

HB 4109 -6, -9, -29, -30, -31, -33 STAFF MEASURE SUMMARY

Joint Committee On Transportation

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Meeting Dates: 2/8, 2/29

WHAT THE MEASURE DOES:

This measure is the transportation omnibus bill for the 2024 Session.

Detailed Summary: Specifies that grant funds available to the Oregon Department of Aviation can be used as matching funds for any Federal Aviation Administration grant available, rather than just for Airport Improvement Program grants. Merges statutes for mobile photo radar and fixed photo radar and allows any city to issue citations on the basis of photo radar through a police officer or duly authorized traffic enforcement agent who has reviewed the photographic evidence of the conduct.

ISSUES DISCUSSED:

- Photo radar enforcement in Oregon
- Use of aviation grants by Oregon Department of Aviation
- DAS distribution of compressed natural gas
- DMV issuance of family placard disabled parking permits
- Oregon's zero-emission vehicle rebate program
- History of Amtrak Pioneer service

EFFECT OF AMENDMENT:

-6 Reduces per-mile rates in weight-mile tables. Specifies that new rates apply to taxes imposed on or after the effective date of the measure.

-9 Lowers weight-mile taxes. Directs ODOT to prepare report on statutory changes necessary to balance transportation cost responsibility while also reducing the overall weight-mile tax. Lists persons and entities with which ODOT is to coordinate. Requires report to Joint Committee on Transportation by September 15, 2024. Sunsets reporting requirement on January 2, 2025. Takes effect on 91st day following adjournment sine die.

-29 Identical to the -30, except that provisions related to recreational immunity are deleted.

FISCAL:

REVENUE: Minimal revenue impact on measure w/the -29 amendment

-30 Specifies that a police officer certify and issue photo radar citations, except for City of Portland. Extends the current authority of Department of Administrative Services to dispense compressed natural gasoline for use in motor vehicles at the agency's fleet center for one year, to January 2026. Directs ODOT to issue family placard disabled parking permits to multiple households that collectively provide care for at least one person with a disability. Creates a separate Charge Ahead Zero-Emission Incentive Fund to provide rebates to qualifying low-income Oregonians for purchase of EVs; modifies the maximum amount of grants allowed through Charge Ahead program; specifies that required allocation of privilege tax revenues are to be offset by moneys deposited into the Charge Ahead Zero-Emission Incentive Fund. Modifies crime of interfering with transit operations to include ingesting, inhaling, igniting, injecting, or otherwise consuming controlled substances not legally possessed by person. Directs ODOT to pursue cooperative efforts with the State of Idaho to apply for assistance from the Federal Rail Administration to study potential of reestablishing service on the Amtrak Pioneer line; requires report to JCT by December 31, 2024; sunsets provision on January 2, 2025. Expands definition of 'recreational purposes'

by expanding “outdoor activities” to include walking, running, and bicycling, and to include travel on any path or trail, or across any land, except for travel that is within a highway right of way as defined in ORS 801.305.

FISCAL: Fiscal impact statement issued on measure w/the -30 amendment

REVENUE: Minimal revenue impact on measure w/the -30 amendment

-31 Identical to the -30, except that the provisions related to the crime of interfering with transit operations are deleted.

FISCAL: Fiscal impact statement issued on measure w/the -31 amendment

REVENUE: Minimal revenue impact on measure w/the -31 amendment

-33 Identical to the -30, except that the provisions related to the crime of interfering with transit operations, AND the provisions related to recreational immunity, are deleted.

FISCAL: Fiscal impact statement issued on measure w/the -33 amendment

REVENUE: Minimal revenue impact on measure w/the -33 amendment

BACKGROUND:

House Bill 4109 is the omnibus transportation measure for the 2024 Legislative Session.

Under existing law, the Oregon Department of Aviation may only utilize revenues from taxes on fuel used by turbine aircraft engines for specific enumerated purposes. Five percent of revenues are appropriated for administrative costs of the Department and the State Board of Aviation; 25 percent is distributed to state-owned airports for safety improvements and infrastructure projects; and the remaining 70 percent is distributed for a variety of services, including use as matching grants for the Federal Aviation Administration's (FAA) Airport Improvement Program. House Bill 4109 expands the allowed use of these moneys as matching funds for any applicable FAA grant.

Oregon first began enacted legislation to allow photo enforcement of speed laws in 1995. Over the years, a number of jurisdictions were given statutory authority to use photo radar, including Albany, Beaverton, Bend, Eugene, Gladstone, Medford, Milwaukie, Oregon City, Portland, and Tigard. The use of photo radar was limited to four hours per day at any given location and required the presence of uniformed law enforcement in marked vehicles. The City of Portland subsequently was granted statutory authority to use a different type of photo radar enforcement, known as "fixed photo radar," in 2015, allowing the city to enforce at a limited number of locations at all hours of the day. Legislation enacted later allowed citations to be issued by either police officers or duly authorized traffic enforcement agents. House Bill 4105 merges these two photo radar programs.