

House Bill 3991

Sponsored by Representative FAHEY

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 increases and adds taxes related to roads, cars, trucks and buses and says how revenue must be used. The Act would make the per-mile road usage charge mandatory over time. The Act would let a person pay a yearly fee instead of the per-mile road usage charge. The Act tells the Division of Audits to do performance audits of ODOT. (Flesch Readability Score: 71.0).

Directs the Division of Audits to conduct performance audits of the Department of Transportation. Alters the duties of the Joint Committee on Transportation and the Continuous Improvement Advisory Committee. Provides that the Governor shall appoint the Director of Transportation.

Increases and adds transportation-related fees and taxes. Provides uses of revenues.

Imposes a mandatory per-mile road usage charge for electric and hybrid vehicles. Allows an annual fee in lieu of the mandatory per-mile road usage charge.

Repeals the mandatory toll program.

Provides for diesel fuel to be taxed in the same manner as gasoline.

Revises the formula for weight-mile taxes.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to transportation; creating new provisions; amending ORS 171.861, 184.620, 184.623, 184.659, 184.665, 295.103, 319.010, 319.020, 319.390, 319.520, 319.530, 319.550, 319.671, 319.700, 319.883, 319.885, 319.915, 320.550, 366.506, 366.772, 366.805, 367.095, 377.841, 383.009, 801.041, 801.042, 803.090, 803.420, 803.422, 803.445, 810.530, 818.225, 818.400, 823.012, 823.023, 823.027, 823.085, 825.005, 825.104, 825.141, 825.250, 825.326, 825.450, 825.474, 825.476, 825.480, 825.492, 825.555 and 825.990 and section 6, chapter 491, Oregon Laws 2019; repealing ORS 319.665, 319.890, 383.150 and 825.486 and section 2, chapter 428, Oregon Laws 2019; prescribing an effective date; and providing for revenue raising that requires approval by a three-fifths majority.

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

ACCOUNTABILITY AND HIGHWAY COST ALLOCATION STUDY

SECTION 1. (1) As used in this section, "performance audit" has the meaning given that term in ORS 297.070.

(2) The Division of Audits shall conduct a biennial performance audit of the Department of Transportation relating to the following:

(a) The responsible use of moneys in the State Highway Fund; and

(b) Capital projects carried out by the department.

(3) The Division of Audits shall present the results of the audits described in subsection (2) of this section to an appropriate standing or interim committee of the Legislative Assembly.

SECTION 2. ORS 184.620 is amended to read:

184.620. (1) The Department of Transportation shall be under the supervision of a Director of

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 Transportation **who shall be appointed by and shall hold office at the pleasure of the**
 2 **Governor.** *[The Oregon Transportation Commission shall appoint the director, after consultation with*
 3 *the Governor. The director serves at the pleasure of the commission.]*

4 (2) The appointment of the director shall be subject to confirmation by the Senate in the manner
 5 provided in ORS 184.623.

6 (3) The director may appoint:

7 (a) Deputy directors with full authority to act for the director, but subject to the director's
 8 control. The appointment of a deputy director shall be by written order filed with the Secretary of
 9 State. A deputy director shall be in the unclassified services for purposes of the State Personnel
 10 Relations Law.

11 (b) All subordinate officers and employees of the department and may prescribe their duties,
 12 assignments and reassignments and fix their compensation, subject to any applicable provisions of
 13 the State Personnel Relations Law.

14 (4) Subject to the approval of the *[commission]* **Oregon Transportation Commission**, the di-
 15 rector may organize and reorganize the department as the director considers necessary to properly
 16 conduct the work of the department. As directed by the chairperson of the commission, the director
 17 shall assign employees of the department to staff the commission.

18 (5) When service of summons or other process is required by statute to be served on the Di-
 19 rector of Transportation, the Department of Transportation or the Oregon Transportation Commis-
 20 sion, such service shall be made upon the office of the director.

21 **SECTION 3.** ORS 184.623 is amended to read:

22 184.623. (1) The executive appointment of the Director of Transportation by the *[Oregon Trans-*
 23 *portation Commission]* **Governor** under ORS 184.620 is subject to confirmation by the Senate. Con-
 24 firmation requires the affirmative vote of a majority of the members of the Senate.

25 (2) If an appointment made under ORS 184.620 is not confirmed by the Senate, the *[commission]*
 26 **Governor** shall make another appointment, subject to confirmation by the Senate.

27 (3) The name of the individual to be appointed or reappointed shall be submitted to the Senate
 28 by the *[commission]* **Governor** under ORS 184.620. The Senate shall take up the question of confir-
 29 mation as soon after the convening of a regular or special session as is appropriate. The question
 30 of confirmation may be referred to committee or may be acted upon without a referral.

31 (4) If the name of an individual to be appointed or reappointed submitted by the *[commission]*
 32 **Governor** is not acted upon during the term of the Legislative Assembly to which it is submitted,
 33 the name may be resubmitted to the subsequent term by the *[commission]* **Governor** on or after the
 34 date the Legislative Assembly convenes in the subsequent regular session.

35 **SECTION 4.** (1) **The amendments to ORS 184.620 and 184.623 by sections 2 and 3 of this**
 36 **2025 special session Act apply to appointments made on or after the effective date of this 2025**
 37 **special session Act.**

38 (2) **The Director of Transportation who is serving on the effective date of this 2025 special**
 39 **session Act continues to be governed by ORS 184.620 as in effect immediately before the ef-**
 40 **fective date of this 2025 special session Act.**

41 **SECTION 5.** ORS 184.665 is amended to read:

42 184.665. *[(1) The Oregon Transportation Commission shall appoint a Continuous Improvement*
 43 *Advisory Committee composed of members of the commission, employees of the Department of Trans-*
 44 *portation and transportation stakeholders. The committee shall be of such size and representation as*
 45 *the commission determines appropriate.]*

(1) As used in this section:

(a) “Chief engineer” means the person appointed by the Director of Transportation under ORS 184.628.

(b) “Major project” means a transportation project that costs \$250 million or more to complete.

(2) The Oregon Transportation Commission shall appoint a Continuous Improvement Advisory Committee. The members of the committee shall include, but are not limited to, the following:

(a) Members of the commission;

(b) The Director of Transportation;

(c) The chief engineer;

(d) Individuals with demonstrated expertise in planning, executing and delivering major projects; and

(e) At least one individual with demonstrated knowledge and experience in the application and implementation of the National Environmental Policy Act.

[(2)] (3) The committee shall:

(a) Advise the commission on ways to maximize the efficiency of the Department of Transportation to allow increased investment in the transportation system over the short, medium and long term.

(b) Develop key performance measures, based on desired outcomes, for each division of the department. The committee shall submit key performance measures to the commission for its approval. The committee shall report **quarterly** to the commission *[at least once per year]* **and to the Joint Committee on Transportation** on the status of key performance measures and what steps are being taken by the department to achieve the goals of the key performance measures.

[(3)] (4) The *[committee]* **Continuous Improvement Advisory Committee** shall *[periodically]* report **quarterly** to the commission **and to the Joint Committee on Transportation**. The reports must include recommendations on ways the commission and the department may execute their duties more efficiently.

[(4) *Each odd-numbered year, the commission shall submit a report, in the manner provided by ORS 192.245, to the Joint Committee on Transportation established under ORS 171.858. The report must include information on the activities and recommendations of the committee and information on any actions taken by the commission or the department to implement recommendations of the committee.*]

(5) The *[committee]* **Continuous Improvement Advisory Committee** shall meet *[regularly]* **at least once a month**, at times and places fixed by the chairperson of the committee or a majority of members of the committee.

(6) The department shall provide office space and personnel to assist the committee as requested by the chairperson, within the limits of available funds.

[(6)] (7) Members of the committee are entitled to compensation and expenses as provided under ORS 292.495.

SECTION 6. The amendments to ORS 184.665 by section 5 of this 2025 special session Act become operative on January 1, 2026.

SECTION 7. ORS 171.861 is amended to read:

171.861. (1) As used in this section, “major project” means a transportation project that costs \$250 million or more to complete.

(2) The Joint Committee on Transportation shall:

(a) Examine transportation related policy *[and]*;

(b) Review transportation project expenditures;

(c) Review the scope, schedule, changes and budget updates to major projects on a quarterly basis;

(d) Review requests for project scope expansion submitted by a city or a county under section 8 of this 2025 special session Act; and

(e) Make recommendations related to transportation and appropriation of funding to the Joint Committee on Ways and Means during the period when the Legislative Assembly is in session, or to the Emergency Board or the Joint Interim Committee on Ways and Means during the interim period between sessions.

(3) The Joint Committee on Transportation shall provide general legislative oversight of the Department of Transportation and the Oregon Department of Aviation.

SECTION 8. (1) As used in this section, “highway improvement project” means a state highway project for which the Department of Transportation may use federal transportation funds.

(2) If a city or county proposes to expand the scope of a highway improvement project, but does not provide funding, the city or county shall submit the proposed change to the Oregon Transportation Commission. If the commission approves the proposed change, the commission shall submit a report to the Joint Committee on Transportation that informs the committee about the proposed change and cost associated with the expanded scope. After reviewing the report, the committee may submit recommendations for appropriations that may be made in the future to cover the costs of the expanded scope of the highway improvement project.

(3) This section applies to highway improvement projects when a city or county is not covering the costs of the expanded scope and:

(a) The project costs less than \$25 million and the changes in scope the city or county is requesting increase the project costs by 10 percent or more; or

(b) The project costs \$25 million or more and the changes in scope the city or county is requesting increase the project costs by five percent or more.

SECTION 9. The Legislative Policy and Research Director shall enter into a professional services contract for a performance audit of the operations of the Department of Transportation, to include examination of:

(1) The management of the department; and

(2) Whether and how the department addresses recommendations from the management review conducted pursuant to section 203, chapter 7, Oregon Laws 2025 (Enrolled Senate Bill 5550).

SECTION 10. Section 9 of this 2025 special session Act is repealed on January 2, 2027.

SECTION 11. ORS 366.506 is amended to read:

366.506. (1) Once every two years, the Oregon Department of Administrative Services shall conduct a highway cost allocation study. The purpose of the study is to determine:

(a) The proportionate share that the users of each class of vehicle should pay for the costs of maintenance, operation and improvement of the highways, roads and streets in the state; and

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

(2) Each study must include:

1 (a) An examination of the most recent study period for which actual data are available for the
2 purpose of determining the accuracy of the most recently published study results; and

3 (b) An examination of the prospective study period based on projected data for the purpose de-
4 scribed in subsection (1) of this section **that incorporates the results of the examination de-**
5 **scribed in paragraph (a) of this subsection.**

6 (3) The department may use any study design the department determines will best accomplish
7 the purposes stated in subsection (1) of this section. In designing the study, the department may
8 make decisions that include, but are not limited to, the methodology to be used for the study, what
9 constitutes a class of vehicle for purposes of collection of data under subsections (1) to (5) of this
10 section and the nature and scope of costs that will be included in the study.

11 (4) The department may appoint a study review team to participate in the study required by
12 subsection (1) of this section. The team may perform any functions assigned by the department, in-
13 cluding, but not limited to, consulting on the design of the study.

14 (5) A report on the results of the study shall be submitted to the legislative revenue committees
15 and the Joint Committee on Transportation by January 31 of each odd-numbered year.

16 (6) The Legislative Assembly shall use the report described in subsection (5) of this section to
17 determine whether adjustments to revenue sources described in Article IX, section 3a (3), of the
18 Oregon Constitution, are needed in order to carry out the purposes of Article IX, section 3a (3), of
19 the Oregon Constitution. If such adjustments are needed, the Legislative Assembly shall enact
20 whatever measures are necessary to make the adjustments.

21 **SECTION 12.** ORS 366.506, as amended by section 11 of this 2025 special session Act, is
22 amended to read:

23 366.506. (1) Once every two years, the Oregon Department of Administrative Services shall
24 conduct a highway cost allocation study. The purpose of the study is to determine:

25 (a) The proportionate share that the users of each class of vehicle should pay for the costs of
26 maintenance, operation and improvement of the highways, roads and streets in the state; and

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

28 (2) Each study must include:

29 (a) An examination of the most recent study period for which actual data are available for the
30 purpose of determining the accuracy of the most recently published study results; and

31 (b) An examination of the prospective study period based on projected data for the purpose de-
32 scribed in subsection (1) of this section that incorporates the results of the examination described
33 in paragraph (a) of this subsection.

34 (3) The department may use any study design the department determines will best accomplish
35 the purposes stated in subsection (1) of this section. In designing the study, the department may
36 make decisions that include, but are not limited to, the methodology to be used for the study, what
37 constitutes a class of vehicle for purposes of collection of data under subsections (1) to (5) of this
38 section and the nature and scope of costs that will be included in the study.

39 (4) The department may appoint a study review team to participate in the study required by
40 subsection (1) of this section. The team may perform any functions assigned by the department, in-
41 cluding, but not limited to, consulting on the design of the study.

42 (5) A report on the results of the study shall be submitted to the legislative revenue committees
43 and the Joint Committee on Transportation by January 31 of each odd-numbered year.

44 (6) The Legislative Assembly shall use the report described in subsection (5) of this section to
45 determine whether adjustments to revenue sources described in Article IX, section 3a (3), of the

Oregon Constitution, are needed in order to carry out the purposes of Article IX, section 3a (3), of the Oregon Constitution. If such adjustments are needed, the Legislative Assembly shall enact whatever measures are necessary to make the adjustments.

(7)(a) This subsection applies if:

(A) The highway cost allocation report indicates that the equity ratio for the heavy vehicle class or the light vehicle class is at least 1.05; and

(B) The Legislative Assembly has not complied with subsection (6) of this section within 120 days following the date on which the Joint Committee on Transportation received the report submitted under subsection (5) of this section.

(b)(A) On or after September 1 of each odd-numbered year, the department shall adopt rules that adjust the fee rates per mile set forth in ORS 825.476 and the fuel tax rates set forth in ORS 319.020 (1)(b) and 319.530 (1) as necessary so that whichever class has an equity ratio of 1.05 or greater will have an equity ratio of 1.045.

(B) Adjustments made pursuant to this paragraph shall maintain revenue neutrality to the extent possible.

(C) Adjustments to the fuel tax rates shall be rounded to the nearest 0.1 cents per gallon.

(8) The department shall repeal any rule adopted pursuant to subsection (7) of this section if the department determines that, after the rule was adopted, the Legislative Assembly adjusted revenue sources to carry out the purposes of Article IX, section 3a (3), of the Oregon Constitution.

SECTION 13. The amendments to ORS 366.506 by section 12 of this 2025 special session Act become operative on January 1, 2030.

SECTION 14. (1) In consultation with the study review team described in ORS 366.506, the Oregon Department of Administrative Services shall undertake a review of the methodology for the highway cost allocation study required under ORS 366.506.

(2) The department shall examine all aspects of the methodology for the highway cost allocation study, including but not limited to the following:

(a) The revenues and expenditures included in the highway cost allocation study;

(b) How costs are allocated across different classes of vehicles;

(c) What constitutes a class of vehicle;

(d) The data used in the highway cost allocation study;

(e) The level of granularity to which cost responsibility is calculated for potential rate changes; and

(f) Whether equity should be analyzed based on an estimate of the future biennium's revenue and expenditures or a retrospective analysis of past actual revenue and expenditures.

(3) The department may provide recommendations for updating the methodology for the study, including any changes in statute needed to improve the outcome of the study and ensure fairness and proportionate revenue and costs for each class of vehicle.

(4) The department shall submit a report in the manner provided by ORS 192.245, and may include recommendations for legislation, to the Joint Committee on Transportation no later than June 30, 2026.

SECTION 15. Section 14 of this 2025 special session Act is repealed on January 2, 2027.

FUEL TAXES AND REGISTRATION AND TITLE FEES

SECTION 16. ORS 319.020 is amended to read:

319.020. (1) Subject to subsections (2) to (4) of this section, in addition to the taxes otherwise provided for by law, every dealer engaging in the dealer's own name, or in the name of others, in the first sale, use or distribution of motor vehicle fuel or aircraft fuel or withdrawal of motor vehicle fuel or aircraft fuel for sale, use or distribution within areas in this state within which the state lacks the power to tax the sale, use or distribution of motor vehicle fuel or aircraft fuel, shall:

(a) Not later than the 25th day of each calendar month, render a statement to the Department of Transportation of all motor vehicle fuel or aircraft fuel sold, used, distributed or so withdrawn by the dealer in the State of Oregon as well as all such fuel sold, used or distributed in this state by a purchaser thereof upon which sale, use or distribution the dealer has assumed liability for the applicable license tax during the preceding calendar month. The dealer shall render the statement to the department in the manner provided by the department by rule.

(b) Except as provided in ORS 319.270, pay a license tax computed on the basis of [34] **46** cents per gallon on the first sale, use or distribution of such motor vehicle fuel or aircraft fuel so sold, used, distributed or withdrawn as shown by such statement in the manner and within the time provided in ORS 319.010 to 319.430.

