

Enrolled Senate Bill 16

Sponsored by Senator GORSEK; Senators CAMPOS, STEINER (Pre-session filed.)

CHAPTER

AN ACT

Relating to transportation by rail; creating new provisions; amending ORS 824.016; and declaring an emergency.

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

SECTION 1. ORS 824.016 is amended to read:

824.016. (1) The State Rail Rehabilitation Fund is established as an account in the General Fund of the State Treasury. All moneys in the account are appropriated continuously to the Department of Transportation for expenditures for any or all of the following:

- (a) Acquisition of a railroad line.
- (b) Rehabilitation or improvement of rail properties.
- (c) Planning for rail services.
- (d) Any other methods of reducing the costs of lost rail service in this state.

(e) Rail projects, including:

(A) Capacity improvements, such as:

- (i) New or lengthened sidings;**
- (ii) Industrial spur rehabilitation; and**
- (iii) Industrial spur construction;**

(B) Capital investments that improve safety; and

(C) Capital investments that reduce greenhouse gases.

(f) Providing state matching funds to leverage federal discretionary grant funding for rail projects.

(2) The program developed by the Department of Transportation under this section to provide funds [for rail projects] shall include:

[(a) Development of a formula for determining a minimum cost to benefit ratio necessary for project funding;]

[(b) Supervision and monitoring of railroad acquisitions and the awarding of rehabilitation contracts;]

[(c) Continuing inspection of all railroad rehabilitation projects; and]

[(d) Auditing financial records of all railroad acquisition and rehabilitation projects.]

(a) Development of a methodology for prioritizing funding that takes into consideration an applicant's ability to use funding sources to leverage federal discretionary grant funding for rail projects.

(b) A requirement that rail projects selected are projects that are consistent with the goals of the Oregon State Rail Plan.

(3) The Department of Transportation shall provide funds [for railroad projects] under this section only with the approval of the Oregon Transportation Commission.

(4) The department may use moneys in the fund to pay the department's administrative costs associated with the fund and with carrying out the provisions of this section.

(5) Not later than December 31 of each even-numbered year, the department shall report, in the manner provided in ORS 192.245, to the Joint Committee on Transportation regarding the expenditures of moneys in the fund and the status of rail projects that have received moneys from the fund.

SECTION 2. (1) The amendments to ORS 824.016 by section 1 of this 2023 Act become operative on January 1, 2024.

(2) The Department of Transportation may take any action before the operative date specified in subsection (1) of this section that is necessary for the department to carry out, on and after the operative date specified in subsection (1) of this section, the amendments to ORS 824.016 by section 1 of this 2023 Act.

SECTION 3. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.

Passed by Senate April 17, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House April 25, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M.,....., 2023

Approved:

.....M.,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2023

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Shemia Fagan, Secretary of State