

HB 3406-2
(LC 3554)
6/7/23 (HE/ps)

Requested by Representative MCLAIN (at the request of Senator Lew Frederick)

**PROPOSED AMENDMENTS TO
HOUSE BILL 3406**

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

3 Delete lines 4 through 11 and insert:

4 **“SECTION 1. Section 2 of this 2023 Act is added to and made a part
5 of the Oregon Vehicle Code.**

6 **“SECTION 2. A road authority, on its own highways, may allow a
7 person to use a vehicle that is otherwise prohibited from operating on
8 the highways of this state if:**

9 **“(1) The person is operating the vehicle in a parade;**

10 **“(2) The vehicle is operated with the approval of and under the
11 conditions imposed by the road authority; and**

12 **“(3) The vehicle complies with vehicle weight and size limits estab-
13 lished by federal or state statute or rule.**

14 **“SECTION 3. ORS 366.506 is amended to read:**

15 **“366.506. (1) Once every two years, the Oregon Department of Adminis-
16 trative Services shall conduct [either a full] a highway cost allocation study
17 [or an examination of data collected since the previous study]. The [purposes]
18 purpose of the study [or examination of data are] is to determine:**

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

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

2 “(2) Each study must include:

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

6 “(b) An examination of the prospective study period based on
7 projected data for the purpose described in subsection (1) of this sec-
8 tion.

9 “[2)] (3) The department may use any study design [it] the department
10 determines will best accomplish the purposes stated in subsection (1) of this
11 section. In designing the study, the department may make decisions that in-
12 clude, but are not limited to, the methodology to be used for the study, what
13 constitutes a class of vehicle for purposes of collection of data under sub-
14 sections (1) to [(4)] (5) of this section and the nature and scope of costs that
15 will be included in the study.

16 “[3)] (4) The department may appoint a study review team to participate
17 in the study [or examination of data] required by subsection (1) of this sec-
18 tion. The team may perform any functions assigned by the department, in-
19 cluding, but not limited to, consulting on the design of the study.

20 “[4)] (5) A report on the results of the study [or examination of data]
21 shall be submitted to the legislative revenue committees and the [legislative
22 committees with primary responsibility for transportation] **Joint Committee**
23 **on Transportation** by January 31 of each odd-numbered year.

24 “[5)] (6) The Legislative Assembly shall use the report described in
25 [subsections (1) to (4)] **subsection (5)** of this section to determine whether
26 adjustments to revenue sources described in **Article IX**, section 3a (3), [Ar-
27 ticle IX] of the Oregon Constitution, are needed in order to carry out the
28 purposes of **Article IX**, section 3a (3), [Article IX] of the Oregon Constitu-
29 tion. If such adjustments are needed, the Legislative Assembly shall enact
30 whatever measures are necessary to make the adjustments.

1 **“SECTION 4. (1) The Oregon Department of Administrative Services**
2 **shall prepare and submit a report that includes an analysis of, at least,**
3 **the three most recent reported highway cost allocation studies con-**
4 **ducted under ORS 366.506.**

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

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

9 **“(b) Evaluate whether the amount paid was a proportionate share**
10 **of those costs.**

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

14 **“SECTION 5. Section 4 of this 2023 Act is repealed on January 2,**
15 **2025.**

16 **“SECTION 6. This 2023 Act takes effect on the 91st day after the**
17 **date on which the 2023 regular session of the Eighty-second Legislative**
18 **Assembly adjourns sine die.”.**

19