(2) When aircraft fuel is sold, used or distributed by a dealer, the license tax shall be computed on the basis of 11 cents per gallon of fuel so sold, used or distributed, except that when aircraft fuel usable in aircraft operated by turbine engines (turbo-prop or jet) is sold, used or distributed, the tax rate shall be three cents per gallon.

(3) In lieu of claiming refund of the tax paid on motor vehicle fuel consumed by such dealer in nonhighway use as provided in ORS 319.280, 319.290 and 319.320, or of any prior erroneous payment of license tax made to the state by such dealer, the dealer may show such motor vehicle fuel as a credit or deduction on the monthly statement and payment of tax.

(4) The license tax computed on the basis of the sale, use, distribution or withdrawal of motor vehicle or aircraft fuel may not be imposed wherever such tax is prohibited by the Constitution or laws of the United States with respect to such tax.

SECTION 17. ORS 319.530 is amended to read:

319.530. (1) To compensate this state partially for the use of its highways, an excise tax hereby is imposed at the rate of [34] **46** cents per gallon on the use of fuel in a motor vehicle.

(2) Except as otherwise provided in subsections (3) to (6) of this section, 100 cubic feet of fuel used or sold in a gaseous state, measured at 14.73 pounds per square inch of pressure at 60 degrees Fahrenheit, is taxable at the same rate as a gallon of liquid fuel.

(3) 123.57 cubic feet, or 5.66 pounds, of compressed natural gas used or sold in a gaseous state is taxable at the same rate as one gasoline gallon.

(4) 1.353 gallons, or 5.75 pounds, of liquefied petroleum gas is taxable at the same rate as one gasoline gallon.

(5) 1.71 gallons, or 6.059 pounds, of liquefied natural gas is taxable at the same rate as one diesel gallon.

(6) One kilogram of hydrogen is taxable at the same rate as one gasoline gallon.

SECTION 18. ORS 803.420 is amended to read:

803.420. (1) The vehicle registration fees imposed under this section shall be based on the classifications determined by the Department of Transportation by rule. The department may classify a vehicle to ensure that registration fees for the vehicle are the same as for other vehicles the department determines to be comparable.

(2) Except as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described in this section are for an entire registration period for the vehicle as described under ORS 803.415. For a vehicle registered for a quarterly registration period under ORS 803.415, the department shall apportion any fee under this section to reflect the number of quarters registered.

(3) Vehicle registration fees are due when a vehicle is registered and when the registered owner renews the registration.

(4) In addition to the registration fees listed in this section, a county or a district may impose an additional registration fee as provided under ORS 801.041 and 801.042.

(5) A rental or leasing company, as defined in ORS 221.275, that elects to initially register a vehicle for an annual or biennial registration period shall pay a fee of \$2 in addition to the vehicle registration fee provided under this section.

(6) The registration fees for each year of the registration period for vehicles subject to biennial registration are as follows:

(a) Passenger vehicles not otherwise provided for in this section or ORS 821.320, [~~\$43~~] **\$85**.

(b) Utility trailers or light trailers, as those terms are defined by rule by the department, [~~\$63~~] **\$105**.

(c) Mopeds and motorcycles, [~~\$44~~] **\$86**.

(d) Low-speed vehicles, [~~\$63~~] **\$105**.

(e) Medium-speed electric vehicles, [~~\$63~~] **\$105**.

(7) The registration fees for vehicles that are subject to biennial registration and that are listed in this subsection are as follows:

(a) State-owned vehicles registered under ORS 805.045 and undercover vehicles registered under ORS 805.060, \$10 upon registration or renewal.

(b) Fixed load vehicles:

(A) If a declaration of weight described under ORS 803.435 is submitted establishing the weight of the vehicle at 3,000 pounds or less, \$61.

(B) If no declaration of weight is submitted or if the weight of the vehicles is in excess of 3,000 pounds, \$82.

(c) Travel trailers, special use trailers, campers and motor homes, based on length as determined under ORS 803.425:

(A) Trailers or campers that are 6 to 10 feet in length, \$81.

(B) Trailers or campers over 10 feet in length, \$81 plus \$7 a foot for each foot of length over the first 10 feet.

(C) Motor homes that are 6 to 14 feet in length, \$86.

(D) Motor homes over 14 feet in length, \$126 plus \$8 a foot for each foot of length over the first 10 feet.

(8) The registration fee for trailers for hire that are equipped with pneumatic tires made of an elastic material and that are not travel trailers or trailers registered under permanent registration is \$30.

(9) The registration fees for vehicles subject to ownership registration are as follows:

(a) Government-owned vehicles registered under ORS 805.040, \$5.

(b) Vehicles registered with special registration for disabled veterans under ORS 805.100 or for former prisoners of war under ORS 805.110, \$15.

(c) School vehicles registered under ORS 805.050, \$5.

(10) The registration fees for vehicles subject to permanent registration are as follows:

(a) Antique vehicles registered under ORS 805.010, \$100.

(b) Vehicles of special interest registered under ORS 805.020, \$100.

(c) Racing activity vehicles registered under ORS 805.035, \$100.

(d) Trailers, \$10.

(e) State-owned vehicles registered under ORS 805.045 and undercover vehicles registered under ORS 805.060, \$10.

(11) The registration fee for trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500 is the same fee as the fee for vehicles of the same type registered under other provisions of the Oregon Vehicle Code.

(12) The registration fee for vehicles with proportional registration under ORS 826.009, or proportional fleet registration under ORS 826.011, is the same fee as the fee for vehicles of the same type under this section except that the fees shall be fixed on an apportioned basis as provided under the agreement established under ORS 826.007.

(13) In addition to any other registration fees charged for registration of vehicles in fleets under ORS 805.120, the department may charge the following fees:

(a) Service charge for each vehicle entered into a fleet, \$3.

(b) Service charge for each vehicle in the fleet at the time of renewal, \$2.

(14)(a) The registration fee for motor vehicles required to establish a registration weight under ORS 803.430 or 826.013, tow vehicles used to transport property for hire other than as described in ORS 822.210 and commercial buses is as provided in the following chart, based upon the weight submitted in the declaration of weight prepared under ORS 803.435 or 826.015:

Weight in Pounds			Fee
8,000	or	less	\$ 74
8,001	to	10,000	464
10,001	to	12,000	528
12,001	to	14,000	591
14,001	to	16,000	655
16,001	to	18,000	718
18,001	to	20,000	801
20,001	to	22,000	864
22,001	to	24,000	949
24,001	to	26,000	1,031
26,001	to	28,000	375
28,001	to	30,000	391
30,001	to	32,000	422
32,001	to	34,000	438
34,001	to	36,000	468
36,001	to	38,000	485
38,001	to	40,000	515
40,001	to	42,000	532
42,001	to	44,000	562
44,001	to	46,000	578

1	46,001	to	48,000	593
2	48,001	to	50,000	625
3	50,001	to	52,000	656
4	52,001	to	54,000	672
5	54,001	to	56,000	686
6	56,001	to	58,000	717
7	58,001	to	60,000	750
8	60,001	to	62,000	780
9	62,001	to	64,000	811
10	64,001	to	66,000	827
11	66,001	to	68,000	857
12	68,001	to	70,000	874
13	70,001	to	72,000	904
14	72,001	to	74,000	921
15	74,001	to	76,000	951
16	76,001	to	78,000	967
17	78,001	to	80,000	998
18	80,001	to	82,000	1,014
19	82,001	to	84,000	1,045
20	84,001	to	86,000	1,061
21	86,001	to	88,000	1,092
22	88,001	to	90,000	1,108
23	90,001	to	92,000	1,139
24	92,001	to	94,000	1,155
25	94,001	to	96,000	1,185
26	96,001	to	98,000	1,202
27	98,001	to	100,000	1,218
28	100,001	to	102,000	1,249
29	102,001	to	104,000	1,265
30	104,001	to	105,500	1,295

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33 (b)(A) The registration fee for motor vehicles with a registration weight of more than 8,000
 34 pounds that are described in ORS 825.015, that are operated by a charitable organization as defined
 35 in ORS 825.017 (13), is as provided in the following chart:

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38	Weight in Pounds			Fee
39	8,001	to	10,000	\$ 71
40	10,001	to	12,000	85
41	12,001	to	14,000	92
42	14,001	to	16,000	107
43	16,001	to	18,000	114
44	18,001	to	20,000	128
45	20,001	to	22,000	135

1	22,001	to	24,000	149
2	24,001	to	26,000	156
3	26,001	to	28,000	170
4	28,001	to	30,000	178
5	30,001	to	32,000	192
6	32,001	to	34,000	199
7	34,001	to	36,000	213
8	36,001	to	38,000	220
9	38,001	to	40,000	234
10	40,001	to	42,000	241
11	42,001	to	44,000	256
12	44,001	to	46,000	263
13	46,001	to	48,000	270
14	48,001	to	50,000	284
15	50,001	to	52,000	298
16	52,001	to	54,000	305
17	54,001	to	56,000	312
18	56,001	to	58,000	327
19	58,001	to	60,000	341
20	60,001	to	62,000	355
21	62,001	to	64,000	369
22	64,001	to	66,000	376
23	66,001	to	68,000	391
24	68,001	to	70,000	398
25	70,001	to	72,000	412
26	72,001	to	74,000	419
27	74,001	to	76,000	433
28	76,001	to	78,000	440
29	78,001	to	80,000	454
30	80,001	to	82,000	462
31	82,001	to	84,000	476
32	84,001	to	86,000	483
33	86,001	to	88,000	497
34	88,001	to	90,000	504
35	90,001	to	92,000	518
36	92,001	to	94,000	525
37	94,001	to	96,000	540
38	96,001	to	98,000	547
39	98,001	to	100,000	554
40	100,001	to	102,000	568
41	102,001	to	104,000	575
42	104,001	to	105,500	589

43

44

45 (B) The registration fee for motor vehicles that are certified under ORS 822.205, unless the mo-

tor vehicles are registered under paragraph (a) of this subsection, or that are used exclusively to transport manufactured structures, is as provided in the following chart:

Weight in Pounds			Fee
8,000	or	less	\$ 63
8,001	to	10,000	145
10,001	to	12,000	173
12,001	to	14,000	187
14,001	to	16,000	217
16,001	to	18,000	231
18,001	to	20,000	260
20,001	to	22,000	274
22,001	to	24,000	304
24,001	to	26,000	318
26,001	to	28,000	346
28,001	to	30,000	362
30,001	to	32,000	391
32,001	to	34,000	405
34,001	to	36,000	435
36,001	to	38,000	449
38,001	to	40,000	477
40,001	to	42,000	491
42,001	to	44,000	521
44,001	to	46,000	535
46,001	to	48,000	550
48,001	to	50,000	578
50,001	to	52,000	608
52,001	to	54,000	622
54,001	to	56,000	636
56,001	to	58,000	665
58,001	to	60,000	694
60,001	to	62,000	723
62,001	to	64,000	753
64,001	to	66,000	767
66,001	to	68,000	795
68,001	to	70,000	809
70,001	to	72,000	839
72,001	to	74,000	853
74,001	to	76,000	882
76,001	to	78,000	896
78,001	to	80,000	926
80,001	to	82,000	940
82,001	to	84,000	968
84,001	to	86,000	983

1	86,001	to	88,000	1,012
2	88,001	to	90,000	1,027
3	90,001	to	92,000	1,055
4	92,001	to	94,000	1,071
5	94,001	to	96,000	1,099
6	96,001	to	98,000	1,113
7	98,001	to	100,000	1,127
8	100,001	to	102,000	1,157
9	102,001	to	104,000	1,172
10	104,001	to	105,500	1,200

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12

13 (C) The owner of a vehicle described in subparagraph (A) or (B) of this paragraph must certify
 14 at the time of initial registration, in a manner determined by the department by rule, that the motor
 15 vehicle will be used exclusively to transport manufactured structures or exclusively as described in
 16 ORS 822.210, unless the motor vehicle is registered under paragraph (a) of this subsection, or as
 17 described in ORS 825.015 or 825.017 (13). Registration of a vehicle described in subparagraph (A) or
 18 (B) of this paragraph is invalid if the vehicle is operated in any manner other than that described
 19 in the certification under this subparagraph.

20 (c) Subject to paragraph (d) of this subsection, the registration fee for motor vehicles registered
 21 as farm vehicles under ORS 805.300 is as provided in the following chart, based upon the registra-
 22 tion weight given in the declaration of weight submitted under ORS 803.435:

23

24

25	Weight in Pounds			Fee
26	8,000	or	less	\$ 50
27	8,001	to	10,000	65
28	10,001	to	12,000	75
29	12,001	to	14,000	97
30	14,001	to	16,000	108
31	16,001	to	18,000	129
32	18,001	to	20,000	141
33	20,001	to	22,000	162
34	22,001	to	24,000	172
35	24,001	to	26,000	195
36	26,001	to	28,000	204
37	28,001	to	30,000	226
38	30,001	to	32,000	237
39	32,001	to	34,000	258
40	34,001	to	36,000	270
41	36,001	to	38,000	291
42	38,001	to	40,000	302
43	40,001	to	42,000	324
44	42,001	to	44,000	334
45	44,001	to	46,000	356

1	46,001	to	48,000	366
2	48,001	to	50,000	388
3	50,001	to	52,000	399
4	52,001	to	54,000	409
5	54,001	to	56,000	432
6	56,001	to	58,000	453
7	58,001	to	60,000	463
8	60,001	to	62,000	474
9	62,001	to	64,000	496
10	64,001	to	66,000	517
11	66,001	to	68,000	528
12	68,001	to	70,000	540
13	70,001	to	72,000	561
14	72,001	to	74,000	571
15	74,001	to	76,000	594
16	76,001	to	78,000	604
17	78,001	to	80,000	625
18	80,001	to	82,000	636
19	82,001	to	84,000	657
20	84,001	to	86,000	669
21	86,001	to	88,000	690
22	88,001	to	90,000	700
23	90,001	to	92,000	723
24	92,001	to	94,000	733
25	94,001	to	96,000	754
26	96,001	to	98,000	765
27	98,001	to	100,000	787
28	100,001	to	102,000	798
29	102,001	to	104,000	819
30	104,001	to	105,500	831

31
32

(d) For any vehicle that is registered under a quarterly registration period, the registration fee is a minimum of \$15 for each quarter registered plus an additional fee of \$2.

(15) The registration and renewal fees for vehicles specified in this subsection that are required to establish a registration weight under ORS 803.430 or 826.013 are as follows:

(a) State-owned vehicles registered under ORS 805.045, \$10.

(b) Undercover vehicles registered under ORS 805.060, \$10.

SECTION 19. ORS 803.090 is amended to read:

803.090. (1) Except as provided in subsection (2) of this section, the fee to issue a certificate of title under ORS 803.045 or 803.140, to transfer title under ORS 803.092, to issue a duplicate or replacement certificate of title under ORS 803.065 or to issue a new title due to name or address change under ORS 803.220 is as follows:

(a) For a salvage title, \$27.

(b) For a vehicle title for trailers eligible for permanent registration under ORS 803.415 (1) and

motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$90.

(c) For a vehicle title for vehicles other than those vehicles described in paragraph (b) of this subsection, [~~\$77~~] **\$216**.

(2) If an application for a duplicate or replacement certificate of title is filed at the same time as an application for a transfer of title for the same vehicle, the applicant is required to pay only the transfer of title fee.

(3) The fee for late presentation of certificate of title under ORS 803.105 is \$25 from the 31st day after the transfer through the 60th day after the transfer and \$50 thereafter.

(4) The fees for title transactions involving a form of title other than a certificate shall be the amounts established by the Department of Transportation by rule under ORS 803.012.

SECTION 20. (1) Notwithstanding ORS 366.739, the following amounts shall be distributed in the manner prescribed in this section:

(a) The amount attributable to the increase in tax rates by the amendments to ORS 319.020 and 319.530 by sections 16 and 17 of this 2025 special session Act.

(b) The amount attributable to the increase in taxes and fees by the amendments to ORS 803.090, 803.420 and 803.422 by sections 18, 19 and 46 of this 2025 special session Act.

(2) Each year, the moneys described in subsection (1) of this section shall be allocated as follows:

(a) 50 percent to the Department of Transportation.

(b) 30 percent to counties as follows:

(A) 1.37 percent of the 30 percent for distribution to small counties as provided in ORS 366.772 (3); and

(B) The remainder of the amount after the distribution described in subparagraph (A) of this paragraph, to counties as provided in ORS 366.762.

(c) 20 percent to cities for distribution as provided in ORS 366.800.

SECTION 21. ORS 366.772 is amended to read:

366.772. (1) Not later than July 31 in each calendar year, the sum of \$5,500,000 shall be withdrawn from the appropriation specified in ORS 366.762 and the sum of \$250,000 shall be withdrawn from moneys available to the Department of Transportation from the State Highway Fund. The sums withdrawn shall be transferred to a separate account to be administered by the Department of Transportation.

(2) Not later than July 31 in each calendar year, the sum of \$5,750,000 shall be withdrawn from the separate account described in subsection (1) of this section and distributed to counties as follows:

(a) An amount of \$750,000 shall be distributed to the following counties in the following amounts:

(A)	Harney County.....	\$	271,909
(B)	Malheur County.....	\$	187,947
(C)	Morrow County.....	\$	108,073
(D)	Gilliam County.....	\$	94,036
(E)	Sherman County	\$	79,700
(F)	Wheeler County	\$	8,335

(b) An amount of \$5,000,000 shall be distributed proportionally to counties with fewer than 200,000 registered vehicles based on a ratio of road miles maintained by each county to registered vehicles.

