

House Bill 3454

Sponsored by Representative SMITH G

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Repeals weight-mile tax. Provides for diesel fuel to be taxed in same manner as gasoline. Increases fees for specified vehicles. Modifies and adds laws related to transportation.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to taxation with respect to heavy vehicles; creating new provisions; amending ORS 319.010,
3 319.690, 366.507, 366.508, 366.739, 366.744, 366.752, 367.095, 367.173, 367.605, 367.621, 376.390,
4 801.041, 801.042, 803.420, 803.645, 810.530, 818.225, 818.270, 822.040, 822.213, 823.012, 825.005,
5 825.007, 825.020, 825.022, 825.137, 825.139, 825.232, 825.354, 825.400, 825.450, 825.475, 825.500,
6 825.504, 825.515, 825.517 and 826.031 and section 5, chapter 865, Oregon Laws 2009, section 18,
7 chapter 30, Oregon Laws 2010, and section 139, chapter 750, Oregon Laws 2017; repealing ORS
8 825.212, 825.470, 825.472, 825.474, 825.476, 825.480, 825.482, 825.484, 825.486, 825.488, 825.490,
9 825.492, 825.494, 825.496, 825.502, 825.506, 825.507 and 825.550 and section 50, chapter 750,
10 Oregon Laws 2017; prescribing an effective date; and providing for revenue raising that requires
11 approval by a three-fifths majority.

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

REPEAL OF WEIGHT-MILE TAX

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16 **SECTION 1.** ORS 825.212, 825.470, 825.472, 825.474, 825.476, 825.480, 825.482, 825.484, 825.486,
17 825.488, 825.490, 825.492, 825.494, 825.496, 825.502, 825.506, 825.507 and 825.550 are repealed.

18 **SECTION 2.** (1) Notwithstanding the repeal of ORS 825.490, 825.494 and 825.496 by section
19 1 of this 2019 Act, the Department of Transportation may follow the provisions of ORS
20 825.490, 825.494 and 825.496, as those statutes were in effect on the day before the operative
21 date of section 1 of this 2019 Act, for the purposes of auditing carriers and collecting taxes,
22 interest, penalties and other liabilities due to the department that have accrued prior to the
23 operative date of section 1 of this 2019 Act.

24 (2) This section is repealed on January 2, 2024.

HEAVY TRUCK TAXES

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28 **SECTION 3.** ORS 803.420, as amended by section 35, chapter 750, Oregon Laws 2017, and sec-
29 tion 4, chapter 114, Oregon Laws 2018, is amended to read:

30 803.420. (1) The vehicle registration fees imposed under this section shall be based on the clas-
31 sifications determined by the Department of Transportation by rule. The department may classify a

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

1 vehicle to ensure that registration fees for the vehicle are the same as for other vehicles the de-
2 partment determines to be comparable.

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

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

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

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

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

17 (a) Passenger vehicles not otherwise provided for in this section or ORS 821.320, \$43.

18 (b) Utility trailers or light trailers, as those terms are defined by rule by the department, \$63.

19 (c) Mopeds and motorcycles, \$44.

20 (d) Low-speed vehicles, \$63.

21 (e) Medium-speed electric vehicles, \$63.

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

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

26 (b) Fixed load vehicles:

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

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

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

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

34 (B) Trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of length over
35 the first 10 feet.

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

37 (D) Motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over the
38 first 10 feet.

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

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

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

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

- 1 (c) School vehicles registered under ORS 805.050, \$5.
- 2 (10) The registration fees for vehicles subject to permanent registration are as follows:
- 3 (a) Antique vehicles registered under ORS 805.010, \$100.
- 4 (b) Vehicles of special interest registered under ORS 805.020, \$100.
- 5 (c) Racing activity vehicles registered under ORS 805.035, \$100.
- 6 (d) Trailers, \$10.

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

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

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

- 16 (a) Service charge for each vehicle entered into a fleet, \$3.
- 17 (b) Service charge for each vehicle in the fleet at the time of renewal, \$2.

18 (14)(a) **Except as otherwise provided in this subsection, the total** registration fee for motor
 19 vehicles required to establish a registration weight under ORS 803.430 or 826.013, tow vehicles used
 20 to transport property for hire other than as described in ORS 822.210 and commercial buses is as
 21 provided in the following chart, based upon the weight submitted in the declaration of weight pre-
 22 pared under ORS 803.435 or 826.015:

23 [_____]

<i>Weight in Pounds</i>	<i>Fee</i>
26 8,000 or less	\$ 74
27 8,001 to 10,000	464
28 10,001 to 12,000	528
29 12,001 to 14,000	591
30 14,001 to 16,000	655
31 16,001 to 18,000	718
32 18,001 to 20,000	801
33 20,001 to 22,000	864
34 22,001 to 24,000	949
35 24,001 to 26,000	1,031
36 26,001 to 28,000	375
37 28,001 to 30,000	391
38 30,001 to 32,000	422
39 32,001 to 34,000	438
40 34,001 to 36,000	468
41 36,001 to 38,000	485
42 38,001 to 40,000	515
43 40,001 to 42,000	532
44 42,001 to 44,000	562
45 44,001 to 46,000	578

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

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Weight in Pounds	Fixed	Additional	Total
	Fee	Fee	Registration
	Fee	Fee	Fee
8,000 or less	\$ _____		\$ _____
8,001 to 10,000	_____		_____
10,001 to 12,000	_____		_____
12,001 to 14,000	_____		_____
14,001 to 16,000	_____		_____
16,001 to 18,000	_____		_____
18,001 to 20,000	_____		_____
20,001 to 22,000	_____		_____

1	22,001	to	24,000	_____		_____
2	24,001	to	26,000	_____		_____
3	26,001	to	28,000	_____	\$	_____
4	28,001	to	30,000	_____		_____
5	30,001	to	32,000	_____		_____
6	32,001	to	34,000	_____		_____
7	34,001	to	36,000	_____		_____
8	36,001	to	38,000	_____		_____
9	38,001	to	40,000	_____		_____
10	40,001	to	42,000	_____		_____
11	42,001	to	44,000	_____		_____
12	44,001	to	46,000	_____		_____
13	46,001	to	48,000	_____		_____
14	48,001	to	50,000	_____		_____
15	50,001	to	52,000	_____		_____
16	52,001	to	54,000	_____		_____
17	54,001	to	56,000	_____		_____
18	56,001	to	58,000	_____		_____
19	58,001	to	60,000	_____		_____
20	60,001	to	62,000	_____		_____
21	62,001	to	64,000	_____		_____
22	64,001	to	66,000	_____		_____
23	66,001	to	68,000	_____		_____
24	68,001	to	70,000	_____		_____
25	70,001	to	72,000	_____		_____
26	72,001	to	74,000	_____		_____
27	74,001	to	76,000	_____		_____
28	76,001	to	78,000	_____		_____
29	78,001	to	80,000	_____		_____
30	80,001	to	82,000	_____		_____
31	82,001	to	84,000	_____		_____
32	84,001	to	86,000	_____		_____
33	86,001	to	88,000	_____		_____
34	88,001	to	90,000	_____		_____
35	90,001	to	92,000	_____		_____
36	92,001	to	94,000	_____		_____
37	94,001	to	96,000	_____		_____
38	96,001	to	98,000	_____		_____
39	98,001	to	100,000	_____		_____
40	100,001	to	102,000	_____		_____
41	102,001	to	104,000	_____		_____
42	104,001	to	105,500	_____		_____

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(b) For concrete mixers and for motor vehicles described in paragraph (a) of this sub-

1 section that primarily carry logs, poles, pilings, sand or gravel, the total registration fee is
 2 the fixed fee determined under paragraph (a) of this subsection, plus a short haul fee of
 3 \$1,250.

4 (c) For motor vehicles described in paragraph (a) of this subsection that are used for
 5 transporting garbage or recyclables, the total registration fee is the fixed fee determined
 6 under paragraph (a) of this subsection, plus a short haul fee of \$590.

7 (d) For motor vehicles described in paragraph (a) of this subsection that weigh at least
 8 26,001 pounds and not more than 60,000 pounds, that traveled less than 30,000 total miles
 9 operated in the year immediately preceding the year for which they are being registered and
 10 that are not otherwise described in paragraphs (b), (c), (e) and (f) of this subsection, the total
 11 registration fee is the fixed fee determined under paragraph (a) of this subsection plus a
 12 short haul fee of \$_____.

13 (e) For motor vehicles described in paragraph (a) of this subsection that weigh at least
 14 26,001 pounds and that traveled less than 5,000 total miles operated in the year immediately
 15 preceding the year for which they are being registered, the total registration fee is the fixed
 16 fee determined under paragraph (a) of this subsection plus a short haul fee of \$_____.

17 (f) For motor vehicles described in paragraph (a) of this subsection that are exclusively
 18 owned and operated by investor-owned utilities as defined in ORS 469.631, the total registra-
 19 tion fee is the fixed fee determined under paragraph (a) of this subsection plus a short haul
 20 fee of \$_____.

