

House Bill 3614

Sponsored by Representatives NERON, HARTMAN, WALTERS, PHAM K, Senators MEEK, WOODS; Representatives BOWMAN, BYNUM, CHAICHI, HELFRICH, HUDSON, LEVY E, NGUYEN D, RUIZ, SANCHEZ, Senator BONHAM

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**.

Prohibits tolling on state highways until January 2, 2026. Provides exception for Interstate 5 bridges that cross Columbia River.

Establishes Task Force on Tolling. Sunsets task force on December 31, 2027.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to tolling; and declaring an emergency.

3 Whereas the Oregon Transportation Commission has failed to demonstrate that they can ensure
4 tolls assessed pursuant to House Bill 3055 (2021), section 146 (3), or tolls assessed as part of the
5 Interstate 205 Abernethy Bridge Project will reduce traffic congestion on adjacent or impacted roads
6 as a result of the tollway; and

7 Whereas the Oregon Transportation Commission has failed to demonstrate that they can ensure
8 tolls assessed pursuant to ORS 383.150 will improve safety not only on the tollway but also on ad-
9 jacent, connected or parallel highways to the tollways, regardless of ownership; and

10 Whereas the Oregon Transportation Commission has failed to demonstrate that they can ensure
11 tolls assessed pursuant to ORS 383.150 will minimize and mitigate impacts to historically and cur-
12 rently underrepresented and disadvantaged communities; and

13 Whereas the Oregon Transportation Commission has failed to collaborate with other units of
14 government to determine traffic impacts and appropriate investments to minimize or reduce impacts;
15 and

16 Whereas the Oregon Transportation Commission has failed to collaborate with other units of
17 government to determine whether assessing tolls may result in traffic, equity, safety and climate
18 impacts; and

19 Whereas communities impacted by future infrastructure planning deserve the aforementioned
20 considerations of traffic, equity, safety, climate and investments as well as collaboration with the
21 impacted communities; and

22 Whereas House Bill 3055 (2021), section 162, required that before the Department of Transpor-
23 tation assess a toll, the department shall implement a method for establishing equitable income-based
24 toll rates to be paid for by users of tollways; and

25 Whereas House Bill 3055 (2021), section 162, was repealed before the work was completed; now,
26 therefore,

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

28 **SECTION 1.** (1) **Notwithstanding ORS 383.001 to 383.245, the Oregon Transportation**
29 **Commission may not assess a toll, as defined in ORS 383.003, on highways in this state, ex-**

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.

cept as provided in subsection (2) of this section.

(2) The prohibition to assess tolls under subsection (1) of this section does not apply to tolls assessed on the Interstate 5 bridges that cross the Columbia River.

SECTION 2. Section 1 of this 2023 Act is repealed on January 2, 2026.

SECTION 3. (1) The Task Force on Tolling is established.

(2) The task force consists of at least 19 members appointed as follows:

(a) The President of the Senate shall appoint two members from among members of the Senate.

(b) The Speaker of the House of Representatives shall appoint two members from among members of the House of Representatives.

(c) The Governor shall appoint the following members:

(A) A representative of the Department of Transportation.

(B) A representative of a county government for one county where tolls are proposed to be collected.

(C) At least two, but not more than three, representatives of municipal governments of cities with boundaries located less than one mile from any proposed tolling gantry.

(D) At least two, but not more than three, representatives of municipal governments of cities with boundaries located between one and 10 miles of any proposed tolling gantry.

(E) A representative of the League of Oregon Cities.

(F) A representative of the Association of Oregon Counties.

(G) A representative of the Tri-County Metropolitan Transportation District of Oregon.

(H) A representative of Metro.

(I) A representative of road users.

(J) A representative of the trucking or freight industry.

(K) A representative of an organization concerned with the impact of climate change.

(L) A representative of bicyclists.

(M) A representative of transit users.

(3) The task force shall:

(a) Study the impact tolling has on increasing traffic on any highway, at any distance from the tollway, where the increase is attributable to toll avoidance behavior.

(b) Provide recommendations for specific funding mechanisms, specific policies and specific projects to mitigate traffic diversion.

(c) Provide recommendations for mitigating cost impacts on low-income, middle-income and fixed-income drivers, including funding for transit and multimodal alternatives.

(d) Provide recommendations for specific funding mechanisms and projects for public transit investment in counties impacted by tolls.

(e) Provide recommendations on the allowable uses of tolling revenues collected for the purpose of congestion pricing and for the purpose of financing specific projects.

(f) Provide recommendations on using congestion pricing revenues to fund multimodal transit options that comply with the restrictions of Article IX, section 3a, of the Oregon Constitution.

(g) Provide recommendations for phasing implementation of tolling on Interstate 205, recognizing that Phase 1, which includes the Interstate 205 Abernethy Bridge Project, might need a different implementation plan and timeline than Phase 2, which includes other Interstate 205 projects.

1 **(h) Provide recommendations for public outreach by the department on tolling programs**
2 **and community engagement.**

3 **(4) A majority of the voting members of the task force constitutes a quorum for the**
4 **transaction of business.**

5 **(5) Official action by the task force requires the approval of a majority of the voting**
6 **members of the task force.**

7 **(6) The task force shall elect one of its members to serve as chairperson.**

8 **(7) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
9 **ment to become immediately effective.**

10 **(8) The task force shall meet at times and places specified by the call of the chairperson**
11 **or of a majority of the voting members of the task force.**

12 **(9) The task force may adopt rules necessary for the operation of the task force.**

13 **(10)(a) The task force shall submit a report in the manner provided by ORS 192.245, and**
14 **may include recommendations for legislation, to the Joint Committee on Transportation es-**
15 **tablished under ORS 171.858 no later than September 15, 2024.**

16 **(b) After submitting the report under paragraph (a) of this subsection, the task force**
17 **shall advise the department on regional needs and monitor the implementation of the task**
18 **force's recommendations.**

19 **(11) The department shall provide staff support to the task force.**

20 **(12) Members of the Legislative Assembly appointed to the task force are nonvoting**
21 **members of the task force and may act in an advisory capacity only.**

22 **(13) Members of the task force who are not members of the Legislative Assembly are not**
23 **entitled to compensation or reimbursement for expenses and serve as volunteers on the task**
24 **force.**

25 **(14) All agencies of state government, as defined in ORS 174.111, are directed to assist**
26 **the task force in the performance of the duties of the task force and, to the extent permitted**
27 **by laws relating to confidentiality, to furnish information and advice the members of the task**
28 **force consider necessary to perform their duties.**

29 **SECTION 4.** **Section 3 of this 2023 Act is repealed on December 31, 2027.**

30 **SECTION 5.** **This 2023 Act being necessary for the immediate preservation of the public**
31 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
32 **on its passage.**

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