(3) Not later than July 31 in each calendar year, moneys received under section 20 of this 2025 special session Act shall be distributed proportionally to counties with fewer than 200,000 registered vehicles based on a ratio of road miles maintained by each county to registered vehicles.

[(3)] (4) Moneys allocated as provided in this section may be used only for maintenance, repair and improvement of existing roads that are:

- (a) Not a part of the state highway system;
- (b) Within counties with fewer than 200,000 registered vehicles; and
- (c) Inadequate for the capacity the roads serve or are in a condition detrimental to safety.

[(4)] (5) All moneys in the account shall be allotted each year.

SECTION 22. ORS 366.805 is amended to read:

366.805. (1) Except as provided in subsection (2) of this section, the appropriation specified in ORS 366.800 shall be allocated to the cities as provided in this subsection. The moneys subject to allocation under this subsection shall be distributed by the Department of Transportation according to the following:

(a) The moneys shall be distributed to all the cities.

(b) Each city shall receive such share of the moneys as its population bears to the total population of the cities.

(2) Each year, the sum of [\$2,500,000] **\$3,000,000** shall be withdrawn from the appropriation specified in ORS 366.800 and [\$2,500,000] **\$3,000,000** shall be withdrawn from moneys available to the Department of Transportation from the State Highway Fund. The sums withdrawn shall be transferred to a separate account to be administered by the Department of Transportation. The following apply to the account described in this subsection:

(a) Money from the account shall be used only on roads:

(A) That are not a part of the state highway system, with the exception of project elements that are required to comply with federal or state law;

(B) That are within, **or under the jurisdiction of**, cities with populations of 5,000 or fewer persons; and

(C) That are inadequate for the capacity the roads serve or are in a condition detrimental to safety.

(b) To the extent moneys are available to fund whole projects, all moneys in the account shall be allocated each year.

(c) Subject to paragraph (d) of this subsection, the department shall determine annual allocation after considering applications, including project budgets, submitted by the cities to the department.

(d) The department may enter into agreements with cities upon the advice and counsel of the small city advisory committee to determine allocation based on those applications.

(3) The Director of Transportation shall establish a small city advisory committee. The small city advisory committee shall review department recommendations and approve applications submitted by small cities to the director. In consultation with the League of Oregon Cities, the director shall appoint to the small city advisory committee one representative of a small city in each of the five regions of this state.

(4) For purposes of this section:

(a) Region one consists of Clackamas, Hood River, Multnomah and Washington Counties.

(b) Region two consists of Benton, Clatsop, Columbia, Lane, Lincoln, Linn, Marion, Polk, Tillamook and Yamhill Counties.

(c) Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties.

(d) Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake, Sherman, Wasco and Wheeler Counties.

(e) Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and Wallowa Counties.

SECTION 23. The amendments to ORS 319.020, 319.530, 803.090, 803.420 and 803.422 by sections 16 to 19 and 46 of this 2025 special session Act apply to taxes and fees imposed on or after the effective date of this 2025 special session Act.

TRANSIT

SECTION 24. ORS 320.550 is amended to read:

320.550. (1) As used in this section:

(a) "Employer" has the meaning given that term in ORS 316.162.

(b) "Resident of this state" has the meaning given that term in ORS 316.027.

(c) "Wages" has the meaning given that term in ORS 316.162.

(2) A tax is imposed at the rate of [*one-tenth*] **two-tenths** of one percent of the wages of an employee who is:

(a) A resident of this state, regardless of where services are performed.

(b) Not a resident of this state, for services performed in this state.

(3) Every employer at the time of the payment of wages shall deduct and withhold from the total amount of the wages paid for services described under subsection (2) of this section an amount equal to the total amount of wages multiplied by the rate of tax imposed under subsection (2) of this section.

(4) An employer shall report and pay the tax imposed under this section to the Department of Revenue at the time and in the manner determined by the department by rule.

(5) For purposes of the tax imposed under this section, an employer is considered a taxpayer.

(6) If a lender, surety or other person who supplies funds to or for the account of an employer for the purpose of paying wages of the employees of such employer has actual notice or knowledge that such employer does not intend to or will not be able to make timely payment or deposit of the tax required to be deducted and withheld, such lender, surety or other person shall be liable to the State of Oregon in a sum equal to the taxes, together with interest, that are not timely paid over to the Department of Revenue. Such liability shall be limited to the principal amount supplied by the lender, surety or other person, and any amounts so paid to the department shall be credited against the liability of the employer.

(7)(a) An employer shall submit an annual return pursuant to ORS 316.202 to the Department of Revenue. The amounts deducted from the wages during any calendar year in accordance with this section shall be considered to be in payment of the tax imposed under subsection (2) of this section.

(b) The return submitted by the employer shall be accepted by the Department of Revenue as evidence in favor of the employee of the amounts so deducted from the employee's wages.

(8) Nothing in this section prohibits the Department of Revenue from including the tax imposed under this section in the combined quarterly tax report required under ORS 316.168.

(9) An employer that fails to deduct and withhold the tax required under this section:

(a) Is deemed responsible for the payment of the tax obligation in an amount equal to the amount required to be withheld from the employee's wages and remitted to the Department of Re-

venue; and

(b) Is subject to a penalty of \$250 per employee, up to a maximum penalty of \$25,000, if the employer knowingly fails to deduct and withhold the tax.

(10) Residents subject to the tax imposed under this section on wages earned outside this state from an employer not doing business within this state shall report and pay the tax in an amount not to exceed [*one-tenth*] **two-tenths** of one percent of the wages earned outside this state, and at the time and in the manner, as determined by the Department of Revenue by rule.

SECTION 25. The amendments to ORS 320.550 by section 24 of this 2025 special session Act become operative on January 1, 2026.

ROAD USAGE CHARGE

SECTION 26. Section 27 of this 2025 special session Act is added to and made a part of ORS 319.883 to 319.946.

SECTION 27. The recording, reporting and payment provisions of ORS 319.883 to 319.946 do not apply to a registered owner or lessee voluntarily participating in the per-mile road usage charge program for reporting periods beginning on or after July 1, 2031, until such reporting period, if any, for which the registered owner or lessee is required to participate in the per-mile road usage charge program under ORS 319.883, as amended by sections 30 and 32 of this 2025 special session Act.

SECTION 28. Section 27 of this 2025 special session Act is repealed on January 2, 2037.

SECTION 29. ORS 319.890 and section 2, chapter 428, Oregon Laws 2019, are repealed on July 1, 2031.

SECTION 30. ORS 319.883 is amended to read:

319.883. As used in ORS 319.883 to 319.946:

(1) “Electric vehicle” means a motor vehicle that uses electricity as its only source of motive power.

[(1)] (2) “Fuel taxes” means motor vehicle fuel taxes imposed under ORS 319.010 to 319.430 and taxes imposed on the use of fuel in a motor vehicle under ORS 319.510 to 319.880.

[(2)] (3) “Highway” has the meaning given that term in ORS 801.305.

(4)(a) “Hybrid electric vehicle” means a motor vehicle that:

(A) Is powered by an internal combustion engine in combination with one or more electric motors that use energy stored in batteries; and

(B) Is not recharged from an external electric power source.

(b) The Department of Transportation may adopt rules that clarify the definition in paragraph (a) of this subsection to account for changes in the technology or nomenclature of hybrid electric vehicles.

[(3)] (5) “Lessee” means a person that leases a motor vehicle that is required to be registered in Oregon.

[(4)(a)] (6)(a) “Motor vehicle” has the meaning given that term in ORS 801.360.

(b) “Motor vehicle” does not mean a motor vehicle designed to travel with fewer than four wheels in contact with the ground.

(7) “Motor vehicle rental company” means a person whose primary business is renting motor vehicles to consumers under rental agreements for terms of 90 days or less.

(8)(a) “Plug-in hybrid electric vehicle” means a motor vehicle that:

(A) Is powered by an electric motor that uses batteries as well as motor vehicle fuel, as defined in ORS 319.010, to power an internal combustion engine or other source of propulsion;

(B) Is equipped with an onboard charger; and

(C) Is rechargeable from a connection to an external electric power source.

(b) The Department of Transportation may adopt rules that clarify the definition in paragraph (a) of this subsection to account for changes in the technology or nomenclature of plug-in hybrid electric vehicles.

[(5)] (9) "Registered owner" means a person, other than a vehicle dealer that holds a certificate issued under ORS 822.020, that is required to register a motor vehicle in Oregon.

[(6)] (10) "Subject vehicle" means a motor vehicle that is *[the subject of an application approved pursuant to ORS 319.890.]* or will be classified as a passenger vehicle by the Department of Transportation and that is:

(a) For reporting periods beginning on or after July 1, 2027, an electric vehicle that is not a new electric vehicle;

(b) For reporting periods beginning on or after January 1, 2028:

(A) A motor vehicle described in paragraph (a) of this subsection; or

(B) A new electric vehicle;

(c) For reporting periods beginning on or after July 1, 2028:

(A) A motor vehicle described in paragraph (a) or (b) of this subsection; or

(B) A hybrid electric vehicle or a plug-in hybrid electric vehicle; or

(d) For reporting periods beginning before July 1, 2031:

(A) A motor vehicle described in paragraph (a), (b) or (c) of this subsection; or

(B) The subject of an application approved pursuant to ORS 319.890.

[(7)] (11) "Vehicle dealer" means a person engaged in business in this state that is required to obtain a vehicle dealer certificate under ORS 822.005.

SECTION 31. The amendments to ORS 319.883 by section 30 of this 2025 special session Act become operative on July 1, 2027.

SECTION 32. ORS 319.883, as amended by section 30 of this 2025 special session Act, is amended to read:

319.883. As used in ORS 319.883 to 319.946:

(1) "Electric vehicle" means a motor vehicle that uses electricity as its only source of motive power.

(2) "Fuel taxes" means motor vehicle fuel taxes imposed under ORS 319.010 to 319.430 and taxes imposed on the use of fuel in a motor vehicle under ORS 319.510 to 319.880.

(3) "Highway" has the meaning given that term in ORS 801.305.

(4)(a) "Hybrid electric vehicle" means a motor vehicle that:

(A) Is powered by an internal combustion engine in combination with one or more electric motors that use energy stored in batteries; and

(B) Is not recharged from an external electric power source.

(b) The Department of Transportation may adopt rules that clarify the definition in paragraph (a) of this subsection to account for changes in the technology or nomenclature of hybrid electric vehicles.

(5) "Lessee" means a person that leases a motor vehicle that is required to be registered in Oregon.

(6)(a) "Motor vehicle" has the meaning given that term in ORS 801.360.

(b) "Motor vehicle" does not mean a motor vehicle designed to travel with fewer than four wheels in contact with the ground.

(7) "Motor vehicle rental company" means a person whose primary business is renting motor vehicles to consumers under rental agreements for terms of 90 days or less.

(8)(a) "Plug-in hybrid electric vehicle" means a motor vehicle that:

(A) Is powered by an electric motor that uses batteries as well as motor vehicle fuel, as defined in ORS 319.010, to power an internal combustion engine or other source of propulsion;

(B) Is equipped with an onboard charger; and

(C) Is rechargeable from a connection to an external electric power source.

(b) The Department of Transportation may adopt rules that clarify the definition in paragraph (a) of this subsection to account for changes in the technology or nomenclature of plug-in hybrid electric vehicles.

(9) "Registered owner" means a person, other than a vehicle dealer that holds a certificate issued under ORS 822.020, that is required to register a motor vehicle in Oregon.

(10) "Subject vehicle" means a motor vehicle that is or will be classified as a passenger vehicle by the Department of Transportation and that is:

(a) *[For reporting periods beginning on or after July 1, 2027,]* An electric vehicle; **or** *[that is not a new electric vehicle;]*

[(b) For reporting periods beginning on or after January 1, 2028:]

[(A) A motor vehicle described in paragraph (a) of this subsection; or]

[(B) A new electric vehicle;]

[(c) For reporting periods beginning on or after July 1, 2028:]

[(A) A motor vehicle described in paragraph (a) or (b) of this subsection; or]

[(B)] (b) A hybrid electric vehicle or a plug-in hybrid electric vehicle.[: or]

[(d) For reporting periods beginning before July 1, 2031:]

[(A) A motor vehicle described in paragraph (a), (b) or (c) of this subsection; or]

[(B) The subject of an application approved pursuant to ORS 319.890.]

(11) "Vehicle dealer" means a person engaged in business in this state that is required to obtain a vehicle dealer certificate under ORS 822.005.

SECTION 33. The amendments to ORS 319.883 by section 32 of this 2025 special session Act become operative on July 1, 2031.

SECTION 34. ORS 319.885 is amended to read:

319.885. (1)(a) Except as provided in paragraph (b) of this subsection, the registered owner of a subject vehicle shall pay a per-mile road usage charge for metered use by the subject vehicle of the highways in Oregon.

(b) During the term of a lease, the lessee of a subject vehicle shall pay the per-mile road usage charge for metered use by the subject vehicle of the highways in Oregon.

(2)(a) The rate of the per-mile road usage charge is five percent of the rate of the per-gallon license tax provided in ORS 319.020 (1)(b) in effect at the time the charge becomes due.

(b) Notwithstanding paragraph (a) of this subsection, instead of paying the per-mile rate under paragraph (a) of this subsection, a registered owner or lessee may elect to pay a flat annual fee of \$340.

(3) A subject vehicle is not subject to the additional amount of registration fees imposed under ORS 803.422.

SECTION 35. The amendments to ORS 319.885 by section 34 of this 2025 special session

1 **Act become operative on July 1, 2027.**

2 **NOTE:** Sections 36 and 37 were deleted. Subsequent sections were not renumbered.

3 **SECTION 38.** Section 39 of this 2025 special session Act is added to and made a part of
4 **ORS 319.883 to 319.946.**

5 **SECTION 39.** An agreement between a motor vehicle rental company and a consumer for
6 the rental of a subject vehicle may not contain a surcharge for the per-mile road usage
7 charge imposed under ORS 319.885 that exceeds a reasonable estimate of the company's costs
8 in paying the charge with respect to the subject vehicle.

9 **NOTE:** Sections 40 and 41 were deleted. Subsequent sections were not renumbered.

10 **SECTION 42.** ORS 319.915 is amended to read:

11 319.915. (1) As used in this section:

12 (a) "Certified service provider" means an entity that has entered into an agreement with the
13 Department of Transportation under ORS 367.806 for reporting metered use by a subject vehicle or
14 for administrative services related to the collection of per-mile road usage charges and authorized
15 employees of the entity.

16 (b) "Personally identifiable information" means any information that identifies or describes a
17 person, including, but not limited to, the person's travel pattern data, per-mile road usage charge
18 account number, address, telephone number, electronic mail address, driver license or identification
19 card number, registration plate number, photograph, recorded images, bank account information and
20 credit card number.

21 (c) "VIN summary report" means a monthly report by the department or a certified service
22 provider that includes a summary of all vehicle identification numbers of subject vehicles and asso-
23 ciated total metered use during the month. The report may not include location information.

24 (2) Except as provided in subsections (3) and (4) of this section, personally identifiable informa-
25 tion used for reporting metered use or for administrative services related to the collection of the
26 per-mile road usage charge imposed under ORS 319.885 is confidential within the meaning of ORS
27 192.355 (9)(a) and is a public record exempt from disclosure under ORS 192.311 to 192.478.

28 (3)(a) The department, a certified service provider or a contractor for a certified service pro-
29 vider may not disclose personally identifiable information used or developed for reporting metered
30 use by a subject vehicle or for administrative services related to the collection of per-mile road us-
31 age charges to any person except:

32 (A) The registered owner or lessee;

33 (B) A financial institution, for the purpose of collecting per-mile road usage charges owed;

34 (C) Employees of the department;

35 (D) A certified service provider;

36 (E) A contractor for a certified service provider, but only to the extent the contractor provides
37 services directly related to the certified service provider's agreement with the department;

38 (F) An entity expressly approved to receive the information by the registered owner or lessee
39 of the subject vehicle; or

40 (G) A police officer pursuant to a valid court order based on probable cause and issued at the
41 request of a federal, state or local law enforcement agency in an authorized criminal investigation
42 involving a person to whom the requested information pertains.

43 (b) Disclosure under paragraph (a) of this subsection is limited to personally identifiable infor-
44 mation necessary to the respective recipient's function under ORS 319.883 to 319.946.

45 (4)(a) Not later than 30 days after completion of payment processing, dispute resolution for a

single reporting period or a noncompliance investigation, whichever is latest, the department and certified service providers shall destroy records of the location and daily metered use of subject vehicles.

(b) Notwithstanding paragraph (a) of this subsection:

(A) For purposes of traffic management and research, the department and certified service providers may retain, aggregate and use information in the records after removing personally identifiable information.

(B) A certified service provider may retain the records if the registered owner or lessee consents to the retention. Consent under this subparagraph does not entitle the department to obtain or use the records or the information contained in the records.