21 [(b)(A)] (15) The total registration fee for motor vehicles with a registration weight of more
 22 than 8,000 pounds that are described in ORS 825.015, that are operated by a charitable organization
 23 as defined in ORS 825.017 (13), is as provided in the following chart:
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Weight in Pounds	Fee
8,001 to 10,000	\$ 71
10,001 to 12,000	85
12,001 to 14,000	92
14,001 to 16,000	107
16,001 to 18,000	114
18,001 to 20,000	128
20,001 to 22,000	135
22,001 to 24,000	149
24,001 to 26,000	156
26,001 to 28,000	170
28,001 to 30,000	178
30,001 to 32,000	192
32,001 to 34,000	199
34,001 to 36,000	213
36,001 to 38,000	220
38,001 to 40,000	234
40,001 to 42,000	241
42,001 to 44,000	256
44,001 to 46,000	263

1	46,001	to	48,000	270
2	48,001	to	50,000	284
3	50,001	to	52,000	298
4	52,001	to	54,000	305
5	54,001	to	56,000	312
6	56,001	to	58,000	327
7	58,001	to	60,000	341
8	60,001	to	62,000	355
9	62,001	to	64,000	369
10	64,001	to	66,000	376
11	66,001	to	68,000	391
12	68,001	to	70,000	398
13	70,001	to	72,000	412
14	72,001	to	74,000	419
15	74,001	to	76,000	433
16	76,001	to	78,000	440
17	78,001	to	80,000	454
18	80,001	to	82,000	462
19	82,001	to	84,000	476
20	84,001	to	86,000	483
21	86,001	to	88,000	497
22	88,001	to	90,000	504
23	90,001	to	92,000	518
24	92,001	to	94,000	525
25	94,001	to	96,000	540
26	96,001	to	98,000	547
27	98,001	to	100,000	554
28	100,001	to	102,000	568
29	102,001	to	104,000	575
30	104,001	to	105,500	589

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33 *[(B)]* **(16)** The **total** registration fee for motor vehicles that are certified under ORS 822.205,
 34 unless the motor vehicles are registered under *[paragraph (a) of this subsection]* **subsection (14)(a)**
 35 **of this section**, or that are used exclusively to transport manufactured structures, is as provided
 36 in the following chart:

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39	Weight in Pounds	Fee
40	8,000 or less	\$ 63
41	8,001 to 10,000	145
42	10,001 to 12,000	173
43	12,001 to 14,000	187
44	14,001 to 16,000	217
45	16,001 to 18,000	231

1	18,001	to	20,000	260
2	20,001	to	22,000	274
3	22,001	to	24,000	304
4	24,001	to	26,000	318
5	26,001	to	28,000	346
6	28,001	to	30,000	362
7	30,001	to	32,000	391
8	32,001	to	34,000	405
9	34,001	to	36,000	435
10	36,001	to	38,000	449
11	38,001	to	40,000	477
12	40,001	to	42,000	491
13	42,001	to	44,000	521
14	44,001	to	46,000	535
15	46,001	to	48,000	550
16	48,001	to	50,000	578
17	50,001	to	52,000	608
18	52,001	to	54,000	622
19	54,001	to	56,000	636
20	56,001	to	58,000	665
21	58,001	to	60,000	694
22	60,001	to	62,000	723
23	62,001	to	64,000	753
24	64,001	to	66,000	767
25	66,001	to	68,000	795
26	68,001	to	70,000	809
27	70,001	to	72,000	839
28	72,001	to	74,000	853
29	74,001	to	76,000	882
30	76,001	to	78,000	896
31	78,001	to	80,000	926
32	80,001	to	82,000	940
33	82,001	to	84,000	968
34	84,001	to	86,000	983
35	86,001	to	88,000	1,012
36	88,001	to	90,000	1,027
37	90,001	to	92,000	1,055
38	92,001	to	94,000	1,071
39	94,001	to	96,000	1,099
40	96,001	to	98,000	1,113
41	98,001	to	100,000	1,127
42	100,001	to	102,000	1,157
43	102,001	to	104,000	1,172
44	104,001	to	105,500	1,200
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[(C)] (17) The owner of a vehicle described in [subparagraph (A) or (B) of this paragraph] **subsection (15) or (16) of this section** must certify at the time of initial registration, in a manner determined by the department by rule, that the motor vehicle will be used exclusively to transport manufactured structures or exclusively as described in ORS 822.210, unless the motor vehicle is registered under [paragraph (a) of this subsection] **subsection (14) of this section**, or as described in ORS 825.015 or 825.017 (13). Registration of a vehicle described in [subparagraph (A) or (B) of this paragraph] **subsection (15) or (16) of this section** is invalid if the vehicle is operated in any manner other than that described in the certification under this [subparagraph] **subsection**.

[(c)] (18) Subject to [paragraph (d) of this] **subsection (19) of this section**, the **total** registration fee for motor vehicles registered as farm vehicles under ORS 805.300 is as provided in the following chart, based upon the registration weight given in the declaration of weight submitted under ORS 803.435:

Weight in Pounds		Fee
8,000	or less	\$ 50
8,001	to 10,000	65
10,001	to 12,000	75
12,001	to 14,000	97
14,001	to 16,000	108
16,001	to 18,000	129
18,001	to 20,000	141
20,001	to 22,000	162
22,001	to 24,000	172
24,001	to 26,000	195
26,001	to 28,000	204
28,001	to 30,000	226
30,001	to 32,000	237
32,001	to 34,000	258
34,001	to 36,000	270
36,001	to 38,000	291
38,001	to 40,000	302
40,001	to 42,000	324
42,001	to 44,000	334
44,001	to 46,000	356
46,001	to 48,000	366
48,001	to 50,000	388
50,001	to 52,000	399
52,001	to 54,000	409
54,001	to 56,000	432
56,001	to 58,000	453
58,001	to 60,000	463
60,001	to 62,000	474
62,001	to 64,000	496

1	64,001	to	66,000	517
2	66,001	to	68,000	528
3	68,001	to	70,000	540
4	70,001	to	72,000	561
5	72,001	to	74,000	571
6	74,001	to	76,000	594
7	76,001	to	78,000	604
8	78,001	to	80,000	625
9	80,001	to	82,000	636
10	82,001	to	84,000	657
11	84,001	to	86,000	669
12	86,001	to	88,000	690
13	88,001	to	90,000	700
14	90,001	to	92,000	723
15	92,001	to	94,000	733
16	94,001	to	96,000	754
17	96,001	to	98,000	765
18	98,001	to	100,000	787
19	100,001	to	102,000	798
20	102,001	to	104,000	819
21	104,001	to	105,500	831

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24 *[(d)]* **(19)** For any vehicle that is registered under a quarterly registration period, the **total**
 25 registration fee is a minimum of \$15 for each quarter registered plus an additional fee of \$2.

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SECTION 4. ORS 803.420, as amended by section 35, chapter 750, Oregon Laws 2017, section
 27 4, chapter 114, Oregon Laws 2018, and section 3 of this 2019 Act, is amended to read:

28

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

32

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

37

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

39

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

41

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

44

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

- 1 (a) Passenger vehicles not otherwise provided for in this section or ORS 821.320, \$43.
2 (b) Utility trailers or light trailers, as those terms are defined by rule by the department, \$63.
3 (c) Mopeds and motorcycles, \$44.
4 (d) Low-speed vehicles, \$63.
5 (e) Medium-speed electric vehicles, \$63.
6 (7) The registration fees for vehicles that are subject to biennial registration and that are listed
7 in this subsection are as follows:
8 (a) State-owned vehicles registered under ORS 805.045 and undercover vehicles registered under
9 ORS 805.060, \$10 upon registration or renewal.
10 (b) Fixed load vehicles:
11 (A) If a declaration of weight described under ORS 803.435 is submitted establishing the weight
12 of the vehicle at 3,000 pounds or less, \$61.
13 (B) If no declaration of weight is submitted or if the weight of the vehicles is in excess of 3,000
14 pounds, \$82.
15 (c) Travel trailers, special use trailers, campers and motor homes, based on length as determined
16 under ORS 803.425:
17 (A) Trailers or campers that are 6 to 10 feet in length, \$81.
18 (B) Trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of length over
19 the first 10 feet.
20 (C) Motor homes that are 6 to 14 feet in length, \$86.
21 (D) Motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over the
22 first 10 feet.
23 (8) The registration fee for trailers for hire that are equipped with pneumatic tires made of an
24 elastic material and that are not travel trailers or trailers registered under permanent registration
25 is \$30.
26 (9) The registration fees for vehicles subject to ownership registration are as follows:
27 (a) Government-owned vehicles registered under ORS 805.040, \$5.
28 (b) Vehicles registered with special registration for disabled veterans under ORS 805.100 or for
29 former prisoners of war under ORS 805.110, \$15.
30 (c) School vehicles registered under ORS 805.050, \$5.
31 (10) The registration fees for vehicles subject to permanent registration are as follows:
32 (a) Antique vehicles registered under ORS 805.010, \$100.
33 (b) Vehicles of special interest registered under ORS 805.020, \$100.
34 (c) Racing activity vehicles registered under ORS 805.035, \$100.
35 (d) Trailers, \$10.
36 (11) The registration fee for trailers registered as part of a fleet under an agreement reached
37 pursuant to ORS 802.500 is the same fee as the fee for vehicles of the same type registered under
38 other provisions of the Oregon Vehicle Code.
39 (12) The registration fee for vehicles with proportional registration under ORS 826.009, or pro-
40 portional fleet registration under ORS 826.011, is the same fee as the fee for vehicles of the same
41 type under this section except that the fees shall be fixed on an apportioned basis as provided under
42 the agreement established under ORS 826.007.
43 (13) In addition to any other registration fees charged for registration of vehicles in fleets under
44 ORS 805.120, the department may charge the following fees:
45 (a) Service charge for each vehicle entered into a fleet, \$3.

