

HB 2099-5  
(LC 2935)  
5/11/23 (HE/ps)

Requested by JOINT COMMITTEE ON TRANSPORTATION (at the request of Senator Lew Frederick, Representative Susan McLain, Senator Brian Boquist, Representative Shelly Boshart Davis)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2099**

1 In line 2 of the printed bill, after “transportation” insert “; creating new  
2 provisions; and amending ORS 366.506”.

3 Delete lines 4 through 11 and insert:

4 **“SECTION 1.** ORS 366.506 is amended to read:

5 “366.506. (1) Once every two years, the Oregon Department of Adminis-  
6 trative Services shall conduct [*either a full*] **a** highway cost allocation study  
7 [*or an examination of data collected since the previous study*]. The [*purposes*]  
8 **purpose** of the study [*or examination of data are*] **is** to determine:

9 “(a) The proportionate share that the users of each class of vehicle should  
10 pay for the costs of maintenance, operation and improvement of the high-  
11 ways, roads and streets in the state; and

12 “(b) Whether the users of each class are paying that share.

13 **“(2) Each study must include:**

14 **“(a) An examination of the most recent study period for which ac-  
15 tual data are available for the purpose of determining the accuracy  
16 of the most recently published study results; and**

17 **“(b) An examination of the prospective study period based on  
18 projected data for the purpose described in subsection (1) of this sec-  
19 tion.**

20 “[~~(2)~~] **(3)** The department may use any study design [*it*] **the department**

1 determines will best accomplish the purposes stated in subsection (1) of this  
2 section. In designing the study, the department may make decisions that in-  
3 clude, but are not limited to, the methodology to be used for the study, what  
4 constitutes a class of vehicle for purposes of collection of data under sub-  
5 sections (1) to [(4)] (5) of this section and the nature and scope of costs that  
6 will be included in the study.

7 “[3] (4) The department may appoint a study review team to participate  
8 in the study [*or examination of data*] required by subsection (1) of this sec-  
9 tion. The team may perform any functions assigned by the department, in-  
10 cluding, but not limited to, consulting on the design of the study.

11 “[4] (5) A report on the results of the study [*or examination of data*]  
12 shall be submitted to the legislative revenue committees and the [*legislative*  
13 *committees with primary responsibility for transportation*] **Joint Committee**  
14 **on Transportation** by January 31 of each odd-numbered year.

15 “[5] (6) The Legislative Assembly shall use the report described in  
16 [*subsections (1) to (4)*] **subsection (5)** of this section to determine whether  
17 adjustments to revenue sources described in **Article IX**, section 3a (3), [*Ar-*  
18 *ticle IX*] of the Oregon Constitution, are needed in order to carry out the  
19 purposes of **Article IX**, section 3a (3), [*Article IX*] of the Oregon Constitu-  
20 tion. If such adjustments are needed, the Legislative Assembly shall enact  
21 whatever measures are necessary to make the adjustments.

22 **“SECTION 2. (1) The Oregon Department of Administrative Services**  
23 **shall prepare and submit a report that includes an analysis of, at least,**  
24 **the three most recent reported highway cost allocation studies con-**  
25 **ducted under ORS 366.506.**

26 **“(2) For each of the three previous study periods, the analysis must:**

27 **“(a) Evaluate the amount that users of each class of vehicle actu-**  
28 **ally paid for the cost of maintenance, operation and improvement of**  
29 **highways, roads and streets in the state; and**

30 **“(b) Whether the amount paid was a proportionate share of those**

1 **costs.**

2 **“(3) The department shall submit the report, in the manner pro-**  
3 **vided by ORS 192.245, to the Joint Committee on Transportation no**  
4 **later than September 15, 2024.**

5 **“SECTION 3. Section 2 of this 2023 Act is repealed on January 2,**  
6 **2025.”.**

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