

Joint Transportation Committee – Omnibus House Bill 4036 (sections plus amendments)

HB 4036 Section #	ORS/ Measure	Requester	Provision
1	HB 2702 (2019)	Rep. Nosse	Authorizes ODOT, by rule, to delegate authority to set speed limits to a city with jurisdiction over the road(s) in question if Department determines that city will exercise authority under adopted criteria
2-5	166.360 166.370 166.260 166.262	Port of Portland	Adds passenger terminal of Portland International Airport to list of facilities where open carry of firearms is prohibited. Provides exceptions for following: unloaded firearms in locked, hard-side containers; persons performing official duties; weapon carried concealed by person with concealed weapon permit.
HB 4036 -1 amendment (1-29-2020)	Deletes sections 2-5	Rep. Noble	Deletes sections of the measure related to regulation of firearms at commercial airport terminals.
HB 4036 -12 amendment (2-6-2020)	Amends section 2, deletes 3-5	Port of Portland	Broadens applicability to passenger terminals of all commercial service airports. Deletes amendments to sections 3, 4 and 5.
6-7	HB 2020 -44 amend.	Sen. Beyer	Allows electric company or natural gas utility to recover costs from consumers for expenses of infrastructure to support adoption of alternative forms of transportation vehicles if certain conditions are met.
HB 4036 -11 amendment (2-5-2020)	Amends section 7	NW Natural	Allows investment in infrastructure behind the customer meter for natural gas. Allows investments that support adoption of alternative vehicles powered by hydrogen.

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8	184.547	ODOT	Extend, from April 1 of each odd-numbered year to June 1 of each odd-numbered year, the reporting date for describing and reporting the condition of transportation infrastructure
9	824.022	ODOT	Eliminates outdated term “icing from statutes regulating railroads.
10	824.026	ODOT	Replaces term “stop and detain” with “inspect” to replace provisions related to oversight by railroad inspectors, to reflect changes in statute pre-empted by federal law.
11, 13	824.060	ODOT	Eliminates reference to “caboose” to statute requiring that locomotives be equipped with fire extinguishers. Clarifies requirements for fire extinguishers on locomotives. Allows railroads to apply for temporary exemption.
12	824.088	ODOT	Deletes reference to “18 months after October 4, 1977” for statute requiring trains over 2,000 transporting hazardous materials to be equipped with radio handsets.
14	803.102	ODOT	Aligns statutory odometer check requirement with federal law by limiting requirement to qualified vehicles at least 20 years old.
HB 4036 -14 amendment (2-10-2020)	Amends section 14, adds 14a	ODOT	Amends section 14 to specify that odometer disclosure requirements do not apply to vehicles at least 20 years old (current law specifies at least 10 years old). Sets operative date for this section of 1/1/2021.
15	HB 2007 (2019)	ODOT	Allows use of registered address, rather than “owner address” for Clean Diesel program to ensure all vehicles that should be subject to the program are included.

HB 4036 Section #	ORS/ Measure	Requester	Provision
16	803.210	ODOT	Exempts park model recreational vehicles under ORS 803.035, thereby exempting their owners from VIN inspections during title transactions – this is consistent with past practice when DMV used to title “manufactured structures.”
HB 4036 -14 amendment (2-10-2020)	Amends section 16	ODOT	Clarifies language related to VIN inspection.
17	807.072	Sen. Boquist	Allows ODOT to waive exams, tests or demonstrations for applicants for Class C driver licenses that hold a valid, out-of-state driver license to operate motor vehicles.
18-19	320.400	Staff	Clarification of definition of “bicycle” for purposes of bicycle excise tax imposed by HB 2017 (2017).
20-22, 24a	319.020 319.330	Rep. McKeown	Eliminates sunset on temporary two-cent increases in jet fuel and aviation fuel taxes and increases jet fuel tax to 5 cents per gallon and aviation gas to 13 cents per gallon. Makes increases effective January 1, 2022.
HB 4036 -5 amendment (1-28-2020)	Amends sections 20-21	Sen. Boquist	Eliminates additional two-cent increase in jet fuel tax.
23, 24	Chapter 700 2015 OR Laws	Rep. McKeown	Modifies grant programs administered by Oregon Department of Aviation (ODA). Changes date of annual report from State Board of Aviation to legislative committees regarding grant programs.