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

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

[_____]

<i>Weight in Pounds</i>	<i>Fixed Fee</i>	<i>Additional Fee</i>	<i>Total Registration Fee</i>
8,000 or less	\$ _____		\$ _____
8,001 to 10,000	_____		_____
10,001 to 12,000	_____		_____
12,001 to 14,000	_____		_____
14,001 to 16,000	_____		_____
16,001 to 18,000	_____		_____
18,001 to 20,000	_____		_____
20,001 to 22,000	_____		_____
22,001 to 24,000	_____		_____
24,001 to 26,000	_____		_____
26,001 to 28,000	_____	\$ _____	_____
28,001 to 30,000	_____	_____	_____
30,001 to 32,000	_____	_____	_____
32,001 to 34,000	_____	_____	_____
34,001 to 36,000	_____	_____	_____
36,001 to 38,000	_____	_____	_____
38,001 to 40,000	_____	_____	_____
40,001 to 42,000	_____	_____	_____
42,001 to 44,000	_____	_____	_____
44,001 to 46,000	_____	_____	_____
46,001 to 48,000	_____	_____	_____
48,001 to 50,000	_____	_____	_____
50,001 to 52,000	_____	_____	_____
52,001 to 54,000	_____	_____	_____
54,001 to 56,000	_____	_____	_____
56,001 to 58,000	_____	_____	_____
58,001 to 60,000	_____	_____	_____
60,001 to 62,000	_____	_____	_____
62,001 to 64,000	_____	_____	_____
64,001 to 66,000	_____	_____	_____
66,001 to 68,000	_____	_____	_____
68,001 to 70,000	_____	_____	_____
70,001 to 72,000	_____	_____	_____
72,001 to 74,000	_____	_____	_____

1	74,001 to	76,000	_____	_____	_____
2	76,001 to	78,000	_____	_____	_____
3	78,001 to	80,000	_____	_____	_____
4	80,001 to	82,000	_____	_____	_____
5	82,001 to	84,000	_____	_____	_____
6	84,001 to	86,000	_____	_____	_____
7	86,001 to	88,000	_____	_____	_____
8	88,001 to	90,000	_____	_____	_____
9	90,001 to	92,000	_____	_____	_____
10	92,001 to	94,000	_____	_____	_____
11	94,001 to	96,000	_____	_____	_____
12	96,001 to	98,000	_____	_____	_____
13	98,001 to	100,000	_____	_____	_____
14	100,001 to	102,000	_____	_____	_____
15	102,001 to	104,000	_____	_____	_____
16	104,001 to	105,500	_____	_____	_____

17 [_____]
 18
 19
 20

		Fixed	Additional	Total
	Weight in Pounds	Fee	Fee	Registration
		Fee	Fee	Fee
21				
22				
23				
24	8,000 or less	\$ _____		\$ _____
25	8,001 to 10,000	_____		_____
26	10,001 to 12,000	_____		_____
27	12,001 to 14,000	_____		_____
28	14,001 to 16,000	_____		_____
29	16,001 to 18,000	_____		_____
30	18,001 to 20,000	_____		_____
31	20,001 to 22,000	_____		_____
32	22,001 to 24,000	_____		_____
33	24,001 to 26,000	_____		_____
34	26,001 to 28,000	_____	\$ _____	_____
35	28,001 to 30,000	_____	_____	_____
36	30,001 to 32,000	_____	_____	_____
37	32,001 to 34,000	_____	_____	_____
38	34,001 to 36,000	_____	_____	_____
39	36,001 to 38,000	_____	_____	_____
40	38,001 to 40,000	_____	_____	_____
41	40,001 to 42,000	_____	_____	_____
42	42,001 to 44,000	_____	_____	_____
43	44,001 to 46,000	_____	_____	_____
44	46,001 to 48,000	_____	_____	_____
45	48,001 to 50,000	_____	_____	_____

1	50,001	to	52,000	_____	_____	_____
2	52,001	to	54,000	_____	_____	_____
3	54,001	to	56,000	_____	_____	_____
4	56,001	to	58,000	_____	_____	_____
5	58,001	to	60,000	_____	_____	_____
6	60,001	to	62,000	_____	_____	_____
7	62,001	to	64,000	_____	_____	_____
8	64,001	to	66,000	_____	_____	_____
9	66,001	to	68,000	_____	_____	_____
10	68,001	to	70,000	_____	_____	_____
11	70,001	to	72,000	_____	_____	_____
12	72,001	to	74,000	_____	_____	_____
13	74,001	to	76,000	_____	_____	_____
14	76,001	to	78,000	_____	_____	_____
15	78,001	to	80,000	_____	_____	_____
16	80,001	to	82,000	_____	_____	_____
17	82,001	to	84,000	_____	_____	_____
18	84,001	to	86,000	_____	_____	_____
19	86,001	to	88,000	_____	_____	_____
20	88,001	to	90,000	_____	_____	_____
21	90,001	to	92,000	_____	_____	_____
22	92,001	to	94,000	_____	_____	_____
23	94,001	to	96,000	_____	_____	_____
24	96,001	to	98,000	_____	_____	_____
25	98,001	to	100,000	_____	_____	_____
26	100,001	to	102,000	_____	_____	_____
27	102,001	to	104,000	_____	_____	_____
28	104,001	to	105,500	_____	_____	_____

29

30

31 (b) For concrete mixers and for motor vehicles described in paragraph (a) of this subsection that
 32 primarily carry logs, poles, pilings, sand or gravel, the total registration fee is the fixed fee deter-
 33 mined under paragraph (a) of this subsection, plus a short haul fee of \$1,250.

34 (c) For motor vehicles described in paragraph (a) of this subsection that are used for trans-
 35 porting garbage or recyclables, the total registration fee is the fixed fee determined under paragraph
 36 (a) of this subsection, plus a short haul fee of \$590.

37 (d) For motor vehicles described in paragraph (a) of this subsection that weigh at least 26,001
 38 pounds and not more than 60,000 pounds, that traveled less than 30,000 total miles operated in the
 39 year immediately preceding the year for which they are being registered and that are not otherwise
 40 described in paragraphs (b), (c), (e) and (f) of this subsection, the total registration fee is the fixed
 41 fee determined under paragraph (a) of this subsection plus a short haul fee of \$_____.

42 (e) For motor vehicles described in paragraph (a) of this subsection that weigh at least 26,001
 43 pounds and that traveled less than 5,000 total miles operated in the year immediately preceding the
 44 year for which they are being registered, the total registration fee is the fixed fee determined under
 45 paragraph (a) of this subsection plus a short haul fee of \$_____.

1 (f) For motor vehicles described in paragraph (a) of this subsection that are exclusively owned
 2 and operated by investor-owned utilities, as defined in ORS 469.631, the total registration fee is the
 3 fixed fee determined under paragraph (a) of this subsection plus a short haul fee of \$_____.

