended to read:

1 “367.095. (1) The following amounts shall be distributed in the manner
2 prescribed in this section:

3 “(a) The amount attributable to the increase in tax rates by section 45,
4 chapter 750, Oregon Laws 2017, and the amendments to ORS 319.020 and
5 319.530 by sections 40 to 43, chapter 750, Oregon Laws 2017.

6 “(b) The amount attributable to the vehicle registration and title fees
7 imposed under ORS 803.091 and 803.422.

8 “(c) The amount attributable to the increase in taxes and fees by the
9 amendments to ORS 803.420, 803.645, 818.225, [818.270,] 825.476, 825.480 and
10 826.023 by sections 34, 35, 48, 49, 51, 52, [54,] 63, 64, 66, 67 and 70, chapter
11 750, Oregon Laws 2017.

12 “(2) The amounts described in subsection (1) of this section shall be dis-
13 tributed in the following order and for the following purposes:

14 “(a) [*For calendar years beginning on or after January 1, 2022,*] \$30 million
15 per year shall be used for the Interstate 5 Rose Quarter Project. This amount
16 shall be used to pay for the Interstate 5 Rose Quarter Project, including
17 project costs on a current basis and paying for debt service on bonds issued
18 to finance the project, only until the later of the date on which the project
19 is completed or on which all bonds issued to fund the project have been re-
20 paid. Any remaining moneys shall be distributed as described in subsection
21 (3) of this section.

22 “(b) [~~\$10~~] **\$15** million per year shall be deposited into the Safe Routes to
23 Schools Fund for the purpose of providing Safe Routes to Schools matching
24 grants under ORS 184.742. The remainder of the moneys shall be distributed
25 as described in subsection (3) of this section.

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

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

30 “(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 equiv-
3 alent amounts that become available to the Department of Transportation
4 shall be allocated as follows:

5 “(a) \$10 million for safety.

6 “(b) Of the remaining balance:

7 “(A) Forty percent for bridges.

8 “(B) Thirty percent for seismic improvements related to highways and
9 bridges.

10 “(C) Twenty-four percent for state highway pavement preservation and
11 culverts.

12 “(D) Six percent for state highway maintenance and safety improvements.

13 **“SECTION 48. The amendments to ORS 367.095 by section 47 of this**
14 **2019 Act become operative on January 1, 2023.**

15 **“SECTION 49.** ORS 823.012 is amended to read:

16 “823.012. (1) If the Director of Transportation determines that an emer-
17 gency, as defined in ORS 401.025, has occurred or is imminent, the director
18 may suspend operation of one or more of the following statutes involving
19 motor carriers for the purpose of expediting the movement of persons or
20 property:

21 “(a) ORS 818.400, compliance with commercial vehicle enforcement re-
22 quirements related to commercial vehicle weight, size, load, conformation or
23 equipment.

24 “(b) ORS 825.100, certificate or permit requirement for commercial trans-
25 portation of persons or property.

26 “(c) ORS 825.104, registration requirement for for-hire or private carrier
27 engaged in interstate operations.

28 “(d) ORS 825.160, requirement for person operating as motor carrier to
29 have policy of public liability and property damage insurance.

30 “(e) ORS 825.162, requirement for person operating as for-hire carrier of

1 freight or express to have cargo insurance.

2 “(f) ORS 825.250, requirement to stop and submit to an inspection of the
3 driver, the cargo or the vehicle or combination of vehicles.

4 “(g) ORS 825.252, safety regulations for for-hire and private carriers.

5 “(h) ORS 825.258, rules for transportation of hazardous waste, hazardous
6 material and PCB.

7 “(i) ORS 825.450, [*weight receipts*] **weight identifiers** issued by Depart-
8 ment of Transportation [*for motor vehicles subject to weight-mile tax*].

9 “(j) ORS 825.470, temporary pass for single trip or short-time operation
10 of vehicle.

11 “(k) ORS 825.474, assessment of tax for use of highways.

12 “(L) ORS 826.031, registration of certain vehicles not already registered
13 with state.

14 “(2) A suspension under this section may occur prior to a declaration of
15 a state of emergency under ORS 401.165, but may not exceed 72 hours unless
16 a state of emergency is declared under ORS 401.165. If a state of emergency
17 is declared under ORS 401.165, the suspension shall last until the state of
18 emergency is terminated as provided under ORS 401.204.

19 “(3) The director may designate by rule a line of succession of deputy
20 directors or other employees of the department who may suspend operations
21 of statutes under this section in the event the director is not available. Any
22 suspension by a person designated by the director under this subsection has
23 the same force and effect as if issued by the director, except that, if the di-
24 rector can be reached, the suspension must be affirmed by the director when
25 the director is reached. If the director does not set aside a suspension within
26 24 hours of being reached, the suspension shall be considered affirmed by the
27 director.

