

Senate Bill 687

Sponsored by Senator PHAM K; Representatives GAMBA, HUDSON (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that a city or county may enact a fuel tax. The proposed tax will not need to go to the electors first. The Act says a county that is smaller may enact a car fee and does not need elector approval first. (Flesch Readability Score: 82.5).

Provides that certain local governments may enact a fuel tax or vehicle registration fee without first submitting the proposed tax or registration fee to the electors.

A BILL FOR AN ACT

1
2 Relating to transportation; amending ORS 319.950 and 801.041.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 319.950 is amended to read:

5 319.950. (1) The governing body of a city, county or other local government may enact or amend
6 any charter provision, ordinance, resolution or other provision taxing fuel for motor vehicles [*after*
7 *submitting the proposed tax to the electors of the local government for their approval*].

8 (2) The governing body of a local government that imposes a tax on fuel for motor vehicles
9 pursuant to this section may enter into an intergovernmental agreement under ORS 190.010 with the
10 Department of Transportation pursuant to which the department shall collect and distribute the re-
11 venues from the tax.

12 **SECTION 2.** ORS 801.041 is amended to read:

13 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
14 registration fees for vehicles:

15 (1) An ordinance establishing registration fees under this section must be enacted by the county
16 imposing the registration fee and filed with the Department of Transportation. Notwithstanding
17 ORS 203.055 or any provision of a county charter, the governing body of a county [*with a population*
18 *of 350,000 or more*] may enact an ordinance establishing registration fees. [*The governing body of a*
19 *county with a population of less than 350,000 may enact an ordinance establishing registration fees*
20 *after submitting the ordinance to the electors of the county for their approval.*] The governing body of
21 the county imposing the registration fee shall enter into an intergovernmental agreement under ORS
22 190.010 with the department by which the department shall collect the registration fees, pay them
23 over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5). The
24 intergovernmental agreement must state the date on which the department shall begin collecting
25 registration fees for the county.

26 (2) The authority granted by this section allows the establishment of registration fees in addition
27 to those described in ORS 803.420 and 803.422. There is no authority under this section to affect
28 registration periods, qualifications, cards, plates, requirements or any other provision relating to
29 vehicle registration under the vehicle code.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (3) Except as otherwise provided for in this subsection, when registration fees are imposed under
2 this section, they must be imposed on all vehicle classes. Registration fees as provided under this
3 section may not be imposed on the following:

4 (a) Snowmobiles and Class I all-terrain vehicles.

5 (b) Fixed load vehicles.

6 (c) Vehicles registered under ORS 805.100 to disabled veterans.

7 (d) Vehicles registered as antique vehicles under ORS 805.010.

8 (e) Vehicles registered as vehicles of special interest under ORS 805.020.

9 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.

10 (g) School buses or school activity vehicles registered under ORS 805.050.

11 (h) Law enforcement undercover vehicles registered under ORS 805.060.

12 (i) Vehicles registered on a proportional basis for interstate operation.

13 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (14)(a)
14 or (b).

15 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

16 (L) Travel trailers, campers and motor homes.

17 (m) Vehicles registered to an employment address as provided in ORS 802.250 when the eligible
18 public employee or household member's residence address is not within the county of the employ-
19 ment address. The department may adopt rules it considers necessary for the administration of this
20 paragraph.

21 (n) Vehicles registered under ORS 805.110 to former prisoners of war.

22 (4) Any registration fee imposed by a county must be a fixed amount not to exceed, with respect
23 to any vehicle class, the sum of the registration fee established under ORS 803.420 (6)(a) and the fee
24 applicable to the registered vehicle under ORS 803.422. For vehicles on which a flat fee is imposed
25 under ORS 803.420, the fee must be a whole dollar amount.

26 (5) Moneys from registration fees established under this section must be paid to the county es-
27 tablishing the registration fees as provided in ORS 802.110.

28 (6) Except as provided in ORS 801.044, or unless a different distribution is agreed upon by the
29 county and the cities within the jurisdiction of the county, the county ordinance shall provide for
30 payment of at least 40 percent of the moneys from registration fees established under this section
31 to cities within the county.

32 (7) The moneys for the cities and the county shall be used for any purpose for which moneys
33 from registration fees may be used, including the payment of debt service and costs related to bonds
34 or other obligations issued for such purposes.

35 (8) Two or more counties may act jointly to impose a registration fee under this section. The
36 ordinance of each county acting jointly with another under this subsection must provide for the
37 distribution of moneys collected through a joint registration fee.

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