

HB 3991-3
(LC 2)
8/29/25 (HE/ps)

Requested by Representative DRAZAN

**PROPOSED AMENDMENTS TO
HOUSE BILL 3991**

On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and delete lines 3 through 9 and insert “171.861, 184.620, 184.623, 184.642, 184.659, 184.665, 184.751, 295.103, 319.010, 319.390, 319.520, 319.550, 319.671, 319.700, 366.506, 366.514, 366.752, 367.080, 367.091, 367.095, 367.097, 367.098, 367.617, 383.009, 468.449, 802.110, 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; repealing ORS 319.665, 383.150 and 825.486; prescribing an effective date; and providing for revenue raising that requires approval by a three-fifths majority.”.

Delete lines 11 through 24 and delete pages 2 through 102 and insert:

“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

1 **or interim committee of the Legislative Assembly.**

2 **“SECTION 2.** ORS 184.620 is amended to read:

3 “184.620. (1) The Department of Transportation shall be under the super-
4 vision of a Director of Transportation **who shall be appointed by and shall**
5 **hold office at the pleasure of the Governor.** [*The Oregon Transportation*
6 *Commission shall appoint the director, after consultation with the Governor.*
7 *The director serves at the pleasure of the commission.*]

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

10 “(3) The director may appoint:

11 “(a) Deputy directors with full authority to act for the director, but sub-
12 ject to the director’s control. The appointment of a deputy director shall be
13 by written order filed with the Secretary of State. A deputy director shall
14 be in the unclassified services for purposes of the State Personnel Relations
15 Law.

16 “(b) All subordinate officers and employees of the department and may
17 prescribe their duties, assignments and reassignments and fix their compen-
18 sation, subject to any applicable provisions of the State Personnel Relations
19 Law.

20 “(4) Subject to the approval of the [*commission*] **Oregon Transportation**
21 **Commission**, the director may organize and reorganize the department as
22 the director considers necessary to properly conduct the work of the de-
23 partment. As directed by the chairperson of the commission, the director
24 shall assign employees of the department to staff the commission.

25 “(5) When service of summons or other process is required by statute to
26 be served on the Director of Transportation, the Department of Transporta-
27 tion or the Oregon Transportation Commission, such service shall be made
28 upon the office of the director.

29 **“SECTION 3.** ORS 184.623 is amended to read:

30 “184.623. (1) The executive appointment of the Director of Transportation

1 by the [*Oregon Transportation Commission*] **Governor** under ORS 184.620 is
2 subject to confirmation by the Senate. Confirmation requires the affirmative
3 vote of a majority of the members of the Senate.

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

7 “(3) The name of the individual to be appointed or reappointed shall be
8 submitted to the Senate by the [*commission*] **Governor** under ORS 184.620.
9 The Senate shall take up the question of confirmation as soon after the
10 convening of a regular or special session as is appropriate. The question of
11 confirmation may be referred to committee or may be acted upon without a
12 referral.

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

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

21 **“(2) The Director of Transportation who is serving on the effective**
22 **date of this 2025 special session Act continues to be governed by ORS**
23 **184.620 as in effect immediately before the effective date of this 2025**
24 **special session Act.**

25 **“SECTION 5. ORS 184.665 is amended to read:**

26 **“184.665. [(1) *The Oregon Transportation Commission shall appoint a Con-***
27 ***tinuous Improvement Advisory Committee composed of members of the com-***
28 ***mission, employees of the Department of Transportation and transportation***
29 ***stakeholders. The committee shall be of such size and representation as the***
30 ***commission determines appropriate.*]**

1 “(1) As used in this section:

2 “(a) ‘Chief engineer’ means the person appointed by the Director
3 of Transportation under ORS 184.628.

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

6 “(2) The Oregon Transportation Commission shall appoint a Con-
7 tinuous Improvement Advisory Committee. The members of the com-
8 mittee shall include, but are not limited to, the following:

9 “(a) Members of the commission;

10 “(b) The Director of Transportation;

11 “(c) The chief engineer;

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

14 “(e) At least one individual with demonstrated knowledge and ex-
15 perience in the application and implementation of the National Envi-
16 ronmental Policy Act.

17 “[2)] (3) The committee shall:

18 “(a) Advise the commission on ways to maximize the efficiency of the
19 Department of Transportation to allow increased investment in the trans-
20 portation system over the short, medium and long term.

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

28 “[3)] (4) The [*committee*] **Continuous Improvement Advisory Com-**
29 **mittee** shall [*periodically*] report **quarterly** to the commission **and to the**
30 **Joint Committee on Transportation**. The reports must include recommen-

1 dations on ways the commission and the department may execute their duties
2 more efficiently.

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

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

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

15 “[(6)] (7) Members of the committee are entitled to compensation and ex-
16 penses as provided under ORS 292.495.

17 **“SECTION 6. The amendments to ORS 184.665 by section 5 of this**
18 **2025 special session Act become operative on January 1, 2026.**

19 **“SECTION 7.** ORS 171.861 is amended to read:

20 **“171.861. (1) As used in this section, ‘major project’ means a trans-**
21 **portation project that costs \$250 million or more to complete.**

22 **“(2) The Joint Committee on Transportation shall:**

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

24 **“(b) Review transportation project expenditures;**

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

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

29 **“(e) Make recommendations related to transportation and appropriation**
30 **of funding to the Joint Committee on Ways and Means during the period**

1 when the Legislative Assembly is in session, or to the Emergency
2 Board or the Joint Interim Committee on Ways and Means during the
3 interim period between sessions.

4 “(3) The Joint Committee on Transportation shall provide general legis-
5 lative oversight of the Department of Transportation and the Oregon De-
6 partment of Aviation.

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

10 **“(2) If a city or county proposes to expand the scope of a highway**
11 **improvement project, but does not provide funding, the city or county**
12 **shall submit the proposed change to the Oregon Transportation Com-**
13 **mission. If the commission approves the proposed change, the com-**
14 **mission shall submit a report to the Joint Committee on**
15 **Transportation that informs the committee about the proposed change**
16 **and cost associated with the expanded scope. After reviewing the re-**
17 **port, the committee may submit recommendations for appropriations**
18 **that may be made in the future to cover the costs of the expanded**
19 **scope of the highway improvement project.**

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

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

25 **“(b) The project costs \$25 million or more and the changes in scope**
26 **the city or county is requesting increase the project costs by five per-**
27 **cent or more.**

28 **“SECTION 9. The Legislative Policy and Research Director shall**
29 **enter into a professional services contract for a performance audit of**
30 **the operations of the Department of Transportation, to include exam-**

1 **ination of:**

2 **“(1) The management of the department; and**

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

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

8 **“SECTION 11. ORS 366.506 is amended to read:**

9 **“366.506. (1) Once every two years, the Oregon Department of Adminis-**
10 **trative Services shall conduct a highway cost allocation study. The purpose**
11 **of the study is to determine:**

12 **“(a) The proportionate share that the users of each class of vehicle should**
13 **pay for the costs of maintenance, operation and improvement of the high-**
14 **ways, roads and streets in the state; and**

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

16 **“(2) Each study must include:**

17 **“(a) An examination of the most recent study period for which actual data**
18 **are available for the purpose of determining the accuracy of the most re-**
19 **cently published study results; and**

20 **“(b) An examination of the prospective study period based on projected**
21 **data for the purpose described in subsection (1) of this section **that incor-****
22 **porates the results of the examination described in paragraph (a) of**
23 **this subsection.**

24 **“(3) The department may use any study design the department determines**
25 **will best accomplish the purposes stated in subsection (1) of this section. In**
26 **designing the study, the department may make decisions that include, but**
27 **are not limited to, the methodology to be used for the study, what constitutes**
28 **a class of vehicle for purposes of collection of data under subsections (1) to**
29 **(5) of this section and the nature and scope of costs that will be included in**
30 **the study.**

1 “(4) The department may appoint a study review team to participate in
2 the study required by subsection (1) of this section. The team may perform
3 any functions assigned by the department, including, but not limited to,
4 consulting on the design of the study.

5 “(5) A report on the results of the study shall be submitted to the legis-
6 lative revenue committees and the Joint Committee on Transportation by
7 January 31 of each odd-numbered year.

8 “(6) The Legislative Assembly shall use the report described in subsection
9 (5) of this section to determine whether adjustments to revenue sources de-
10 scribed in Article IX, section 3a (3), of the Oregon Constitution, are needed
11 in order to carry out the purposes of Article IX, section 3a (3), of the Oregon
12 Constitution. If such adjustments are needed, the Legislative Assembly shall
13 enact whatever measures are necessary to make the adjustments.

14 “**NOTE:** Sections 12 and 13 were deleted by amendment. Subsequent
15 sections were not renumbered.

16 “**SECTION 14. (1) In consultation with the study review team de-**
17 **scribed in ORS 366.506, the Oregon Department of Administrative**
18 **Services shall undertake a review of the methodology for the highway**
19 **cost allocation study required under ORS 366.506.**

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

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

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

26 “(c) What constitutes a class of vehicle;

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

28 “(e) The level of granularity to which cost responsibility is calcu-
29 lated for potential rate changes; and

30 “(f) Whether equity should be analyzed based on an estimate of the

1 future biennium’s revenue and expenditures or a retrospective analysis
2 of past actual revenue and expenditures.

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

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

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

12 13 “HIGHWAY FUNDING 14

15 “SECTION 16. (1) As used in this section, ‘highway’ has the mean-
16 ing given that term in ORS 366.005.

17 “(2) To improve, repair, maintain, preserve and operate the high-
18 ways in this state, the Department of Transportation may use any of
19 the following:

20 “(a) Moneys from the privilege tax imposed under ORS 320.405 and
21 in the Zero-Emission Incentive Fund established under ORS 468.449
22 and the Connect Oregon Fund established under ORS 367.080.

23 “(b) Moneys in the Multimodal Active Transportation Fund estab-
24 lished under ORS 367.091.

25 “(c) Moneys in the Passenger Rail Transportation Account estab-
26 lished under ORS 802.100.

27 “(d) Moneys received from the tax imposed under ORS 320.550 in the
28 Statewide Transportation Improvement Fund established under ORS
29 184.751.

30 “(e) Moneys in the Department of Transportation Operating Fund

1 **established under ORS 184.642.**

2 **“SECTION 17.** ORS 468.449, as amended by section 11, chapter 82, Oregon
3 Laws 2024, is amended to read:

4 “468.449. (1) The Zero-Emission Incentive Fund is established in the State
5 Treasury, separate and distinct from the General Fund. Interest earned by
6 the Zero-Emission Incentive Fund shall be credited to the fund.

7 “(2) Moneys in the Zero-Emission Incentive Fund shall consist of:

8 “(a) Amounts donated to the fund;

9 “(b) Amounts transferred to the fund by the Department of Revenue under
10 ORS 320.435;

11 “(c) Amounts appropriated or otherwise transferred to the fund by the
12 Legislative Assembly;

13 “(d) Other amounts deposited in the fund from any public or private
14 source; and

15 “(e) Interest earned by the fund.

16 “(3) The Department of Environmental Quality shall encourage gifts,
17 grants, donations or other contributions to the fund.

18 “(4) Moneys in the fund are continuously appropriated to the department
19 to be used to carry out the provisions of ORS 468.442 to 468.449 **and, upon**
20 **written request of the Department of Transportation, transferred to**
21 **the State Highway Fund to be used for the purposes described in sec-**
22 **tion 16 of this 2025 special session Act.**

23 “(5)(a) No more than 10 percent of the moneys deposited in the fund per
24 biennium may be expended to pay administrative expenses incurred in the
25 administration of ORS 468.442 to 468.449 by:

26 “(A) The Department **of Environmental Quality**; and

27 “(B) Any third-party organization that the department hires or contracts
28 with under ORS 468.444 and 468.446.

