

HB 4009-3
(LC 258)
2/6/26 (STN/ps)

Requested by HOUSE COMMITTEE ON TRANSPORTATION (at the request of Representative Susan McLain)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4009**

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the
2 line and lines 3 and 4 and insert “319.885 and 468.446; and prescribing an
3 effective date.”.

4 Delete lines 6 through 22 and delete pages 2 through 12 and insert:

5 **“SECTION 1.** ORS 319.885, as amended by section 34, chapter 1, Oregon
6 Laws 2025 (special session), is amended to read:

7 “319.885. (1)(a) Except as provided in paragraph (b) of this subsection, the
8 registered owner of a subject vehicle shall pay a per-mile road usage charge
9 for metered use by the subject vehicle of the highways in Oregon.

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

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

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

19 “(3) A subject vehicle is not subject to the additional amount of regis-
20 tration fees imposed under ORS 803.422.

21 **“SECTION 2. Section 3 of this 2026 Act is added to and made a part**

1 of ORS 319.883 to 319.946.

2 **“SECTION 3. (1) Not later than the date on which the report of the**
3 **highway cost allocation study is due under ORS 366.506 (5), the De-**
4 **partment of Transportation shall submit a report in the manner pro-**
5 **vided in ORS 192.245 to the interim committees of the Legislative**
6 **Assembly related to revenue and transportation, that recommends a**
7 **rate for the per-mile road usage charge that would sustainably raise**
8 **the revenue necessary to maintain the public highways of this state.**

9 **“(2) The report must include:**

10 **“(a) The total estimated cost for maintenance and preservation of**
11 **Oregon’s transportation system, including for local systems; and**

12 **“(b) An estimate of the total vehicle miles driven on the public**
13 **highways of this state based on the most recently available data on**
14 **vehicle miles traveled.**

15 **“(3) For purposes of subsection (2)(a) of this section, the department**
16 **shall establish metrics by which maintenance and preservation needs**
17 **are evaluated and reported, including but not limited to:**

18 **“(a) The desired pavement condition index for each road type;**

19 **“(b) Striping and painting standards;**

20 **“(c) Bridge replacement timelines; and**

21 **“(d) The department’s administrative costs associated with these**
22 **maintenance and preservation needs.**

23 **“SECTION 4. (1) Notwithstanding ORS 468.444, the Department of**
24 **Environmental Quality may not provide a rebate under ORS 468.444 to**
25 **any person.**

26 **“(2) Notwithstanding ORS 468.449:**

27 **“(a) The department shall allocate all moneys deposited in the**
28 **Zero-Emission Incentive Fund to the provision of rebates through the**
29 **Charge Ahead Oregon Program established under ORS 468.446.**

30 **“(b) The amount allocated under paragraph (a) of this subsection**

1 **need not be reduced by any amount deposited in the Charge Ahead**
2 **Zero-Emission Incentive Fund established under ORS 468.447.**

3 **“(3) Notwithstanding ORS 468.448, the department need not, as**
4 **provided in ORS 468.448, audit, analyze or report upon the program**
5 **established under ORS 468.444.**

6 **“SECTION 5. Section 4 of this 2026 Act is repealed on January 2,**
7 **2040.**

8 **“SECTION 6. ORS 468.446 is amended to read:**

9 **“468.446. (1) As used in this section:**

10 **“(a) ‘Charge ahead rebate’ means a rebate for the purchase or lease of a**
11 **new or used light-duty zero-emission vehicle or plug-in hybrid electric vehicle**
12 **issued through the Charge Ahead Oregon Program established under this**
13 **section.**

14 **“(b) ‘Low-income service provider’ means an organization that provides**
15 **health, dental, social, financial, energy conservation or other assistive ser-**
16 **vices to low or moderate income individuals or low or moderate income**
17 **households, as further defined by the Environmental Quality Commission by**
18 **rule.**

19 **“(c) ‘Qualifying household’ means a household with income that does not**
20 **exceed 400 percent of federal poverty guidelines.**

21 **“(2) The Department of Environmental Quality shall establish a Charge**
22 **Ahead Oregon Program for providing charge ahead rebates to qualifying**
23 **households and low-income service providers. The Director of the Department**
24 **of Environmental Quality may hire or contract with a third-party organiza-**
25 **tion to implement and serve as the administrator of the program required**
26 **by this section.**

27 **“(3) The department may:**

28 **“(a) Specify design features for the program; and**

29 **“(b) Establish procedures to:**

30 **“(A) Prioritize available moneys to specific income levels or geographic**

1 areas; and

2 “(B) Limit the number of charge ahead rebates available.

3 “(4) An eligible purchaser or lessee of a new or used light-duty zero-
4 emission vehicle or plug-in hybrid electric vehicle may apply for a charge
5 ahead rebate for a portion of the purchase price or may choose to assign the
6 charge ahead rebate to a vehicle dealer or lessor.

7 “(5) Rebates under the Charge Ahead Oregon Program shall be made from
8 moneys credited to or deposited in the Zero-Emission Incentive Fund estab-
9 lished under ORS 468.449 or the Charge Ahead Zero-Emission Incentive Fund
10 established under ORS 468.447. A rebate may not be made unless there are
11 sufficient moneys available to make the rebate.

12 “(6) The department shall prescribe the rebate application procedure for
13 eligible purchasers and lessees. All rebate applications must include a dec-
14 laration under penalty of perjury in the form required by ORCP 1 E.

