

**FISCAL IMPACT OF PROPOSED LEGISLATION**

Measure: HB 3055 - A23

81st Oregon Legislative Assembly – 2021 Regular Session  
Legislative Fiscal Office***Only Impacts on Original or Engrossed  
Versions are Considered Official***

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**Measure Description:**

Modifies, adds and repeals laws relating to transportation.

**Government Unit(s) Affected:**

Oregon Department of Transportation (ODOT)

**Summary of Fiscal Impact:**

Costs related to the measure are indeterminate at this time - See explanatory analysis.

**Summary of Expenditure Impact:**

See Analysis.

**Analysis:** This measure makes housekeeping changes to the statutes governing the Oregon Department of Transportation (ODOT) operations. In addition to the housekeeping changes, the measure changes the following:

- Changes tolling statutes to include language around managing demand and improving operations as part of the rationale for assessing tolls;
- Allows the dedicated \$30 million in State Highway Fund annual revenue for the I-5 Rose Quarter Project to also be used to pay for:
  - The I-205 Improvements: Stafford Road to Oregon Route 213 Project;
  - The I-5 Boone Bridge and Seismic Improvement Project; and
  - The implementation of the toll program established under ORS 383.150.
- Increases ODOT's short-term borrowing authority from \$100 million to \$600 million and extends maximum maturity of short-term obligations from 3 to 5 years;
- Renames the State Tollway Account the Toll Program Fund and establishes the fund as separate and distinct from the State Highway Fund; and
- Authorizes the State Treasurer, at the request of ODOT, to issue tollway project revenue bonds for the purpose of financing tollway projects.

The -A23 amendment would allow federally recognized Indian Tribes to purchase fuel from Oregon fuel dealers if: the fuel is purchased directly from the dealer, and delivered directly to the Tribe; the fuel is delivered directly a service station that is owned by an Indian Tribe; and the Indian Tribe: has an equivalent tax on the fuel that is used for government services; and certifies annually to ODOT that they are in compliance with the above. The amendment also corrects a Section numbering error. The amendment also limits the expenditures of the equivalent tax a tribe must impose, specifying that the revenue must be used in a manner consistent with Article IX, section 3(a) of the Oregon Constitution. This will have a revenue impact on the State Highway Fund and a more in-depth analysis will be provide by the Legislative Revenue Office.

The changes to ODOT's statutes will have a minimal fiscal impact but may require additional expenditure limitation requirements due to the increased short-term borrowing authority granted by the measure. In addition, budget adjustments may be required to account for the provisions allowing the I-5 Rose Quarter Project funding to be used for other projects. Necessary adjustments to ODOT's budget can be made during the

February 2022 legislative session or at a subsequent meeting of the Emergency Board, if such adjustments are ultimately determined to be necessary.