4 (15) The total registration fee for motor vehicles with a registration weight of more than 8,000
 5 pounds that are described in ORS 825.015, that are operated by a charitable organization as defined
 6 in ORS 825.017 (13), is as provided in the following chart:

7

8

9	Weight in Pounds		Fee
10	8,001 to	10,000	\$ 71
11	10,001 to	12,000	85
12	12,001 to	14,000	92
13	14,001 to	16,000	107
14	16,001 to	18,000	114
15	18,001 to	20,000	128
16	20,001 to	22,000	135
17	22,001 to	24,000	149
18	24,001 to	26,000	156
19	26,001 to	28,000	170
20	28,001 to	30,000	178
21	30,001 to	32,000	192
22	32,001 to	34,000	199
23	34,001 to	36,000	213
24	36,001 to	38,000	220
25	38,001 to	40,000	234
26	40,001 to	42,000	241
27	42,001 to	44,000	256
28	44,001 to	46,000	263
29	46,001 to	48,000	270
30	48,001 to	50,000	284
31	50,001 to	52,000	298
32	52,001 to	54,000	305
33	54,001 to	56,000	312
34	56,001 to	58,000	327
35	58,001 to	60,000	341
36	60,001 to	62,000	355
37	62,001 to	64,000	369
38	64,001 to	66,000	376
39	66,001 to	68,000	391
40	68,001 to	70,000	398
41	70,001 to	72,000	412
42	72,001 to	74,000	419
43	74,001 to	76,000	433
44	76,001 to	78,000	440
45	78,001 to	80,000	454

1	80,001	to	82,000	462
2	82,001	to	84,000	476
3	84,001	to	86,000	483
4	86,001	to	88,000	497
5	88,001	to	90,000	504
6	90,001	to	92,000	518
7	92,001	to	94,000	525
8	94,001	to	96,000	540
9	96,001	to	98,000	547
10	98,001	to	100,000	554
11	100,001	to	102,000	568
12	102,001	to	104,000	575
13	104,001	to	105,500	589

14

15

16 (16) The total registration fee for motor vehicles that are certified under ORS 822.205, unless
 17 the motor vehicles are registered under subsection (14)(a) of this section, or that are used exclu-
 18 sively to transport manufactured structures, is as provided in the following chart:

19

20

21	Weight in Pounds		Fee
22	8,000	or less	\$ 63
23	8,001	to 10,000	145
24	10,001	to 12,000	173
25	12,001	to 14,000	187
26	14,001	to 16,000	217
27	16,001	to 18,000	231
28	18,001	to 20,000	260
29	20,001	to 22,000	274
30	22,001	to 24,000	304
31	24,001	to 26,000	318
32	26,001	to 28,000	346
33	28,001	to 30,000	362
34	30,001	to 32,000	391
35	32,001	to 34,000	405
36	34,001	to 36,000	435
37	36,001	to 38,000	449
38	38,001	to 40,000	477
39	40,001	to 42,000	491
40	42,001	to 44,000	521
41	44,001	to 46,000	535
42	46,001	to 48,000	550
43	48,001	to 50,000	578
44	50,001	to 52,000	608
45	52,001	to 54,000	622

1	54,001	to	56,000	636
2	56,001	to	58,000	665
3	58,001	to	60,000	694
4	60,001	to	62,000	723
5	62,001	to	64,000	753
6	64,001	to	66,000	767
7	66,001	to	68,000	795
8	68,001	to	70,000	809
9	70,001	to	72,000	839
10	72,001	to	74,000	853
11	74,001	to	76,000	882
12	76,001	to	78,000	896
13	78,001	to	80,000	926
14	80,001	to	82,000	940
15	82,001	to	84,000	968
16	84,001	to	86,000	983
17	86,001	to	88,000	1,012
18	88,001	to	90,000	1,027
19	90,001	to	92,000	1,055
20	92,001	to	94,000	1,071
21	94,001	to	96,000	1,099
22	96,001	to	98,000	1,113
23	98,001	to	100,000	1,127
24	100,001	to	102,000	1,157
25	102,001	to	104,000	1,172
26	104,001	to	105,500	1,200

27
28

29 (17) The owner of a vehicle described in subsection (15) or (16) of this section must certify at
30 the time of initial registration, in a manner determined by the department by rule, that the motor
31 vehicle will be used exclusively to transport manufactured structures or exclusively as described in
32 ORS 822.210, unless the motor vehicle is registered under subsection (14) of this section, or as de-
33 scribed in ORS 825.015 or 825.017 (13). Registration of a vehicle described in subsection (15) or (16)
34 of this section is invalid if the vehicle is operated in any manner other than that described in the
35 certification under this subsection.

36 (18) Subject to subsection (19) of this section, the total registration fee for motor vehicles reg-
37 istered as farm vehicles under ORS 805.300 is as provided in the following chart, based upon the
38 registration weight given in the declaration of weight submitted under ORS 803.435:

39
40

Weight in Pounds	Fee
8,000 or less	\$ 50
8,001 to 10,000	65
10,001 to 12,000	75
12,001 to 14,000	97

1	14,001	to	16,000	108
2	16,001	to	18,000	129
3	18,001	to	20,000	141
4	20,001	to	22,000	162
5	22,001	to	24,000	172
6	24,001	to	26,000	195
7	26,001	to	28,000	204
8	28,001	to	30,000	226
9	30,001	to	32,000	237
10	32,001	to	34,000	258
11	34,001	to	36,000	270
12	36,001	to	38,000	291
13	38,001	to	40,000	302
14	40,001	to	42,000	324
15	42,001	to	44,000	334
16	44,001	to	46,000	356
17	46,001	to	48,000	366
18	48,001	to	50,000	388
19	50,001	to	52,000	399
20	52,001	to	54,000	409
21	54,001	to	56,000	432
22	56,001	to	58,000	453
23	58,001	to	60,000	463
24	60,001	to	62,000	474
25	62,001	to	64,000	496
26	64,001	to	66,000	517
27	66,001	to	68,000	528
28	68,001	to	70,000	540
29	70,001	to	72,000	561
30	72,001	to	74,000	571
31	74,001	to	76,000	594
32	76,001	to	78,000	604
33	78,001	to	80,000	625
34	80,001	to	82,000	636
35	82,001	to	84,000	657
36	84,001	to	86,000	669
37	86,001	to	88,000	690
38	88,001	to	90,000	700
39	90,001	to	92,000	723
40	92,001	to	94,000	733
41	94,001	to	96,000	754
42	96,001	to	98,000	765
43	98,001	to	100,000	787
44	100,001	to	102,000	798
45	102,001	to	104,000	819

1 104,001 to 105,500 831

2
3
4 (19) For any vehicle that is registered under a quarterly registration period, the total registra-
5 tion fee is a minimum of \$15 for each quarter registered plus an additional fee of \$2.

6 **SECTION 5. The amendments to ORS 803.420 by section 4 of this 2019 Act become oper-**
7 **ative on January 1, 2024.**

8 **SECTION 6. Section 50, chapter 750, Oregon Laws 2017, is repealed.**

9 **SECTION 7.** ORS 803.645, as amended by section 49, chapter 750, Oregon Laws 2017, is
10 amended to read:

11 803.645. Fees for trip permits issued under ORS 803.600 are as follows:

12 [(1) For a heavy motor vehicle trip permit, \$43.]

13 [(2) For a heavy trailer trip permit, \$10.]

14 [(3) For a light vehicle trip permit, \$35.]

15 [(4) For a recreational vehicle trip permit, \$35.]

16 [(5) For a registration weight trip permit, \$5.]

17 [(6) For a registered vehicle trip permit, \$7.50.]

18 [(7) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer cer-
19 tificate or a towing business certificate, \$15.]

20 **(1) For the period beginning on January 1, 2018, and ending on December 31, 2019:**

21 **(a) For a heavy motor vehicle trip permit, \$43.**

22 **(b) For a heavy trailer trip permit, \$10.**

23 **(c) For a light vehicle trip permit, \$32.**

24 **(d) For a recreational vehicle trip permit, \$32.**

25 **(e) For a registration weight trip permit, \$5.**

26 **(f) For a registered vehicle trip permit, \$7.50.**

27 **(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer**
28 **certificate or a towing business certificate, \$15.**

29 **(2) For the period beginning on January 1, 2020, and ending on December 31, 2021:**

30 **(a) For a heavy motor vehicle trip permit, \$43.**

31 **(b) For a heavy trailer trip permit, \$10.**

32 **(c) For a light vehicle trip permit, \$33.**

33 **(d) For a recreational vehicle trip permit, \$33.**

34 **(e) For a registration weight trip permit, \$5.**

35 **(f) For a registered vehicle trip permit, \$7.50.**

36 **(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer**
37 **certificate or a towing business certificate, \$15.**

38 **(3) For the period beginning on January 1, 2022, and ending on December 31, 2023:**

39 **(a) For a heavy motor vehicle trip permit, \$_____.**

40 **(b) For a heavy trailer trip permit, \$_____.**

41 **(c) For a light vehicle trip permit, \$_____.**

42 **(d) For a recreational vehicle trip permit, \$_____.**

43 **(e) For a registration weight trip permit, \$_____.**

44 **(f) For a registered vehicle trip permit, \$_____.**

45 **(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer**

1 **certificate or a towing business certificate, \$_____.**

2 **SECTION 8.** ORS 803.645, as amended by section 49, chapter 750, Oregon Laws 2017, and section 3
tion 7 of this 2019 Act, is amended to read:

4 803.645. Fees for trip permits issued under ORS 803.600 are as follows:

5 *[(1) For the period beginning on January 1, 2018, and ending on December 31, 2019:]*