(C) Monthly summaries of metered use by subject vehicles may be retained in VIN summary reports by the department and certified service providers.

[(5) The department, in any agreement with a certified service provider, shall provide for penalties if the certified service provider violates this section.]

(5) In any agreement with a certified service provider, the department:

(a) May not agree to the certified service provider retaining for administrative costs more than 10 percent of any per-mile road usage charges the certified service provider collects under the agreement; and

(b) Shall provide for penalties if the certified service provider violates this section.

NOTE: Sections 43 to 45 were deleted. Subsequent sections were not renumbered.

SECTION 46. ORS 803.422 is amended to read:

803.422. (1) As used in this section[.]:

(a) “Electric vehicle” means a motor vehicle that uses electricity as its only source of motive power.

(b) “Miles per gallon” or “MPG” means the distance traveled in a vehicle powered by one gallon of fuel.

(2) The Department of Transportation shall determine the combined MPG ratings for each motor vehicle pursuant to a method determined by the department.

(3) Except as provided in ORS **319.885 and** 319.890 (3), in addition to the registration fees prescribed under ORS 803.420 (6)(a), there shall be paid for each year of the registration period, an additional amount as follows:

(a) For vehicles that have a **combined** rating of 0-19 MPG, \$20.

(b) For vehicles that have a **combined** rating of 20-39 MPG, \$25.

(c) For vehicles that have a **combined** rating of 40 MPG or greater, ~~[\$35]~~ **\$65**.

(d) For electric vehicles, ~~[\$115]~~ **\$145**.

SECTION 47. ORS 803.422, as amended by section 46 of this 2025 special session Act, is amended to read:

803.422. (1) As used in this section[.],

[(a) “Electric vehicle” means a motor vehicle that uses electricity as its only source of motive power.]

[(b)] “miles per gallon” or “MPG” means the distance traveled in a vehicle powered by one gallon of fuel.

(2) The Department of Transportation shall determine the combined MPG ratings for each motor vehicle pursuant to a method determined by the department.

(3) Except as provided in ORS 319.885 *[and 319.890 (3)]*, in addition to the registration fees pre-

scribed under ORS 803.420 (6)(a), there shall be paid for each year of the registration period, an additional amount as follows:

(a) For vehicles that have a combined rating of 0-19 MPG, \$20.

(b) For vehicles that have a combined rating of 20-39 MPG, \$25.

(c) For vehicles that have a combined rating of 40 MPG or greater, \$65.

[(d) For electric vehicles, \$145.]

SECTION 48. The amendments to ORS 803.422 by section 47 of this 2025 special session Act become operative on July 1, 2031.

SECTION 49. ORS 803.445 is amended to read:

803.445. (1) The governing body of a county may impose registration fees for vehicles as provided in ORS 801.041.

(2) The governing body of a district may impose registration fees for vehicles as provided in ORS 801.042.

(3) The Department of Transportation shall provide by rule for the administration of laws authorizing county and district registration fees and for the collection of those fees.

(4) Any registration fee imposed under this section shall be imposed in a manner consistent with ORS 803.420.

(5) A county or district may not impose a vehicle registration fee that would by itself, or in combination with any other vehicle registration fee imposed under this section, exceed the sum of the fee imposed under ORS 803.420 (6)(a) and the fee applicable to the registered vehicle under ORS 803.422. The owner of any vehicle subject to multiple fees under this section shall be allowed a credit or credits with respect to one or more of such fees so that the total of such fees does not exceed the sum of the fee imposed under ORS 803.420 (6)(a) and the fee applicable to the registered vehicle under ORS 803.422.

(6) A subject vehicle exempt under ORS 319.885 from the fees imposed under ORS 803.422 shall remain liable for any amount of vehicle registration fee imposed by a county or a district under this section that would be required if the exemption did not exist. As used in this subsection, "subject vehicle" has the meaning given that term in ORS 319.883.

SECTION 50. ORS 801.041 is amended to read:

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

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

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

1 vehicle registration under the vehicle code.

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

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

6 (b) Fixed load vehicles.

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

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

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

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

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

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

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

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

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

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

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

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

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

27 **(b) A subject vehicle exempt under ORS 319.885 from the fees imposed under ORS 803.422**
28 **shall remain liable for any amount of vehicle registration fee imposed by a county under this**
29 **section that would be required if the exemption did not exist. As used in this subsection,**
30 **"subject vehicle" has the meaning given that term in ORS 319.883.**

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

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

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

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

43 **SECTION 51.** ORS 801.042 is amended to read:

44 801.042. The following apply to the authority granted to a district by ORS 801.040 to establish
45 registration fees for vehicles:

(1) Before the governing body of a district can impose a registration fee under this section, it must submit the proposal to the electors of the district for their approval and, if the proposal is approved, enter into an intergovernmental agreement under ORS 190.010 with the governing bodies of all counties, other districts and cities with populations of over 300,000 that overlap the district. The intergovernmental agreement must state the registration fees and, if necessary, how the revenue from the fees shall be apportioned among counties and the districts. Before the governing body of a county can enter into such an intergovernmental agreement, the county shall consult with the cities in its jurisdiction.

(2) If a district raises revenues from a registration fee for purposes related to highways, roads, streets and roadside rest areas, the governing body of that district shall establish a Regional Arterial Fund and shall deposit in the Regional Arterial Fund all such registration fees.

(3) Interest received on moneys credited to the Regional Arterial Fund shall accrue to and become a part of the Regional Arterial Fund.

(4) The Regional Arterial Fund must be administered by the governing body of the district referred to in subsection (2) of this section and such governing body by ordinance may disburse moneys in the Regional Arterial Fund. Moneys within the Regional Arterial Fund may be disbursed only for a program of projects recommended by a joint policy advisory committee on transportation consisting of local officials and state agency representatives designated by the district referred to in subsection (2) of this section. The projects for which the joint policy advisory committee on transportation can recommend funding must concern arterials, collectors or other improvements designated by the joint policy advisory committee on transportation.

(5) Ordinances establishing registration fees under this section must be filed with the Department of Transportation. The governing body of the district imposing the registration fee shall enter into an intergovernmental agreement under ORS 190.010 with the department by which the department shall collect the registration fees, pay them over to the district and, if necessary, allow the credit or credits described in ORS 803.445 (5). The intergovernmental agreement must state the date on which the department shall begin collecting registration fees for the district.

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

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

- (a) Snowmobiles and Class I all-terrain vehicles.
- (b) Fixed load vehicles.
- (c) Vehicles registered under ORS 805.100 to disabled veterans.
- (d) Vehicles registered as antique vehicles under ORS 805.010.
- (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- (g) School buses or school activity vehicles registered under ORS 805.050.
- (h) Law enforcement undercover vehicles registered under ORS 805.060.
- (i) Vehicles registered on a proportional basis for interstate operation.
- (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (14)(a) or (b).

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

(L) Travel trailers, campers and motor homes.

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

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

(8) Any registration fee imposed by the governing body of a district must be a fixed amount not to exceed, with respect to any vehicle class, the registration fee established under ORS 803.420 (6)(a) and the fee applicable to the registered vehicle under ORS 803.422. For vehicles on which a flat fee is imposed under ORS 803.420, the fee must be a whole dollar amount.

(9) A subject vehicle exempt under ORS 319.885 from the fees imposed under ORS 803.422 shall remain liable for any amount of vehicle registration fee imposed by a district under this section that would be required if the exemption did not exist. As used in this subsection, "subject vehicle" has the meaning given that term in ORS 319.883.

SECTION 52. Section 6, chapter 491, Oregon Laws 2019, is amended to read:

Sec. 6. (1) Notwithstanding ORS 803.445 (5), a metropolitan service district established under ORS chapter 268 may impose a vehicle registration fee that does not exceed the sum of the fee imposed under ORS 803.420 (6)(a) and the fee applicable to the registered vehicle under ORS 803.422, if the vehicle registration fee is approved by the electors of the district before December 31, 2022.

(2) A subject vehicle exempt under ORS 319.885 from the fees imposed under ORS 803.422 shall remain liable for any amount of vehicle registration fee imposed by a district under this section that would be required if the exemption did not exist. As used in this section, "subject vehicle" has the meaning given that term in ORS 319.883.

SECTION 53. (1) The amendments to ORS 801.041, 801.042 and 803.445 and section 6, chapter 491, Oregon Laws 2019, by sections 49 to 52 of this 2025 special session Act become operative on July 1, 2027.

(2) The amendments to ORS 319.915 by section 42 of this 2025 special session Act become operative on July 1, 2030.

REPEAL OF TOLL PROGRAM

SECTION 54. ORS 383.150 is repealed.

SECTION 55. ORS 367.095 is amended to read:

367.095. (1) The following amounts shall be distributed in the manner prescribed in this section:

(a) The amount attributable to the increase in tax rates by section 45, chapter 750, Oregon Laws 2017, and the amendments to ORS 319.020 and 319.530 by sections 40 to 43, chapter 750, Oregon Laws 2017.

(b) The amount attributable to the vehicle registration and title fees imposed under ORS 803.091 and 803.422.

(c) The amount attributable to the increase in taxes and fees by the amendments to ORS 803.420, 803.645, 818.225, 825.476, 825.480 and 826.023 by sections 34, 35, 48, 49, 51, 52, 63, 64, 66, 67 and 70, chapter 750, Oregon Laws 2017.

(2) The amounts described in subsection (1) of this section shall be distributed in the following order and for the following purposes:

(a)(A) \$30 million per year shall be used to pay for:

(i) The Interstate 5 Rose Quarter Project;

(ii) The Interstate 205 Improvements: Stafford Road to Oregon Route 213 Project; **and**

(iii) The Interstate 5 Boone Bridge and Seismic Improvement Project[; *and*]

[(iv) *The implementation of the toll program established under ORS 383.150*].

(B) The amount described in subparagraph (A) of this paragraph shall be used to pay for costs, including project costs on a current basis and paying for debt service on bonds issued to finance the projects [*or toll program*], only until the later of the date on which the projects [*or toll program*] is completed or on which all bonds issued to fund the projects [*or toll program*] have been repaid. Any remaining moneys shall be distributed as described in subsection (3) of this section.

(b) \$15 million per year shall be deposited into the Safe Routes to Schools Fund for the purpose of providing Safe Routes to Schools matching grants under ORS 184.742. The remainder of the moneys shall be distributed as described in subsection (3) of this section.

(3) The moneys described in subsection (1) of this section that remain after the allocation of moneys described in subsection (2) of this section shall be allocated as follows:

(a) 50 percent to the Department of Transportation.

(b) 30 percent to counties for distribution as provided in ORS 366.762.

(c) 20 percent to cities for distribution as provided in ORS 366.800.

(4) The moneys described in subsection (3)(a) of this section or equivalent amounts that become available to the Department of Transportation shall be allocated as follows:

(a) \$10 million for safety.

(b) Of the remaining balance:

(A) Forty percent for bridges.

(B) Thirty percent for seismic improvements related to highways and bridges.

(C) Twenty-four percent for state highway pavement preservation and culverts.

(D) Six percent for state highway maintenance and safety improvements.

SECTION 56. ORS 184.659 is amended to read:

184.659. (1) As used in this section, "transportation project" means a project:

(a) That is a highway modernization transportation project or capacity building transportation project proposed for construction in the Statewide Transportation Improvement Program; and

(b) That is estimated to cost at least \$15 million.

(2) As a part of the project scoping phase, the Department of Transportation shall prepare a written analysis of the costs and benefits of a transportation project. The analysis must state:

(a) The scope of the project;

(b) The period of analysis;

(c) The discount rate used in the analysis;

(d) The estimated costs to the department to undertake the project, including any costs for design, purchasing highway right-of-way and construction;

(e) The future costs to the department to preserve and maintain the project, discounted to present value;

(f) Any other costs to the department;

(g) The costs to highway users that are associated with the project, including loss of safety, delays in the time of travel and additional expenses for operating vehicles;

(h) The costs of any environmental impacts, including vehicle emissions and noise; and

(i) The value of the benefits of the project, including the value of any:

- 1 (A) Savings in the time of travel;
- 2 (B) Improvements to safety;
- 3 (C) Savings in the cost of operating vehicles; and
- 4 (D) Other social, economic or environmental benefits of the project.

5 (3) The analysis required by this section:

6 (a) Must include a discussion of increases in costs that would result from delays in the per-
7 formance of routine maintenance scheduled by the department;

8 (b) May include a discussion of:

9 (A) The costs of the project for any other persons and governmental agencies; and

10 (B) Any costs or benefits which may result from the use of alternative design, construction or
11 financing practices; and

12 (c) Must be prepared in a format that allows for the comparison of proposed transportation
13 projects.

14 (4) The analysis required by this section must be made available to the commission and the
15 public when the agenda is posted for the meeting at which the proposal will be submitted to the
16 commission for its approval.

17 (5) This section does not apply to transportation projects listed in ORS 367.095 [*or 383.150*] or
18 section 71d or 71f, chapter 750, Oregon Laws 2017.

19 **SECTION 57.** ORS 383.009 is amended to read:

20 383.009. (1) There is hereby established the Toll Program Fund as a separate and distinct fund
21 from the State Highway Fund. The Toll Program Fund shall consist of:

22 (a) All moneys and revenues received by the Department of Transportation from or made avail-
23 able by the federal government to the department for any tollway project or for the operation or
24 maintenance of any tollway;

25 (b) Any moneys received by the department from any other unit of government or any private
26 entity for a tollway project or from the operation or maintenance of any tollway;

27 (c) All moneys and revenues received by the department from any agreement entered into or
28 loan made by the department for a tollway project pursuant to ORS 383.005, and from any lease,
29 agreement, franchise or license for the right to the possession and use, operation or management
30 of a tollway project;

31 (d) All tolls and other revenues received by the department or tollway operator from the users
32 of any tollway project;

33 (e) The proceeds of any bonds authorized to be issued for tollway projects;

34 (f) Any moneys that the department has legally transferred from the State Highway Fund to the
35 Toll Program Fund for tollway projects;

36 (g) All moneys and revenues received by the department from all other sources that by gift,
37 bequest, donation, grant, contract or law from any public or private source are for deposit in the
38 Toll Program Fund;

39 (h) All interest earnings on investments made from any of the moneys held in the Toll Program
40 Fund;

41 (i) All civil penalties and administrative fees paid to the department from the enforcement of
42 tolls;

43 (j) Fees paid to the department for information provided under ORS 383.075;

44 (k) Moneys appropriated for deposit in or otherwise transferred to the Toll Program Fund by the
45 Legislative Assembly; and

1 (L) Moneys received from federal sources or other state or local sources, excluding proceeds of
 2 Highway User Tax Bonds issued under ORS 367.615 that finance projects other than toll projects.

3 (2) Moneys in the Toll Program Fund may be used by the department for the following purposes:

4 (a) To finance preliminary studies and reports for any tollway project;

5 (b) To acquire land to be owned by the state for tollways and any related facilities therefor;

6 (c) To finance the construction, renovation, operation, improvement, maintenance or repair of
 7 any tollway project;

8 (d) To make grants or loans to a unit of government for tollway projects;

9 (e) To make loans to private entities for tollway projects;

10 (f) To pay the principal, interest and premium due with respect to, and to pay the costs con-
 11 nected with the issuance or ongoing administration of, any bonds or other financial obligations au-
 12 thorized to be issued by, or the proceeds of which are received by, the department for any tollway
 13 project, including capitalized interest and any rebates or penalties due to the United States in con-
 14 nection with the bonds;

15 (g) To provide a guaranty or other security for any bonds or other financial obligations, in-
 16 cluding but not limited to financial obligations with respect to any bond insurance, surety or credit
 17 enhancement device issued or incurred by the department, a unit of government or a private entity,
 18 for the purpose of financing a single tollway project or any related group or system of tollway
 19 projects or related facilities;

20 (h) To pay the costs incurred by the department in connection with its oversight, operation and
 21 administration of the Toll Program Fund, the proposals and projects submitted under ORS 383.015
 22 and the tollway projects financed under ORS 383.005; **and**

23 *[(i) To develop, implement and administer the toll program established under ORS 383.150, in-*
 24 *cluding the cost of consultants, advisors, attorneys or other professional service providers appointed,*
 25 *retained or approved by the department; and]*

26 *[(j)]* (i) To make improvements or fund efforts on the tollway and on adjacent, connected or
 27 parallel highways to the tollway to reduce traffic congestion as a result of a tollway project, im-
 28 prove safety as a result of a tollway project and reduce impacts of diversion as a result of a tollway
 29 project.

30 (3) For purposes of paying or securing bonds or providing a guaranty, surety or other security
 31 authorized by this section, the department may:

32 (a) Irrevocably pledge all or any portion of the amounts that are credited to, or are required to
 33 be credited to, the Toll Program Fund;

34 (b) Establish subaccounts in the Toll Program Fund, and make covenants regarding the credit
 35 to and use of amounts in those subaccounts; and

36 (c) Establish separate trust funds or accounts and make covenants to transfer to those separate
 37 trust funds or accounts all or any portion of the amounts that are required to be deposited in the
 38 Toll Program Fund.

