



Support SB 1566

County Right of Way Permit Fee Authority

Background

Oregon counties own, maintain, and are responsible for over 32,000 road miles, and over 4,000 bridges – this is the largest share of Oregon’s statewide road network of any jurisdiction at over 40% of the system. Counties are also responsible for maintaining safety and order in 32,000 miles of increasingly congested right of way (ROW) – the public land abutting the road.

ORS 758.010 requires county public works departments to administer costly permitting work in the county ROW for water, gas, electric, and communication operations free of charge. This preemption of county permit fee authority diverts limited taxpayer dollars from critical road improvements and operations and maintenance activities.

Solution

SB 1566 removes the county permit fee preemption in ORS 758.010 and requires a county to pass an ordinance to implement a fee structure for water, gas, electric, and communications facilities. The language includes negotiated permit fee exemptions for vegetation management, routine maintenance, and emergencies. If a county opts in to a fee structure, completed fee-eligible permits must be approved or denied within 15 days.

Average Annual Impact per County:

- **350 permits** administered
- **1010 hours** on permit review
- **\$90,000** in gas tax expenditures
- **Two** dedicated staff

Permit Administration Includes:

- Traffic control/safety plan reviews
- Ongoing site inspections
- Filing and paperwork
- Repairs and maintenance
- Contractor insurance reviews
- Public inquiries

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