6 *[(a) For a heavy motor vehicle trip permit, \$43.]*

7 *[(b) For a heavy trailer trip permit, \$10.]*

8 *[(c) For a light vehicle trip permit, \$32.]*

9 *[(d) For a recreational vehicle trip permit, \$32.]*

10 *[(e) For a registration weight trip permit, \$5.]*

11 *[(f) For a registered vehicle trip permit, \$7.50.]*

12 *[(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer cer-*
13 *tificate or a towing business certificate, \$15.]*

14 *[(2) For the period beginning on January 1, 2020, and ending on December 31, 2021:]*

15 *[(a) For a heavy motor vehicle trip permit, \$43.]*

16 *[(b) For a heavy trailer trip permit, \$10.]*

17 *[(c) For a light vehicle trip permit, \$33.]*

18 *[(d) For a recreational vehicle trip permit, \$33.]*

19 *[(e) For a registration weight trip permit, \$5.]*

20 *[(f) For a registered vehicle trip permit, \$7.50.]*

21 *[(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer cer-*
22 *tificate or a towing business certificate, \$15.]*

23 *[(3) For the period beginning on January 1, 2022, and ending on December 31, 2023:]*

24 *[(a) For a heavy motor vehicle trip permit, \$_____.]*

25 *[(b) For a heavy trailer trip permit, \$_____.]*

26 *[(c) For a light vehicle trip permit, \$_____.]*

27 *[(d) For a recreational vehicle trip permit, \$_____.]*

28 *[(e) For a registration weight trip permit, \$_____.]*

29 *[(f) For a registered vehicle trip permit, \$_____.]*

30 *[(g) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer cer-*
31 *tificate or a towing business certificate, \$_____.]*

32 **(1) For a heavy motor vehicle trip permit, \$_____.**

33 **(2) For a heavy trailer trip permit, \$_____.**

34 **(3) For a light vehicle trip permit, \$_____.**

35 **(4) For a recreational vehicle trip permit, \$_____.**

36 **(5) For a registration weight trip permit, \$_____.**

37 **(6) For a registered vehicle trip permit, \$_____.**

38 **(7) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer**
39 **certificate or a towing business certificate, \$_____.**

40 **SECTION 9.** The amendments to ORS 803.645 by section 8 of this 2019 Act become oper-
41 **ative on January 1, 2024.**

42 **SECTION 10.** ORS 818.270, as amended by section 55, chapter 750, Oregon Laws 2017, and
43 section 28, chapter 93, Oregon Laws 2018, is amended to read:

44 818.270. (1) **Except as otherwise provided in subsection (5) of this section,** the fee for issu-
45 **ance of a variance permit under ORS 818.200 may be any amount determined by a road authority,**

1 not to exceed [§8] **\$16**. If the variance permit is issued by a private contractor, the contractor may
 2 charge an additional fee not to exceed \$5, **plus an amount to be determined by the Department**
 3 **of Transportation by rule, not to exceed \$16, for each road authority in which travel is au-**
 4 **thorized by the permit.**

5 (2) The fee for issuance of a sifting or leaking load permit under ORS 818.230 is [§8] **\$16**.

6 (3) The fee for issuance of a dragging permit under ORS 818.240 is [§8] **\$16**.

7 (4) The fee for issuance of a permit under ORS 818.260 for the use of bus safety lights is a fee
 8 established by rule by the Department of Transportation. Any fee established for purposes of this
 9 subsection may not exceed the actual costs of issuing the permit.

10 (5) **In addition to the fee described in subsection (1) of this section for issuance of a**
 11 **variance permit under ORS 818.200, the following fees shall be paid for a separate continuous**
 12 **operation variance permit issued under ORS 818.205 for each of the following configurations:**
 13

14	15 Weight Groups	16 Number of Axles		
17	18 (Pounds)	19 5	20 6	21 7
17	80,001 to 82,000	\$ 165.00		
18	82,001 to 84,000	173.25		
19	84,001 to 86,000	181.91		
20	86,001 to 88,000	191.01		
21	88,001 to 90,000	200.56		
22	90,001 to 92,000	210.59	\$ 165.00	
23	92,001 to 94,000	221.12	173.25	
24	94,001 to 96,000	232.17	181.91	
25	96,001 to 98,000	243.78	191.01	
26	98,001 to 100,000		200.56	\$ 165.00
27	100,001 to 102,000			173.25
28	102,001 to 104,000			181.91
29	104,001 to 105,500			191.01

31
32
33 **WEIGHMASTER AND MOTOR CARRIER ENFORCEMENT**

34
35 **SECTION 11.** ORS 810.530 is amended to read:

36 810.530. (1) A weighmaster or motor carrier enforcement officer in whose presence an offense
 37 described in this subsection is committed may arrest or issue a citation for the offense in the same
 38 manner as under ORS 810.410 as if the weighmaster or motor carrier enforcement officer were a
 39 police officer. This subsection applies to the following offenses:

- 40 (a) Violation of maximum weight limits under ORS 818.020.
- 41 (b) Violation of posted weight limits under ORS 818.040.
- 42 (c) Violation of administratively imposed weight or size limits under ORS 818.060.
- 43 (d) Violation of maximum size limits under ORS 818.090.
- 44 (e) Exceeding maximum number of vehicles in combination under ORS 818.110.
- 45 (f) Violation of posted limits on use of road under ORS 818.130.

- 1 (g) Violation of towing safety requirements under ORS 818.160.
- 2 (h) Operating with sifting or leaking load under ORS 818.300.
- 3 (i) Dragging objects on highway under ORS 818.320.
- 4 (j) Unlawful use of devices without wheels under ORS 815.155.
- 5 (k) Unlawful use of metal objects on tires under ORS 815.160.
- 6 (L) Operation without pneumatic tires under ORS 815.170.
- 7 (m) Operation in violation of vehicle variance permit under ORS 818.340.
- 8 (n) Failure to carry and display permit under ORS 818.350.
- 9 (o) Failure to comply with commercial vehicle enforcement requirements under ORS 818.400.
- 10 (p) Violation of any provision of ORS chapter 825.
- 11 (q) Operation without proper fenders or mudguards under ORS 815.185.
- 12 (r) Operating a vehicle without driving privileges in violation of ORS 807.010 if the person is
13 operating a commercial motor vehicle and the person does not have commercial driving privileges.
- 14 (s) Violation driving while suspended or revoked in violation of ORS 811.175 if the person is
15 operating a commercial motor vehicle while the person's commercial driving privileges are sus-
16 pended or revoked.
- 17 (t) Failure to use vehicle traction tires or chains in violation of ORS 815.140 if the person is
18 operating a motor vehicle subject to ORS chapter 825 or 826.
- 19 (u) Illegally altering or displaying registration plate in violation of ORS 803.550.
- 20 (2) A weighmaster or motor carrier enforcement officer in whose presence an offense described
21 in this subsection is committed by a person operating a commercial motor vehicle may issue a ci-
22 tation for the offense. A weighmaster or motor carrier enforcement officer who finds evidence that
23 an offense described in this subsection has been committed by a person operating a commercial
24 motor vehicle or by a motor carrier for which the person is acting as an agent may issue a citation
25 for the offense. A weighmaster or motor carrier enforcement officer issuing a citation under this
26 subsection has the authority granted a police officer issuing a citation under ORS 810.410. A citation
27 issued under this subsection to the operator of a commercial motor vehicle shall be considered to
28 have been issued to the motor carrier that owns the commercial motor vehicle if the operator is not
29 the owner. This subsection applies to the following offenses, all of which are Class A traffic vio-
30 lations under ORS 825.990 (1):
 - 31 (a) Repeatedly violating or avoiding any order or rule of the Department of Transportation.
 - 32 (b) Repeatedly refusing or repeatedly failing, after being requested to do so, to furnish service
33 authorized by certificate.
 - 34 (c) Refusing or failing to file the annual report as required by ORS 825.320.
 - 35 (d) Refusing or failing to maintain records required by the department or to produce such re-
36 cords for examination as required by the department.
 - 37 (e) Failing to appear for a hearing after notice that the carrier's certificate or permit is under
38 investigation.
 - 39 (f) Filing with the department an application that is false with regard to the ownership, pos-
40 session or control of the equipment being used or the operation being conducted.
 - 41 (g) Delinquency in reporting or paying any fee, tax or penalty due to the department under ORS
42 chapter 825 or 826.
 - 43 *[(h) Refusing or failing to file a deposit or bond as required under ORS 825.506.]*
 - 44 *[(i)]* (h) Failing to comply with the applicable requirements for attendance at a motor carrier
45 education program as required by ORS 825.402.