HB 4036 Section #	ORS/ Measure	Requester	Provision
HB 4036 -9 amendment (2/3/2020)	Amends section 23	Rep. McKeown	Eliminates statutory prioritization of fund distribution under section 7(4)(b) and 7(5)(a-d), chapter 700, Oregon Laws 2015.
25	824.990	ODOT	Removes civil penalty for locomotive sanitation standards under ORS 824.068, which is pre-empted by the Federal Railroad Administration.
HB 4036 -14 amendment (2-10-2020)	Amends sections 25-26	ODOT	Restores ORS 824.068 (water quality for railroad engines).
26	824.631 824.068 824.104 Chapter 24, OR Laws 2018	ODOT	Repeals chapters related to the following: <ul style="list-style-type: none"> - ODOT public-private research and development program; - Locomotive and caboose sanitation facility standards; - Fire extinguisher requirement for cabooses; - Elimination of requirement that Multnomah County registration fee be shared with cities within the county. -
27-28	391.800 391.802 391.810 391.815 391.820 391.830	ODOT	Repeals provisions related to Elderly and Disabled Transportation Fund. Transfers money from Fund to the Statewide Transportation Improvement Fund.

HB 4036 Section #	ORS/ Measure	Requester	Provision
29	184.751	ODOT	Allows STIF moneys to be used to maintain existing public transportation services. Specifies that STIF moneys may not be used to supplant local and regional agency moneys directed to public transportation service providers.
30	184.758	ODOT	Allows ODOT to use STIF moneys to pay for program administration and projects of statewide significance that support the transportation network and manage operation of public transportation services prior to allocation for other uses. Specifies a certain percentage of formula distributions be dedicated to transit services for older adults and individuals with disabilities. Modifies distribution to public transportation providers within counties and tribal areas. Specifies that each qualified entity will receive no less than \$100,000/year, but that the actual amount is to be adjusted up or down annually depending on rate of growth in the STIF.
31	184.761	ODOT	Clarifies that client-only projects may be eligible for STIF funding if part of a planned and coordinated community transportation program.
32-33	184.766	ODOT	Modifies information that qualified entities must provide to ODOT after STIF distribution to include any quarterly reports that detail project progress, outcomes achieved, and expenditures. Directs OTC to establish rules concerning making of agreements for distributions, to include provisions requiring repayment if terms or conditions are not met.

HB 4036 Section #	ORS/ Measure	Requester	Provision
34-43	184.642 323.455 323.457 184.675 293.701 541.761 541.659	ODOT	Conforming amendments related to STIF provisions.
44	n/a	n/a	Captions
45	n/a	n/a	Effective date 91 st day following adjournment sine die.

HB 4036 Section #	ORS/ Measure	Requester	Provision
HB 4036 -14 amendment (2/3/2020)	New provisions	ODOT	<p>1a-1h: Clarifies language related to issuing, renewing, and invalidating cards, placards, and decals that expire on the recipient's birthday eight years following year of issuance;</p> <p>1i: Clarifies that surrendering title or application for salvage title does not apply if the person does not intend to rebuild or repair the vehicle, transfer the vehicle, or use the frame or unibody for repairing or constructing another vehicle, or if the person rebuilds or repairs the vehicle and applies to title the vehicle with the designation of assembled, reconstructed, or replica;</p> <p>1j: Eliminates requirement that ODOT prescribe standards for sanitation facilities on railroad locomotives, and sanitation facilities and water quality on cabooses;</p> <p>1k: Provides for use of weight identifier <i>or valid user's emblem</i> for collection of tax on use fuels;</p> <p>1L: Adds requirement that license plate number be recorded on fuel invoice in cases where no valid user's emblem or temporary pass number is present;</p> <p>1m: Modifies offense of failure to comply with requirements for destruction of vehicle by removing terms "substantial alteration" and "substantially alter" and "substantially alters";</p> <p>1n-1o: Clarifies that the governing body of a local government that imposes tax on motor vehicle fuels may enter into agreements with ODOT to collect tax and distribute revenues. Makes provision retroactive to agreements entered into on or after January 1, 1977.</p>

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HB 4036 -6 Amendment (2/4/2020)	New provisions	Sen. Gelser	Requires drivers to pay extra attention to message provided by flashing yellow beacon and follow requirements of the other traffic control device which might otherwise not be applicable at all times.
HB 4036 -7 Amendment (1/31/2020)	New provisions	Oregon Trucking Associations	Requires motor carriers participating in mandatory education program to attend at least eight hours of classroom instruction, which may include a webinar option. Specifies ODOT may appoint agents to carry out the program. Increases maximum allowable fee for program from \$60 to \$200.
HB 4036 -8 Amendment (2/4/2020)	New provisions	Jackson County Airport	Adds county-owned airports to definition of “visitor venue” to make them exempt from provisions providing preferences for persons who are blind with regard to operating vending facilities.