Senate Bill 429

Sponsored by Senator MANNING JR (at the request of Catie Theisen - Oregon ALF-CIO) (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Provides that for mass transit districts and transportation districts with population of 500,000 or more, percentage distribution from Statewide Transportation Improvement Fund is conditioned upon district providing documentation to Oregon Transportation Commission that demonstrates existence of state-recognized apprenticeship program administered by district. Requires that commission verify existence of such program before commission may make percentage distribution.

A BILL FOR AN ACT

Relating to distributions from the Statewide Transportation Improvement Fund; amending ORS 184.758.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 184.758 is amended to read:

184.758. (1) The Oregon Transportation Commission shall distribute the moneys in the Statewide Transportation Improvement Fund established under ORS 184.751 as follows:

(a) Conditioned upon the commission's approval of a public transportation improvement plan requirements under subsection (4) of this section, 90 percent to qualified entities;

(b) Five percent to public transportation service providers based on a competitive grant program adopted by the commission by rule;

(c) Four percent to public transportation service providers to provide funding assistance to cover the costs of improving public transportation services between two or more communities; and

(d) One percent to the Department of Transportation to pay the department's administrative costs and expenses associated with carrying out the provisions of ORS 184.752 to 184.766 and to establish a statewide public transportation technical resource center, the purpose of which is to assist public transportation service providers in rural areas with technical assistance, training, transportation planning and information technology.

(2) For purposes of the percentage distributions under subsection (1)(a) of this section:

(a) Each distribution must be in such shares that the amount of tax paid, as required under ORS 320.550, in the area of each qualified entity bears to the total amount of the tax paid statewide, provided that each qualified entity receives an annual amount of at least $100,000.

(b) If more than one mass transit district or transportation district is located within a single county, the commission shall distribute the moneys to the larger district.

(3) The commission shall adopt by rule:

(a) A competitive grant program, by which a public transportation service provider may apply for a percentage distribution under subsection (1)(b) of this section, and the terms and conditions of grants.

(b) A competitive grant program, by which a public transportation service provider may apply for a percentage distribution under subsection (1)(c) of this section, and the terms and conditions
of grants.

(c) A process to review and approve a public transportation improvement plan submitted under subsection (4) of this section.

(d) Procedures for appealing a rejection of a public transportation improvement plan submitted under subsection (4) of this section.

(e) Any other provisions or procedures that are necessary for the commission to carry out the provisions of ORS 184.758 to 184.766.

(4)(a) To be eligible to receive a percentage distribution under subsection (1)(a) of this section, a qualified entity shall prepare and submit a public transportation improvement plan to the commission. The commission must approve the plan submitted by the qualified entity before the commission may make a percentage distribution to the qualified entity.

(b) In addition to paragraph (a) of this subsection, a qualified entity that is a mass transit district or a transportation district and that has a population of 500,000 or more shall provide the commission with documentation that demonstrates the existence of a state-recognized apprenticeship program administered by the entity. The commission shall verify that the qualified entity administers such a program before the commission may make a percentage distribution to the entity.

(5) At a minimum, a public transportation improvement plan submitted under this section must include:

(a) For each proposed project, the amount of moneys from the percentage distribution that would be allocated to the project to fund the following:
   (A) Increased frequency of bus service schedules in communities with a high percentage of low-income households;
   (B) Procurement of buses that are powered by natural gas or electricity for use in areas with a population of 200,000 or more;
   (C) Implementation of programs to reduce fares for public transportation in communities with a high percentage of low-income households;
   (D) Expansion of bus routes and bus services to reach communities with a high percentage of low-income households;
   (E) Improvement in the frequency and reliability of service connections between communities inside and outside of the qualified entity’s service area;
   (F) Coordination between public transportation service providers to reduce fragmentation in the provision of transportation services; and
   (G) Implementation of programs to provide student transit services for students in grades 9 through 12;

(b) For the current fiscal year, a summary of any plans and project proposals approved by an advisory committee under ORS 184.761; and

(c) If a qualified entity was a recipient of a percentage distribution in the preceding fiscal year, the amount of moneys received from the distribution that were allocated to a project for the purposes described under paragraph (a) of this subsection.

(6) If practicable, as determined by the commission by rule each qualified entity shall spend at least one percent of the amount received each year under subsection (1)(a) of this section to implement programs to provide student transit services for students in grades 9 through 12.

(7) After the commission makes a distribution under subsection (1) of this section, qualified entities may enter into intergovernmental agreements under ORS chapter 190 to combine the moneys
received for public transportation improvements.

(8) If the commission rejects a public transportation improvement plan or a grant application submitted under this section, the commission shall notify the entity or provider in writing and state the reasons for the rejection.

(9) The Department of Transportation shall make all grant applications submitted under this section available to the public.

SECTION 2. ORS 184.758, as amended by section 5, chapter 15, Oregon Laws 2020 (first special session), is amended to read:

184.758. (1) The Oregon Transportation Commission shall distribute the moneys in the Statewide Transportation Improvement Fund established under ORS 184.751 to the Department of Transportation to pay for:

(a) Program administration; and
(b) Projects of statewide significance that support the transit network and manage the operation of public transportation services.

(2) The moneys described in subsection (1) of this section that remain after the distribution of moneys described in subsection (1) of this section shall be distributed as follows:

(a) Conditioned upon the [commission’s approval of a public transportation improvement plan] requirements under subsection (7) of this section, 90 percent to qualified entities;
(b) Five percent to public transportation service providers based on a competitive grant program adopted by the commission by rule;
(c) Four percent to public transportation service providers to provide funding assistance to cover the costs of improving public transportation services between two or more communities; and
(d) One percent to the Department of Transportation to establish a statewide public transportation technical resource center, the purpose of which is to assist public transportation service providers in rural areas with technical assistance, training, transportation planning and information technology.