39 (4) Notwithstanding any other provision of ORS 383.001 to 383.245, the department shall not
 40 pledge any funds or amounts at any time held in the Toll Program Fund as security for the obli-
 41 gations of a unit of government or a private entity unless the department has entered into a binding
 42 and enforceable agreement that provides the department reasonable assurance that the department
 43 will be repaid, with appropriate interest, any amounts that the department is required to advance
 44 pursuant to that pledge.

45 (5) Moneys in the Toll Program Fund are continuously appropriated to the department for pur-

poses authorized by this section.

(6) Notwithstanding subsection (1) of this section, a city, county, district, port or other public corporation organized and existing under statutory law or under a voter-approved charter is not required to deposit into the Toll Program Fund tolls, or other revenues are received from the users of any tollway, that are assessed by a city, county, district, port or other public corporation organized and existing under statutory law or under a voter-approved charter.

(7) Moneys in the Toll Program Fund that are transferred from the State Highway Fund or are derived from any revenues under Article IX, section 3a, of the Oregon Constitution, may be used only for purposes permitted by Article IX, section 3a, of the Oregon Constitution.

ROADSIDE REST AREAS

SECTION 58. ORS 377.841 is amended to read:

377.841. (1) For the purposes of this section, "roadside rest areas" includes the following roadside rest areas in this state:

- (a) Suncrest, Interstate 5, near milepost 22.
- (b) Manzanita, Interstate 5, near milepost 63.
- (c) Cabin Creek, Interstate 5, near milepost 143.
- (d) Gettings Creek, Interstate 5, near milepost 178.
- (e) Oak Grove, Interstate 5, near milepost 206.
- (f) Santiam River, Interstate 5, near milepost 241.
- (g) French Prairie, Interstate 5, near milepost 282.
- (h) Memaloose, Interstate 84, near milepost 73.
- (i) Boardman, Interstate 84, near milepost 161.
- (j) Stanfield, Interstate 84, near milepost 187.
- (k) Deadman Pass, Interstate 84, near milepost 229.
- (l) Charles Reynolds, Interstate 84, near milepost 269.
- (m) Baker Valley, Interstate 84, near milepost 295.
- (n) Weatherby, Interstate 84, near milepost 336.
- (o) Ontario, Interstate 84, near milepost 377.
- (p) The Maples, State Highway 22, near milepost 35.
- (q) Tillamook River, U.S. Highway 101, near milepost 71.
- (r) Sunset, U.S. Highway 26, near milepost 29.
- (s) Cow Canyon, U.S. Highway 97, near milepost 69.
- (t) Beaver Marsh, U.S. Highway 97, near milepost 207.
- (u) Midland, U.S. Highway 97, near milepost 282.
- (v) Government Camp, U.S. Highway 26, near milepost 54.
- (w) Van Duzer Corridor State Park, State Highway 18, near milepost 10.
- (x) Ellmaker Wayside State Park, U.S. Highway 20, near milepost 32.
- (y) Peter Skene Ogden State Park, U.S. Highway 97, near milepost 113.

(2) The Travel Information Council shall manage, maintain, improve and develop for local economic development and other purposes identified in ORS 377.705 the roadside rest areas listed in subsection (1) of this section.

(3) The Department of Transportation and the State Parks and Recreation Department shall:

- (a) Maintain ownership of the roadside rest areas, except for the Government Camp roadside

rest area listed in subsection (1)(v) of this section, that the council manages, maintains, improves and develops pursuant to subsection (2) of this section; and

(b) Enter into intergovernmental agreements with the council under which the council has the authority to manage, maintain, improve and develop those roadside rest areas owned by the departments.

(4) Under the intergovernmental agreements entered into under subsection (3) of this section, the council shall conduct public contracting activities in accordance with the provisions of ORS 377.836.

(5) For the purpose of funding the management, maintenance, improvement and development of roadside rest areas under this section, the Department of Transportation shall allocate to the council, no later than July 1 of each year, [\$9.16] **\$12.16** million, from the State Highway Fund.

(6) For the purpose of funding the activities described in ORS 377.880, the department shall allocate to the council, no later than January 2 of each year, an amount necessary to carry out the provisions of ORS 377.880, from the Department of Transportation Human Trafficking Awareness Fund established under ORS 377.885.

(7) The council may not use any moneys originating from a local transient lodging tax or a state transient lodging tax, as those terms are defined in ORS 320.300, for the purpose of funding the management, maintenance, improvement and development of roadside rest areas under this section.

DIESEL FUEL TAX ADMINISTRATION

SECTION 59. ORS 319.010 is amended to read:

319.010. As used in ORS 319.010 to 319.430, unless the context requires otherwise:

(1) "Aircraft" means every contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air, operated or propelled by the use of aircraft fuel.

(2) "Aircraft fuel" means any gasoline and any other inflammable or combustible gas or liquid by whatever name [*such gasoline, gas or liquid*] **it** is known or sold, **that is** usable as fuel for the operation of aircraft, except gas or liquid, the chief use of which, as determined by the Department of Transportation, is for purposes other than the propulsion of aircraft.

(3) "Airport" means any area of land or water, except a restricted landing area, which is designed for the landing and takeoff of aircraft.

(4) "Broker" means [*and includes*] every person, other than a dealer, engaged in business as a broker, jobber or wholesale merchant dealing in motor vehicle fuel or aircraft fuel.

(5) "Bulk transfer" means any change in ownership of motor vehicle fuel or aircraft fuel contained in a terminal storage facility or any physical movement of motor vehicle fuel or aircraft fuel between terminal storage facilities by pipeline or marine transport.

(6) "Dealer" means any person who:

(a) Imports or causes to be imported motor vehicle fuels or aircraft fuels for sale, use or distribution in, and after the same reaches the State of Oregon, but "dealer" does not include any person who imports into this state motor vehicle fuel in quantities of 500 gallons or less purchased from a supplier who is licensed as a dealer under ORS 319.010 to 319.430 and who assumes liability for the payment of the applicable license tax to this state;

(b) Produces, refines, manufactures or compounds motor vehicle fuels or aircraft fuels in the State of Oregon for use, distribution or sale in this state;

(c) Acquires in this state for sale, use or distribution in this state motor vehicle fuels or aircraft

1 fuels with respect to which there has been no license tax previously incurred; or

2 (d) Acquires title to or possession of motor vehicle fuels or aircraft fuels in this state and ex-
3 ports the product out of this state.

4 (7) "Department" means the Department of Transportation.

5 (8) **"Diesel" or "diesel fuel" includes biodiesel and renewable diesel fuel and other diesel**
6 **fuel blends.**

7 [(8)] (9) "Distribution" means, in addition to its ordinary meaning, the delivery of motor vehicle
8 fuel or aircraft fuel by a dealer to any service station or into any tank, storage facility or series
9 of tanks or storage facilities connected by pipelines, from which motor vehicle fuel or aircraft fuel
10 is withdrawn directly for sale or for delivery into the fuel tanks of motor vehicles whether or not
11 the service station, tank or storage facility is owned, operated or controlled by the dealer.

12 [(9)] (10) "First sale, use or distribution of motor vehicle fuel or aircraft fuel" means the first
13 withdrawal, other than by bulk transfer, of motor vehicle fuel or aircraft fuel from terminal storage
14 facilities for sale, use or distribution. "First sale, use or distribution of motor vehicle fuel or aircraft
15 fuel" also means the first sale, use or distribution of motor vehicle fuel or aircraft fuel after import
16 into this state if the motor vehicle fuel or aircraft fuel is delivered other than to the terminal stor-
17 age facilities of a licensed dealer.

18 [(10)] (11) "Highway" means every way, thoroughfare and place, of whatever nature, open for
19 use of the public for the purpose of vehicular travel.

20 [(11)] (12) "Motor vehicle" means all vehicles, engines or machines, movable or immovable, op-
21 erated or propelled by the use of motor vehicle fuel.

22 [(12)] (13)(a) "Motor vehicle fuel" means [and includes] gasoline, **diesel** and any other
23 inflammable or combustible gas or liquid, by whatever name [such gasoline, gas or liquid] **it** is known
24 or sold, **that is** usable as fuel for the operation of motor vehicles, except gas or liquid[, the chief
25 use of which, as determined by the department, is for purposes other than the propulsion of motor
26 vehicles upon the highways of this state.

27 **(b) "Motor vehicle fuel" does not include dyed diesel as defined in ORS 319.520.**

28 [(13)] (14) "Person" includes every natural person, association, firm, partnership, corporation or
29 the United States.

30 [(14)] (15) "Restricted landing area" means any area of land or water, or both, which is used
31 or made available for the landing and takeoff of aircraft, the use of which, except in case of emer-
32 gency, is provided from time to time by the department.

33 [(15)] (16) "Service station" means [and includes] any place operated for the purpose of retailing
34 and delivering motor vehicle fuel into the fuel tanks of motor vehicles or aircraft fuel into the fuel
35 tanks of aircraft.

36 [(16)] (17) "Terminal storage facility" means any fuel storage facility that has marine or pipeline
37 access.

38 **SECTION 60.** ORS 295.103 is amended to read:

39 295.103. (1) This section applies to the following moneys:

40 (a) Motor **vehicle** fuel taxes, penalties and interest that are:

41 (A) Imposed on motor carriers; and

42 (B) Payable through a clearinghouse operated under an international fuel tax agreement entered
43 into under ORS 825.555; and

44 (b) Registration fees and other fixed fees and taxes that are:

45 (A) Imposed on motor carriers for motor vehicles proportionally registered in this state and

1 other jurisdictions;

2 (B) Apportioned to this state; and

3 (C) Payable through a clearinghouse operated under an agreement for proportional registration
4 entered into under ORS 826.007.

5 (2) Moneys described in subsection (1) of this section are not public funds for purposes of ORS
6 295.001 to 295.108 for the period during which the moneys are held by a clearinghouse described in
7 subsection (1) of this section pending disbursement to, or payment on behalf of, the state.

8 **SECTION 61.** ORS 319.390 is amended to read:

9 319.390. *[Every dealer in motor vehicle fuel shall keep a record in such form as may be prescribed*
10 *by the Department of Transportation of all purchases, receipts, sales and distribution of motor fuel.*
11 *The records shall include copies of all invoices or bills of all such sales and shall at all times during*
12 *the business hours of the day be subject to inspection by the department or its deputies or other officers*
13 *duly authorized by the department. Upon request from the officials to whom is entrusted the enforce-*
14 *ment of the motor fuel tax law of another state, territory, country or the federal government, the de-*
15 *partment shall forward to such officials any information which it may have relative to the import or*
16 *export of any motor vehicle fuel by any dealer, provided such other state, territory, country or federal*
17 *government furnishes like information to this state.]*

18 (1) **As used in this section:**

19 (a) **“Department of Transportation” or “department” includes deputies or other officers**
20 **or representatives duly authorized by the department.**

21 (b) **“Inspection” means any inspection, audit, examination or test reasonably required in**
22 **the administration of this section.**

23 (c) **“Premises” means any premises, equipment, rolling stock or facilities operated or**
24 **occupied by any dealer or broker.**

25 (d) **“Records” means any records of purchases, receipts, sales and distribution of motor**
26 **vehicle fuel, including copies of invoices or bills of such sales, and related books, papers,**
27 **statements and reports.**

28 (2) **The Department of Transportation may, at any time during a dealer’s or broker’s**
29 **business hours, upon demand, enter upon the premises in order to:**

30 (a) **Conduct an inspection of records and equipment;**

31 (b) **Set up and use any apparatus or appliance, and occupy necessary space, for the in-**
32 **spection;**

33 (c) **Verify the completeness, truth and accuracy of any records; and**

34 (d) **Determine whether the dealer or broker has violated any provision of ORS 319.010 to**
35 **319.430.**

36 (3) **Any dealer or broker that refuses entry to the department for an inspection, or a**
37 **demand to furnish records necessary for the inspection, is subject to a civil penalty under**
38 **section 72 of this 2025 special session Act.**

39 **SECTION 62.** ORS 825.555 is amended to read:

40 825.555. (1) The Department of Transportation may enter into an international fuel tax agree-
41 ment with jurisdictions outside [of] this state to provide for cooperation and assistance among
42 member jurisdictions in the administration and collection of taxes imposed on motor carriers for the
43 consumption of all fuels used in vehicles operated interstate.

44 (2) **An agreement under this section may:**

45 (a) **Provide for determining a base state for motor carriers for purposes of the agreement.**

(b) Impose record keeping requirements.

(c) Specify audit procedures.

(d) Provide for exchange of information among jurisdictions.

(e) Provide criteria for determining which carriers are eligible to receive the benefits of the agreement.

(f) Define qualified motor vehicles.

(g) Specify conditions under which bonds are required.

(h) Specify reporting requirements and periods, including but not limited to specifying penalty and interest rates for late reporting.

(i) Determine methods for collecting and forwarding of motor **vehicle** fuel taxes, penalties and interest to another jurisdiction.

(j) Provide that the Department of Transportation may deny any person further benefits under the agreement until all motor **vehicle** fuel taxes have been paid, if the department determines that additional motor **vehicle** fuel taxes are owed by the person.

(k) Authorize the department to suspend, [or] cancel **or refuse to renew** benefits under the agreement for any person who violates any term or condition of the agreement or any law or rule of this state relating to motor carriers or vehicles.

(L) Contain such other provisions as will facilitate the agreement.

(m) Authorize the department to deny or revoke an international fuel tax agreement license if the department has reasonable grounds to believe, based on information contained in the department files and records or based on evidence presented during an administrative hearing, that the department has authority to deny or revoke an international fuel tax agreement license.

(3) An agreement may not provide for any benefit, exemption or privilege with respect to any fees or taxes levied or assessed against the use of highways or use or ownership of vehicles except for motor **vehicle** fuel taxes and requirements related to motor **vehicle** fuel taxes.

(4) The department may adopt any rules the department deems necessary to **enforce**, effectuate and administer the provisions of an agreement entered into under this section. Nothing in the agreement shall affect the right of the department to adopt rules as provided in ORS chapter 823 and this chapter.

(5) An agreement shall be in writing and shall be filed with the department within 10 days after execution or on the effective date of the agreement, whichever is later.

(6)(a) The department shall adopt rules establishing an annual fee to be paid by each motor carrier receiving benefits from an agreement entered into under this section.

(b) In establishing fees, the department shall consider the size of the motor carrier's fleet.

(c) Fees established under this subsection shall be designed to recover the full direct and indirect costs to the department that result from participation in the agreement[, *but the department may not establish a fee under this subsection that exceeds \$650*].

SECTION 63. ORS 810.530 is amended to read:

810.530. (1) A weighmaster or motor carrier enforcement officer in whose presence an offense described in this subsection is committed may arrest or issue a citation for the offense in the same manner as under ORS 810.410 as if the weighmaster or motor carrier enforcement officer were a police officer. This subsection applies to the following offenses:

(a) Violation of maximum weight limits under ORS 818.020.

(b) Violation of posted weight limits under ORS 818.040.

- 1 (c) Violation of administratively imposed weight or size limits under ORS 818.060.
- 2 (d) Violation of maximum size limits under ORS 818.090.
- 3 (e) Exceeding maximum number of vehicles in combination under ORS 818.110.
- 4 (f) Violation of posted limits on use of road under ORS 818.130.
- 5 (g) Violation of towing safety requirements under ORS 818.160.
- 6 (h) Operating with sifting or leaking load under ORS 818.300.
- 7 (i) Dragging objects on highway under ORS 818.320.
- 8 (j) Unlawful use of devices without wheels under ORS 815.155.
- 9 (k) Unlawful use of metal objects on tires under ORS 815.160.
- 10 (L) Operation without pneumatic tires under ORS 815.170.
- 11 (m) Operation in violation of vehicle variance permit under ORS 818.340.
- 12 (n) Failure to carry and display permit under ORS 818.350.
- 13 (o) Failure to comply with commercial vehicle enforcement requirements under ORS 818.400.
- 14 (p) Violation of any provision of ORS chapter 825.
- 15 (q) Operation without proper fenders or mudguards under ORS 815.185.
- 16 *[(r) Operating a vehicle without driving privileges in violation of ORS 807.010 if the person is op-*
- 17 *erating a commercial motor vehicle and the person does not have commercial driving privileges.]*
- 18 *[(s) Violation driving while suspended or revoked in violation of ORS 811.175 if the person is op-*
- 19 *erating a commercial motor vehicle while the person's commercial driving privileges are suspended or*
- 20 *revoked.]*
- 21 **(r) Operating a vehicle without driving privileges in violation of ORS 807.010 if the person**
- 22 **does not have driving privileges and is operating:**
- 23 **(A) A commercial motor vehicle; or**
- 24 **(B) A commercial vehicle that has:**
- 25 **(i) A gross vehicle weight rating of 10,001 pounds or more;**
- 26 **(ii) A gross combination weight rating of 10,001 pounds or more;**
- 27 **(iii) A gross vehicle weight of 10,001 pounds or more; or**
- 28 **(iv) A gross combination weight of 10,001 pounds or more.**
- 29 **(s) Violation driving while suspended or revoked in violation of ORS 811.175 if the person**
- 30 **is operating any of the following vehicles while the person's driving privileges are suspended**
- 31 **or revoked:**
- 32 **(A) A commercial motor vehicle; or**
- 33 **(B) A commercial vehicle that has:**
- 34 **(i) A gross vehicle weight rating of 10,001 pounds or more;**
- 35 **(ii) A gross combination weight rating of 10,001 pounds or more;**
- 36 **(iii) A gross vehicle weight of 10,001 pounds or more; or**
- 37 **(iv) A gross combination weight of 10,001 pounds or more.**
- 38 (t) Failure to use vehicle traction tires or chains in violation of ORS 815.140 if the person is
- 39 operating a motor vehicle subject to ORS chapter 825 or 826.
- 40 (u) Failure to carry vehicle traction tires or chains in violation of ORS 815.142 if the person is
- 41 operating a motor vehicle subject to ORS chapter 825 or 826.
- 42 (v) Illegally altering or displaying registration plate in violation of ORS 803.550.
- 43 (2) A weighmaster or motor carrier enforcement officer in whose presence an offense described
- 44 in this subsection is committed by a person operating a *[commercial motor]* vehicle **described in**
- 45 **subsection (3) of this section** may issue a citation for the offense. A weighmaster or motor carrier

enforcement officer who finds evidence that an offense described in this subsection has been committed by a person operating a *[commercial motor]* vehicle **described in subsection (3) of this section** or by a motor carrier for which the person is acting as an agent may issue a citation for the offense. A weighmaster or motor carrier enforcement officer issuing a citation under this subsection has the authority granted a police officer issuing a citation under ORS 810.410. A citation issued under this subsection to the operator of a *[commercial motor]* vehicle **described in subsection (3) of this section** shall be considered to have been issued to the motor carrier that owns the *[commercial motor]* vehicle **described in subsection (3) of this section** if the operator is not the owner. This subsection applies to the following offenses, all of which are Class A traffic violations under ORS 825.990 (1):

(a) Repeatedly violating or avoiding any order or rule of the Department of Transportation.