29 “(b) As used in this subsection, ‘administrative expenses’ does not include
30 expenses incurred by the department or third-party organizations in:

1 “(A) Conducting community outreach under ORS 468.446 (14); or

2 “(B) Otherwise engaging in efforts to promote transportation
3 electrification through participation in the programs established under ORS
4 468.444 and 468.446.

5 “(6)[(a)] The Environmental Quality Commission may adopt by rule pro-
6 visions for the allocation of moneys deposited in the fund between the pro-
7 grams established under ORS 468.444 and 468.446.

8 “[*(b) Rules adopted under this subsection must require that at least 20*
9 *percent of the moneys deposited in the fund per biennium are allocated to fund*
10 *the provision of rebates through the Charge Ahead Oregon Program estab-*
11 *lished under ORS 468.446.*]

12 “[*(c) The amount required to be allocated under paragraph (b) of this sub-*
13 *section in any biennium shall be reduced, but not below zero, by the amount*
14 *deposited from any other source in the Charge Ahead Zero-Emission Incentive*
15 *Fund established under section 13, chapter 82, Oregon Laws 2024.*]

16 **“SECTION 18.** ORS 367.080 is amended to read:

17 “367.080. (1) As used in ORS 367.080 to 367.086:

18 “(a) ‘Private entity’ means any entity that is not a public body, including
19 but not limited to a corporation, partnership, company, nonprofit organiza-
20 tion or other legal entity or natural person.

21 “(b) ‘Public body’ has the meaning given that term in ORS 174.109.

22 “(c)(A) ‘Transportation project’ means a project or undertaking for rail,
23 marine or aviation capital infrastructure, including bridges, or a project that
24 facilitates the transportation of materials, animals or people.

25 “(B) A transportation project does not include costs associated with op-
26 erating expenses.

27 “(2) The Connect Oregon Fund is established in the State Treasury, sep-
28 arate and distinct from the General Fund. Earnings on moneys in the Con-
29 nect Oregon Fund shall be deposited into the fund. Moneys in the Connect
30 Oregon Fund are continuously appropriated to the Department of Transpor-

1 tation for the purposes described in subsection (3) of this section and in ORS
2 367.086 **and section 16 of this 2025 special session Act.** The fund consists
3 of the following:

4 “(a) Moneys transferred to the fund under ORS 320.435.

5 “(b) Moneys appropriated to the fund by the Legislative Assembly.

6 “(c) Earnings on moneys in the fund.

7 “(d) Lottery bond proceeds.

8 “(e) Moneys from any other source.

9 “(3) The department shall use moneys in the Connect Oregon Fund to
10 provide grants for transportation projects as provided in ORS 367.080 to
11 367.086. Grants may be provided only for projects that involve one or more
12 of the following modes of transportation:

13 “(a) Aviation;

14 “(b) Marine; and

15 “(c) Rail.

16 **“SECTION 19.** ORS 367.091 is amended to read:

17 “367.091. (1) As used in this section and ORS 367.093:

18 “(a) ‘Private entity’ means any entity that is not a public body, including
19 but not limited to a corporation, partnership, company, nonprofit organiza-
20 tion or other legal entity or natural person.

21 “(b) ‘Public body’ has the meaning given that term in ORS 174.109.

22 “(c) ‘Transportation project’ means a project or undertaking for bicycle
23 and pedestrian capital infrastructure, including bridges, paths and ways. A
24 transportation project does not include costs associated with operating ex-
25 penses or the purchase of bicycles.

26 “(2) The Multimodal Active Transportation Fund is established in the
27 State Treasury, separate and distinct from the General Fund. Earnings on
28 moneys in the Multimodal Active Transportation Fund shall be deposited
29 into the fund. Moneys in the fund are continuously appropriated to the De-
30 partment of Transportation for the purposes described in subsection (3) of

1 this section and in ORS 367.093. The fund consists of the following:

2 “(a) Moneys transferred to the fund under ORS 320.440.

3 “(b) Moneys transferred to the fund under ORS 367.081.

4 “(c) Moneys appropriated to the fund by the Legislative Assembly.

5 “(d) Earnings on moneys in the fund.

6 “(e) Moneys from any other source.

7 “(3) The department shall use moneys in the fund to award grants for
8 bicycle and pedestrian transportation projects as provided in ORS 367.093
9 **and to carry out the purposes described in section 16 of this 2025 spe-**
10 **cial session Act.**

11 **“SECTION 20.** ORS 802.110 is amended to read:

12 “802.110. Any procedures the Department of Transportation establishes for
13 financial administration of those functions of the department dealing with
14 driver and motor vehicle services and for the disposition and payment of
15 moneys it receives from the provision of driver and motor vehicle services
16 shall comply with all of the following:

17 “(1) The department shall deposit all moneys it receives related to driver
18 and motor vehicle services in the Department of Transportation Driver and
19 Motor Vehicle Suspense Account for approved expenses and disbursements before
20 payment of general administrative expenses of the department related to the
21 provision of driver and motor vehicle services. Notwithstanding this sub-
22 section, the department may return a bank check or money order when re-
23 ceived in incorrect or incomplete form or when not accompanied by the
24 proper application.

25 “(2) The department shall pay the following approved expenses and dis-
26 bursals from the Department of Transportation Driver and Motor Vehicle
27 Suspense Account before payment of the general administrative expenses of
28 the department related to driver and motor vehicle services:

29 “(a) Refunds authorized by any statute administered by the department
30 when such refunds are approved by the department.

1 “(b) Amounts transferred to the State Treasurer under ORS 319.410 (2) for
2 the purpose of carrying out the state aviation laws, amounts transferred to
3 the Boating Safety, Law Enforcement and Facility Account and to the Ma-
4 rine Navigation Improvement Fund by ORS 319.415, amounts transferred to
5 the State Aviation Account by ORS 319.417 and amounts transferred to the
6 Department of Transportation Operating Fund by ORS 184.643.

7 “(c) After deduction of expenses of collection, transfer and administration,
8 the department shall pay moneys collected from the Student Driver Training
9 Fund eligibility fee under ORS 807.040, 807.150 and 807.370 to the State
10 Treasurer for deposit in the Student Driver Training Fund. The moneys de-
11 posited in the Student Driver Training Fund under this paragraph are con-
12 tinuously appropriated to the department for the following purposes:

13 “(A) To the extent of not more than 10 percent of the amount transferred
14 into the Student Driver Training Fund in any biennium, to pay the expenses
15 of administering ORS 336.795, 336.800, 336.805, 336.810 (2) and 336.815.

16 “(B) The remaining moneys, for reimbursing school districts and com-
17 mercial driver training schools as provided under ORS 336.805.

18 “(d) After deduction of expenses of collection, transfer and administration,
19 the department shall pay moneys collected for the Motorcycle Safety Subac-
20 count under ORS 807.170 to the State Treasurer for deposit in the Motorcycle
21 Safety Subaccount of the Transportation Safety Account. Moneys paid to the
22 State Treasurer under this paragraph shall be used for the purpose of ORS
23 802.320.

24 “(e) After deduction of expenses for the administration of the issuance of
25 customized registration plates under ORS 805.240, the department shall place
26 moneys received from the sale of customized registration plates in the Pas-
27 senger Rail Transportation Account. The moneys placed in the account are
28 continuously appropriated to the department and shall be used for the pay-
29 ment of expenses incurred in administering passenger rail programs **and for**
30 **the purposes described in section 16 of this 2025 special session Act.**

1 “(f) After deduction of expenses of collection, transfer and administration,
2 the department shall pay moneys from any registration fees established by
3 the governing bodies of counties or a district, as defined in ORS 801.237,
4 under ORS 801.041 or 801.042 to the appropriate counties or districts. The
5 department shall make the payments on at least a monthly basis unless an-
6 other basis is established by the intergovernmental agreements required by
7 ORS 801.041 and 801.042 between the department and the governing bodies
8 of a county or a district.

9 “(g) After deducting the expenses of the department in collecting and
10 transferring the moneys, the department shall make disbursements and payments
11 of moneys collected for or dedicated to any other purpose or fund except the
12 State Highway Fund, including but not limited to, payments to the Depart-
13 ment of Transportation Operating Fund established by ORS 184.642 (1) and
14 (2).

15 “(3) The department shall refund from the Department of Transportation
16 Driver and Motor Vehicle Suspense Account any excess or erroneous pay-
17 ment to a person who made the payment or to the person’s legal represen-
18 tative when the department determines that money has been received by it
19 in excess of the amount legally due and payable or that it has received
20 money in which it has no legal interest. Refunds payable under this sub-
21 section are continuously appropriated for such purposes in the manner for
22 payment of refunds under this section. If the department determines that a
23 refund is due, the department may refund the amount of excess or erroneous
24 payment without a claim being filed. Except as provided in ORS 319.290,
25 319.375, 319.820 and 319.831, any claim for a refund from the department must
26 be filed within 12 months after the date payment is received by the depart-
27 ment.

28 “(4) After payment of those expenses and disbursements approved for payment
29 before general administrative expenses related to the provision of driver and
30 motor vehicle services, the department shall pay from the Department of

1 Transportation Driver and Motor Vehicle Services Administrative Account
2 its general administrative expenses incurred in the administration of any law
3 related to driver and motor vehicle services that the department is charged
4 with administering and any other expenses the department is permitted by
5 law to pay from moneys held by the department before transfer of the moneys
6 to the State Highway Fund. The following limitations apply to payments of
7 administrative expenses under this subsection:

8 “(a) The department shall make payment of the expenses of administering
9 the issuance of winter recreation parking permits under ORS 811.595 from
10 those moneys received from issuing the permits.

11 “(b) The department shall pay its expenses for administering the regis-
12 tration and titling of snowmobiles under ORS 821.060 and 821.100 from the
13 fees collected from administering those sections. The department shall also
14 pay its expenses for the administration of the snowmobile driver permit
15 program under ORS 821.160 from the moneys otherwise described in this
16 paragraph.

17 “(c) The department shall pay its expenses for determining the amount
18 of money to be withheld under ORS 802.120 from the fees collected for ad-
19 ministering the registration and titling of snowmobiles. The amount used to
20 pay expenses under this paragraph shall be such sum as necessary but may
21 not exceed \$10,000 during each biennium.

22 “(d) The department shall retain not more than \$15,000 in any biennium
23 for the expenses of collecting and transferring moneys to the Student Driver
24 Training Fund under this section and for the administration of ORS 336.810
25 (3).

26 “(5) Except as otherwise provided in this subsection, the department shall
27 transfer to the State Highway Fund the moneys not used for payment of the
28 general administrative expenses or for approved expenses and disbursements be-
29 fore payment of general administrative expenses. The following apply to this
30 subsection:

1 “(a) If the Director of Transportation certifies the amount of principal
2 or interest of highway bonds due on any particular date, the department may
3 make available for the payment of such interest or principal any sums that
4 may be necessary to the extent of moneys on hand available for the State
5 Highway Fund regardless of the dates otherwise specified under this section.

6 “(b) Notwithstanding paragraph (a) of this subsection, the department
7 may not make available for purposes described in paragraph (a) of this sub-
8 section any moneys described in ORS 367.605 when there are not sufficient
9 amounts of such moneys in the State Highway Fund for purposes of bonds
10 issued under ORS 367.615.

11 “(6) Notwithstanding any other provision of this section, the following
12 moneys shall be transferred to the State Highway Fund at the times de-
13 scribed:

14 “(a) Moneys received under ORS 802.120 and not used for the payment of
15 administrative expenses of the department shall be transferred before July
16 31 of each year.