1 (3) A weighmaster or motor carrier enforcement officer who finds evidence that a person oper-
 2 ating a commercial motor vehicle has committed the [*offense of failure to pay the appropriate regis-*
 3 *tration fee under ORS 803.315*] **following offenses** may issue a citation for the offense in the same
 4 manner as under ORS 810.410 as if the weighmaster or motor carrier enforcement officer were a
 5 police officer[.]:

6 (a) **Failure to register a vehicle under ORS 803.300.**

7 (b) **Failure to pay the appropriate registration fee under ORS 803.315.**

8 (c) **Failure to submit a declaration of weight under ORS 803.440.**

9 (d) **Failure to renew vehicle registration under ORS 803.455.**

10 (e) **Failure to carry a registration card under ORS 803.505.**

11 (f) **Failure to display registration plates under ORS 803.540.**

12 (g) **Improper display of validating stickers under ORS 803.560.**

13 (h) **Failure to comply with requirements of an international fuel tax agreement under**
 14 **section 11b of this 2019 Act.**

15 (4) The authority of a weighmaster or motor carrier enforcement officer to issue citations or
 16 arrest under this section is subject to ORS chapter 153.

17 (5)(a) A person is a weighmaster for purposes of this section if the person is a county
 18 weighmaster or a police officer.

19 (b) A person is a motor carrier enforcement officer under this section if the person is duly au-
 20 thorized as a motor carrier enforcement officer by the Department of Transportation.

21 (6) A weighmaster or motor carrier enforcement officer may accept security in the same manner
 22 as a police officer under ORS 810.440 and 810.450 and may take as security for the offenses, in ad-
 23 dition to other security permitted under this section, the sum fixed as the presumptive fine for the
 24 offense.

25 (7) A weighmaster or motor carrier enforcement officer may arrest a person for the offense of
 26 failure to appear in a violation proceeding under ORS 153.992 if the violation is based upon a cita-
 27 tion for any offense described in subsection (1) or (3) of this section except those described in sub-
 28 section (1)(p) of this section.

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

33 **SECTION 11a. Section 11b of this 2019 Act is added to and made a part of the Oregon**
 34 **Vehicle Code.**

35 **SECTION 11b. (1) A person commits the offense of failure to comply with the require-**
 36 **ments of an international fuel tax agreement if the person is required to comply with the**
 37 **requirements of an international fuel tax agreement entered into under ORS 825.555 or any**
 38 **rule adopted by the Department of Transportation under ORS 825.555, and the person fails**
 39 **to comply.**

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

42
 43 **MOTOR VEHICLE FUEL TAXES**
 44

45 **SECTION 12. ORS 319.010 is amended to read:**

1 319.010. As used in ORS 319.010 to 319.430, unless the context requires otherwise:

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

4 (2) "Aircraft fuel" means any gasoline and any other inflammable or combustible gas or liquid
5 by whatever name such gasoline, gas or liquid is known or sold, usable as fuel for the operation of
6 aircraft, except gas or liquid, the chief use of which, as determined by the Department of Trans-
7 portation is for purposes other than the propulsion of aircraft.

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

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

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

15 (6) "Dealer" means any person who:

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

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

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

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

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

28 (8) "Distribution" means, in addition to its ordinary meaning, the delivery of motor vehicle fuel
29 or aircraft fuel by a dealer to any service station or into any tank, storage facility or series of tanks
30 or storage facilities connected by pipelines, from which motor vehicle fuel or aircraft fuel is with-
31 drawn directly for sale or for delivery into the fuel tanks of motor vehicles whether or not the
32 service station, tank or storage facility is owned, operated or controlled by the dealer.

33 (9) "First sale, use or distribution of motor vehicle fuel or aircraft fuel" means the first with-
34 drawal, other than by bulk transfer, of motor vehicle fuel or aircraft fuel from terminal storage fa-
35 cilities for sale, use or distribution. "First sale, use or distribution of motor vehicle fuel or aircraft
36 fuel" also means the first sale, use or distribution of motor vehicle fuel or aircraft fuel after import
37 into this state if the motor vehicle fuel or aircraft fuel is delivered other than to the terminal stor-
38 age facilities of a licensed dealer.

39 (10) "Highway" means every way, thoroughfare and place, of whatever nature, open for use of
40 the public for the purpose of vehicular travel.

41 (11) "Motor vehicle" means all vehicles, engines or machines, movable or immovable, operated
42 or propelled by the use of motor vehicle fuel.

43 (12)(a) "Motor vehicle fuel" means [*and includes*] gasoline, **diesel** and any other inflammable or
44 combustible gas or liquid, by whatever name [*such gasoline, gas or liquid is*] known or sold, usable
45 as fuel for the operation of motor vehicles, except gas or liquid[,] the chief use of which, as deter-

1 mined by the department, is for purposes other than the propulsion of motor vehicles upon the
 2 highways of this state.

3 **(b) “Motor vehicle fuel” does not mean dyed diesel fuel used on public highways if the**
 4 **dyed diesel fuel is exempt from taxation under federal or state law.**

5 (13) “Person” includes every natural person, association, firm, partnership, corporation or the
 6 United States.

7 (14) “Restricted landing area” means any area of land or water, or both, which is used or made
 8 available for the landing and takeoff of aircraft, the use of which, except in case of emergency, is
 9 provided from time to time by the department.

10 (15) “Service station” means [*and includes*] any place operated for the purpose of retailing and
 11 delivering motor vehicle fuel into the fuel tanks of motor vehicles or aircraft fuel into the fuel tanks
 12 of aircraft.

13 (16) “Terminal storage facility” means any fuel storage facility that has marine or pipeline ac-
 14 cess.

15 **SECTION 13. (1) Before operating a motor vehicle on the public highways of this state**
 16 **for commercial purposes, an out-of-state user of motor vehicle fuel as defined in ORS 319.010**
 17 **that is not registered under an international fuel tax agreement shall obtain a valid fuel**
 18 **permit from the Department of Transportation in accordance with this section.**

19 **(2)(a) A fuel permit becomes valid only after the following fees and excise tax have been**
 20 **paid, for each fuel permit issued:**

- 21 **(A) A filing fee of \$1;**
- 22 **(B) An administrative fee of \$10; and**
- 23 **(C) An excise tax of \$15.**

24 **(b) The fees and excise tax are in lieu of any motor vehicle fuel tax that would otherwise**
 25 **be assessable against the out-of-state user for importing and using motor vehicle fuel on the**
 26 **public highways of this state.**

27 **(c) No report of mileage shall be required for the motor vehicle to which the fuel permit**
 28 **relates.**

29 **(3) A fuel permit issued under this section is valid:**

30 **(a) For three consecutive days beginning and ending on the dates specified on the face**
 31 **of the fuel permit, unless invalidated sooner; and**

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

33 **(4) Fees and excise taxes collected by the department for fuel permits under this section**
 34 **shall be credited and deposited in the same manner as the motor vehicle fuel taxes collected**
 35 **under ORS 319.010 to 319.430 and are not subject to exchange, refund or credit.**

36 **(5) The department shall adopt rules necessary to administer the provisions of this sec-**
 37 **tion.**

38 **SECTION 14. Section 15 of this 2019 Act is added to and made a part of ORS 295.001 to**
 39 **295.108.**

40 **SECTION 15. (1) This section applies to the following moneys:**

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

- 42 **(A) Imposed on motor carriers; and**
- 43 **(B) Payable through a clearinghouse operated under an international fuel tax agreement**
 44 **entered into under ORS 825.555; and**

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

1 (A) Imposed on motor carriers for motor vehicles proportionally registered in this state
 2 and other jurisdictions;

3 (B) Apportioned to this state; and

4 (C) Payable through a clearinghouse operated under an agreement for proportional reg-
 5 istration entered into under ORS 826.007.

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

10 **SECTION 16.** (1) As used in this section and section 17 of this 2019 Act:

11 (a) “Former motor carrier revenue law” means Oregon law, as in effect and operative
 12 on December 31, 2021, governing the amount of weight-mile taxes, fuel taxes, registration
 13 fees, permit fees and any other charges imposed on motor carriers and collected by the De-
 14 partment of Transportation.

15 (b) “New motor carrier revenue law” means Oregon law, as in effect and operative on
 16 January 1, 2022, governing the amount of fuel taxes, registration fees, permit fees and any
 17 other charges imposed on motor carriers and collected by the Department of Transportation.

18 (2)(a) As part of the full highway cost allocation study reported by January 31, 2023, un-
 19 der ORS 366.506 (4), the Oregon Department of Administrative Services shall determine, for
 20 the period beginning on January 1, 2022, and ending on June 30, 2022, the difference between
 21 the amount of revenue collected under the new motor carrier revenue law and the amount
 22 that would have been collected under the former motor carrier revenue law.

23 (b) The full highway cost allocation study shall propose adjustments in the rates of the
 24 registration fee imposed under ORS 803.420 necessary to achieve revenue neutrality between
 25 the new motor carrier revenue law and the former motor carrier revenue law.

26 (3) If the department determines that, for the period beginning on January 1, 2022, and
 27 ending on June 30, 2022, the revenue that would have been collected under the former motor
 28 carrier revenue law exceeds the revenue collected under the new motor carrier revenue law,
 29 the adjustments proposed under subsection (2)(b) of this section must include temporary in-
 30 creases to compensate the State Highway Fund for the loss of revenue for that period.

