

**HB 4103 A STAFF MEASURE SUMMARY****Carrier:** Rep. Nosse**Joint Committee On Transportation****Action Date:** 02/13/20**Action:** Do pass with amendments. (Printed A-Eng.)**House Vote****Yeas:** 5 - Evans, Lewis, McKeown, McLain, Noble**Nays:** 2 - Boshart Davis, Witt**Senate Vote****Yeas:** 5 - Beyer, Boquist, Findley, Frederick, Gelser**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Patrick Brennan, LPRO Analyst**Meeting Dates:** 2/4, 2/13**WHAT THE MEASURE DOES:**

Authorizes Department of Transportation to delegate authority to Multnomah County, Lane County, or a city with jurisdiction over a highway to establish different speed limits for those highways upon determination that the city will exercise the authority according to criteria adopted by the Department. Becomes operative October 1, 2020, and authorizes Department to take actions necessary to implement measure prior to that date. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- The effect speed plays in crash survivability
- Methodologies for establishing speed limits
- Recent work of work group on topic of speed limits
- Examples of highway segments with incidents of fatal accidents
- Role of Oregon Department of Transportation currently and under provisions of measure
- Could result in variations in speed limits on similar types of roads
- Other factors (DUII, distracted driving) that contribute to road fatalities
- Risks related to applying traction devices to vehicles in inclement weather

**EFFECT OF AMENDMENT:**

Restores allowance for cities to use existing procedures for delegation of authority for low-volume or unpaved highways. Extends provisions of measure to Lane County and Multnomah County. Specifies that when a city or county that has been delegated authority by Department modifies a speed limit, that road authority shall provide written notice to the Department, and the designated speed becomes effective 30 days after the Department receives the notice. Establishes operative date of October 1, 2020, and authorizes Department to take actions necessary to implement measure prior to that date. Adds emergency clause.

**BACKGROUND:**

By enacting House Bill 2682 (2017), the Legislative Assembly authorized the City of Portland to reduce the designated speed for non-arterial residential highways under the city's jurisdiction by five miles per hour below the statutory speed. The City of Portland has updated 71 street speed limits since 2017. Previous law required city and county road authorities to make a formal request to the Department of Transportation to change speeds on highways. Formal requests were required to provide findings to justify the change in designated speed.

Cities with a state highway within city limits must have the road authority make a request to the Department's Highway Division for a speed zone change. The request is then forwarded to either the District Manager, Regional

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Manager or State Traffic-Roadway Engineer to conduct a speed-zone investigation and make a recommendation to grant or deny the request. The recommendation is sent to the Traffic-Roadway Section to be approved. The local road authority is notified of the decision. A speed zone order is issued if the local road authority concurs. If they do not concur, the case is sent to the Speed Zone Review Panel to issue a final decision.

House Bill 4103-A allows the Department, by rule, to delegate its authority to establish a designated speed for a highway to Multnomah County, Lane County, or a city. Prior to a speed limit change taking effect under this arrangement, the local government is required to submit the proposed change to the Oregon Department of Transportation; the proposed change takes effect 30 days following submission.