

Requested by Representative BOWMAN

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2793**

1 In line 2 of the printed bill, after “transportation” insert “; creating new  
2 provisions; amending ORS 802.348; and declaring an emergency”.

3 Delete lines 4 through 11 and insert:

4 **“SECTION 1. (1) The Jurisdictional Transfer Advisory Committee**  
5 **is established within the Department of Transportation.**

6 **“(2) The committee consists of 11 members appointed by the Gov-**  
7 **ernor. The members of the committee shall include:**

8 **“(a) Two members who are transportation engineers;**

9 **“(b) Two members who represent cities and who have experience**  
10 **working on transportation projects;**

11 **“(c) One member who represents a county and who has experience**  
12 **working on transportation projects;**

13 **“(d) One member who represents a regional government and who**  
14 **has experience working on transportation projects;**

15 **“(e) One member who represents road users;**

16 **“(f) One member who represents law enforcement;**

17 **“(g) One member who represents transit users;**

18 **“(h) One member who represents the advisory committee on bicycle**  
19 **traffic established in ORS 366.112; and**

20 **“(i) One member who represents the Transportation Safety Com-**  
21 **mittee established in ORS 802.300.**

1       **“(3) The Governor shall appoint members to the Jurisdictional**  
2 **Transfer Advisory Committee so that there is at least one member of**  
3 **the committee from each congressional district in this state.**

4       **“(4) The Jurisdictional Transfer Advisory Committee shall, from the**  
5 **jurisdictional transfer applications submitted under section 3 of this**  
6 **2023 Act:**

7       **“(a) Review the applications; and**

8       **“(b) Develop a list of three jurisdictional transfers to recommend**  
9 **for funding.**

10       **“(5) The committee shall actively solicit reviews and comments**  
11 **from the Oregon Transportation Commission in the development of**  
12 **the list described in subsection (4)(b) of this section. The committee**  
13 **shall also shall take into consideration the following:**

14       **“(a) The difference between the applicant’s and the department’s**  
15 **standards of maintenance;**

16       **“(b) The amount of deferred maintenance;**

17       **“(c) A description of how the highway is used in the community;**

18       **“(d) The climate impact of a transfer and subsequent upgrades the**  
19 **applicant could provide;**

20       **“(e) The potential positive impacts on historically underserved**  
21 **groups;**

22       **“(f) The increase in multimodal transportation options provided by**  
23 **a transfer;**

24       **“(g) A description of the safety issues that exist; and**

25       **“(h) A transfer readiness assessment that may include:**

26       **“(A) The interest of the community;**

27       **“(B) Funding capacity of the applicant for the transfer and main-**  
28 **tenance in the future; and**

29       **“(C) The existing condition of the highway and its current state of**  
30 **maintenance.**

1       “(6) No later than September 15 of each even-numbered year, the  
2       Jurisdictional Transfer Advisory Committee shall submit a report to  
3       the Joint Committee on Transportation, in the manner provided in  
4       ORS 192.245, that includes the list of jurisdictional transfers recom-  
5       mended for funding under subsection (4)(b) of this section.

6       “(7) The term of office of each member of the Jurisdictional  
7       Transfer Advisory Committee is four years, but a member serves at  
8       the pleasure of the Governor. Before the expiration of the term of a  
9       member, the Governor shall appoint a successor whose term begins  
10      on January 1 next following. A member is eligible for reappointment.  
11      However, a member of the committee may not serve more than two  
12      terms. If there is a vacancy for any cause, the Governor shall make  
13      an appointment to become immediately effective for the unexpired  
14      term. When a vacancy occurs in an appointment made from a con-  
15      gressional district, the successor shall be appointed from the congres-  
16      sional district for which the vacancy exists.

17      “(8) A majority of the members of the committee constitutes a  
18      quorum for the transaction of business.

19      “(9) Official action by the committee requires the approval of a  
20      majority of the members of the committee.

21      “(10) The committee shall elect one of its members to serve as  
22      chairperson.

23      “(11) The committee shall meet at times and places specified by the  
24      call of the chairperson or of a majority of the members of the com-  
25      mittee, provided that the committee meets at least four times a year.

26      “(12) The committee may adopt rules necessary for the operation  
27      of the committee.

28      “(13) The Department of Transportation shall provide assistance  
29      and space for meetings as requested by the chair of the committee.

30      “(14) Qualified members, as defined in ORS 292.495, of the advisory

1 committee are entitled to compensation for actual and necessary  
2 travel or other expenses incurred in the performance of their official  
3 duties as specified for qualified members of boards or commissions in  
4 ORS 292.495 (4).