31 (4) If the department determines that, for the period beginning on January 1, 2022, and
 32 ending on June 30, 2022, the revenue that would have been collected under the former motor
 33 carrier revenue law is less than the revenue collected under the new motor carrier revenue
 34 law, the adjustments proposed under subsection (2)(b) of this section must include temporary
 35 decreases in order to reimburse carriers for the amount of the increase in revenue under
 36 the new motor carrier revenue law for that period.

37 **SECTION 17.** (1)(a) As part of the full highway cost allocation study reported by January
 38 31, 2025, under ORS 366.506 (4), the Oregon Department of Administrative Services shall de-
 39 termine, for the period beginning on July 1, 2022, and ending on June 30, 2023, the difference
 40 between the amount of revenue collected under the new motor carrier revenue law and the
 41 amount that would have been collected under the former motor carrier revenue law.

42 (b) The full highway cost allocation study shall propose adjustments in the rates of the
 43 registration fee imposed under ORS 803.420 necessary to achieve revenue neutrality between
 44 the new motor carrier revenue law and the former motor carrier revenue law.

45 (2) If the department determines that, for the period beginning on July 1, 2022, and end-

1 ing on June 30, 2023, the revenue that would have been collected under the former motor
2 carrier revenue law exceeds the revenue collected under the new motor carrier revenue law,
3 the adjustments proposed under subsection (1)(b) of this section must include temporary in-
4 creases to compensate the State Highway Fund for the loss of revenue for that period.

5 (3) If the department determines that, for the period beginning on July 1, 2022, and end-
6 ing on June 30, 2023, the revenue that would have been collected under the former motor
7 carrier revenue law is less than the revenue collected under the new motor carrier revenue
8 law, the adjustments proposed under subsection (1)(b) of this section must include temporary
9 decreases in order to reimburse carriers for the amount of the increase in revenue under
10 the new motor carrier revenue law for that period.

11 **SECTION 18.** Section 18a of this 2019 Act is added to and made a part of ORS 319.010 to
12 319.430.

13 **SECTION 18a.** (1) The Department of Transportation shall allow refunds as provided in
14 this section to a user of motor vehicle fuel presenting a claim as follows:

15 (a) For diesel fuel used in a motor vehicle designed to carry logs, poles, pilings, sand or
16 gravel, a claimant shall be allowed a refund of:

17 (A) Up to 25 percent of the tax paid on all diesel fuel used by the claimant in this state,
18 provided that the claimant shows evidence of the total number of gallons of diesel fuel used
19 in this state on the highways and of the total number of gallons used in this state off the
20 highways; or

21 (B) Up to 15 percent of the tax paid without providing evidence of the total number of
22 gallons of diesel fuel used in this state on the highways or of the total number of gallons used
23 in this state off the highways.

24 (b) For diesel fuel used in a motor vehicle exclusively owned and operated by an
25 investor-owned utility, a claimant shall be allowed a refund of 70 percent of the tax paid.

26 (c) For diesel fuel used in a separate fuel supply dedicated to the operation of ancillary
27 equipment and not used to propel the motor vehicle, a claimant shall be allowed a refund of
28 100 percent of the tax paid.

29 (2) A claim for a refund under this section must be submitted to the department within
30 15 months after the payment of the tax for which a refund is claimed.

31 (3)(a) A claim for a refund under this section must include a signed statement by the
32 claimant indicating the amount of diesel fuel for which a refund is claimed and the manner
33 in which the diesel fuel was used that qualifies the claimant for a refund.

34 (b) If the diesel fuel for which the refund is claimed was obtained from a seller to which
35 the diesel fuel tax was paid, the claim must be supported by the invoices that cover the
36 purchase of the diesel fuel.

37 (c) If the claimant paid the diesel fuel tax directly to the department, the claimant must
38 indicate the source of the diesel fuel and the date the fuel was obtained.

39 (4) The department may require any claimant for a refund under this section to furnish
40 a statement, under penalties for false swearing, setting forth the claimant's occupation, a
41 description of the machines or equipment in which the diesel fuel was used, the place where
42 the diesel fuel was used and any other information the department may require.

43
44 **CONFORMING AMENDMENTS**
45

1 **SECTION 19.** Section 139, chapter 750, Oregon Laws 2017, as amended by section 31, chapter
2 93, Oregon Laws 2018, is amended to read:

3 **Sec. 139.** (1) The amendments to ORS 826.023 by section 70, chapter 750, Oregon Laws 2017,
4 become operative on January 1, 2020.

5 (2) The amendments to ORS 803.091, 803.420 and 803.422 by sections 33, 35 and 38, chapter 750,
6 Oregon Laws 2017, become operative on January 1, 2022.

7 (3) The amendments to ORS [803.645,] 818.225, 825.476 and 825.480 by sections [49,] 52, 64 and
8 67, chapter 750, Oregon Laws 2017, become operative on January 1, 2024.

9 **SECTION 19a.** Section 139, chapter 750, Oregon Laws 2017, as amended by section 31, chapter
10 93, Oregon Laws 2018, and section 19 of this 2019 Act, is amended to read:

11 **Sec. 139.** (1) The amendments to ORS 826.023 by section 70, chapter 750, Oregon Laws 2017,
12 become operative on January 1, 2020.

13 (2) The amendments to ORS 803.091, 803.420 and 803.422 by sections 33, 35 and 38, chapter 750,
14 Oregon Laws 2017, become operative on January 1, 2022.

15 (3) The amendments to ORS 818.225[, 825.476 and 825.480] by [sections] **section** 52[, 64 and 67],
16 chapter 750, Oregon Laws 2017, become operative on January 1, 2024.

17 **SECTION 20.** ORS 319.690 is amended to read:

18 319.690. (1)(a) Except as provided in subsection (2) of this section and ORS 319.692, each user
19 of fuel in a motor vehicle required to be licensed under ORS 319.550 shall, on or before the 20th day
20 of each month, file with the Department of Transportation a report showing the amount of fuel used
21 during the immediately preceding calendar month by the user and such other information as the
22 department may require for the purposes of ORS 319.510 to 319.880.

23 (b) The department shall prescribe the form of the report.

24 (c) The user shall file the report with the department in the manner provided by the department
25 by rule.

26 (d) Each report shall be accompanied by a remittance payable to the department for the amount
27 of all the tax shown by the report to be due and payable.

28 (e) Any tax paid to a seller is a credit against the amount of tax otherwise due and payable to
29 the state under ORS 319.510 to 319.880 or 818.225[, 825.474, 825.476 and 825.480. Also] **or**, when filing
30 a monthly tax report, a user may, in lieu of claiming a refund, take a deduction or credit for the tax
31 on any fuel which would otherwise be subject to refund under ORS 319.831 (1).

32 (2)(a) Each user of fuel in a motor vehicle with a light weight of less than 8,000 pounds required
33 to be licensed under ORS 319.550 may file an annual report of all fuel used upon Oregon highways.

34 (b) The report for each calendar year shall be filed on or before March 1 of the year following
35 and shall be accompanied by a remittance payable to the department of all the tax shown to be due
36 and payable on the amount of fuel used.

37 **SECTION 21.** Section 18, chapter 30, Oregon Laws 2010, as amended by section 71L, chapter
38 750, Oregon Laws 2017, and section 32, chapter 93, Oregon Laws 2018, is amended to read:

39 **Sec. 18.** (1) The Department of Transportation shall report semiannually to the legislative
40 committees on revenue if the Legislative Assembly is in session or, if the Legislative Assembly is
41 not in session, to the Legislative Revenue Officer. The department's report shall include an estimate
42 of the amounts received in the previous two quarters from the increased taxes and fees established
43 in chapter 865, Oregon Laws 2009, and an estimate of the projected revenue in the current quarter
44 from the increased taxes and fees established in chapter 865, Oregon Laws 2009.

