

Submitter: Sarah Phillips
On Behalf Of: ODOT
Committee: Joint Special Session Committee On Transportation
Funding
Measure, Appointment or Topic: HB3991

Dear Members of the Committee,

I only support this bill because I will be naming everyone who votes it through while collecting petition signatures, so these gas taxes and fee increases will not be enacted on January 1, 2026 as scheduled, but will be put before the Oregon voters to decide in the November 2026 election ballots, which hopefully by then you all will be primaried out of your current legislative positions.

I also support this bill because I love it when criminals show their cards. Union sell outs and backroom deals are more obvious out in the open. Makes it easier to take this issue to the FEDERAL administration and out of state courts since top down our state is done.

Although the Legislature retains constitutional authority to set tax rates and create fee structures, the draft bill HB 3991 ever-so-generously delegates shockingly broad and unconstitutional discretion to the Oregon Department of Transportation. Truly a work of art in government mismanagement! The following provisions raise red flags not only because they allow ODOT to act without direct voter approval or legislative oversight, but because they openly showcase the agency's flair for fraud, money laundering, and unconstitutional methods. And we can't help but respect the transparency—at least they didn't bother to hide it.

1. Civil Penalty Discretion

Section 71–72 (pp. [67]): Creates civil penalties up to \$1,000 or \$10 per gallon of tank capacity for illegal fuel use.

Section 73 amending ORS 319.700 (pp. [67]): Authorizes ODOT to remit or reduce penalties “upon such terms as the department considers proper.”

This basically hands ODOT unchecked power to play judge, jury, and money launderer—imposing, forgiving, and shuffling financial sanctions however they please. Who needs consistency, fairness, or constitutional safeguards when you've got creative accounting?

2. Emergency Suspension of Statutes

Section 74 amending ORS 823.012 (pp. [67–68]): Allows the Director of Transportation to suspend weight, size, and permit laws during a declared emergency (ORS 401.025).

Normally, only the Legislature alters statutes. But in the dazzling efficiency of HB 3991, the executive branch can override actual laws without review. Fraud or unconstitutional overreach? Why not both?

3. Rulemaking on Local Fees

Sections 49–50, 52 (pp. [38–43]): Amend ORS 801.041, 801.042, 803.445, and section 6, chapter 491, Oregon Laws 2019.

Even if voters approve limits, ODOT is empowered to creatively rework how fees are applied or credited. A brilliant showcase of how to shift burdens without consent. Some may call it corruption; we like to think of it as “advanced transparency in mismanagement.”

4. Automatic Vehicle Liens

Section 73 (pp. [67]): Expands ORS 319.700 so unpaid taxes and penalties become automatic liens on vehicles, trumping private liens.

Why bother with trivialities like judicial oversight when ODOT can just grab property unilaterally? Nothing screams “fraud with transparency” louder than government-imposed liens sliding in above private citizens.

Guaranteed, there will be court cases pointing out that these provisions reek of unconstitutionality. Each grants ODOT sweeping power—perfect soil for leaks, missteps, and hey, maybe a little money laundering for good measure.

Normally voters and legislators are guaranteed a say in taxation, penalties, and enforcement. But HB 3991 boldly dilutes those pesky checks and balances, slipping power neatly into the hands of unelected appointees and bureaucrats. As always, the electorate comes last... but at least we all get to watch the spectacle.

Thank you for your attention to this matter.

Respectfully submitted,
Sarah E. Phillips