5 **“SECTION 2. Notwithstanding the term of office specified by sec-**  
6 **tion 1 of this 2023 Act, of the members first appointed by the Governor**  
7 **to the Jurisdictional Transfer Advisory Committee:**

8 **“(1) Two shall serve for a term ending January 1, 2025.**

9 **“(2) Three shall serve for a term ending January 1, 2026.**

10 **“(3) Three shall serve for a term ending January 1, 2027.**

11 **“(4) Three shall serve for a term ending January 1, 2028.**

12 **“SECTION 3. (1) The Department of Transportation shall adopt**  
13 **rules specifying the process by which a city or county may apply for**  
14 **inclusion on the list of jurisdictional transfers recommended for**  
15 **funding and submitted to the Joint Committee on Transportation un-**  
16 **der section 1 of this 2023 Act.**

17 **“(2) An application under this section must be on a form prescribed**  
18 **by the department and must include the following:**

19 **“(a) The name of the city or county;**

20 **“(b) A description of the portion of the highway to be transferred;**

21 **“(c) A desired timeline for the transfer;**

22 **“(d) The scope of the transfer;**

23 **“(e) A description of which body assumes liability during and after**  
24 **the transfer;**

25 **“(f) The cost to update the segment of highway transferred to a**  
26 **state of good repair; and**

27 **“(g) Any other information necessary or helpful to the Jurisdic-**  
28 **tional Transfer Advisory Committee established in section 1 of this**  
29 **2023 Act in making its recommendations to the Joint Committee on**  
30 **Transportation.**

1       **“(3) A jurisdictional transfer applicant must submit:**

2       **“(a) Plans to provide at least 20 percent of the moneys required for**  
3 **the jurisdictional transfer; and**

4       **“(b) A community vision plan that describes the applicant’s plan for**  
5 **managing and improving the highway.**

6       **“SECTION 4.** ORS 802.348 is amended to read:

7       “802.348. (1) The Department of Transportation shall ensure that the  
8 membership of advisory committees to the department reflects the racial and  
9 ethnic and ability composition of this state as determined by the most recent  
10 American Community Survey from the United States Census Bureau.

11       “(2) Subsection (1) of this section applies to all advisory committees to  
12 the department, including but not limited to:

13       “(a) The Continuous Improvement Advisory Committee established in ORS  
14 184.665.

15       “(b) The Freight Advisory Committee established in ORS 366.212.

16       “(c) The Road User Fee Task Force established in ORS 184.843.

17       “(d) Any stakeholder forum established under ORS 366.215.

18       “(e) The advisory committee on vehicle dealer regulation established in  
19 ORS 802.370.

20       “(f) The advisory committee on bicycle traffic established in ORS 366.112.

21       “(g) The Transportation Safety Committee established in ORS 802.300.

22       **“(h) The Jurisdictional Transfer Advisory Committee established in**  
23 **section 1 of this 2023 Act.**

24       **“SECTION 5.** ORS 802.348, as amended by section 4 of this 2023 Act, is  
25 amended to read:

26       “802.348. (1) The Department of Transportation shall ensure that the  
27 membership of advisory committees to the department reflects the racial and  
28 ethnic and ability composition of this state as determined by the most recent  
29 American Community Survey from the United States Census Bureau.

30       “(2) Subsection (1) of this section applies to all advisory committees to

1 the department, including but not limited to:

2 “(a) The Continuous Improvement Advisory Committee established in ORS  
3 184.665.

4 “(b) The Freight Advisory Committee established in ORS 366.212.

5 “(c) The Road User Fee Task Force established in ORS 184.843.

6 “(d) Any stakeholder forum established under ORS 366.215.

7 “(e) The advisory committee on vehicle dealer regulation established in  
8 ORS 802.370.

9 “(f) The advisory committee on bicycle traffic established in ORS 366.112.

10 “(g) The Transportation Safety Committee established in ORS 802.300.

11 “[*h*] *The Jurisdictional Transfer Advisory Committee established in sec-*  
12 *tion 1 of this 2023 Act.*]

13 **“SECTION 6. The amendments to ORS 802.348 by section 5 of this**  
14 **2023 Act become operative on January 1, 2029.**

15 **“SECTION 7. Sections 1, 2 and 3 of this 2023 Act are repealed on**  
16 **January 2, 2029.**

17 **“SECTION 8. This 2023 Act being necessary for the immediate**  
18 **preservation of the public peace, health and safety, an emergency is**  
19 **declared to exist, and this 2023 Act takes effect on its passage.”.**

20

---