

# Senate Bill 429

Sponsored by Senator MANNING JR (at the request of Catie Theisen - Oregon ALF-CIO) (Pre-session 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

1  
2 Relating to distributions from the Statewide Transportation Improvement Fund; amending ORS  
3 184.758.

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

5 **SECTION 1.** ORS 184.758 is amended to read:

6 184.758. (1) The Oregon Transportation Commission shall distribute the moneys in the Statewide  
7 Transportation Improvement Fund established under ORS 184.751 as follows:

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

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

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

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

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

20 (a) Each distribution must be in such shares that the amount of tax paid, as required under ORS  
21 320.550, in the area of each qualified entity bears to the total amount of the tax paid statewide,  
22 provided that each qualified entity receives an annual amount of at least \$100,000.

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

25 (3) The commission shall adopt by rule:

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

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

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 of grants.

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

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

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

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

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

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

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

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

24 (B) Procurement of buses that are powered by natural gas or electricity for use in areas with  
25 a population of 200,000 or more;

26 (C) Implementation of programs to reduce fares for public transportation in communities with  
27 a high percentage of low-income households;

28 (D) Expansion of bus routes and bus services to reach communities with a high percentage of  
29 low-income households;

30 (E) Improvement in the frequency and reliability of service connections between communities  
31 inside and outside of the qualified entity's service area;

32 (F) Coordination between public transportation service providers to reduce fragmentation in the  
33 provision of transportation services; and

34 (G) Implementation of programs to provide student transit services for students in grades 9  
35 through 12;

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

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

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

44 (7) After the commission makes a distribution under subsection (1) of this section, qualified en-  
45 tities may enter into intergovernmental agreements under ORS chapter 190 to combine the moneys

1 received for public transportation improvements.

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

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

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

9 184.758. (1) The Oregon Transportation Commission shall distribute the moneys in the Statewide  
10 Transportation Improvement Fund established under ORS 184.751 to the Department of Transporta-  
11 tion to pay for:

12 (a) Program administration; and

13 (b) Projects of statewide significance that support the transit network and manage the operation  
14 of public transportation services.

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

17 (a) Conditioned upon the [*commission's approval of a public transportation improvement plan*]  
18 **requirements under subsection (7) of this section**, 90 percent to qualified entities;

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

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

23 (d) One percent to the Department of Transportation to establish a statewide public transpor-  
24 tation technical resource center, the purpose of which is to assist public transportation service  
25 providers in rural areas with technical assistance, training, transportation planning and information  
26 technology.

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

35 (a) Each transportation district and mass transit district shall receive that share of the moneys  
36 as the population of the counties in which the district is situated, determined under ORS 190.510 to  
37 190.610 last preceding apportionment of the moneys, bears to the total population of this state.  
38 However, if two or more districts are situated in a single county, distribution of moneys under this  
39 subsection shall be determined as though only the mass transit district is located in that county or,  
40 if there are two or more transportation districts in the county, as though only the transportation  
41 district with the highest population is located in that county.

42 (b) Each county in which no part of a mass transit district or transportation district is located  
43 shall receive that share of the moneys as its population, determined under ORS 190.510 to 190.610  
44 last preceding apportionment of the moneys, bears to the total population of this state.

45 (c) Each federally recognized Indian tribe shall receive that share of the moneys as the popu-

1 lation of the tribe residing in Oregon, determined by the commission by rule, bears to the total  
2 population of this state.

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

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

9 (a) Each distribution must be in such shares that the amount of tax paid, as required under ORS  
10 320.550, in the area of each qualified entity bears to the total amount of the tax paid statewide,  
11 provided that each qualified entity receives an annual target amount of \$100,000. Each biennium, the  
12 commission shall adjust this amount upward or downward based on the rate of growth or decline  
13 of the Statewide Transportation Improvement Fund.

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

16 (6) The commission shall adopt by rule:

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

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

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

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

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

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

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

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

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

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

45 (B) Procurement of buses that are powered by natural gas or electricity for use in areas with

1 a population of 200,000 or more;

2 (C) Implementation of programs to reduce fares for public transportation in communities with  
3 a high percentage of low-income households;

4 (D) Expansion of bus routes and bus services to reach communities with a high percentage of  
5 low-income households;

6 (E) Improvement in the frequency and reliability of service connections between communities  
7 inside and outside of the qualified entity's service area;

8 (F) Coordination between public transportation service providers to reduce fragmentation in the  
9 provision of transportation services;

10 (G) Implementation of programs to provide student transit services for students in grades 9  
11 through 12; and

12 (H) Services for older adults and people with disabilities;

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

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

18 (9) If practicable, as determined by the commission by rule each qualified entity shall spend at  
19 least one percent of the amount received each year under subsection (2)(a) of this section to imple-  
20 ment programs to provide student transit services for students in grades 9 through 12.

21 (10) After the commission makes a distribution under subsection (2) of this section, qualified  
22 entities may enter into intergovernmental agreements under ORS chapter 190 to combine the mon-  
23 eys received for public transportation improvements.

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

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

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