



Legislative Fiscal Office
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Bill Title: Relating to transportation; prescribing an effective date.

Government Unit(s) Affected: Cities, Counties, Criminal Justice Commission, Department of Aviation, Department of Corrections, Department of Environmental Quality, Department of Justice, Department of State Police, Department of Transportation, District Attorneys, Judicial Department, Office of the Governor, Oregon Lottery Commission, Oregon Youth Authority, Public Defense Commission, School Districts, Special Districts Association of Oregon, TriMet, Department of Administrative Services

Summary of Fiscal Impact

- Costs related to the measure are anticipated to be minimal for the impacted agencies - see explanatory analysis below.
- ORS 173.029 requires the Legislative Fiscal Office to estimate the 10-year fiscal impact on state and local government for measures with an effect on crimes and sentencing. An initial estimate of the measure’s potential 10-year fiscal impact on correctional populations and associated costs is included below within the fiscal analysis section.

Measure Description

The measure defines “police officer” and modifies ORS 810.444 to specify that a police officer or a duly authorized traffic enforcement agent may review, sign, and issue a citation in cities that operate photo radar. The measure extends the sunset date for the Private Party Compressed Natural Gas Fueling program within the Department of Administrative Services from January 2, 2025, to January 2, 2026. The measure modifies who is eligible to receive a family placard under ORS 811.609 to include a family that has at least two persons with disabilities or multiple households that are caring for at least one person with a disability. These provisions apply to family placards issues on or after the effective date of the measure.

The measure expands the funding source for charge ahead rebates under the Charge Ahead Oregon Program to include the Charge Ahead Zero-Emission Incentive Fund. The measure modifies the Charge Ahead Oregon Program to increase the maximum reimbursement for qualifying households and low-income service providers to up to \$7,500, but not less than \$2,500, for the purchase or lease of a new light-duty zero-emission vehicle or plug-in hybrid electric vehicle, or up to \$5,000, but not less than \$2,500, for the purchase or lease of a used light-duty zero-emission vehicle or plug-in hybrid electric vehicle. The U.S. Environmental Protection Agency (EPA) has indicated establishment of the Charge Ahead Zero-Emission Incentive Fund will improve the competitiveness of Oregon’s Climate Pollution Reduction grant application of up to \$200 million, by demonstrating that incentives can be prioritized to benefit low or moderate-income households. If awarded, the EPA intends for a portion of the grant funding to be deposited into the newly established Charge Ahead Zero-Emission Incentive Fund.

The measure establishes the Charge Ahead Zero-Emission Incentive Fund and requires monies to be continuously appropriated to the Department of Environmental Quality (DEQ) for charge ahead rebates and 10%

of specified administrative costs. The measure requires the amount allocated under the Charge Ahead Oregon Program to be less than 20% of all monies deposited into the fund, but not less than zero.

The measure expands the crime of interfering with public transportation, a Class A misdemeanor, if the person while on or in a public transit vehicle or public transit station, knowingly ingests, inhales, ignites, injects, or other consumes a controlled substance that is not lawfully possessed by the person.

The measure requires the Oregon Department of Transportation (ODOT), in collaboration with the State of Idaho, apply for assistance from the Federal Railroad Administration to study the potential for reestablishing service on the Amtrack Pioneer Line. The measure requires ODOT to submit a report to the Legislature by December 31, 2024, on the progress of the study and is repealed on January 2, 2025.

The measure expands the definition of recreational purposes under ORS 105.672.

Fiscal Analysis

The fiscal impact of the measure is minimal.

Department of Corrections

The estimated fiscal impact on the Department of Corrections (DOC) is \$1,926 General Fund in the 2023-25 biennium and \$141,425 General Fund in the 2025-27 biennium. These costs will increase to an estimated \$223,208 General Fund in 2027-29, \$227,223 General Fund in 2029-31, and \$227,223 General Fund in 2031-33.

The estimated costs result from an anticipated increase in annual misdemeanor convictions under the measure and its effect on community corrections and DOC prison populations. To determine the potential sentencing for this new crime, the Criminal Justice Commission (CJC) utilized sentencing data on designated Class A drug misdemeanors from 2023. Based on that data, CJC anticipates the measure will result in an additional 15 misdemeanor convictions a year that will be sentenced to probation, with an average sentence length of 18 months.

The fiscal impact assumes a three-month lag between the measure’s effective date and the date first offenders may be received through the criminal justice system. The cost estimates include funds that would be distributed to county community corrections departments for the costs of probation, post-prison supervision, and local control. As part of the cost calculations, the estimated marginal cost per day for a DOC facility is \$26.05 per offender and the estimated cost per day for probation is \$13.83 per offender.

Should this measure become law, any deviation between the estimates assumed in this fiscal analysis and the actual number of criminal cases, convictions, and length of sentences issued would be incorporated in the Department of Administrative Services corrections population forecast. These forecasts are issued twice per year and used to determine any necessary budget modifications to the agency.

Department of Environmental Quality

The fiscal impact on DEQ is minimal. The agency reports that the modifications to the Charge Ahead Oregon Program can be absorbed within current resources.

Other entities

There is a minimal or no fiscal impact on all other impacted agencies and entities.

Relevant Dates

The measure takes effect on the 91st day after sine die.