17 “(b) Moneys received from the registration of snowmobiles that are not
18 to be used for payment of administrative expenses of the department shall
19 be transferred within 30 days after the end of the quarter.

20 “(c) Moneys received from the issuance of winter recreation parking per-
21 mits that are not used for payment of administrative expenses of the de-
22 partment shall be transferred within 30 days after the end of the quarter.

23 “(7) The following moneys transferred to the State Highway Fund under
24 this section may be used only for the purposes described as follows:

25 “(a) Moneys collected from the issuance of winter recreation parking
26 permits, and the interest on such moneys, shall be used to enforce the re-
27 quirement for winter recreation parking permits and to remove snow from
28 winter recreation parking locations designated under ORS 810.170. Any re-
29 maining moneys shall, upon approval by the Winter Recreation Advisory
30 Committee:

1 “(A) Be used to maintain parking locations developed with moneys ob-
2 tained under ORS 810.170 and snowmobile facilities that are parking lots
3 developed with moneys as provided under this section;

4 “(B) Be used to develop additional winter recreation parking locations
5 under ORS 810.170; or

6 “(C) Be carried over to be used in subsequent years for the purposes and
7 in the manner described in this paragraph.

8 “(b) Moneys received from the registration of snowmobiles or under ORS
9 802.120 may be used for development and maintenance of multiuse trails
10 within urban growth boundaries or for the development and maintenance of
11 snowmobile facilities, including the acquisition of land therefor by any
12 means other than the exercise of eminent domain. Moneys received under
13 ORS 802.120 may also be used for the enforcement of ORS 811.590, 821.100 to
14 821.120, 821.140, 821.150, 821.190, 821.210 and 821.240 to 821.290.

15 “(8) The department shall maintain the Revolving Account for Emergency
16 Cash Advances separate from other moneys described in this section. From
17 the account, the department may pay for the taking up of dishonored remit-
18 tances returned by banks or the State Treasurer and for emergency cash
19 advances to be subsequently reimbursed. The account shall be used only as
20 a revolving fund. The department shall at all times be accountable for the
21 amount of the account, either in cash or unreimbursed items and advances.
22 The moneys in the account are continuously appropriated for the purposes
23 of this subsection. The amount of moneys in the account under this sub-
24 section may not exceed \$40,000 from moneys received by the department in
25 the performance of its driver and motor vehicle services functions and mon-
26 eys otherwise appropriated for purposes of this subsection. The account un-
27 der this subsection shall be kept on deposit with the State Treasurer. The
28 State Treasurer is authorized to honor and pay all properly signed and
29 indorsed checks or warrants drawn against the account.

30 **“SECTION 21.** ORS 184.751 is amended to read:

1 “184.751. (1) The Statewide Transportation Improvement Fund is estab-
2 lished in the State Treasury, separate and distinct from the General Fund.
3 Interest earned by the Statewide Transportation Improvement Fund shall be
4 credited to the fund. Moneys in the fund are continuously appropriated to
5 the Department of Transportation to finance investments and
6 improvements, [or] to maintain existing public transportation services, [ex-
7 cept that the moneys may not be used for light rail capital expenses but may
8 be used] **to pay for light rail operation expenses[.] and to carry out the**
9 **purposes of section 16 of this 2025 special session Act. The moneys may**
10 **not be used for light rail capital expenses.**

11 “(2) The Statewide Transportation Improvement Fund consists of:

12 “(a) All moneys received from the tax imposed under ORS 320.550;

13 “(b) Moneys appropriated or otherwise transferred to the fund by the
14 Legislative Assembly;

15 “(c) Moneys transferred to the fund under ORS [184.642,] 323.455 or
16 323.457 (1)(d) and (2)(b);

17 “(d) Distribution repayments, if any; and

18 “(e) Other moneys deposited in the fund from any source.

19 “(3) Unless approved by the department, the moneys in the Statewide
20 Transportation Improvement Fund may not be used to supplant local and
21 regional agency moneys currently directed to public transportation service
22 providers.

23 **“SECTION 22.** ORS 366.514 is amended to read:

24 “366.514. (1) Out of the funds received by the Department of Transporta-
25 tion or by any county or city from the State Highway Fund reasonable
26 amounts [shall] **may** be expended as necessary to provide footpaths and bi-
27 cycle trails, including curb cuts or ramps as part of the project. Footpaths
28 and bicycle trails, including curb cuts or ramps as part of the project,
29 [shall] **may** be provided wherever a highway, road or street is being con-
30 structed, reconstructed or relocated. Funds received from the State Highway

1 Fund may also be expended to maintain footpaths and trails and to provide
2 footpaths and trails along other highways, roads and streets.

3 *“(2) Footpaths and trails are not required to be established under sub-
4 section (1) of this section:]*

5 *“(a) Where the establishment of such paths and trails would be contrary
6 to public safety;]*

7 *“(b) If the cost of establishing such paths and trails would be excessively
8 disproportionate to the need or probable use; or]*

9 *“(c) Where sparsity of population, other available ways or other factors
10 indicate an absence of any need for such paths and trails.]*

11 *“(3) The amount expended by the department or by a city or county as re-
12 quired or permitted by this section shall never in any one fiscal year be less
13 than one percent of the total amount of the funds received from the highway
14 fund. However:]*

15 *“(a) This subsection does not apply to a city in any year in which the one
16 percent equals \$250 or less, or to a county in any year in which the one percent
17 equals \$1,500 or less.]*

18 *“(b) A city or county in lieu of expending the funds each year may credit
19 the funds to a financial reserve fund in accordance with ORS 294.346, to be
20 held for not more than 10 years, and to be expended for the purposes required
21 or permitted by this section.]*

22 *“(c) For purposes of computing amounts expended during a fiscal year
23 under this subsection, the department, a city or county may record the money
24 as expended:]*

25 *“(A) On the date actual construction of the facility is commenced if the
26 facility is constructed by the city, county or department itself; or]*

27 *“(B) On the date a contract for the construction of the facilities is entered
28 with a private contractor or with any other governmental body.]*

29 **“(2) Footpaths and trails may not be established under this section**
30 **where the establishment of such paths and trails would be contrary**

1 **to public safety.**

2 “[(4)] (3) For the purposes of this chapter, the establishment of paths,
3 trails and curb cuts or ramps and the expenditure of funds as authorized by
4 this section are for highway, road and street purposes. The department shall,
5 when requested, provide technical assistance and advice to cities and coun-
6 ties in carrying out the purpose of this section. The department shall re-
7 commend construction standards for footpaths and bicycle trails. Curb cuts
8 or ramps shall comply with the requirements of ORS 447.310 and rules
9 adopted under ORS 447.231. The department shall, in the manner prescribed
10 for marking highways under ORS 810.200, provide a uniform system of sign-
11 ing footpaths and bicycle trails which shall apply to paths and trails under
12 the jurisdiction of the department and cities and counties. The department
13 and cities and counties may restrict the use of footpaths and bicycle trails
14 under their respective jurisdictions to pedestrians and nonmotorized vehicles,
15 except that motorized wheelchairs shall be allowed to use footpaths and bi-
16 cycle trails.

17 “[(5)] (4) As used in this section, ‘bicycle trail’ means a publicly owned
18 and maintained lane or way designated and signed for use as a bicycle route.

19 **“SECTION 22a.** ORS 184.642 is amended to read:

20 “184.642. (1) The Department of Transportation Operating Fund is estab-
21 lished in the State Treasury separate and distinct from the General Fund and
22 separate and distinct from the State Highway Fund. Except as otherwise
23 provided in subsection (3)(e) of this section, moneys in the Department of
24 Transportation Operating Fund are continuously appropriated to the De-
25 partment of Transportation to pay expenses of the department that are in-
26 curred in the performance of functions the department is statutorily required
27 or authorized to perform [*and that may not constitutionally be paid from*
28 *revenues described in section 3a, Article IX of the Oregon Constitution*].

29 “(2) The operating fund shall consist of the following:

30 “(a) Taxes paid on motor vehicle fuels or on the use of fuel in a motor

1 vehicle for which a person is entitled to a refund under a provision described
2 in this paragraph but for which no refund is claimed, in amounts determined
3 under ORS 184.643. This paragraph applies to refund entitlements described
4 in ORS 319.280 (1)(a) and (e), 319.320 (1)(a) and 319.831 (1)(b).

5 “(b) Fees collected under ORS 822.700 for issuance or renewal of:

6 “(A) Dismantler certificates;

7 “(B) Vehicle dealer certificates;

8 “(C) Show licenses;

9 “(D) Vehicle transporter certificates;

10 “(E) Driver training instructor certificates;

11 “(F) Commercial driver training school certificates; and

12 “(G) Vehicle appraiser certificates.

13 “(c) Late fees collected under ORS 822.700.

14 “(d) Fees collected under ORS 822.705.

15 “(e) Moneys from civil penalties imposed under ORS 822.009.

16 “(f) Fees collected under ORS 807.410 for identification cards.

17 “(g) Fees collected by the department for issuance of permits to engage
18 in activities described in ORS 374.302 to 374.334 that are not directly con-
19 nected to the construction, reconstruction, improvement, repair, mainte-
20 nance, operation and use of a [*public*] highway[, *road*, *street*] or roadside rest
21 area.

22 “(h) Fees collected under ORS 835.017 for services provided to the Oregon
23 Department of Aviation.

24 “(i) Interest and other earnings on moneys in the operating fund.

25 “(3) Moneys in the Department of Transportation Operating Fund estab-
26 lished by subsections (1) and (2) of this section may be spent [*only*] as fol-
27 lows:

28 “(a) Taxes described in subsection (2)(a) of this section may be used only
29 for payment of expenses of the Department of Transportation that:

30 “[*(A) May not constitutionally be paid from revenues described in section*”

1 *3a, Article IX of the Oregon Constitution;*

2 “[*(B)*] **(A)** Are incurred in the performance of functions the department
3 is statutorily required or authorized to perform; and

4 “[*(C)*] **(B)** Are not payable from moneys described in paragraphs (b) to (e)
5 of this subsection.

6 “(b) Fees collected under subsection (2)(b) of this section may be used
7 only to carry out the regulatory functions of the department relating to the
8 businesses that generate the fees.

9 “(c) Fees collected under ORS 822.705 may be used only for the purposes
10 described in ORS 822.705.

11 “(d) Moneys collected from civil penalties imposed under ORS 822.009 may
12 be used only for regulation of vehicle dealers.

13 “(e) Moneys collected under ORS 807.410 from fees for identification cards
14 shall be used first to pay the expenses of the department for performing the
15 functions of the department relating to identification cards. After paying the
16 expenses related to identification cards, the department shall transfer the
17 remaining moneys collected under ORS 807.410 to the [*Statewide Transpor-*
18 *tation Improvement Fund established in ORS 184.751*] **State Highway**
19 **Fund.**

20 “(f) Moneys from the permits described in subsection (2)(g) of this section
21 may be used for costs of issuing the permits and monitoring the activities
22 that generate the fees.

23 “**(g) On the improvement, repair, maintenance, preservation and**
24 **operation of highways.**

25 “[*(g)*] **(h)** Moneys from interest and other earnings on moneys in the op-
26 erating fund may be used for any purpose for which other moneys in the fund
27 may be used.

28 “**(4) As used in this section, ‘highway’ has the meaning given that**
29 **term in ORS 366.005.**

30 “**SECTION 22b.** ORS 366.752 is amended to read:

1 “366.752. (1) The following moneys shall be allocated as described in sub-
2 sections (2) and (3) of this section:

3 “(a) The amount attributable to the fee increases by the amendments to
4 ORS 803.090 by section 42, chapter 865, Oregon Laws 2009.