(b) Repeatedly refusing or repeatedly failing, after being requested to do so, to furnish service authorized by certificate.

(c) Refusing or failing to file the annual report as required by ORS 825.320.

(d) Refusing or failing to maintain records required by the department or to produce such records for examination as required by the department.

(e) Failing to appear for a hearing after notice that the carrier's certificate or permit is under investigation.

(f) Filing with the department an application that is false with regard to the ownership, possession or control of the equipment being used or the operation being conducted.

(g) Delinquency in reporting or paying any fee, tax or penalty due to the department under ORS chapter 825 or 826.

(h) Refusing or failing to file a deposit or bond as required under ORS 825.506.

(i) Failing to comply with the applicable requirements for attendance at a motor carrier education program as required by ORS 825.402.

(j) Failure to comply with an international fuel tax agreement under section 66 of this 2025 special session Act.

(k) Improper use of dyed diesel under section 67 of this 2025 special session Act.

(3) Subsections (2) and (4) of this section apply to the following vehicles:

(a) A commercial motor vehicle; or

(b) A commercial vehicle that has:

(A) A gross vehicle weight rating of 10,001 pounds or more;

(B) A gross combination weight rating of 10,001 pounds or more;

(C) A gross vehicle weight of 10,001 pounds or more; or

(D) A gross combination weight of 10,001 pounds or more.

~~[(3)]~~ **(4)** A weighmaster or motor carrier enforcement officer who finds evidence that a person operating a *[commercial motor]* vehicle **described in subsection (3) of this section** has committed the offense of failure to pay the appropriate registration fee under ORS 803.315 may issue a citation for the offense in the same manner as under ORS 810.410 as if the weighmaster or motor carrier enforcement officer were a police officer.

~~[(4)]~~ **(5)** The authority of a weighmaster or motor carrier enforcement officer to issue citations or arrest under this section is subject to ORS chapter 153.

~~[(5)(a)]~~ **(6)(a)** A person is a weighmaster for purposes of this section if the person is a county weighmaster or a police officer.

(b) A person is a motor carrier enforcement officer under this section if the person is duly au-

thorized as a motor carrier enforcement officer by the Department of Transportation.

[(6)] (7) A weighmaster or motor carrier enforcement officer may accept security in the same manner as a police officer under ORS 810.440 and 810.450 and may take as security for the offenses, in addition to other security permitted under this section, the sum fixed as the presumptive fine for the offense.

[(7)] (8) A weighmaster or motor carrier enforcement officer may arrest a person for the offense of failure to appear in a violation proceeding under ORS 153.992 if the violation is based upon a citation for any offense described in subsection (1) or [(3)] (4) of this section except those described in subsection (1)(p) of this section.

[(8)] (9) A weighmaster or motor carrier enforcement officer may exercise the same authority as a police officer under ORS 810.490 to enforce vehicle requirements and detain vehicles. A person who fails to comply with the authority of a weighmaster or motor carrier enforcement officer under this subsection is subject to penalty under ORS 818.400.

SECTION 64. Sections 65 to 67 of this 2025 special session Act are added to and made a part of the Oregon Vehicle Code.

SECTION 65. "Dyed diesel" has the meaning given that term in ORS 319.520.

SECTION 66. (1) A person commits the offense of failure to comply with an international fuel tax agreement if the person is required to comply with the requirements of an international fuel tax agreement entered into under ORS 825.555 or any rule adopted by the Department of Transportation under ORS 825.555, and the person fails to comply.

(2) The offense described under this section, failure to comply with an international fuel tax agreement, is a Class A traffic violation.

SECTION 67. (1) A person commits the offense of improper use of dyed diesel if the person operates a motor vehicle on the highways of this state and has dyed diesel in the fuel supply tank of the vehicle in violation of section 71 of this 2025 special session Act.

(2) The offense described under this section, improper use of dyed diesel, is a Class A traffic violation.

SECTION 68. ORS 319.520 is amended to read:

319.520. As used in ORS 319.510 to 319.880, unless the context clearly indicates a different meaning:

(1) "Cardlock card" means a fuel card:

(a) Capable of generating an electronic invoice or electronic statement that includes the information required by ORS 319.671 and the applicable fuel tax amount;

(b) Issued for a specific vehicle, a specific piece of equipment or a group of equipment;

(c) That includes the qualifying information, as designated by the Department of Transportation by rule, that is printed on the electronic invoice or electronic statement;

(d) That allows the tax status of the cardlock card to be indicated on the electronic invoice or electronic statement and includes state tax as a separate item on the invoice or statement; and

(e) That allows a cardlock card issuer to generate a statement recording, by fuel type, gallons of fuel purchased for domestic and foreign customers each month.

(2) "Combined weight" means the total empty weight of all vehicles in a combination plus the total weight of the load carried on that combination of vehicles.

(3) "Delinquent" means having failed to pay a tax or penalty within the time provided by law.

(4) "Department" means the Department of Transportation.

(5) "Diesel" and "diesel fuel" have the meanings given those terms in ORS 319.010.

1 [(5)] (6) “Domestic customer” means a customer making a purchase at a nonretail facility owned
2 by the cardlock card issuer.

3 (7) **“Dyed diesel” means diesel fuel that is dyed a color and meets the dyeing and marking**
4 **requirements of the Internal Revenue Service.**

5 [(6)] (8) “Foreign customer” means a customer making a purchase at a nonretail facility owned
6 by a seller other than the cardlock card issuer.

7 [(7)] (9) “Fuel” means any combustible gas, liquid or material of a kind used for the generation
8 of power to propel a motor vehicle on the highways except motor vehicle fuel as defined in ORS
9 319.010.

10 [(8)] (10) “Highway” means every way, thoroughfare and place, of whatever nature, open to the
11 use of the public for the purpose of vehicular travel.

12 [(9)] (11) “Light weight” means the weight of a vehicle when fully equipped for moving over the
13 highway.

14 [(10)] (12) “Liquefied petroleum gas” includes propane, pentane and any mixture of propane and
15 pentane.

16 [(11)] (13) “Motor vehicle” means every self-propelled vehicle operated on the highway, except
17 an implement of husbandry used in agricultural operations and only incidentally operated or moved
18 upon the highway.

19 [(12)] (14) “Nonretail facility” means:

20 (a) An unattended facility accessible only by cardlock card and not associated with a retail fa-
21 cility; or

22 (b) An unattended portion of a retail facility separate from the retail operations and accessible
23 only by cardlock card.

24 [(13)] (15) “Person” means any individual, firm, copartnership, joint venture, association, corpo-
25 ration, trust, receiver or any group or combination acting as a unit.

26 [(14)] (16) “Seller” means:

27 (a) A person that sells fuel to a user; or

28 (b) If the fuel is dispensed at a nonretail facility, the person that owns the user’s accounts and
29 bills the user for fuel purchased at a nonretail facility.

30 [(15)] (17) “To sell fuel for use in a motor vehicle” means to dispense or place fuel for a price
31 into a receptacle on a motor vehicle, from which receptacle the fuel is supplied to propel the motor
32 vehicle.

33 [(16)] (18) “To use fuel in a motor vehicle” means to receive into any receptacle on a motor
34 vehicle, fuel to be consumed in propelling the motor vehicle on the highways of this state; and, if
35 the fuel is received into the receptacle outside the taxing jurisdiction of the state, “to use fuel in
36 a motor vehicle” means to consume in propelling the motor vehicle on the highways of this state.

37 **SECTION 69.** ORS 319.550 is amended to read:

38 319.550. (1) Except as provided in this section, a person may not use fuel in a motor vehicle in
39 this state unless the person holds a valid user’s license.

40 (2) A nonresident may use fuel in a motor vehicle not registered in Oregon for a period not
41 exceeding 30 consecutive days without obtaining a user’s license or the emblem issued under ORS
42 319.600, if, for all fuel used in a motor vehicle in this state, the nonresident pays to a seller, at the
43 time of the sale, the tax provided in ORS 319.530.

44 (3) A user’s license is not required for a person who uses fuel in a motor vehicle if, for all fuel
45 used in a motor vehicle in this state, the person pays to a seller, at the time of the sale, the tax

provided in ORS 319.530.

(4) A user's license is not required for a person who is subject to the weight-mile tax described in ORS 825.474 and 825.476 or the flat fee rate described in ORS 825.480.

(5)(a) A user's license is not required for a person who uses fuel as described in ORS 319.520 [(7)] (9) in the vehicles specified in this subsection if the person pays to a seller, at the time of the sale, the tax provided in ORS 319.530.

(b) Paragraph (a) of this subsection applies to the following vehicles:

(A) Motor homes as defined in ORS 801.350.

(B) Recreational vehicles as defined in ORS 174.101.

(6) A user's license is not required for a person who uses fuel in a motor vehicle:

(a) Metered use by which is subject to the per-mile road usage charge imposed under ORS 319.885; and

(b) That also uses fuels subject to ORS 319.510 to 319.880.

(7) A user's license is not required for a person who uses fuel in a motor vehicle on which an emblem issued for the motor vehicle pursuant to ORS 319.535 is displayed.

SECTION 70. Sections 71 and 72 of this 2025 special session Act are added to and made a part of ORS 319.510 to 319.880.

SECTION 71. Dyed diesel use. (1) A person may operate or maintain a motor vehicle on the highways of this state with dyed diesel in the fuel supply tank only if the use is authorized by an agency of the United States or the person is eligible for a refund under ORS 267.570 (2) or 319.831.

(2) A person that owns, operates or maintains a fuel storage tank or terminal storage facility:

(a) Shall provide markings consistent with those directed by federal law; and

(b) May not knowingly store, or cause to be stored, dyed diesel in a fuel storage tank or terminal storage facility if the purpose of the tank or facility is to store undyed diesel.

(3) A person that violates this section is subject to a civil penalty under section 72 of this 2025 special session Act.

SECTION 72. Civil penalties. (1) In addition to any other penalty provided by law, the Department of Transportation may impose a civil penalty for failure to comply with section 71 of this 2025 special session Act.

(2) Any civil penalty imposed under this section shall be imposed in the manner provided by ORS 183.745.

(3) The department shall adopt rules implementing these provisions, including a schedule of civil penalties.

(4) The civil penalty for each violation of section 71 of this 2025 special session Act may not exceed the amount of \$10 per gallon of capacity of the fuel supply tank of the motor vehicle, or \$1,000, whichever is greater, plus the amount of tax that would have been paid for an equivalent amount of motor vehicle fuel.

(5) A civil penalty imposed under this section may be remitted or reduced upon such terms and conditions as the department considers proper and consistent with the public health and safety.

(6)(a) In imposing a penalty pursuant to the schedule adopted pursuant to this section, the department shall consider the following factors:

(A) Any prior violations of section 71 of this 2025 special session Act.

(B) The extent to which the violation threatens the public health or safety and the immediacy of the threat.

(b) The penalty imposed under this section may be remitted or mitigated upon such terms and conditions as the department determines to be proper and consistent with the public benefit.

(7) All penalties recovered under this section shall be paid into the State Treasury and credited to the State Highway Fund.

SECTION 73. ORS 319.700 is amended to read:

319.700. The tax and the penalty imposed upon a user of fuel in a motor vehicle by ORS 319.510 to 319.880 **or penalties associated with the improper use or storage of dyed diesel under sections 71 and 72 of this 2025 special session Act** shall constitute a lien upon, and shall have the effect of an execution duly levied against, any motor vehicle in connection with which the taxable use is made, attaching at the time of such use. The lien shall not be removed until the tax has been paid or the motor vehicle subject to the lien has been sold in payment of such tax. The lien is paramount to all private liens or encumbrances of whatever character upon the motor vehicle and to the rights of any conditional vendor or any other holder of the legal title in or to the motor vehicle.

SECTION 74. ORS 823.012 is amended to read:

823.012. (1) If the Director of Transportation determines that an emergency, as defined in ORS 401.025, has occurred or is imminent, the director may suspend operation of one or more of the following statutes involving motor carriers for the purpose of expediting the movement of persons or property:

(a) ORS 818.400, compliance with commercial vehicle enforcement requirements related to commercial vehicle weight, size, load, conformation or equipment.

(b) ORS 825.100, certificate or permit requirement for commercial transportation of persons or property.

(c) ORS 825.104, registration requirement for for-hire or private carrier engaged in interstate operations.

(d) ORS 825.160, requirement for person operating as motor carrier to have policy of public liability and property damage insurance.

(e) ORS 825.162, requirement for person operating as for-hire carrier of freight or express to have cargo insurance.

(f) ORS 825.250, requirement to stop and submit to an inspection of the driver, the cargo or the vehicle or combination of vehicles **or an inspection of the fuel supply tank of the vehicle or combination of vehicles.**

(g) ORS 825.252, safety regulations for for-hire and private carriers.

(h) ORS 825.258, rules for transportation of hazardous waste, hazardous material and PCB.

(i) ORS 825.450, [weight identifiers] **tax enrollments** issued by Department of Transportation.

(j) ORS 825.470, temporary pass for single trip or short-time operation of vehicle.

(k) ORS 825.474, assessment of tax for use of highways.

(L) ORS 826.031, registration of certain vehicles not already registered with state.

(m) Section 71 of this 2025 special session Act and ORS 319.020 and 319.530 related to the payment of motor vehicle fuel taxes or the use of dyed diesel on the highways.

(2) A suspension under this section may occur prior to a declaration of a state of emergency under ORS 401.165, but may not exceed 72 hours unless a state of emergency is declared under ORS

1 401.165. If a state of emergency is declared under ORS 401.165, the suspension shall last until the
 2 state of emergency is terminated as provided under ORS 401.204.

3 (3) The director may designate by rule a line of succession of deputy directors or other em-
 4 ployees of the department who may suspend operations of statutes under this section in the event
 5 the director is not available. Any suspension by a person designated by the director under this
 6 subsection has the same force and effect as if issued by the director, except that, if the director can
 7 be reached, the suspension must be affirmed by the director when the director is reached. If the
 8 director does not set aside a suspension within 24 hours of being reached, the suspension shall be
 9 considered affirmed by the director.

10 **SECTION 75.** ORS 823.023 is amended to read:

11 823.023. (1) The Department of Transportation or authorized representatives may enter upon any
 12 premises, or any equipment, rolling stock, **motor vehicles** or facilities, operated or occupied by any
 13 motor carrier or railroad for the purpose of making any inspection, examination or test reasonably
 14 required in the administration of ORS chapters **319**, 823, 824, 825 and 826, and to set up and use on
 15 such premises, equipment, rolling stock, **motor vehicles** or facilities any apparatus or appliance and
 16 occupy reasonable space therefor.

17 (2) The department or authorized representatives shall, upon demand, have the right to inspect
 18 the **motor vehicles**, books, accounts, papers, records and memoranda of any motor carrier or rail-
 19 road and to examine under oath any officer, agent or employee of such motor carrier or railroad in
 20 relation to its business and affairs.

21 (3) Any person who on behalf of the department makes demand of a motor carrier or railroad
 22 for an examination, inspection or test shall, upon request therefor, produce a certificate under the
 23 seal of the department showing authority to make such examination, inspection or test.