15 “(7) Charge ahead rebates shall be:

16 “(a) Up to \$7,500 for the purchase or lease of a new light-duty zero-
17 emission vehicle or plug-in hybrid electric vehicle, but not less than \$2,500;
18 or

19 “(b) Up to \$5,000 for the purchase or lease of a used light-duty zero-
20 emission vehicle or plug-in hybrid electric vehicle, but not less than \$2,500.

21 “(8)(a) To be eligible for a charge ahead rebate, a person requesting a
22 rebate under the program must:

23 “[a)] (A) Be a member of a qualifying household or be a low-income
24 service provider.

25 “[b)] (B) Purchase or lease a new or used light-duty zero-emission vehicle
26 or plug-in hybrid electric vehicle. A lease must have a minimum term of 24
27 months.

28 “[c)] (C) Provide proof of an intent to use the light-duty zero-emission
29 vehicle or plug-in hybrid electric vehicle primarily on the public highways
30 of this state, which may be satisfied by providing proof of registration of the

1 vehicle in Oregon.

2 “[*d*] (D) Submit an application for a charge ahead rebate to the admin-
3 istrator of the program within six months of the date of purchase or six
4 months from the date the lease begins.

5 “[*e*] (E) Retain registration of the light-duty zero-emission vehicle for a
6 minimum of 24 consecutive months following the date of purchase or fol-
7 lowing the date the lease begins.

8 **“(b) An individual is not eligible for a charge ahead rebate if the**
9 **individual has received a rebate under this section on or after the ef-**
10 **fective date of this 2026 Act.**

11 “(9) A person that receives a charge ahead rebate may not make or allow
12 any modifications to the vehicle’s emissions control systems, hardware, soft-
13 ware calibrations or hybrid system.

14 “(10)(a) If a charge ahead rebate recipient sells the vehicle or terminates
15 the vehicle lease before the end of 24 months, the charge ahead rebate re-
16 cipient shall:

17 “(A) Notify the administrator of the program of the sale or termination;
18 and

19 “(B) Reimburse the administrator for the rebate in a prorated amount
20 based on the number of months that the rebate recipient owned or leased the
21 qualifying vehicle.

22 “(b) The administrator may waive the reimbursement requirement under
23 paragraph (a) of this subsection if the administrator determines that a
24 waiver is appropriate given unforeseeable or unavoidable circumstances that
25 gave rise to a need for the rebate recipient to sell the qualifying vehicle or
26 terminate the qualifying vehicle lease before the end of 24 months.

27 “(11) Charge ahead rebate recipients may be requested to participate in
28 ongoing research efforts.

29 “(12) The administrator of the program shall work to ensure timely pay-
30 ment of charge ahead rebates with a goal of paying rebates within 60 days

1 of receiving an application for a charge ahead rebate.

2 “(13) In establishing the Charge Ahead Oregon Program, the department
3 shall provide opportunities for public comment by qualifying households,
4 low-income service providers and other community-based organizations that
5 are located in areas of this state that have elevated concentrations of air
6 contaminants attributable to motor vehicle emissions, relative to other areas
7 of the state. The department shall use the comments received pursuant to
8 this subsection to inform, evaluate and strengthen the design of the program
9 in order to increase the usage of light-duty zero-emission vehicles and plug-in
10 hybrid electric vehicles.

11 “(14) The administrator of the program shall, throughout the course of
12 implementing the program, conduct community outreach to qualifying
13 households, low-income service providers and other community-based organ-
14 izations that are located in areas of this state that have elevated concen-
15 trations of air contaminants attributable to motor vehicle emissions, relative
16 to other areas of the state, in order to:

17 “(a) Solicit feedback on program implementation; and

18 “(b) Take steps to ensure that the program is promoted effectively.

19 “(15) A vehicle dealer may advertise the Charge Ahead Oregon Program
20 on the premises owned or operated by the vehicle dealer. If no moneys are
21 available from the program or the program otherwise changes, a vehicle
22 dealer who advertises the program may not be held liable for advertising
23 false or misleading information.

24 “(16) A charge ahead rebate may not be combined with a rebate described
25 in ORS 468.444.

26 “(17) An organization that the department has hired or contracted with
27 to implement and serve as the administrator of the program may offer ex-
28 panded financing mechanisms for program participants, including, but not
29 limited to, a loan or loan-loss reserve credit enhancement program to in-
30 crease consumer access to new or used light-duty zero-emission vehicles and

1 plug-in hybrid electric vehicles.

2 “(18) The Environmental Quality Commission may adopt any rules neces-
3 sary to carry out the provisions of this section.

4 **“SECTION 7. No later than six months following the close of the**
5 **third consecutive year in which moneys available to the Charge Ahead**
6 **Oregon Program established under ORS 468.446 are sufficient to pro-**
7 **vide a charge ahead rebate to each eligible person that applied for a**
8 **rebate under the program, the Department of Environmental Quality**
9 **shall submit a report to the committees or interim committees of the**
10 **Legislative Assembly related to transportation, in the manner provided**
11 **in ORS 192.245, that includes:**

12 **“(1) A progress report on the Charge Ahead Oregon Program es-**
13 **tablished under ORS 468.446;**

14 **“(2) A recommendation on whether the moratorium on rebates**
15 **provided under ORS 468.444 should be lifted; and**

16 **“(3) A recommendation on whether the limit on charge ahead re-**
17 **bates imposed by the amendments to ORS 468.446 by section 6 of this**
18 **2026 Act should be revised or repealed.**

19 **“SECTION 8. This 2026 Act takes effect on the 91st day after the**
20 **date on which the 2026 regular session of the Eighty-third Legislative**
21 **Assembly adjourns sine die.”.**

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