(3) A portion of the 90 percent distribution under subsection (2)(a) of this section shall be dedicated to transit services for older adults and individuals with disabilities. Each biennium the commission shall first distribute the moneys transferred to the fund under ORS 184.751 as needed to maintain funding that benefits older adults and individuals with disabilities in the amount distributed during the 2019-2021 biennium. Each biennium thereafter, the commission shall adjust this amount upward or downward based on the rate of growth or decline of the Statewide Transportation Improvement Fund. Moneys dedicated to transit services for older adults and individuals with disabilities under this subsection shall be distributed as follows:

(a) Each transportation district and mass transit district shall receive that share of the moneys as the population of the counties in which the district is situated, determined under ORS 190.510 to 190.610 last preceding apportionment of the moneys, bears to the total population of this state. However, if two or more districts are situated in a single county, distribution of moneys under this subsection shall be determined as though only the mass transit district is located in that county or, if there are two or more transportation districts in the county, as though only the transportation district with the highest population is located in that county.
(b) Each county in which no part of a mass transit district or transportation district is located shall receive that share of the moneys as its population, determined under ORS 190.510 to 190.610 last preceding apportionment of the moneys, bears to the total population of this state.
(c) Each federally recognized Indian tribe shall receive that share of the moneys as the popu-
lation of the tribe residing in Oregon, determined by the commission by rule, bears to the total population of this state.

(4) Each qualified entity under subsection (3) of this section shall receive an annual target amount of $67,700. Each biennium, the commission shall adjust this amount upward or downward based on the rate of growth or decline of the Statewide Transportation Improvement Fund.

(5) After a portion of the 90 percent distribution under subsection (2)(a) of this section is distributed to transit services for older adults and individuals with disabilities under subsection (3) of this section, the commission shall distribute the remaining amount to qualified entities as follows:

(a) Each distribution must be in such shares that the amount of tax paid, as required under ORS 320.550, in the area of each qualified entity bears to the total amount of the tax paid statewide, provided that each qualified entity receives an annual target amount of $100,000. Each biennium, the commission shall adjust this amount upward or downward based on the rate of growth or decline of the Statewide Transportation Improvement Fund.

(b) If more than one mass transit district or transportation district is located within a single county, the commission shall distribute the moneys to the larger district.

(6) The commission shall adopt by rule:

(a) A competitive grant program, by which a public transportation service provider may apply for a percentage distribution under subsection (2)(b) of this section, and the terms and conditions of grants.

(b) A competitive grant program, by which a public transportation service provider may apply for a percentage distribution under subsection (2)(c) of this section, and the terms and conditions of grants.

(c) A process to review and approve a public transportation improvement plan submitted under subsection (7) of this section.

(d) Procedures for appealing a rejection of a public transportation improvement plan submitted under subsection (7) of this section.

(e) Any other provisions or procedures that are necessary for the commission to carry out the provisions of ORS 184.758 to 184.766.

(7)(a) To be eligible to receive a percentage distribution under subsection (2)(a) of this section, a qualified entity shall prepare and submit a public transportation improvement plan to the commission. The commission must approve the plan submitted by the qualified entity before the commission may make a percentage distribution to the qualified entity.

(b) In addition to paragraph (a) of this subsection, a qualified entity that is a mass transit district or a transportation district and that has a population of 500,000 or more shall provide the commission with documentation that demonstrates the existence of a state-recognized apprenticeship program administered by the entity. The commission shall verify that the qualified entity administers such a program before the commission may make a percentage distribution to the entity.

(8) At a minimum, a public transportation improvement plan submitted under this section must include:

(a) For each proposed project, the amount of moneys from the percentage distribution that would be allocated to the project to fund the following:

(A) Increased frequency of bus service schedules in communities with a high percentage of low-income households;

(B) Procurement of buses that are powered by natural gas or electricity for use in areas with
a population of 200,000 or more;
(C) Implementation of programs to reduce fares for public transportation in communities with a high percentage of low-income households;
(D) Expansion of bus routes and bus services to reach communities with a high percentage of low-income households;
(E) Improvement in the frequency and reliability of service connections between communities inside and outside of the qualified entity's service area;
(F) Coordination between public transportation service providers to reduce fragmentation in the provision of transportation services;
(G) Implementation of programs to provide student transit services for students in grades 9 through 12; and
(H) Services for older adults and people with disabilities;
(b) For the current fiscal year, a summary of any plans and project proposals approved by an advisory committee under ORS 184.761; and
(c) If a qualified entity was a recipient of a percentage distribution in the preceding fiscal year, the amount of moneys received from the distribution that were allocated to a project for the purposes described under paragraph (a) of this subsection.
(9) If practicable, as determined by the commission by rule each qualified entity shall spend at least one percent of the amount received each year under subsection (2)(a) of this section to implement programs to provide student transit services for students in grades 9 through 12.
(10) After the commission makes a distribution under subsection (2) of this section, qualified entities may enter into intergovernmental agreements under ORS chapter 190 to combine the moneys received for public transportation improvements.
(11) If the commission rejects a public transportation improvement plan or a grant application submitted under this section, the commission shall notify the entity or provider in writing and state the reasons for the rejection.
(12) The Department of Transportation shall make all grant applications submitted under this section available to the public.