5 “(b) The amount attributable to the fee increases by the amendments to
6 ORS 803.420 by section 43, chapter 865, Oregon Laws 2009.

7 “(c) The amount attributable to the fee increases by the amendments to
8 ORS 803.420 by section 43a, chapter 865, Oregon Laws 2009.

9 “(d) The amount attributable to the fee increases by the amendments to
10 ORS 803.570 by section 44, chapter 865, Oregon Laws 2009.

11 “(e) The amount attributable to the fee increase by the amendments to
12 ORS 803.645 by section 44a, chapter 865, Oregon Laws 2009.

13 “(f) The amount attributable to the increase in fees and tax rates by the
14 amendments to ORS 319.020, 319.530, 818.225, 825.476 and 825.480 by sections
15 48, 49 and 51 to 53, chapter 865, Oregon Laws 2009.

16 “(2) The moneys described in subsection (1) of this section shall be allo-
17 cated first in an amount of \$24 million per year in monthly installments to
18 the Department of Transportation for the purposes described in the long-
19 range plan developed pursuant to ORS 184.617. The remainder of the moneys
20 shall be allocated as provided in subsection (3) of this section.

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

24 “(a) 50 percent to the Department of Transportation.

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

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

27 “[(4) *Except as provided in subsection (5) of this section, the moneys de-*
28 *scribed in subsection (3)(a) of this section or equivalent amounts that become*
29 *available to the Department of Transportation shall be allocated as follows:]*

30 “[(a) *33 percent for maintenance, preservation and safety of highways.]*

1 “(b) 15.75 percent for the state modernization program for highways as
2 described in ORS 366.507.]

3 “(c) 51.25 percent for the purposes described in ORS 367.620 (3)(c) and
4 section 64, chapter 865, Oregon Laws 2009.]

5 “[(5)] (4) The moneys [allocated in subsection (4) of] **described in** this
6 section may be used to secure and pay bond debt service on Highway User
7 Tax Bonds under ORS 367.615.

8 “[(6)] (5) For the purposes of this section:

9 “(a) ‘Bond’ has the meaning given that term in ORS 367.010.

10 “(b) ‘Bond debt service’ has the meaning given that term in ORS 367.010.

11 **“SECTION 22c.** ORS 367.617 is amended to read:

12 “367.617. (1) As used in this section:

13 “(a) ‘Bond’ has the meaning given that term in ORS 367.010.

14 “(b) ‘Bond debt service’ has the meaning given that term in ORS 367.010.

15 “(2) On each January 1, April 1, July 1 and October 1, and on the date
16 of issuance of any Highway User Tax Bonds described in ORS 367.620 (3)(c),
17 the Department of Transportation shall determine:

18 “(a) The amount of Highway User Tax Bonds described in ORS 367.620
19 (3)(c) that are outstanding;

20 “(b) The amount reasonably estimated, as set forth in subsection (4) of
21 this section, as being necessary to pay bond debt service on the outstanding
22 Highway User Tax Bonds described in ORS 367.620 (3)(c); and

23 “(c) The amount of moneys allocated to the department under ORS 366.752
24 that is not required to pay bond debt service on the outstanding Highway
25 User Tax Bonds described in ORS 367.620 (3)(c). The department shall deposit
26 the amount into the Transportation Project Account established under ORS
27 366.523.

28 “(3) The amount of moneys determined by the department under sub-
29 section (2)(c) of this section may be allocated by the Oregon Transportation
30 Commission pursuant to a request of the department, in an amount that does

not exceed the amount determined by the department, under subsection (2)(c) of this section, to the following projects in the following order of priority:

“(a) The amount established for projects listed in section 64, chapter 865, Oregon Laws 2009;

“(b) \$15 million each year for maintenance, preservation and safety of the highways [so long as the amount reasonably estimated by the department pursuant to subsection (2)(b) of this section is not greater than the amount received by the department under ORS 366.752 (4)(c)]; and

“(c) For any other purposes determined by the commission.

“(4) To reasonably estimate the amount necessary to pay bond debt service on Highway User Tax Bonds described in ORS 367.620 (3)(c), the department shall include in its computation:

“(a) For fixed rate bonds, the bond debt service payments due on the bonds in the calendar quarter; and

“(b) For variable rate bonds, bond debt service payments due on the bonds in the calendar quarter, with interest computed at the maximum rate of interest as set forth in the bond declaration or bond indenture executed by the department pursuant to ORS 367.630 and 367.640.

“REPEAL OF TOLL PROGRAM

“SECTION 23. ORS 383.150 is repealed.

“SECTION 24. 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.

1 “(c) The amount attributable to the increase in taxes and fees by the
2 amendments to ORS 803.420, 803.645, 818.225, 825.476, 825.480 and 826.023 by
3 sections 34, 35, 48, 49, 51, 52, 63, 64, 66, 67 and 70, chapter 750, Oregon Laws
4 2017.

5 “(2) The amounts described in subsection (1) of this section shall be dis-
6 tributed in the following order and for the following purposes:

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

8 “(i) The Interstate 5 Rose Quarter Project;

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

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

13 “[*iv*] *The implementation of the toll program established under ORS*
14 *383.150*].

15 “(B) The amount described in subparagraph (A) of this paragraph shall
16 be used to pay for costs, including project costs on a current basis and pay-
17 ing for debt service on bonds issued to finance the projects [*or toll*
18 *program*], only until the later of the date on which the projects [*or toll pro-*
19 *gram is*] **are** completed or on which all bonds issued to fund the projects
20 [*or toll program*] have been repaid. Any remaining moneys shall be distrib-
21 uted as described in subsection (3) of this section.

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

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

29 “(a) 50 percent to the Department of Transportation.

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

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

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

5 “[*(a) \$10 million for safety.*]

6 “[*(b) Of the remaining balance:*]

7 “[*(A) Forty percent for bridges.*]

8 “[*(B) Thirty percent for seismic improvements related to highways and*
9 *bridges.*]

10 “[*(C) Twenty-four percent for state highway pavement preservation and*
11 *culverts.*]

12 “[*(D) Six percent for state highway maintenance and safety*
13 *improvements.*]

14 “**SECTION 24a.** ORS 367.097 is amended to read:

15 “367.097. [*(1) Notwithstanding ORS 367.095 (4),*] The Department of
16 Transportation may use amounts available under ORS 367.095 to secure and
17 pay bond debt service on Highway User Tax Bonds under ORS 367.615.

18 “[*(2) Any amounts remaining after the payment of debt service shall be used*
19 *as described in ORS 367.095 (4).*]

20 “**SECTION 24b.** ORS 367.098 is amended to read:

21 “367.098. (1) Each year, the Department of Transportation shall determine
22 the amount of funding allocated under ORS 367.095 [*(4)(b)*] **(3)(a) to the**
23 **department** that is necessary to fund:

24 “(a) Transportation projects specified by the Legislative Assembly by law;

25 “(b) The matching moneys needed to spend federal funds;

26 “(c) Highway maintenance activities;

27 “(d) Programs that are more efficient to operate using state moneys; and

28 “(e) Other purposes for which federal funds cannot be used.

29 “(2) From state moneys described under ORS 367.095 [*(4)(b)*] **(3)(a)** re-
30 maining after setting aside the funds necessary to meet the purposes de-

scribed in subsection (1) of this section, the department shall allocate to local governments \$35 million per year.

“(3) The department shall replace any state funds made available to local governments under subsection (2) of this section with federal surface transportation funding on a dollar for dollar basis.

“(4)(a) The department shall allocate the state moneys described [*in ORS 367.095 (4)(b)*] under subsection (2) of this section to the following:

“(A) Counties;

“(B) Cities with a population of 5,000 or more and located outside the boundaries of a metropolitan planning organization, as defined in ORS 197.629;

“(C) Metropolitan planning organizations in urbanized areas with a population of less than 200,000;

“(D) The League of Oregon Cities; or

“(E) The Association of Oregon Counties.

“(b) Moneys allocated under this subsection shall be used solely for uses that are consistent with Article IX, section 3a, of the Oregon Constitution.

“(c) The distribution of moneys under this subsection shall be:

“(A) Determined by agreement between the department, the League of Oregon Cities and the Association of Oregon Counties; and

“(B) Provided to recipients through guidelines developed by the department.

“(5) If less than \$35 million of state moneys is allocated to local governments under subsection (2) of this section in a year, the department shall, to the extent possible, allocate, under subsection (4) of this section, federal surface transportation funding in an amount equal to the difference between \$35 million and the amount of state moneys allocated to local governments under subsection (2) of this section.

“(6) The department may adopt rules to carry out the provisions of this section.

1 **SECTION 25.** ORS 184.659 is amended to read:

2 “184.659. (1) As used in this section, ‘transportation project’ means a
3 project:

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

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

8 “(2) As a part of the project scoping phase, the Department of Transpor-
9 tation shall prepare a written analysis of the costs and benefits of a trans-
10 portation project. The analysis must state:

11 “(a) The scope of the project;

12 “(b) The period of analysis;

13 “(c) The discount rate used in the analysis;

14 “(d) The estimated costs to the department to undertake the project, in-
15 cluding any costs for design, purchasing highway right-of-way and con-
16 struction;

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

19 “(f) Any other costs to the department;

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

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

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

26 “(A) Savings in the time of travel;

27 “(B) Improvements to safety;

28 “(C) Savings in the cost of operating vehicles; and

29 “(D) Other social, economic or environmental benefits of the project.

30 “(3) The analysis required by this section:

1 “(a) Must include a discussion of increases in costs that would result from
2 delays in the performance of routine maintenance scheduled by the depart-
3 ment;

4 “(b) May include a discussion of:

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

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

9 “(c) Must be prepared in a format that allows for the comparison of pro-
10 posed transportation projects.

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

14 “(5) This section does not apply to transportation projects listed in ORS
15 367.095 [or 383.150] or section 71d or 71f, chapter 750, Oregon Laws 2017.

16 **“SECTION 26.** ORS 383.009 is amended to read:

17 “383.009. (1) There is hereby established the Toll Program Fund as a sep-
18 arate and distinct fund from the State Highway Fund. The Toll Program
19 Fund shall consist of:

20 “(a) All moneys and revenues received by the Department of Transporta-
21 tion from or made available by the federal government to the department for
22 any tollway project or for the operation or maintenance of any tollway;

23 “(b) Any moneys received by the department from any other unit of gov-
24 ernment or any private entity for a tollway project or from the operation or
25 maintenance of any tollway;

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

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

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

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

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

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

12 “(i) All civil penalties and administrative fees paid to the department
13 from the enforcement of tolls;

14 “(j) Fees paid to the department for information provided under ORS
15 383.075;

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

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

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

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

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

26 “(c) To finance the construction, renovation, operation, improvement,
27 maintenance or repair of any tollway project;

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

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

30 “(f) To pay the principal, interest and premium due with respect to, and

1 to pay the costs connected with the issuance or ongoing administration of,
2 any bonds or other financial obligations authorized to be issued by, or the
3 proceeds of which are received by, the department for any tollway project,
4 including capitalized interest and any rebates or penalties due to the United
5 States in connection with the bonds;

6 “(g) To provide a guaranty or other security for any bonds or other fi-
7 nancial obligations, including but not limited to financial obligations with
8 respect to any bond insurance, surety or credit enhancement device issued
9 or incurred by the department, a unit of government or a private entity, for
10 the purpose of financing a single tollway project or any related group or
11 system of tollway projects or related facilities;

12 “(h) To pay the costs incurred by the department in connection with its
13 oversight, operation and administration of the Toll Program Fund, the pro-
14 posals and projects submitted under ORS 383.015 and the tollway projects
15 financed under ORS 383.005; **and**

16 “[*(i) To develop, implement and administer the toll program established*
17 *under ORS 383.150, including the cost of consultants, advisors, attorneys or*
18 *other professional service providers appointed, retained or approved by the de-*
19 *partment; and]*

20 “[*(j)*] (i) To make improvements or fund efforts on the tollway and on
21 adjacent, connected or parallel highways to the tollway to reduce traffic
22 congestion as a result of a tollway project, improve safety as a result of a
23 tollway project and reduce impacts of diversion as a result of a tollway
24 project.