28 “**SECTION 50.** ORS 825.141 is amended to read:

29 “825.141. In addition to any other requirements of this chapter, a carrier
30 whose operating authority has been suspended shall pay a reinstatement fee

1 of \$25 to the Department of Transportation before the operating authority
2 may be reinstated, plus \$5 for each vehicle [*receipt outstanding*] **issued a**
3 **weight identifier** under **ORS 825.450, and shall demonstrate operational**
4 **activity at the time of reinstatement.** [*the carrier's authority at the time*
5 *of suspension, if the suspension has been in effect more than 30 days. However,*
6 *if the suspension has been in effect for 30 days or less, in addition to the*
7 *reinstatement fee of \$25 the carrier only need pay \$5 for each receipt it does*
8 *not surrender upon application for reinstatement of the authority.*]

9 **“SECTION 51.** ORS 801.285 is amended to read:

10 “801.285. ‘Fixed load vehicle’ means all of the following apply to the ve-
11 hicle:

12 “(1) It is a vehicle with or without motive power that is designed and used
13 primarily:

14 “(a) To support and move a permanent load in the form of equipment or
15 appliances constructed as part of or permanently attached to the body of the
16 vehicle;

17 “(b) For transportation of equipment or appliances that are ordinarily
18 kept on or in the vehicle in order that the vehicle may be used for its pri-
19 mary purpose; and

20 “(c) Except for the transportation of permanent load, appliances and
21 equipment described in paragraphs (a) and (b) of this subsection, for purposes
22 other than for the transportation of persons or property over public high-
23 ways or streets.

24 “(2) It is a vehicle other than the following:

25 “(a) A travel trailer.

26 “(b) A tow vehicle, including a tow vehicle with cranes, hoists or dollies.

27 “(c) A truck-mounted transit mixer or volumetric mixer.

28 “(d) A self-propelled mobile crane.

29 “(e) **A bucket truck.**

30 “(3) It is a vehicle that may include, but is not limited to, the following

1 vehicles:

2 “(a) Air compressors, air drills, asphalt plants, asphalt spreaders,
3 bituminous plants, bituminous mixers, bituminous spreaders and bucket
4 loaders;

5 “(b) Concrete batch plants, concrete mixers other than transit mixers or
6 volumetric mixers, cement spreaders, carryalls, crawler cranes, crushers and
7 crushing plants, diggers and ditchers, power units and plants;

8 “(c) Earthmoving scrapers, electric generating equipment, electric load-
9 bank and wiring equipment, front-end loaders, leveling graders, lighting
10 plants and portable wiring, motor graders, payloaders, power hoists, road
11 graders, scoopmobiles, skip hoists, stackers and hoists;

12 “(d) Athey wheels, backhoes, bituminous and concrete pavement finishers,
13 drag lines, fork lift trucks, log loaders, portable bins, portable parts and
14 storage bins, portable shops, portable storage tanks, power shovels, road
15 rollers, sheepsfoot rollers and paving mixers, towermobiles, welders, yarders;

16 “(e) Bituminous and concrete finishing machines, elevator equipment,
17 scarifiers and rooters, traction engines, vibro screens and rotary screens,
18 wheeled and crawler tractors other than truck tractors; and

19 “(f) Apron feeders, grain grinders, grain rollers, sand classifiers and
20 drags, sawmills and special construction equipment, scrap metal balers,
21 scrubber screens and plate feeders.

22 **“SECTION 52. Section 19 of this 2019 Act applies to tax expenditures**
23 **enacted before, on or after the effective date of this 2019 Act with re-**
24 **spect to transportation project taxes.**

25 **“SECTION 53. The amendments to ORS 184.612 by section 8 of this**
26 **2019 Act apply to members appointed to the Oregon Transportation**
27 **Commission on or after the effective date of this 2019 Act.**

28 **“SECTION 54. The amendments to ORS 320.470 by section 14 of this**
29 **2019 Act apply to disclosures of information made before, on or after**
30 **the effective date of this 2019 Act.**

1 **“SECTION 55. ORS 824.237 and section 1, chapter 55, Oregon Laws**
2 **2012, and section 71c, chapter 750, Oregon Laws 2017, are repealed.**

3 **“SECTION 56. ORS 367.089 is repealed.**

4 **“SECTION 57. The repeal of ORS 367.089 by section 56 of this 2019**
5 **Act does not apply to a request for reimbursement submitted pursuant**
6 **to ORS 367.089 that is received by the State Parks and Recreation De-**
7 **partment before the effective date of this 2019 Act. A request for re-**
8 **imbursement received before the effective date of this 2019 Act shall**
9 **be governed by the provisions of ORS 367.089 in effect immediately**
10 **before the effective date of this 2019 Act.**

11 **“SECTION 58. This 2019 Act takes effect on the 91st day after the**
12 **date on which the 2019 regular session of the Eightieth Legislative**
13 **Assembly adjourns sine die.”.**

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