24 (4) The department or authorized representatives shall, upon demand, have the right to enter
 25 any premises of a business that the department has reasonable cause to believe tendered for ship-
 26 ment, by motor or rail, any hazardous material and to make any examination, inspection or test
 27 reasonably required to determine compliance with the health and safety regulations administered
 28 or enforced by the department. Any person, who on behalf of the department demands to make an
 29 examination, inspection or test, shall produce upon request a certificate under the seal of the de-
 30 partment showing authority to make the examination, inspection or test.

31 (5) Nothing in this section authorizes the department to use any information developed there-
 32 under for any purpose inconsistent with any statute governing motor carriers or railroads and ad-
 33 ministered by the department or to make a disclosure thereof for other than regulatory purposes.

34 **SECTION 76.** ORS 823.027 is amended to read:

35 823.027. (1) Every motor carrier and railroad shall furnish to the Department of Transportation
 36 all information required by the department to carry into effect the provisions of ORS chapters **319**,
 37 823, 824, 825 and 826 and shall make specific answers to all questions submitted by the department.

38 (2) If a motor carrier or railroad is unable to furnish any information required under subsection
 39 (1) of this section for any reason beyond its control, it is a good and sufficient reason for such
 40 failure. The answer or information shall be verified under oath and returned to the department at
 41 the department's office within the period fixed by the department.

42 **SECTION 77.** ORS 823.085 is amended to read:

43 823.085. (1) Any motor carrier or railroad that does, or causes or permits to be done, any matter,
 44 act or thing prohibited by ORS chapters **319**, 823, 824, 825 and 826, or omits to do any act, matter
 45 or thing required to be done by ORS chapters **319**, 823, 824, 825 and 826, is liable to the person in-

1 jured thereby in the amount of damages sustained in consequence of such violation. If the party
 2 seeking damages alleges and proves that the wrong or omission was the result of gross negligence
 3 or willful misconduct, the motor carrier or railroad is liable to the person injured thereby in treble
 4 the amount of damages sustained in consequence of the violation. The court may award reasonable
 5 attorney fees to the prevailing party in an action under this section.

6 (2) Any recovery under this section does not affect recovery by the state of the penalty, forfei-
 7 ture or fine prescribed for such violation.

8 (3) This section does not apply with respect to the liability of any motor carrier or railroad for
 9 personal injury or property damage.

10 **SECTION 78.** ORS 825.005 is amended to read:

11 825.005. As used in this chapter:

12 (1) "Carrier" or "motor carrier" means for-hire carrier or private carrier.

13 (2) "Cartage carrier" means any person who undertakes to transport any class of property by
 14 motor vehicle for compensation when the transportation is performed wholly within an incorporated
 15 city or a commercial zone adjacent to an incorporated city.

16 (3) "Certificate" means an authority issued to a for-hire carrier under ORS 825.110.

17 (4) "Combined weight" means the [*weight of the motor vehicle plus the weight of the maximum*
 18 *load which the applicant has declared such vehicle will carry*] **total empty weight of all vehicles**
 19 **in a combination plus the total weight of the load carried on that combination of vehicles**
 20 **as listed in the vehicle registration for the time period shown on the registration document.**
 21 Any declared combined weight is subject to audit and approval by the Department of Transporta-
 22 tion.

23 (5) "Department" means the Department of Transportation.

24 (6) **"Electric vehicle" means a motor vehicle that uses electricity as its only source of**
 25 **motive power.**

26 [(6)] (7) "Extreme miles" or "extreme mileage" means the total miles operated by a vehicle over
 27 the public highways, except the extra miles necessarily operated in traversing detours or temporary
 28 routes on account of road blockades in the state.

29 [(7)] (8) "For-hire carrier" means:

30 (a) Any person who transports persons or property for hire or who publicly purports to be
 31 willing to transport persons or property for hire by motor vehicle; or

32 (b) Any person who leases, rents or otherwise provides a motor vehicle to the public and who
 33 in connection therewith in the regular course of business provides, procures or arranges for, di-
 34 rectly, indirectly or by course of dealing, a driver or operator therefor.

35 [(8)] (9) "Household goods" means the personal effects or other property used or to be used in
 36 a dwelling but does not include property transported from a store or factory or property exclusively
 37 for office use.

38 [(9)] (10) "Motor vehicle" means any self-propelled vehicle and any such vehicle in combination
 39 with any trailing units, used or physically capable of being used upon any public highway in this
 40 state in the transportation of persons or property, except vehicles operating wholly on fixed rails
 41 or tracks and electric trolley buses. "Motor vehicle" includes overdimension vehicles or vehicles
 42 permitted excessive weights pursuant to a special authorization issued by a city, county or the De-
 43 partment of Transportation.

44 [(10)] (11) "Permit" means an authority issued to a carrier under ORS 825.102, **825.104**, 825.106,
 45 825.108 or 825.127.

1 [(11)] (12) "Private carrier" means any person who operates a motor vehicle over the public
 2 highways of this state for the purpose of transporting persons or property when the transportation
 3 is incidental to a primary business enterprise, other than transportation, in which such person is
 4 engaged.

5 [(12)] (13) "Privilege taxes" means the weight-mile tax and fees prescribed in this chapter.

6 [(13)] (14) "Property" includes, but is not limited to, permanent loads such as equipment, appli-
 7 ances, devices, or ballast that are attached to, carried on, or made a part of the vehicle and that
 8 are designed to serve some functional purpose.

9 [(14)] (15) "Public highway" means every street, alley, road, highway and thoroughfare in this
 10 state used by the public or dedicated or appropriated to public use.

11 [(15)] (16) "Transit-type motor vehicle" means any passenger-carrying vehicle that does not have
 12 a separate space for transporting baggage or express.

13 [(16)] (17) "Transporter" has the meaning given that term in ORS 466.005.

14 **SECTION 79. Section 80 of this 2025 special session Act is added to and made a part of**
 15 **ORS chapter 825.**

16 **SECTION 80. (1) Before operating a motor vehicle on the public highways of this state,**
 17 **an out-of-state motor carrier not licensed under an international fuel tax agreement shall**
 18 **obtain a valid fuel trip permit from the Department of Transportation in accordance with**
 19 **this section. A motor carrier shall obtain a fuel trip permit under this section if:**

20 **(a) The motor carrier is operating a motor vehicle that is not a recreational vehicle:**

21 **(A) Having two axles and a gross vehicle weight or registered gross vehicle weight ex-**
 22 **ceeding 26,000 pounds;**

23 **(B) Having three or more axles regardless of weight; or**

24 **(C) Used in combination, when the weight of such combination exceeds 26,000 pounds; and**

25 **(b) The vehicle is not registered under ORS 826.009 or 826.031.**

26 **(2) Subsection (1) of this section does not apply to a motor carrier that has a valid**
 27 **international fuel tax agreement license issued by a jurisdiction other than Oregon.**

28 **(3) The Department of Transportation shall develop a standardized application form for**
 29 **a fuel trip permit issued under this section.**

30 **(4) The department may not issue more than three fuel trip permits in a calendar year**
 31 **for any one motor vehicle.**

32 **(5) No report of mileage is required for the motor vehicle to which the fuel trip permit**
 33 **relates.**

34 **(6) A fuel trip permit issued under this section is valid:**

35 **(a) For three consecutive days beginning and ending on the dates specified on the face**
 36 **of the fuel trip permit; and**

37 **(b) Only for the motor vehicle for which the fuel trip permit was issued.**

38 **(7) The fee for the fuel trip permit shall be determined by the department by rule.**

39 **(8) The department may adopt rules to carry out the provisions of this section.**

40 **SECTION 81. ORS 825.326 is amended to read:**

41 825.326. (1) Except as provided in subsection (2) of this section, all fees, taxes, charges and other
 42 sums collected by the Department of Transportation **or from international fuel tax agreement**
 43 **member jurisdictions** under this chapter shall be paid into the State Treasury and shall be placed
 44 to the credit of an account, separate and distinct from the General Fund, to be known as the Motor
 45 Carrier Account. Interest earned by the account shall be credited to the account.

(2) Notwithstanding ORS 823.991, all fees collected under ORS 825.247 and all penalties collected under ORS 825.950 for offering to transport or transporting household goods without a certificate shall be paid into the State Treasury and shall be placed to the credit of an account, separate and distinct from the General Fund, to be known as the Consumer Protection Household Moves Account. Interest earned by the account shall be credited to the account. Moneys in the account are continuously appropriated to the department for purposes specified in subsection (5) of this section.

(3) The department may purchase the necessary supplies and equipment and provide for all necessary and incidental expenses incurred by the department in administering and enforcing this chapter.

(4) All claims, duly approved by the department, that have been incurred in pursuance of law, shall be paid by warrants drawn in the manner provided by law, payable out of the Motor Carrier Account or the Consumer Protection Household Moves Account.

(5) Moneys in the Consumer Protection Household Moves Account shall be used by the department exclusively for administration and enforcement of provisions of this chapter relating to persons that offer to provide or provide transportation of household goods without a certificate.

SECTION 82. ORS 825.104 is amended to read:

825.104. An interstate for-hire carrier or private carrier required to obtain a United States Department of Transportation registration number engaged or to engage in interstate operations may not perform transportation services on the public highways of this state without having first:

(1) Complied with federal registration and financial responsibility requirements; **and**

(2) **Obtained a certificate or permit under ORS 825.100 or a temporary pass under ORS 825.470.**

SECTION 83. ORS 825.141 is amended to read:

825.141. In addition to any other requirements of this chapter, a carrier whose operating authority **or permit** has been suspended shall pay a reinstatement fee of \$25 to the Department of Transportation before the operating authority **or permit** may be reinstated[, *plus \$5 for each vehicle issued a weight identifier under ORS 825.450, and shall demonstrate operational activity at the time of reinstatement*].

SECTION 84. ORS 825.450 is amended to read:

825.450. (1) [*Upon application by a carrier,*] The Department of Transportation may [*issue a weight identifier*] **utilize a motor carrier's registration card as the tax enrollment document** for each **eligible** vehicle the carrier enrolls with the department[, *which*]. **The tax enrollment document** must state the combined weight of the vehicle or combination of vehicles. [*The department shall record each weight identifier electronically.*] This subsection does not apply to vehicles issued a temporary pass under ORS 825.470.

(2) A person may not load any motor vehicle in excess of the combined weight stated on the [*weight identifier issued*] **tax enrollment document** for that motor vehicle under subsection (1) of this section.

(3) [*Weight identifiers issued*] **Tax enrollments** under this section are valid [*from the first day of any calendar quarter to the last day of the fourth consecutive calendar quarter. Each carrier may select the calendar quarter in which the period will begin except that, if necessary for administrative convenience, the department may require a carrier to adopt a starting date chosen by the department*] **based on the dates shown on the motor vehicle's registration card, as issued by the jurisdiction in which the vehicle is registered.**

[(4) *All vehicles operating under the carrier's authority shall have the same four-quarter period of*

weight identifier validity. The department may allow a carrier to operate with expired weight identifiers for up to one extra quarter if the renewal application has been submitted. The extension of time allowed by this subsection shall be granted only if the department determines that the extension is necessary for the administrative convenience of the department.]

[(5)] (4) The department may adopt rules necessary to administer the provisions of this section.

SECTION 85. ORS 825.492 is amended to read:

825.492. [(1) Whenever in the judgment of the Department of Transportation the estimated annual tax payable by a carrier will be less than \$100, and the vehicles operated by the carrier are of less than 30,000 pounds combined weight, the department may authorize the carrier to file reports annually in lieu of monthly reports required by ORS 825.490 and 825.515. Annual reports and accompanying remittances shall be filed on or before the due date of February 28 for the preceding calendar year.]

[(2)] (1) At the request of a motor carrier, the Department **of Transportation** may authorize the carrier to file quarterly reports in lieu of monthly reports required by ORS 825.490 and 825.515. Quarterly reports and accompanying remittances due shall be filed on or before the due date as follows: First calendar quarter, May 31; second quarter, August 31; third quarter, November 30; fourth quarter, February 28.

[(3)] (2) Such authorizations may be withdrawn at any time upon the mailing of notice to the carrier at the last address of record of the carrier with the department. Any provisions of ORS 825.490 and 825.515 otherwise applicable to reports and remittances shall be applicable to reports and remittances under this section.

SECTION 86. ORS 319.671 is amended to read:

319.671. (1) The seller of fuel for any purpose shall make a duplicate invoice for every sale of fuel for any purpose and shall retain one copy and give the other copy to the user. The Department of Transportation may prescribe the form of the invoice. The invoice shall show:

- (a) The seller's name and address;
- (b) The date;
- (c) The amount of the sale in gallons; and
- (d) The name and address of the user.

(2) In addition to the invoice entries listed in subsection (1) of this section, the seller of fuel for use in a motor vehicle shall indicate on the invoice the amount of the tax collected, if any, and:

- (a) The license plate number, if the vehicle bears a license plate issued by the department or another jurisdiction;
- (b) The emblem number, if the vehicle bears a user's emblem;
- (c) The temporary pass number, if the vehicle bears no valid user's emblem; or
- (d) The license plate number, if the vehicle bears no valid user's emblem or temporary pass number issued by the department.

(3) Notwithstanding subsection (1) of this section, this section does not require any invoice to be prepared for any sale where fuel is delivered into the fuel tank of a vehicle described in this subsection unless the operator of the vehicle requests an invoice. If an invoice is prepared under this subsection, the name and address of a user is not required to be shown on the invoice for sales where the fuel is delivered into the fuel tanks of vehicles described in this subsection. This subsection applies to vehicles:

- (a) That have a combined weight of 26,000 pounds or less; and

[(b)(A) For which the tax under ORS 319.530 must be paid at the time of sale under ORS 319.665; or]

1 [(B)] (b) For which an emblem has been issued under ORS 319.535.

2 **SECTION 87.** ORS 825.250 is amended to read:

3 825.250. (1) An authorized representative of the Department of Transportation may require a
4 person driving a vehicle or combination of vehicles subject to regulation by the department on a
5 street or highway to stop and submit to an inspection of the driver, the cargo or the vehicle or
6 combination of vehicles at any location where representatives of the department are conducting
7 tests and inspections when signs are displayed requiring such stop.

8 **(2) An authorized representative of the department may require a person driving a vehi-**
9 **cle or combination of vehicles subject to regulation by the department on a street or highway**
10 **to stop and submit to an inspection of the fuel supply tank of the vehicle or combination of**
11 **vehicles at any location where representatives of the department are conducting tests and**
12 **inspections when signs are displayed requiring such stop.**

13 [(2)] (3) As used in this section, "authorized representative" means a city, county or state em-
14 ployee who has been trained and certified by the department as a commercial vehicle inspector and
15 who is employed either by the department or by an agency that has an agreement with the depart-
16 ment to provide inspections of commercial vehicles, drivers, general cargo or hazardous materials.

17 **SECTION 88.** ORS 825.990 is amended to read:

18 825.990. (1) Except as otherwise provided in subsection (2) **or (5)** of this section, every person
19 who violates or procures, aids or abets violation of this chapter and any person who refuses or fails
20 to obey any order, decision or rule, made under or pursuant to this chapter commits a Class A
21 traffic violation.

22 (2) Knowingly violating an out-of-service notice issued under authority of the Department of
23 Transportation is a Class A misdemeanor.

24 (3) A person is subject to the penalties under subsection (4) of this section if the person know-
25 ingly:

26 (a) Transports any hazardous waste listed under ORS 466.005 or rules adopted thereunder to a
27 facility that does not have appropriate authority to receive the waste under ORS 466.005 to 466.385
28 and 466.992.

29 (b) Disposes of any hazardous waste listed under ORS 466.005 or rules adopted thereunder
30 without appropriate authority under ORS 466.005 to 466.385 and 466.992.

31 (c) Materially violates terms of any permit or authority issued to the person under this chapter
32 or ORS 466.005 to 466.385 and 466.992 in the transporting or disposing of hazardous waste.

33 (d) Makes any false material statement or representation in any application, label, manifest, re-
34 cord, report, permit or other document filed, maintained or used for purposes of compliance with
35 requirements under this chapter for the safe transportation of hazardous wastes.

36 (e) Fails to include material information required under rules of the Department of Transporta-
37 tion in any application for any permit or authority to transport hazardous waste under this chapter.

38 (f) Violates any rules adopted by the Department of Transportation concerning the transporta-
39 tion of hazardous wastes.

40 (4) Subject to ORS 153.022, violation of subsection (3) of this section is a Class B misdemeanor.

41 **(5) Violating ORS 825.250 (2) is a Class B misdemeanor.**

42 **SECTION 89.** ORS 818.400 is amended to read:

43 818.400. (1) A person commits the offense of failure to comply with commercial vehicle enforce-
44 ment requirements if the person is driving a vehicle or combination of vehicles and the person does
45 not comply with any of the following or if the person is the owner of a vehicle or combination of

vehicles and the person causes or permits the vehicle or combination not to comply with any of the following:

(a) A vehicle or combination of vehicles must stop and submit to any enforcement of commercial vehicle weight, size, load, conformation or equipment regulation when directed to do so by an "OPEN" sign displayed at a permanently established truck scale.

(b) A vehicle or combination of vehicles must stop and submit to any enforcement of commercial vehicle weight, size, load, **dyed diesel use**, conformation or equipment regulation when directed to do so by any sign or signal displayed or given by a police officer, motor carrier enforcement officer or weighmaster acting in accordance with authority granted under ORS 810.490.