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

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

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

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

4 “(4) Notwithstanding any other provision of ORS 383.001 to 383.245, the
5 department shall not pledge any funds or amounts at any time held in the
6 Toll Program Fund as security for the obligations of a unit of government
7 or a private entity unless the department has entered into a binding and
8 enforceable agreement that provides the department reasonable assurance
9 that the department will be repaid, with appropriate interest, any amounts
10 that the department is required to advance pursuant to that pledge.

11 “(5) Moneys in the Toll Program Fund are continuously appropriated to
12 the department for purposes authorized by this section.

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

20 “(7) Moneys in the Toll Program Fund that are transferred from the State
21 Highway Fund or are derived from any revenues under Article IX, section
22 3a, of the Oregon Constitution, may be used only for purposes permitted by
23 Article IX, section 3a, of the Oregon Constitution.

24 25 “DIESEL FUEL TAX ADMINISTRATION

26
27 “**SECTION 27.** ORS 319.010 is amended to read:

28 “319.010. As used in ORS 319.010 to 319.430, unless the context requires
29 otherwise:

30 “(1) ‘Aircraft’ means every contrivance now known, or hereafter invented,

1 used or designed for navigation of or flight in the air, operated or propelled
2 by the use of aircraft fuel.

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

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

10 “(4) ‘Broker’ means [*and includes*] every person, other than a dealer, en-
11 gaged in business as a broker, jobber or wholesale merchant dealing in motor
12 vehicle fuel or aircraft fuel.

13 “(5) ‘Bulk transfer’ means any change in ownership of motor vehicle fuel
14 or aircraft fuel contained in a terminal storage facility or any physical
15 movement of motor vehicle fuel or aircraft fuel between terminal storage
16 facilities by pipeline or marine transport.

17 “(6) ‘Dealer’ means any person who:

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

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

26 “(c) Acquires in this state for sale, use or distribution in this state motor
27 vehicle fuels or aircraft fuels with respect to which there has been no license
28 tax previously incurred; or

29 “(d) Acquires title to or possession of motor vehicle fuels or aircraft fuels
30 in this state and exports the product out of this state.

1 “(7) ‘Department’ means the Department of Transportation.

2 “(8) ‘Diesel’ or ‘diesel fuel’ includes biodiesel and renewable diesel
3 fuel and other diesel fuel blends.

4 “[8] (9) ‘Distribution’ means, in addition to its ordinary meaning, the
5 delivery of motor vehicle fuel or aircraft fuel by a dealer to any service
6 station or into any tank, storage facility or series of tanks or storage facil-
7 ities connected by pipelines, from which motor vehicle fuel or aircraft fuel
8 is withdrawn directly for sale or for delivery into the fuel tanks of motor
9 vehicles whether or not the service station, tank or storage facility is owned,
10 operated or controlled by the dealer.

11 “[9] (10) ‘First sale, use or distribution of motor vehicle fuel or aircraft
12 fuel’ means the first withdrawal, other than by bulk transfer, of motor ve-
13 hicle fuel or aircraft fuel from terminal storage facilities for sale, use or
14 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
16 aircraft fuel after import into this state if the motor vehicle fuel or aircraft
17 fuel is delivered other than to the terminal storage facilities of a licensed
18 dealer.

19 “[10] (11) ‘Highway’ means every way, thoroughfare and place, of what-
20 ever nature, open for use of the public for the purpose of vehicular travel.

21 “[11] (12) ‘Motor vehicle’ means all vehicles, engines or machines, mov-
22 able or immovable, operated or propelled by the use of motor vehicle fuel.

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

29 “(b) ‘Motor vehicle fuel’ does not include dyed diesel as defined in
30 **ORS 319.520.**

1 “[~~(13)~~] (14) ‘Person’ includes every natural person, association, firm,
2 partnership, corporation or the United States.

3 “[~~(14)~~] (15) ‘Restricted landing area’ means any area of land or water, or
4 both, which is used or made available for the landing and takeoff of aircraft,
5 the use of which, except in case of emergency, is provided from time to time
6 by the department.

7 “[~~(15)~~] (16) ‘Service station’ means [*and includes*] any place operated for
8 the purpose of retailing and delivering motor vehicle fuel into the fuel tanks
9 of motor vehicles or aircraft fuel into the fuel tanks of aircraft.

10 “[~~(16)~~] (17) ‘Terminal storage facility’ means any fuel storage facility that
11 has marine or pipeline access.

12 **“SECTION 28.** ORS 295.103 is amended to read:

13 “295.103. (1) This section applies to the following moneys:

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

15 “(A) Imposed on motor carriers; and

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

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

19 “(A) Imposed on motor carriers for motor vehicles proportionally regis-
20 tered in this state and other jurisdictions;

21 “(B) Apportioned to this state; and

22 “(C) Payable through a clearinghouse operated under an agreement for
23 proportional registration entered into under ORS 826.007.

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

28 **“SECTION 29.** ORS 319.390 is amended to read:

29 “319.390. [*Every dealer in motor vehicle fuel shall keep a record in such*
30 *form as may be prescribed by the Department of Transportation of all pur-*

1 *chases, receipts, sales and distribution of motor fuel. The records shall include*
2 *copies of all invoices or bills of all such sales and shall at all times during*
3 *the business hours of the day be subject to inspection by the department or its*
4 *deputies or other officers duly authorized by the department. Upon request*
5 *from the officials to whom is entrusted the enforcement of the motor fuel tax*
6 *law of another state, territory, country or the federal government, the depart-*
7 *ment shall forward to such officials any information which it may have rela-*
8 *tive to the import or export of any motor vehicle fuel by any dealer, provided*
9 *such other state, territory, country or federal government furnishes like infor-*
10 *mation to this state.]*

11 **“(1) As used in this section:**

12 **“(a) ‘Department of Transportation’ or ‘department’ includes depu-**
13 **ties or other officers or representatives duly authorized by the de-**
14 **partment.**

15 **“(b) ‘Inspection’ means any inspection, audit, examination or test**
16 **reasonably required in the administration of this section.**

17 **“(c) ‘Premises’ means any premises, equipment, rolling stock or**
18 **facilities operated or occupied by any dealer or broker.**

19 **“(d) ‘Records’ means any records of purchases, receipts, sales and**
20 **distribution of motor vehicle fuel, including copies of invoices or bills**
21 **of such sales, and related books, papers, statements and reports.**

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

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

26 **“(b) Set up and use any apparatus or appliance, and occupy neces-**
27 **sary space, for the inspection;**

28 **“(c) Verify the completeness, truth and accuracy of any records;**
29 **and**

30 **“(d) Determine whether the dealer or broker has violated any pro-**

1 **vision of ORS 319.010 to 319.430.**

2 **“(3) Any dealer or broker that refuses entry to the department for**
3 **an inspection, or a demand to furnish records necessary for the in-**
4 **spection, is subject to a civil penalty under section 40 of this 2025**
5 **special session Act.**

6 **“SECTION 30.** ORS 825.555 is amended to read:

7 **“825.555. (1)** The Department of Transportation may enter into an inter-
8 national fuel tax agreement with jurisdictions outside [of] this state to pro-
9 vide for cooperation and assistance among member jurisdictions in the
10 administration and collection of taxes imposed on motor carriers for the
11 consumption of all fuels used in vehicles operated interstate.

12 **“(2)** An agreement under this section may:

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

15 **“(b)** Impose record keeping requirements.

16 **“(c)** Specify audit procedures.

17 **“(d)** Provide for exchange of information among jurisdictions.

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

20 **“(f)** Define qualified motor vehicles.

21 **“(g)** Specify conditions under which bonds are required.

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

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

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

30 **“(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*

1 *this subsection that exceeds \$650].*

2 **“SECTION 31.** ORS 810.530 is amended to read:

3 “810.530. (1) A weighmaster or motor carrier enforcement officer in whose
4 presence an offense described in this subsection is committed may arrest or
5 issue a citation for the offense in the same manner as under ORS 810.410 as
6 if the weighmaster or motor carrier enforcement officer were a police officer.
7 This subsection applies to the following offenses:

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

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

10 “(c) Violation of administratively imposed weight or size limits under
11 ORS 818.060.

12 “(d) Violation of maximum size limits under ORS 818.090.

13 “(e) Exceeding maximum number of vehicles in combination under ORS
14 818.110.

15 “(f) Violation of posted limits on use of road under ORS 818.130.

16 “(g) Violation of towing safety requirements under ORS 818.160.

17 “(h) Operating with sifting or leaking load under ORS 818.300.

18 “(i) Dragging objects on highway under ORS 818.320.

19 “(j) Unlawful use of devices without wheels under ORS 815.155.

20 “(k) Unlawful use of metal objects on tires under ORS 815.160.

21 “(L) Operation without pneumatic tires under ORS 815.170.

22 “(m) Operation in violation of vehicle variance permit under ORS 818.340.

23 “(n) Failure to carry and display permit under ORS 818.350.

24 “(o) Failure to comply with commercial vehicle enforcement requirements
25 under ORS 818.400.

26 “(p) Violation of any provision of ORS chapter 825.

27 “(q) Operation without proper fenders or mudguards under ORS 815.185.

28 “[*(r) Operating a vehicle without driving privileges in violation of ORS*
29 *807.010 if the person is operating a commercial motor vehicle and the person*
30 *does not have commercial driving privileges.*]

1 “(s) *Violation driving while suspended or revoked in violation of ORS*
2 *811.175 if the person is operating a commercial motor vehicle while the person’s*
3 *commercial driving privileges are suspended or revoked.*]

4 **“(r) Operating a vehicle without driving privileges in violation of**
5 **ORS 807.010 if the person does not have driving privileges and is oper-**
6 **ating:**

7 **“(A) A commercial motor vehicle; or**

8 **“(B) A commercial vehicle that has:**

9 **“(i) A gross vehicle weight rating of 10,001 pounds or more;**

10 **“(ii) A gross combination weight rating of 10,001 pounds or more;**

11 **“(iii) A gross vehicle weight of 10,001 pounds or more; or**

12 **“(iv) A gross combination weight of 10,001 pounds or more.**

13 **“(s) Violation driving while suspended or revoked in violation of**
14 **ORS 811.175 if the person is operating any of the following vehicles**
15 **while the person’s driving privileges are suspended or revoked:**

16 **“(A) A commercial motor vehicle; or**

17 **“(B) A commercial vehicle that has:**

18 **“(i) A gross vehicle weight rating of 10,001 pounds or more;**

19 **“(ii) A gross combination weight rating of 10,001 pounds or more;**

20 **“(iii) A gross vehicle weight of 10,001 pounds or more; or**

21 **“(iv) A gross combination weight of 10,001 pounds or more.**

22 **“(t) Failure to use vehicle traction tires or chains in violation of ORS**
23 **815.140 if the person is operating a motor vehicle subject to ORS chapter 825**
24 **or 826.**

25 **“(u) Failure to carry vehicle traction tires or chains in violation of ORS**
26 **815.142 if the person is operating a motor vehicle subject to ORS chapter 825**
27 **or 826.**

28 **“(v) Illegally altering or displaying registration plate in violation of ORS**
29 **803.550.**

30 **“(2) A weighmaster or motor carrier enforcement officer in whose pres-**

1 ence an offense described in this subsection is committed by a person oper-
2 ating a [*commercial motor*] vehicle **described in subsection (3) of this**
3 **section** may issue a citation for the offense. A weighmaster or motor carrier
4 enforcement officer who finds evidence that an offense described in this
5 subsection has been committed by a person operating a [*commercial motor*]
6 vehicle **described in subsection (3) of this section** or by a motor carrier
7 for which the person is acting as an agent may issue a citation for the of-
8 fense. A weighmaster or motor carrier enforcement officer issuing a citation
9 under this subsection has the authority granted a police officer issuing a
10 citation under ORS 810.410. A citation issued under this subsection to the
11 operator of a [*commercial motor*] vehicle **described in subsection (3) of this**
12 **section** shall be considered to have been issued to the motor carrier that
13 owns the [*commercial motor*] vehicle **described in subsection (3) of this**
14 **section** if the operator is not the owner. This subsection applies to the fol-
15 lowing offenses, all of which are Class A traffic violations under ORS 825.990
16 (1):

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

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

21 “(c) Refusing or failing to file the annual report as required by ORS
22 825.320.

