

**HB 4036 A STAFF MEASURE SUMMARY**

Carrier: Rep. McKeown

**Joint Committee On Transportation****Action Date:** 02/25/20**Action:** Do pass with amendments and rescind subsequent referral to Ways and Means. (Printed A-Eng.)**House Vote****Yeas:** 4 - Evans, McKeown, McLain, Witt**Abs:** 3 - Boshart Davis, Lewis, Noble**Senate Vote****Yeas:** 3 - Beyer, Frederick, Gelser**Abs:** 2 - Boquist, Findley**Fiscal:** Has minimal fiscal impact**Revenue:** Revenue impact issued**Prepared By:** Patrick Brennan, LPRO Analyst**Meeting Dates:** 2/11, 2/13, 2/25**WHAT THE MEASURE DOES:**

Clarifies language related to issuing, renewing, and invalidating cards, placards, and decals issued by Oregon Department of Transportation (ODOT) that expire on recipient's birthday eight years following year of issuance. Clarifies language related to surrendering title or application for salvage title. Eliminates and replaces outdated terms and requirements from statutes related to railroads. Provides for use of weight identifier or valid user's emblem for tax collection on use fuels. Modifies offense of failure to comply with requirements for destruction of vehicle. Provides retroactive clarification of authority of ODOT to enter into agreements with local governments to collect local gas tax and distribute revenues, retroactive to January 1, 1977. Alters requirement for drivers approaching flashing circular yellow lights when other traffic control devices are present. Adds passenger terminals of all commercial airports to list of facilities where open carry of firearms is prohibited. Requires motor carriers participating in mandatory education program to attend at least eight hours of classroom instruction; specifies that ODOT may appoint agents to carry out program and that agents may use webinar option; and increases maximum allowable fee from \$60 to \$200. Authorizes Public Utility Commission to allow electric companies and natural gas companies to recover costs from retail utility customers for infrastructure measures to support transportation electrification, natural gas vehicles, and hydrogen-powered vehicles. Changes biennial report date for condition of transportation infrastructure from April 1 to June 1. Changes age of vehicles exempt from odometer disclosure requirements from 10 years old to 20 years old. Exempts park model recreational vehicles from VIN inspections during title transactions. Allows ODOT to waive exams, tests, or demonstrations for applicants for driver licenses who hold a valid, out-of-state license. Clarifies definition of "bicycle" for purposes of bicycle excise tax. Eliminates sunset on temporary two-cent-per-gallon increases in jet fuel and aviation fuel taxes, and increases each an additional two cents per gallon effective January 1, 2022. Modifies grant programs administered by Oregon Department of Aviation and changes date of annual report from State Board of Aviation regarding grant programs. Modifies statutes related to Statewide Transportation Improvement Fund. Takes effect on 91st day following adjournment *sine die*.

**ISSUES DISCUSSED:**

- Uses of aviation and jet fuel tax revenues
- Unfunded needs in airports across Oregon
- Availability of federal aviation funding with 10 percent match
- Efforts to increase funding for transportation electrification
- Security at Portland International Airport and other airports throughout Oregon

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### **EFFECT OF AMENDMENT:**

Deletes provisions related to speed limits. Broadens applicability of prohibition against open carry of firearms to all commercial service airports. Modifies language related to electric vehicle charging infrastructure and allows natural gas utilities to recoup investments in natural gas and hydrogen transportation infrastructure. Deletes provision related to registered address for Clean Diesel program. Clarifies language related to VIN inspection. Eliminates statutory prioritization of fund distributions for grant programs administered by State Board of Aviation. Restores language related to water quality standards for railroad engines. Clarifies language related to separation of parking cards and other documents issued by Oregon Department of Transportation (ODOT). Clarifies language related to salvage title. Clarifies language related to user emblems for use fuels tax collection. Clarifies ability of ODOT and local governments to enter into agreements for Department to collect and distribute fuel taxes on behalf of local government, retroactive to 1977. Requires drivers to pay extra attention to message provided by flashing yellow beacons. Requires motor carriers participating in mandatory education program to attend at least eight hours of classroom instruction, which may include webinar option; increases maximum allowable fee for classes from \$60 to \$200 and allows ODOT to appoint agents to administer the classes. Adds county-owned airports to list of facilities exempt from providing preferences to persons who are blind with regard to operation of vending facilities.

### **BACKGROUND:**

House Bill 4036-A is the omnibus transportation bill for the 2020 Session. The measure includes a number of technical statutory adjustments on topics ranging from railroad water sanitation, documents issued by the Oregon Department of Transportation (ODOT), odometer inspections, definition of "bicycle" for purposes of applicability of the bicycle excise tax, clarification of driver responsibilities when approaching a flashing yellow beacon, and collection of use fuels.

In addition, the measure makes several, more substantive, statutory changes. The measure extends the prohibition on open carry of firearms that already applies in public areas of most commercial service airports to all commercial service airports, including Portland International Airport. It also reinstates the classroom instruction requirement for motor carrier training and allows ODOT to appoint agents to carry out that instruction, either in person or online. House Bill 4036-A provides for electric and natural gas utilities to recoup costs associated with infrastructure for alternative fuel vehicle charging and fueling from retail customers. The measure also eliminates the sunset on temporary aviation fuel and jet fuel taxes imposed by House Bill 2075 (2015), and further increases both taxes by an additional two cents; the grant programs funded by revenues from these taxes are restructured under the measure. Finally, House Bill 4036-A merges the Special Transportation Fund and the Statewide Transportation Improvement Fund.