(c) A vehicle or combination of vehicles must move into the right lane for purposes of a weight or size check when instructed to do so by a sign indicating the presence of a weigh-in-motion scale.

(d) The directions of any police officer, motor carrier enforcement officer or weighmaster that are given in accordance with authority granted under ORS 810.490 or 810.530 must be complied with.

(2) The requirement of subsection (1)(a) of this section does not apply to:

(a) An empty combination of a log truck and pole trailer if the pole trailer is bunked on the log truck and there is no other load; or

(b) A vehicle or combination of vehicles if:

(A) The normal route of the vehicle or combination of vehicles requires turning off the highway after passing the "OPEN" sign but before reaching the scale; and

(B) The vehicle or combination of vehicles is en route to a terminal or other legitimate business.

(3) Operation of any vehicle or combination of vehicles in violation of this section is prima facie evidence that the owner of such vehicle or combination caused or permitted it to be so operated and the owner shall be liable for any penalties imposed under this section.

(4) The offense described in this section, failure to comply with commercial vehicle enforcement requirements, is a Class B misdemeanor. The penalty provided under this subsection is in addition to any penalty provided for violation of any prohibition relating to vehicle weight, size, load, conformation or equipment.

SECTION 90. ORS 319.665 and 825.486 are repealed.

SECTION 91. (1) The amendments to ORS 825.005, 825.141 and 825.450 by sections 78, 83 and 84 of this 2025 special session Act become operative on July 1, 2027.

(2) Sections 65 to 67, 71, 72 and 80 of this 2025 special session Act, the amendments to ORS 295.103, 319.010, 319.390, 319.520, 319.550, 319.671, 319.700, 810.530, 818.400, 823.012, 823.023, 823.027, 823.085, 825.104, 825.250, 825.326, 825.492, 825.555 and 825.990 by sections 59 to 63, 68, 69, 73 to 77, 81, 82 and 85 to 89 of this 2025 special session Act and the repeal of ORS 319.665 and 825.486 by section 90 of this 2025 special session Act become operative on July 1, 2029.

HEAVY VEHICLE TAXES

SECTION 92. ORS 825.476 is amended to read:
825.476.

[_____]

MILEAGE TAX RATE TABLE "A"

<i>Declared Combined</i>	<i>Fee Rates</i>
<i>Weight Groups</i>	<i>Per Mile</i>

	<i>(Pounds)</i>	<i>(Mills)</i>
2	26,001 to 28,000	76.4
3	28,001 to 30,000	80.9
4	30,001 to 32,000	84.6
5	32,001 to 34,000	88.4
6	34,001 to 36,000	91.8
7	36,001 to 38,000	96.6
8	38,001 to 40,000	100.2
9	40,001 to 42,000	103.8
10	42,001 to 44,000	107.7
11	44,001 to 46,000	111.3
12	46,001 to 48,000	114.9
13	48,001 to 50,000	118.7
14	50,001 to 52,000	123.1
15	52,001 to 54,000	127.7
16	54,001 to 56,000	132.5
17	56,001 to 58,000	138.0
18	58,001 to 60,000	144.3
19	60,001 to 62,000	151.7
20	62,001 to 64,000	160.1
21	64,001 to 66,000	169.3
22	66,001 to 68,000	181.3
23	68,001 to 70,000	194.1
24	70,001 to 72,000	206.9
25	72,001 to 74,000	218.7
26	74,001 to 76,000	230.0
27	76,001 to 78,000	241.1
28	78,001 to 80,000	251.2

29 [_____]

30

31

AXLE-WEIGHT MILEAGE

32

TAX RATE TABLE "B"

33

Declared Combined

Number of Axles

34

Weight Groups

5

6

7

8

9 or

35

(Pounds)

(Mills)

more

36

80,001 to 82,000

259.4

237.3

221.8

210.7

198.7

37

82,001 to 84,000

267.8

241.1

225.4

213.4

201.4

38

84,001 to 86,000

275.8

246.6

229.1

216.1

204.2

39

86,001 to 88,000

285.2

252.0

232.7

219.9

206.9

40

88,001 to 90,000

296.2

258.4

236.5

223.5

210.7

41

90,001 to 92,000

309.0

265.9

239.9

227.1

214.4

42

92,001 to 94,000

323.0

273.1

243.8

230.8

217.2

43

94,001 to 96,000

337.7

281.5

248.3

234.6

220.7

44

96,001 to 98,000

353.3

291.7

253.9

238.4

224.5

45

98,001 to 100,000

302.5

259.4

242.8

228.1

1	100,001 to 102,000	264.9	248.3	231.9
2	102,001 to 104,000	270.5	253.9	236.5
3	104,001 to 105,500	277.7	259.4	241.1

4 [_____]

5

6

7

8

MILEAGE TAX RATE TABLE “A”

9	Declared Combined	Fee Rates
10	Weight Groups	Per Mile
11	(Pounds)	(Mills)
12	26,001 to 32,000	76.4
13	32,001 to 38,000	89.8
14	38,001 to 44,000	102.7
15	44,001 to 50,000	114.3
16	50,001 to 56,000	132.5
17	56,001 to 62,000	143.1
18	62,001 to 68,000	166.2
19	68,001 to 74,000	181.5
20	74,001 to 80,000	251.2
21	80,001 to 105,500	263.1

22

23

24 **SECTION 93.** ORS 825.476, as amended by section 92 of this 2025 special session Act, is
25 amended to read:

26 825.476.

27

28

29

MILEAGE TAX RATE TABLE “A”

30	Declared Combined	Fee Rates
31	Weight Groups	Per Mile
32	(Pounds)	(Mills)
33	26,001 to 32,000	[76.4] 55.1
34	32,001 to 38,000	[89.8] 64.8
35	38,001 to 44,000	[102.7] 74.1
36	44,001 to 50,000	[114.3] 82.5
37	50,001 to 56,000	[132.5] 95.6
38	56,001 to 62,000	[143.1] 103.2
39	62,001 to 68,000	[166.2] 119.9
40	68,001 to 74,000	[181.5] 130.9
41	74,001 to 80,000	[251.2] 181.2
42	80,001 to 105,500	[263.1] 189.8

43

44

45

MILEAGE TAX RATE TABLE “E”

1	Declared Combined	Fee Rates
2	Weight Groups	Per Mile
3	(Pounds)	(Mills)
4	26,001 to 32,000	79.6
5	32,001 to 38,000	93.6
6	38,001 to 44,000	107.0
7	44,001 to 50,000	119.1
8	50,001 to 56,000	138.0
9	56,001 to 62,000	149.1
10	62,001 to 68,000	173.2
11	68,001 to 74,000	189.1
12	74,001 to 80,000	261.7
13	80,001 to 105,500	274.1

14

15

16 **SECTION 94.** ORS 825.474 is amended to read:

17 825.474. (1) In addition to other fees and taxes imposed by law upon carriers, there shall be as-
 18 sessed against and collected from every carrier a tax for the use of the highways, to apply to the
 19 cost of administration of this chapter and for the maintenance, operation, construction and recon-
 20 struction of public highways.

21 (2) The tax rate which shall apply to each motor vehicle shall be based upon the declared
 22 combined weight of the motor vehicle and in accordance with the weight group tax rates as shown
 23 in the tables set forth in ORS 825.476.

24 (3) For the purpose of computing the tax due:

25 (a) Table "A" in **ORS 825.476** applies to motor vehicles subject to the tax imposed by this sec-
 26 tion *[that are not issued an annual variance permit under ORS 818.200 (1)(a) to (c) to operate with a*
 27 *combined weight of more than 80,000 pounds]*.

28 *[(b) Table "B" applies to motor vehicles subject to the tax imposed by this section that are issued*
 29 *or required to obtain an annual variance permit under ORS 818.200 (1)(a) to (c) to operate with a*
 30 *combined weight of more than 80,000 pounds.]*

31 *[(c)]* (b) The declared combined weight shall be the combined weight, as defined in ORS 825.005,
 32 declared in the *[application for authority under ORS 825.100, subject to audit and approval by the*
 33 *Department of Transportation]* **registration weight**.

34 *[(d)]* (c) In addition to any tax due under this chapter, motor vehicles that exceed the maximum
 35 vehicle weight limits for annual variance permits under ORS 818.200 (1)(a) to (c) are subject to the
 36 road use assessment fee imposed under ORS 818.225 for the entire motor vehicle weight, minus the
 37 road use assessment fee for the maximum vehicle weight allowed under the annual variance permit.

38 (4) The tax for each motor vehicle *[when table "A" or "B" is used]* shall be computed by multi-
 39 plying the extreme mileage of travel in Oregon by the appropriate weight group tax rate as it ap-
 40 pears in the table.

41 **SECTION 95.** ORS 825.474, as amended by section 94 of this 2025 special session Act, is
 42 amended to read:

43 825.474. (1) In addition to other fees and taxes imposed by law upon carriers, there shall be as-
 44 sessed against and collected from every carrier a tax for the use of the highways, to apply to the
 45 cost of administration of this chapter and for the maintenance, operation, construction and recon-

struction of public highways.

(2) The tax rate which shall apply to each motor vehicle shall be based upon the declared combined weight of the motor vehicle and in accordance with the weight group tax rates as shown in the tables set forth in ORS 825.476.

(3) For the purpose of computing the tax due:

(a) Table "A" in ORS 825.476 applies to motor vehicles subject to the tax imposed by this section.

(b) Table "E" in ORS 825.476 applies to electric vehicles subject to the tax imposed by this section.

[(b)] (c) The declared combined weight shall be the combined weight, as defined in ORS 825.005, declared in the registration weight.

[(c)] (d) In addition to any tax due under this chapter, motor vehicles that exceed the maximum vehicle weight limits for annual variance permits under ORS 818.200 (1)(a) to (c) are subject to the road use assessment fee imposed under ORS 818.225 for the entire motor vehicle weight, minus the road use assessment fee for the maximum vehicle weight allowed under the annual variance permit.

(4) The tax for each motor vehicle shall be computed by multiplying the extreme mileage of travel in Oregon by the appropriate weight group tax rate as it appears in the table.

SECTION 96. ORS 825.480 is amended to read:

825.480. (1)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehicles in the transportation of logs, poles, peeler cores or piling may pay annual fees for such operation computed at the rate of [~~\$11.60~~] **\$10.50** for each 100 pounds of declared combined weight.

(b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt from taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public highways whenever operations are for the purpose of repair, maintenance, servicing or moving from one exempt highway operation to another.

(2) The annual fees provided in subsections (1)[, (4) and (5)] **and (3)** of this section may be paid on a monthly basis. Any carrier electing to pay fees under this method may not change an election during the same calendar year in which the election is made, but may be relieved from the payment due for any month during which a motor vehicle is not operated. A carrier electing to pay fees under this method shall report and pay these fees on or before the 10th of each month for the preceding month's operations. A monthly report shall be made on all vehicles on the annual fee basis including any vehicle not operated for the month.

[(3)(a) In lieu of the fees provided in ORS 825.470 to 825.474, motor vehicles described in ORS 825.024 with a combined weight of less than 46,000 pounds that are being operated under a permit issued under ORS 825.102 may pay annual fees for such operation computed at the rate of \$9.60 for each 100 pounds of declared combined weight.]

[(b) The annual fees provided in this subsection shall be paid in advance but may be paid on a monthly basis on or before the first day of the month. A carrier may be relieved from the fees due for any month during which the motor vehicle is not operated for hire if a statement to that effect is filed with the Department of Transportation on or before the fifth day of the first month for which relief is sought.]

[(4)(a)] **(3)(a)** In lieu of other fees provided in ORS 825.474, carriers engaged in the operation of motor vehicles equipped with dump bodies and used in the transportation of sand, gravel, rock, dirt, debris, cinders, asphaltic concrete mix, metallic ores and concentrates or raw nonmetallic products, whether crushed or otherwise, moving from mines, pits or quarries may pay annual fees

for such operation computed at the rate of [~~\$11.50~~] **\$16.98** for each 100 pounds of declared combined weight.

(b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt for taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public highways whenever operations are for the purpose of repair, maintenance, servicing or moving from one exempt highway operation to another.

[(5)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehicles in the transportation of wood chips, sawdust, barkdust, hog fuel or shavings may pay annual fees for such operation computed at the rate of \$47 for each 100 pounds of declared combined weight.]

[(b) Any carrier electing to pay under this method may, as to vehicles otherwise exempt from taxation, elect to be taxed on the mileage basis for movement of such empty vehicles over public highways whenever operations are for the purpose of repair, maintenance, service or moving from one exempt highway operation to another.]

SECTION 97. ORS 825.480, as amended by section 96 of this 2025 special session Act, is amended to read:

825.480. *[(1)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehicles in the transportation of logs, poles, peeler cores or piling may pay annual fees for such operation computed at the rate of \$10.50 for each 100 pounds of declared combined weight.]*

(1)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehicles in the transportation of logs, poles, peeler cores or piling may pay annual fees for such operation computed at the following rate for each 100 pounds of declared combined weight:

(A) For electric motor vehicles, \$10.94.

(B) For vehicles other than electric motor vehicles, \$7.57.

(b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt from taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public highways whenever operations are for the purpose of repair, maintenance, servicing or moving from one exempt highway operation to another.

(2) The annual fees provided in subsections (1) and (3) of this section may be paid on a monthly basis. Any carrier electing to pay fees under this method may not change an election during the same calendar year in which the election is made, but may be relieved from the payment due for any month during which a motor vehicle is not operated. A carrier electing to pay fees under this method shall report and pay these fees on or before the 10th of each month for the preceding month's operations. A monthly report shall be made on all vehicles on the annual fee basis including any vehicle not operated for the month.

[(3)(a)] **(3)** In lieu of other fees provided in ORS 825.474, carriers engaged in the operation of motor vehicles equipped with dump bodies and used in the transportation of sand, gravel, rock, dirt, debris, cinders, asphaltic concrete mix, metallic ores and concentrates or raw nonmetallic products, whether crushed or otherwise, moving from mines, pits or quarries may pay annual fees for such operation computed at the **following** rate [~~of \$16.98~~] for each 100 pounds of declared combined weight[.]:

(a) For electric motor vehicles, \$17.69.

(b) For vehicles other than electric motor vehicles, \$12.25.

[(b) Any carrier electing to pay fees under this method may, as to vehicles otherwise exempt from taxation, elect to be taxed on the mileage basis for movements of such empty vehicles over public

1 *highways whenever operations are for the purpose of repair, maintenance, servicing or moving from*
 2 *one exempt highway operation to another.]*

3 **SECTION 98.** ORS 818.225 is amended to read:

4 818.225. (1) As used in this section, "equivalent single-axle load" means the relationship between
 5 actual or requested weight and an 18,000 pound single-axle load as determined by the American
 6 Association of State Highway and Transportation Officials Road Tests reported at the Proceedings
 7 Conference of 1962.

8 (2)(a) In addition to any fee for a single-trip nondivisible load permit, a person who is issued the
 9 permit or who operates a vehicle in a manner that requires the permit is liable for payment of a
 10 road use assessment fee of [*ten and nine-tenths*] **seven and nine-tenths** cents per equivalent
 11 single-axle load mile traveled.

12 (b) If the road use assessment fee is not collected at the time of issuance of the permit, the de-
 13 partment shall bill the permittee for the amount due. The account shall be considered delinquent if
 14 not paid within 60 days of billing.

15 (c) The miles of travel authorized by a single-trip nondivisible load permit shall be exempt from
 16 taxation under ORS chapter 825.

17 (3) The department may adopt rules:

18 (a) To standardize the determination of equivalent single-axle load computation based on aver-
 19 age highway conditions; and

20 (b) To establish procedures for payment, collection and enforcement of the fees and assessments
 21 established by this chapter.

22 **SECTION 99.** (1) **The amendments to ORS 825.474, 825.476 and 825.480 by sections 92, 94**
 23 **and 96 of this 2025 special session Act become operative on July 1, 2027.**

24 (2) **The amendments to ORS 818.225, 825.474, 825.476 and 825.480 by sections 93, 95, 97 and**
 25 **98 of this 2025 special session Act become operative on July 1, 2029.**

26 **SECTION 100.** (1) **The amendments to ORS 825.474, 825.476 and 825.480 by sections 92, 94**
 27 **and 96 of this 2025 special session Act apply to taxes imposed on or after July 1, 2027.**

28 (2) **The amendments to ORS 818.225, 825.474, 825.476 and 825.480 by sections 93, 95, 97 and**
 29 **98 of this 2025 special session Act apply to taxes imposed on or after July 1, 2029.**

30 CAPTIONS

31 **SECTION 101.** **The unit and section captions used in this 2025 special session Act are**
 32 **provided only for the convenience of the reader and do not become part of the statutory law**
 33 **of this state or express any legislative intent in the enactment of this 2025 special session**
 34 **Act.**

35 EFFECTIVE DATE

36 **SECTION 102.** **This 2025 special session Act takes effect on the 91st day after the date**
 37 **on which the 2025 special session of the Eighty-third Legislative Assembly adjourns sine die.**