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

25 “(e) Failing to appear for a hearing after notice that the carrier’s certif-
26 icate or permit is under investigation.

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

30 “(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 34 of this 2025 special session Act.**

“(k) **Improper use of dyed diesel under section 35 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 authorized 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 32. Sections 33 to 35 of this 2025 special session Act are added to and made a part of the Oregon Vehicle Code.

“SECTION 33. ‘Dyed diesel’ has the meaning given that term in ORS 319.520.

“SECTION 34. (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 35. (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

1 **violation of section 39 of this 2025 special session Act.**

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

4 **“SECTION 36.** ORS 319.520 is amended to read:

5 “319.520. As used in ORS 319.510 to 319.880, unless the context clearly
6 indicates a different meaning:

7 “(1) ‘Cardlock card’ means a fuel card:

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

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

13 “(c) That includes the qualifying information, as designated by the De-
14 partment of Transportation by rule, that is printed on the electronic invoice
15 or electronic statement;

16 “(d) That allows the tax status of the cardlock card to be indicated on the
17 electronic invoice or electronic statement and includes state tax as a sepa-
18 rate item on the invoice or statement; and

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

22 “(2) ‘Combined weight’ means the total empty weight of all vehicles in a
23 combination plus the total weight of the load carried on that combination
24 of vehicles.

25 “(3) ‘Delinquent’ means having failed to pay a tax or penalty within the
26 time provided by law.

27 “(4) ‘Department’ means the Department of Transportation.

28 **“(5) ‘Diesel’ and ‘diesel fuel’ have the meanings given those terms**
29 **in ORS 319.010.**

30 “[5)] (6) ‘Domestic customer’ means a customer making a purchase at a

1 nonretail facility owned by the cardlock card issuer.

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

4 “[6)] (8) ‘Foreign customer’ means a customer making a purchase at a
5 nonretail facility owned by a seller other than the cardlock card issuer.

6 “[7)] (9) ‘Fuel’ means any combustible gas, liquid or material of a kind
7 used for the generation of power to propel a motor vehicle on the highways
8 except motor vehicle fuel as defined in ORS 319.010.

9 “[8)] (10) ‘Highway’ means every way, thoroughfare and place, of what-
10 ever nature, open to the use of the public for the purpose of vehicular travel.

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

13 “[10)] (12) ‘Liquefied petroleum gas’ includes propane, pentane and any
14 mixture of propane and pentane.

15 “[11)] (13) ‘Motor vehicle’ means every self-propelled vehicle operated on
16 the highway, except an implement of husbandry used in agricultural oper-
17 ations and only incidentally operated or moved upon the highway.

18 “[12)] (14) ‘Nonretail facility’ means:

19 “(a) An unattended facility accessible only by cardlock card and not as-
20 sociated with a retail facility; or

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

23 “[13)] (15) ‘Person’ means any individual, firm, copartnership, joint ven-
24 ture, association, corporation, trust, receiver or any group or combination
25 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
29 the user’s accounts and bills the user for fuel purchased at a nonretail fa-
30 cility.

1 “[~~(15)~~] (17) ‘To sell fuel for use in a motor vehicle’ means to dispense or
2 place fuel for a price into a receptacle on a motor vehicle, from which re-
3 ceptacle the fuel is supplied to propel the motor vehicle.

4 “[~~(16)~~] (18) ‘To use fuel in a motor vehicle’ means to receive into any re-
5 ceptacle on a motor vehicle, fuel to be consumed in propelling the motor
6 vehicle on the highways of this state; and, if the fuel is received into the
7 receptacle outside the taxing jurisdiction of the state, ‘to use fuel in a motor
8 vehicle’ means to consume in propelling the motor vehicle on the highways
9 of this state.

10 **“SECTION 37.** ORS 319.550 is amended to read:

11 “319.550. (1) Except as provided in this section, a person may not use fuel
12 in a motor vehicle in this state unless the person holds a valid user’s license.

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

18 “(3) A user’s license is not required for a person who uses fuel in a motor
19 vehicle if, for all fuel used in a motor vehicle in this state, the person pays
20 to a seller, at the time of the sale, the tax provided in ORS 319.530.

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

24 “(5)(a) A user’s license is not required for a person who uses fuel as de-
25 scribed in ORS 319.520 [~~(7)~~] **(9)** in the vehicles specified in this subsection
26 if the person pays to a seller, at the time of the sale, the tax provided in
27 ORS 319.530.

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

29 “(A) Motor homes as defined in ORS 801.350.

30 “(B) Recreational vehicles as defined in ORS 174.101.

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

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

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

6 “(7) A user’s license is not required for a person who uses fuel in a motor
7 vehicle on which an emblem issued for the motor vehicle pursuant to ORS
8 319.535 is displayed.

9 **“SECTION 38. Sections 39 and 40 of this 2025 special session Act are
10 added to and made a part of ORS 319.510 to 319.880.**

11 **“SECTION 39. Dyed diesel use. (1) A person may operate or main-
12 tain a motor vehicle on the highways of this state with dyed diesel in
13 the fuel supply tank only if the use is authorized by an agency of the
14 United States or the person is eligible for a refund under ORS 267.570
15 (2) or 319.831.**

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

18 **“(a) Shall provide markings consistent with those directed by fed-
19 eral law; and**

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

23 **“(3) A person that violates this section is subject to a civil penalty
24 under section 40 of this 2025 special session Act.**

25 **“SECTION 40. Civil penalties. (1) In addition to any other penalty
26 provided by law, the Department of Transportation may impose a civil
27 penalty for failure to comply with section 39 of this 2025 special session
28 Act.**

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

1 “(3) The department shall adopt rules implementing the provisions
2 of this section, including a schedule of civil penalties.

3 “(4) The civil penalty for each violation of section 39 of this 2025
4 special session Act may not exceed the amount of \$10 per gallon of
5 capacity of the fuel supply tank of the motor vehicle, or \$1,000,
6 whichever is greater, plus the amount of tax that would have been
7 paid for an equivalent amount of motor vehicle fuel.

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

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

14 “(A) Any prior violations of section 39 of this 2025 special session
15 Act.

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

18 “(b) The penalty imposed under this section may be remitted or
19 mitigated upon such terms and conditions as the department deter-
20 mines to be proper and consistent with the public benefit.

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

23 “SECTION 41. ORS 319.700 is amended to read:

24 “319.700. The tax and the penalty imposed upon a user of fuel in a motor
25 vehicle by ORS 319.510 to 319.880 **or penalties associated with the im-**
26 **proper use or storage of dyed diesel under sections 39 and 40 of this**
27 **2025 special session Act** shall constitute a lien upon, and shall have the
28 effect of an execution duly levied against, any motor vehicle in connection
29 with which the taxable use is made, attaching at the time of such use. The
30 lien shall not be removed until the tax has been paid or the motor vehicle

1 subject to the lien has been sold in payment of such tax. The lien is para-
2 mount to all private liens or encumbrances of whatever character upon the
3 motor vehicle and to the rights of any conditional vendor or any other holder
4 of the legal title in or to the motor vehicle.

5 **“SECTION 42.** ORS 823.012 is amended to read:

6 “823.012. (1) If the Director of Transportation determines that an emer-
7 gency, as defined in ORS 401.025, has occurred or is imminent, the director
8 may suspend operation of one or more of the following statutes involving
9 motor carriers for the purpose of expediting the movement of persons or
10 property:

11 “(a) ORS 818.400, compliance with commercial vehicle enforcement re-
12 quirements related to commercial vehicle weight, size, load, conformation or
13 equipment.

14 “(b) ORS 825.100, certificate or permit requirement for commercial trans-
15 portation of persons or property.

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

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

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

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

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

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

28 “(i) ORS 825.450, [*weight identifiers*] **tax enrollments** issued by Depart-
29 ment of Transportation.

30 “(j) ORS 825.470, temporary pass for single trip or short-time operation

1 of vehicle.

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

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

5 “(m) **Section 39 of this 2025 special session Act and ORS 319.020 and**
6 **319.530 related to the payment of motor vehicle fuel taxes or the use**
7 **of dyed diesel on the highways.**

8 “(2) A suspension under this section may occur prior to a declaration of
9 a state of emergency under ORS 401.165, but may not exceed 72 hours unless
10 a state of emergency is declared under ORS 401.165. If a state of emergency
11 is declared under ORS 401.165, the suspension shall last until the state of
12 emergency is terminated as provided under ORS 401.204.

13 “(3) The director may designate by rule a line of succession of deputy
14 directors or other employees of the department who may suspend operations
15 of statutes under this section in the event the director is not available. Any
16 suspension by a person designated by the director under this subsection has
17 the same force and effect as if issued by the director, except that, if the di-
18 rector can be reached, the suspension must be affirmed by the director when
19 the director is reached. If the director does not set aside a suspension within
20 24 hours of being reached, the suspension shall be considered affirmed by the
21 director.

22 “**SECTION 43.** ORS 823.023 is amended to read:

23 “823.023. (1) The Department of Transportation or authorized represen-
24 tatives may enter upon any premises, or any equipment, rolling stock, **motor**
25 **vehicles** or facilities, operated or occupied by any motor carrier or railroad
26 for the purpose of making any inspection, examination or test reasonably
27 required in the administration of ORS chapters **319**, 823, 824, 825 and 826,
28 and to set up and use on such premises, equipment, rolling stock, **motor**
29 **vehicles** or facilities any apparatus or appliance and occupy reasonable
30 space therefor.

1 “(2) The department or authorized representatives shall, upon demand,
2 have the right to inspect the **motor vehicles**, books, accounts, papers, re-
3 cords and memoranda of any motor carrier or railroad and to examine under
4 oath any officer, agent or employee of such motor carrier or railroad in re-
5 lation to its business and affairs.

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

10 “(4) The department or authorized representatives shall, upon demand,
11 have the right to enter any premises of a business that the department has
12 reasonable cause to believe tendered for shipment, by motor or rail, any
13 hazardous material and to make any examination, inspection or test reason-
14 ably required to determine compliance with the health and safety regulations
15 administered or enforced by the department. Any person, who on behalf of
16 the department demands to make an examination, inspection or test, shall
17 produce upon request a certificate under the seal of the department showing
18 authority to make the examination, inspection or test.

19 “(5) Nothing in this section authorizes the department to use any infor-
20 mation developed thereunder for any purpose inconsistent with any statute
21 governing motor carriers or railroads and administered by the department
22 or to make a disclosure thereof for other than regulatory purposes.

23 **“SECTION 44.** ORS 823.027 is amended to read:

24 “823.027. (1) Every motor carrier and railroad shall furnish to the De-
25 partment of Transportation all information required by the department to
26 carry into effect the provisions of ORS chapters **319**, 823, 824, 825 and 826
27 and shall make specific answers to all questions submitted by the depart-
28 ment.

29 “(2) If a motor carrier or railroad is unable to furnish any information
30 required under subsection (1) of this section for any reason beyond its con-

1 trol, it is a good and sufficient reason for such failure. The answer or in-
2 formation shall be verified under oath and returned to the department at the
3 department's office within the period fixed by the department.

4 **"SECTION 45.** ORS 823.085 is amended to read:

5 "823.085. (1) Any motor carrier or railroad that does, or causes or permits
6 to be done, any matter, act or thing prohibited by ORS chapters **319**, 823, 824,
7 825 and 826, or omits to do any act, matter or thing required to be done by
8 ORS chapters **319**, 823, 824, 825 and 826, is liable to the person injured
9 thereby in the amount of damages sustained in consequence of such vio-
10 lation. If the party seeking damages alleges and proves that the wrong or
11 omission was the result of gross negligence or willful misconduct, the motor
12 carrier or railroad is liable to the person injured thereby in treble the
13 amount of damages sustained in consequence of the violation. The court may
14 award reasonable attorney fees to the prevailing party in an action under
15 this section.

16 "(2) Any recovery under this section does not affect recovery by the state
17 of the penalty, forfeiture or fine prescribed for such violation.

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

20 **"SECTION 46.** ORS 825.005 is amended to read:

21 "825.005. As used in this chapter:

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

23 "(2) 'Cartage carrier' means any person who undertakes to transport any
24 class of property by motor vehicle for compensation when the transportation
25 is performed wholly within an incorporated city or a commercial zone adja-
26 cent to an incorporated city.

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

29 "(4) 'Combined weight' means the *[weight of the motor vehicle plus the*
30 *weight of the maximum load which the applicant has declared such vehicle*

1 *will carry*] **total empty weight of all vehicles in a combination plus the**
2 **total weight of the load carried on that combination of vehicles as**
3 **listed in the vehicle registration for the time period shown on the**
4 **registration document.** Any declared combined weight is subject to audit
5 and approval by the Department of Transportation.

6 “(5) ‘Department’ means the Department of Transportation.

7 “(6) **‘Electric vehicle’ means a motor vehicle that uses electricity**
8 **as its only source of motive power.**

9 “[6] (7) ‘Extreme miles’ or ‘extreme mileage’ means the total miles op-
10 erated by a vehicle over the public highways, except the extra miles neces-
11 sarily operated in traversing detours or temporary routes on account of road
12 blockades in the state.

13 “[7] (8) ‘For-hire carrier’ means:

14 “(a) Any person who transports persons or property for hire or who pub-
15 licly purports to be willing to transport persons or property for hire by motor
16 vehicle; or

17 “(b) Any person who leases, rents or otherwise provides a motor vehicle
18 to the public and who in connection therewith in the regular course of
19 business provides, procures or arranges for, directly, indirectly or by course
20 of dealing, a driver or operator therefor.

21 “[8] (9) ‘Household goods’ means the personal effects or other property
22 used or to be used in a dwelling but does not include property transported
23 from a store or factory or property exclusively for office use.

24 “[9] (10) ‘Motor vehicle’ means any self-propelled vehicle and any such
25 vehicle in combination with any trailing units, used or physically capable
26 of being used upon any public highway in this state in the transportation
27 of persons or property, except vehicles operating wholly on fixed rails or
28 tracks and electric trolley buses. ‘Motor vehicle’ includes overdimension ve-
29 hicles or vehicles permitted excessive weights pursuant to a special author-
30 ization issued by a city, county or the Department of Transportation.

1 “[(10)] (11) ‘Permit’ means an authority issued to a carrier under ORS
2 825.102, **825.104**, 825.106, 825.108 or 825.127.

3 “[(11)] (12) ‘Private carrier’ means any person who operates a motor ve-
4 hicle over the public highways of this state for the purpose of transporting
5 persons or property when the transportation is incidental to a primary
6 business enterprise, other than transportation, in which such person is en-
7 gaged.

8 “[(12)] (13) ‘Privilege taxes’ means the weight-mile tax and fees prescribed
9 in this chapter.

10 “[(13)] (14) ‘Property’ includes, but is not limited to, permanent loads such
11 as equipment, appliances, devices, or ballast that are attached to, carried on,
12 or made a part of the vehicle and that are designed to serve some functional
13 purpose.

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

17 “[(15)] (16) ‘Transit-type motor vehicle’ means any passenger-carrying ve-
18 hicle that does not have a separate space for transporting baggage or ex-
19 press.

20 “[(16)] (17) ‘Transporter’ has the meaning given that term in ORS 466.005.

21 **“SECTION 47. Section 48 of this 2025 special session Act is added to**
22 **and made a part of ORS chapter 825.**

23 **“SECTION 48. (1) Before operating a motor vehicle on the public**
24 **highways of this state, an out-of-state motor carrier not licensed un-**
25 **der an international fuel tax agreement shall obtain a valid fuel trip**
26 **permit from the Department of Transportation in accordance with this**
27 **section. A motor carrier shall obtain a fuel trip permit under this**
28 **section if:**

29 **“(a) The motor carrier is operating a motor vehicle that is not a**
30 **recreational vehicle:**

1 **“(A) Having two axles and a gross vehicle weight or registered gross**
2 **vehicle weight exceeding 26,000 pounds;**

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

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

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

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

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

12 **“(4) The department may not issue more than three fuel trip per-**
13 **mits in a calendar year for any one motor vehicle.**

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

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

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

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

21 **“(7) The fee for the fuel trip permit shall be determined by the de-**
22 **partment by rule.**

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

25 **“SECTION 49. ORS 825.326 is amended to read:**

26 **“825.326. (1) Except as provided in subsection (2) of this section, all fees,**
27 **taxes, charges and other sums collected by the Department of Transportation**
28 **or from international fuel tax agreement member jurisdictions under**
29 **this chapter shall be paid into the State Treasury and shall be placed to the**
30 **credit of an account, separate and distinct from the General Fund, to be**

1 known as the Motor Carrier Account. Interest earned by the account shall
2 be credited to the account.

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

11 “(3) The department may purchase the necessary supplies and equipment
12 and provide for all necessary and incidental expenses incurred by the de-
13 partment in administering and enforcing this chapter.

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

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

22 **“SECTION 50.** ORS 825.104 is amended to read:

23 “825.104. An interstate for-hire carrier or private carrier required to ob-
24 tain a United States Department of Transportation registration number en-
25 gaged or to engage in interstate operations may not perform transportation
26 services on the public highways of this state without having first:

27 “(1) Complied with federal registration and financial responsibility re-
28 quirements; **and**

29 “(2) **Obtained a certificate or permit under ORS 825.100 or a tem-**
30 **porary pass under ORS 825.470.**

1 **“SECTION 51.** ORS 825.141 is amended to read:

2 “825.141. In addition to any other requirements of this chapter, a carrier
3 whose operating authority **or permit** has been suspended shall pay a rein-
4 statement fee of \$25 to the Department of Transportation before the operat-
5 ing authority **or permit** may be reinstated[, *plus \$5 for each vehicle issued*
6 *a weight identifier under ORS 825.450, and shall demonstrate operational ac-*
7 *tivity at the time of reinstatement*].

8 **“SECTION 52.** ORS 825.450 is amended to read:

9 “825.450. (1) [*Upon application by a carrier,*] The Department of Trans-
10 portation may [*issue a weight identifier*] **utilize a motor carrier’s regis-**
11 **tration card as the tax enrollment document** for each **eligible** vehicle the
12 carrier enrolls with the department[, *which*]. **The tax enrollment docu-**
13 **ment** must state the combined weight of the vehicle or combination of ve-
14 hicles. [*The department shall record each weight identifier electronically.*] This
15 subsection does not apply to vehicles issued a temporary pass under ORS
16 825.470.

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

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

28 “[(4) *All vehicles operating under the carrier’s authority shall have the*
29 *same four-quarter period of weight identifier validity. The department may*
30 *allow a carrier to operate with expired weight identifiers for up to one extra*

1 *quarter if the renewal application has been submitted. The extension of time*
2 *allowed by this subsection shall be granted only if the department determines*
3 *that the extension is necessary for the administrative convenience of the de-*
4 *partment.]*

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

7 **“SECTION 53.** ORS 825.492 is amended to read:

8 “825.492. [(1) *Whenever in the judgment of the Department of Transporta-*
9 *tion the estimated annual tax payable by a carrier will be less than \$100, and*
10 *the vehicles operated by the carrier are of less than 30,000 pounds combined*
11 *weight, the department may authorize the carrier to file reports annually in*
12 *lieu of monthly reports required by ORS 825.490 and 825.515. Annual reports*
13 *and accompanying remittances shall be filed on or before the due date of*
14 *February 28 for the preceding calendar year.*]

15 “[(2)] (1) At the request of a motor carrier, the Department of **Trans-**
16 **portation** may authorize the carrier to file quarterly reports in lieu of
17 monthly reports required by ORS 825.490 and 825.515. Quarterly reports and
18 accompanying remittances due shall be filed on or before the due date as
19 follows: First calendar quarter, May 31; second quarter, August 31; third
20 quarter, November 30; fourth quarter, February 28.

21 “[(3)] (2) Such authorizations may be withdrawn at any time upon the
22 mailing of notice to the carrier at the last address of record of the carrier
23 with the department. Any provisions of ORS 825.490 and 825.515 otherwise
24 applicable to reports and remittances shall be applicable to reports and re-
25 mittances under this section.

26 **“SECTION 54.** ORS 319.671 is amended to read:

27 “319.671. (1) The seller of fuel for any purpose shall make a duplicate in-
28 voice for every sale of fuel for any purpose and shall retain one copy and
29 give the other copy to the user. The Department of Transportation may pre-
30 scribe the form of the invoice. The invoice shall show:

1 “(a) The seller’s name and address;

2 “(b) The date;

3 “(c) The amount of the sale in gallons; and

4 “(d) The name and address of the user.

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

8 “(a) The license plate number, if the vehicle bears a license plate issued
9 by the department or another jurisdiction;

10 “(b) The emblem number, if the vehicle bears a user’s emblem;

11 “(c) The temporary pass number, if the vehicle bears no valid user’s
12 emblem; or

13 “(d) The license plate number, if the vehicle bears no valid user’s emblem
14 or temporary pass number issued by the department.

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

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

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

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

26 “**SECTION 55.** ORS 825.250 is amended to read:

27 “825.250. (1) An authorized representative of the Department of Trans-
28 portation may require a person driving a vehicle or combination of vehicles
29 subject to regulation by the department on a street or highway to stop and
30 submit to an inspection of the driver, the cargo or the vehicle or combination

1 of vehicles at any location where representatives of the department are
2 conducting tests and inspections when signs are displayed requiring such
3 stop.

4 **“(2) An authorized representative of the department may require a**
5 **person driving a vehicle or combination of vehicles subject to regu-**
6 **lation by the department on a street or highway to stop and submit**
7 **to an inspection of the fuel supply tank of the vehicle or combination**
8 **of vehicles at any location where representatives of the department**
9 **are conducting tests and inspections when signs are displayed requir-**
10 **ing such stop.**

11 “[2)] (3) As used in this section, ‘authorized representative’ means a city,
12 county or state employee who has been trained and certified by the depart-
13 ment as a commercial vehicle inspector and who is employed either by the
14 department or by an agency that has an agreement with the department to
15 provide inspections of commercial vehicles, drivers, general cargo or haz-
16 ardous materials.

17 **“SECTION 56.** ORS 825.990 is amended to read:

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

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

25 “(3) A person is subject to the penalties under subsection (4) of this sec-
26 tion if the person knowingly:

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

30 “(b) Disposes of any hazardous waste listed under ORS 466.005 or rules

1 adopted thereunder without appropriate authority under ORS 466.005 to
2 466.385 and 466.992.

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

6 “(d) Makes any false material statement or representation in any appli-
7 cation, label, manifest, record, report, permit or other document filed, main-
8 tained or used for purposes of compliance with requirements under this
9 chapter for the safe transportation of hazardous wastes.

10 “(e) Fails to include material information required under rules of the
11 Department of Transportation in any application for any permit or authority
12 to transport hazardous waste under this chapter.

13 “(f) Violates any rules adopted by the Department of Transportation
14 concerning the transportation of hazardous wastes.

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

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

18 **“SECTION 57.** ORS 818.400 is amended to read:

19 “818.400. (1) A person commits the offense of failure to comply with
20 commercial vehicle enforcement requirements if the person is driving a ve-
21 hicle or combination of vehicles and the person does not comply with any
22 of the following or if the person is the owner of a vehicle or combination
23 of vehicles and the person causes or permits the vehicle or combination not
24 to comply with any of the following:

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

29 “(b) A vehicle or combination of vehicles must stop and submit to any
30 enforcement of commercial vehicle weight, size, load, **dyed diesel use**, con-

1 formation or equipment regulation when directed to do so by any sign or
2 signal displayed or given by a police officer, motor carrier enforcement offi-
3 cer or weighmaster acting in accordance with authority granted under ORS
4 810.490.

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

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

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

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

14 “(b) A vehicle or combination of vehicles if:

15 “(A) The normal route of the vehicle or combination of vehicles requires
16 turning off the highway after passing the ‘OPEN’ sign but before reaching
17 the scale; and

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

20 “(3) Operation of any vehicle or combination of vehicles in violation of
21 this section is prima facie evidence that the owner of such vehicle or com-
22 bination caused or permitted it to be so operated and the owner shall be li-
23 able for any penalties imposed under this section.

24 “(4) The offense described in this section, failure to comply with com-
25 mercial vehicle enforcement requirements, is a Class B misdemeanor. The
26 penalty provided under this subsection is in addition to any penalty provided
27 for violation of any prohibition relating to vehicle weight, size, load, con-
28 formation or equipment.

29 **“SECTION 58. ORS 319.665 and 825.486 are repealed.**

30 **“SECTION 59. (1) The amendments to ORS 825.005, 825.141 and**

825.450 by sections 46, 51 and 52 of this 2025 special session Act become operative on July 1, 2027.

“(2) Sections 33 to 35, 39, 40 and 48 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 27 to 31, 36, 37, 41 to 45, 49, 50 and 53 to 57 of this 2025 special session Act and the repeal of ORS 319.665 and 825.486 by section 58 of this 2025 special session Act become operative on July 1, 2029.

“HEAVY VEHICLE TAXES

“**SECTION 60.** 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>
26,001 to 28,000	76.4
28,001 to 30,000	80.9
30,001 to 32,000	84.6
32,001 to 34,000	88.4
34,001 to 36,000	91.8
36,001 to 38,000	96.6
38,001 to 40,000	100.2
40,001 to 42,000	103.8
42,001 to 44,000	107.7
44,001 to 46,000	111.3
46,001 to 48,000	114.9

1	48,001 to 50,000	118.7
2	50,001 to 52,000	123.1
3	52,001 to 54,000	127.7
4	54,001 to 56,000	132.5
5	56,001 to 58,000	138.0
6	58,001 to 60,000	144.3
7	60,001 to 62,000	151.7
8	62,001 to 64,000	160.1
9	64,001 to 66,000	169.3
10	66,001 to 68,000	181.3
11	68,001 to 70,000	194.1
12	70,001 to 72,000	206.9
13	72,001 to 74,000	218.7
14	74,001 to 76,000	230.0
15	76,001 to 78,000	241.1
16	78,001 to 80,000	251.2

17 “[_____]

18 *AXLE-WEIGHT MILEAGE*

19 *TAX RATE TABLE “B”*

20	<i>Declared Combined</i>	<i>Number of Axles</i>					
21	<i>Weight Groups</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9 or</i>	
22	<i>(Pounds)</i>			<i>(Mills)</i>		<i>more</i>	
23	80,001 to 82,000	259.4	237.3	221.8	210.7	198.7	
24	82,001 to 84,000	267.8	241.1	225.4	213.4	201.4	
25	84,001 to 86,000	275.8	246.6	229.1	216.1	204.2	
26	86,001 to 88,000	285.2	252.0	232.7	219.9	206.9	
27	88,001 to 90,000	296.2	258.4	236.5	223.5	210.7	
28	90,001 to 92,000	309.0	265.9	239.9	227.1	214.4	
29	92,001 to 94,000	323.0	273.1	243.8	230.8	217.2	
30	94,001 to 96,000	337.7	281.5	248.3	234.6	220.7	

1	96,001 to 98,000	353.3	291.7	253.9	238.4	224.5
2	98,001 to 100,000		302.5	259.4	242.8	228.1
3	100,001 to 102,000			264.9	248.3	231.9
4	102,001 to 104,000			270.5	253.9	236.5
5	104,001 to 105,500			277.7	259.4	241.1

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 **“SECTION 61.** ORS 825.476, as amended by section 60 of this 2025 special
 24 session Act, is amended to read:

25 “825.476.

26 “ _____

27 **MILEAGE TAX RATE TABLE “A”**

28 **Declared Combined Fee Rates**

29 **Weight Groups Per Mile**

30 **(Pounds) (Mills)**

1	26,001 to 32,000	[76.4] 55.1
2	32,001 to 38,000	[89.8] 64.8
3	38,001 to 44,000	[102.7] 74.1
4	44,001 to 50,000	[114.3] 82.5
5	50,001 to 56,000	[132.5] 95.6
6	56,001 to 62,000	[143.1] 103.2
7	62,001 to 68,000	[166.2] 119.9
8	68,001 to 74,000	[181.5] 130.9
9	74,001 to 80,000	[251.2] 181.2
10	80,001 to 105,500	[263.1] 189.8

11 “

12 **MILEAGE TAX RATE TABLE “E”**

13	Declared Combined	Fee Rates
14	Weight Groups	Per Mile
15	(Pounds)	(Mills)
16	26,001 to 32,000	79.6
17	32,001 to 38,000	93.6
18	38,001 to 44,000	107.0
19	44,001 to 50,000	119.1
20	50,001 to 56,000	138.0
21	56,001 to 62,000	149.1
22	62,001 to 68,000	173.2
23	68,001 to 74,000	189.1
24	74,001 to 80,000	261.7
25	80,001 to 105,500	274.1

26 “

27 **“SECTION 62.** ORS 825.474 is amended to read:

28 “825.474. (1) In addition to other fees and taxes imposed by law upon
 29 carriers, there shall be assessed against and collected from every carrier a
 30 tax for the use of the highways, to apply to the cost of administration of this

chapter and for the maintenance, operation, construction and reconstruction 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 *[that are not issued an annual variance permit under ORS 818.200 (1)(a) to (c) to operate with a combined weight of more than 80,000 pounds]*.

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

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

“*[(d)]* **(c)** 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 *[when table ‘A’ or ‘B’ is used]* 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 63. ORS 825.474, as amended by section 62 of this 2025 special session Act, is amended to read:

1 “825.474. (1) In addition to other fees and taxes imposed by law upon
2 carriers, there shall be assessed against and collected from every carrier a
3 tax for the use of the highways, to apply to the cost of administration of this
4 chapter and for the maintenance, operation, construction and reconstruction
5 of public highways.

6 “(2) The tax rate which shall apply to each motor vehicle shall be based
7 upon the declared combined weight of the motor vehicle and in accordance
8 with the weight group tax rates as shown in the tables set forth in ORS
9 825.476.

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

11 “(a) Table ‘A’ in ORS 825.476 applies to motor vehicles subject to the tax
12 imposed by this section.

13 **“(b) Table ‘E’ in ORS 825.476 applies to electric vehicles subject to**
14 **the tax imposed by this section.**

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

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

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

26 **“SECTION 64.** ORS 825.480 is amended to read:

27 “825.480. (1)(a) In lieu of other fees provided in ORS 825.474, carriers en-
28 gaged in operating motor vehicles in the transportation of logs, poles, peeler
29 cores or piling may pay annual fees for such operation computed at the rate
30 of [~~\$11.60~~] **\$10.50** for each 100 pounds of declared combined weight.

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

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

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

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

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

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

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

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

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

17 **“SECTION 65.** ORS 825.480, as amended by section 64 of this 2025 special
18 session Act, is amended to read:

19 “825.480. [~~(1)(a) In lieu of other fees provided in ORS 825.474, carriers en-~~
20 ~~gaged in operating motor vehicles in the transportation of logs, poles, peeler~~
21 ~~cores or piling may pay annual fees for such operation computed at the rate~~
22 ~~of \$10.50 for each 100 pounds of declared combined weight.]~~

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

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

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

29 “(b) Any carrier electing to pay fees under this method may, as to vehicles
30 otherwise exempt from taxation, elect to be taxed on the mileage basis for

1 movements of such empty vehicles over public highways whenever operations
2 are for the purpose of repair, maintenance, servicing or moving from one
3 exempt highway operation to another.

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

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

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

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

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

27 **“SECTION 66.** ORS 818.225 is amended to read:

28 “818.225. (1) As used in this section, ‘equivalent single-axle load’ means
29 the relationship between actual or requested weight and an 18,000 pound
30 single-axle load as determined by the American Association of State Highway

1 and Transportation Officials Road Tests reported at the Proceedings Con-
2 ference of 1962.

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

8 “(b) If the road use assessment fee is not collected at the time of issuance
9 of the permit, the department shall bill the permittee for the amount due.
10 The account shall be considered delinquent if not paid within 60 days of
11 billing.

12 “(c) The miles of travel authorized by a single-trip nondivisible load per-
13 mit shall be exempt from taxation under ORS chapter 825.

14 “(3) The department may adopt rules:

15 “(a) To standardize the determination of equivalent single-axle load com-
16 putation based on average highway conditions; and

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

19 **“SECTION 67. (1) The amendments to ORS 825.474, 825.476 and**
20 **825.480 by sections 60, 62 and 64 of this 2025 special session Act become**
21 **operative on July 1, 2027.**

22 **“(2) The amendments to ORS 818.225, 825.474, 825.476 and 825.480 by**
23 **sections 61, 63, 65 and 66 of this 2025 special session Act become oper-**
24 **ative on July 1, 2029.**

25 **“SECTION 68. (1) The amendments to ORS 825.474, 825.476 and**
26 **825.480 by sections 60, 62 and 64 of this 2025 special session Act apply**
27 **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**
29 **sections 61, 63, 65 and 66 of this 2025 special session Act apply to taxes**
30 **imposed on or after July 1, 2029.**

1 **“CAPTIONS**

2

3 **“SECTION 69. The unit and section captions used in this 2025 spe-**
4 **cial session Act are provided only for the convenience of the reader**
5 **and do not become part of the statutory law of this state or express**
6 **any legislative intent in the enactment of this 2025 special session Act.**

7

8 **“EFFECTIVE DATE**

9

10 **“SECTION 70. This 2025 special session Act takes effect on the 91st**
11 **day after the date on which the 2025 special session of the Eighty-third**
12 **Legislative Assembly adjourns sine die.”.**