45 (2) In addition to the report described in subsection (1) of this section, the Department of

1 Transportation shall report semiannually to the legislative committees on revenue if the Legislative
2 Assembly is in session or, if the Legislative Assembly is not in session, to the Legislative Revenue
3 Officer. The department's report shall include:

4 (a)(A) An estimate of the amounts received in the previous two quarters from the increased
5 taxes and fees established in ORS 803.091 and 803.422 and section 45, chapter 750, Oregon Laws
6 2017, and the amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450[,
7 825.476, 825.480] and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 57[, 63, 64, 66, 67] and
8 70, chapter 750, Oregon Laws 2017, and **from the increased revenues from the amendments to**
9 **ORS 803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act in an amount**
10 **that is equal to the amount that would have been attributable to the increase in fees and tax**
11 **rates by the amendments to ORS 825.476 and 825.480 by sections 63, 64, 66 and 67, chapter**
12 **750, Oregon Laws 2017.**

13 (B) An estimate of the projected revenue in the current quarter and the next quarter from the
14 increased taxes and fees established in ORS 803.091 and 803.422 and section 45, chapter 750, Oregon
15 Laws 2017, and the amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450[,
16 825.476, 825.480] and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 57[, 63, 64, 66, 67] and
17 70, chapter 750, Oregon Laws 2017, and **from the increased revenues from the amendments to**
18 **ORS 803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act in an amount**
19 **that is equal to the amount that would have been attributable to the increase in fees and tax**
20 **rates by the amendments to ORS 825.476 and 825.480 by sections 63, 64, 66 and 67, chapter**
21 **750, Oregon Laws 2017.**

22 (b)(A) An estimate of the amounts received in the previous biennium to date from the increased
23 taxes and fees established in ORS 803.091 and 803.422 and section 45, chapter 750, Oregon Laws
24 2017, and the amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450[,
25 825.476, 825.480] and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 57[, 63, 64, 66, 67] and
26 70, chapter 750, Oregon Laws 2017, and **from the increased revenues from the amendments to**
27 **ORS 803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act in an amount**
28 **that is equal to the amount that would have been attributable to the increase in fees and tax**
29 **rates by the amendments to ORS 825.476 and 825.480 by sections 63, 64, 66 and 67, chapter**
30 **750, Oregon Laws 2017.**

31 (B) An estimate of the projected revenue in the remaining current biennium from the increased
32 taxes and fees established in ORS 803.091 and 803.422 and section 45, chapter 750, Oregon Laws
33 2017, and the amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450[,
34 825.476, 825.480] and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 57[, 63, 64, 66, 67] and
35 70, chapter 750, Oregon Laws 2017, and **from the increased revenues from the amendments to**
36 **ORS 803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act in an amount**
37 **that is equal to the amount that would have been attributable to the increase in fees and tax**
38 **rates by the amendments to ORS 825.476 and 825.480 by sections 63, 64, 66 and 67, chapter**
39 **750, Oregon Laws 2017.**

40 (c) Information about the expenditures and distributions made under ORS 367.095, including but
41 not limited to:

42 (A) Information about the department's total funds as well as the funds raised separately by the
43 increased taxes and fees established in ORS 803.091 and 803.422 and section 45, chapter 750, Oregon
44 Laws 2017, and the amendments to ORS 319.020, 319.530, 803.420, 803.645, 818.225, 818.270, 825.450[,
45 825.476, 825.480] and 826.023 by sections 34, 35, 40 to 43, 48, 49, 51, 52, 54, 57[, 63, 64, 66, 67] and

1 70, chapter 750, Oregon Laws 2017, **and from the increased revenues from the amendments to**
 2 **ORS 803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act in an amount**
 3 **that is equal to the amount that would have been attributable to the increase in fees and tax**
 4 **rates by the amendments to ORS 825.476 and 825.480 by sections 63, 64, 66 and 67, chapter**
 5 **750, Oregon Laws 2017,** and expended as described in ORS 367.095 (3)(c).

6 (B) Semiannual amounts that include all the actual and forecasted expenditures and distributions
 7 made under ORS 367.095 for each quarter of the current biennium and the forecasted expenditures
 8 and distributions for the following biennium.

9 **SECTION 22.** Section 5, chapter 865, Oregon Laws 2009, as amended by section 2, chapter 30,
 10 Oregon Laws 2010, is amended to read:

11 **Sec. 5.** (1) The Department of Transportation shall provide information on the department's
 12 website about:

13 (a) Transportation projects described in section 64, chapter 865, Oregon Laws 2009; *[and]*

14 (b) Any other transportation projects funded by the increase in taxes and fees by the amend-
 15 ments to:

16 (A) ORS 803.090 by section 42, chapter 865, Oregon Laws 2009;

17 (B) ORS 803.420 by section 43, chapter 865, Oregon Laws 2009;

18 (C) ORS 803.420 by section 43a, chapter 865, Oregon Laws 2009;

19 (D) ORS 803.570 by section 44, chapter 865, Oregon Laws 2009;

20 (E) ORS 803.645 by section 44a, chapter 865, Oregon Laws 2009;

21 (F) ORS 319.020 by section 48, chapter 865, Oregon Laws 2009;

22 (G) ORS 319.530 by section 49, chapter 865, Oregon Laws 2009; **and**

23 (H) ORS 818.225 by section 51, chapter 865, Oregon Laws 2009; **and**

24 *[(I) ORS 825.476 by section 52, chapter 865, Oregon Laws 2009; and]*

25 *[(J) ORS 825.480 by section 53, chapter 865, Oregon Laws 2009.]*

26 (c) **Any other transportation projects funded by the increased revenues from the**
 27 **amendments to ORS 803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act**
 28 **in an amount that is equal to the amount that would have been attributable to the increase**
 29 **in fees and tax rates by the amendments to ORS 825.476 and 825.480 by sections 52 and 53,**
 30 **chapter 865, Oregon Laws 2009.**

31 (2) The department shall make the information accessible directly from the department's website
 32 home page.

33 (3) For each project listed, the department shall provide a short description of the project, the
 34 intended benefit of the project, an estimated date for inviting bids and entering into contracts, an
 35 estimated contract cost, an estimated completion date, any change in the estimated completion date
 36 and any change in the project cost. The department shall also provide explanation for any change
 37 in the estimated completion date or change in project cost.

38 (4) The department shall update the information required by this section each week until all
 39 projects are completed.

40 (5) The department shall report to the interim House and Senate committees related to trans-
 41 portation on the progress the department is making toward achieving the goals of this section.

42 **SECTION 23.** ORS 366.507 is amended to read:

43 366.507. (1) The Department of Transportation shall use, **to establish and operate a state**
 44 **modernization program for highways,** an amount equal to:

45 (a) The amount of moneys in the State Highway Fund that becomes available for its use from

1 the increase in tax rates created by the amendments to ORS 319.020[,] **and** 319.530[, 825.476 and
2 825.480] by sections [1, 2 and 10 to 15] **1, 2, 12 and 13**, chapter 209, Oregon Laws 1985[.];

3 **(b) An amount from the increased revenues from the amendments to ORS 803.420, 803.645**
4 **and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act that is equal to the amount that**
5 **would have become available to the department from the increase in tax rates created by the**
6 **amendments to ORS 825.476 and 825.480 by sections 10, 11, 14 and 15, chapter 209, Oregon**
7 **Laws 1985; [and]**

8 **(c) An amount equal to one-third of the amount of moneys in the State Highway Fund that be-**
9 **comes available for its use from any increase in tax rates created by the amendments to ORS**
10 **319.020[,] and 319.530[, 825.476 and 825.480] by sections [5, 6 and 8 to 15] 8 to 11, 14 and 15,** chapter
11 899, Oregon Laws 1987[.];

12 **(d) An amount from the increased revenues from the amendments to ORS 803.420, 803.645**
13 **and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act that is equal to one-third of the**
14 **amount that would have become available to the department from the increase in tax rates**
15 **created by the amendments to ORS 825.476 and 825.480 by sections 5, 6, 12 and 13, chapter**
16 **899, Oregon Laws 1987; and**

17 **(e) One-third of the amount that results** from any increase in tax rates that results from the
18 provisions of sections 16 and 17, chapter 899, Oregon Laws 1987[, *to establish and operate a state*
19 *modernization program for highways*].

20 **(2) The program established under this section and the use of moneys in the program are subject**
21 **to the following:**

22 [(1)] **(a)** The moneys may be used by the department to retire bonds that the department issues
23 for the modernization program under bonding authority of the department.

24 [(2)] **(b)** The intent of the modernization program is to increase highway safety, to accelerate
25 improvements from the backlog of needs on the state highways and to fund modernization of high-
26 ways and local roads to support economic development in Oregon. Projects both on and off the state
27 highway system are eligible.

28 [(3)] **(c)** Projects to be implemented by the modernization program shall be selected by the
29 Oregon Transportation Commission. The criteria for selection of projects will be established after
30 public hearings that allow citizens an opportunity to review the criteria. The commission may use
31 up to one-half of moneys available under this section for modernization projects selected by the
32 commission from a list of projects of statewide significance.

33 [(4)] **(d)** In developing criteria for selection of projects, the commission shall consider the fol-
34 lowing:

35 [(a)] **(A)** Projects must be of significance to the state highway system.

36 [(b)] **(B)** Except for projects that are of statewide significance, projects must be equitably dis-
37 tributed throughout Oregon.

38 [(c)] **(C)** Projects may be on county or city arterial roads connecting to or supporting a state
39 highway.

40 [(d)] **(D)** Priority may be given to projects that make a meaningful contribution to increased
41 highway safety.

42 [(e)] **(E)** Priority may also be given to projects that encourage economic development where:

43 [(A)] **(i)** There is commitment by private industry to construct a facility.

44 [(B)] **(ii)** There is support from other state agencies.

45 [(f)] **(F)** Priority may be given where there is local government or private sector financial par-

1 participation, or both, in the improvement in addition to improvements adjacent to the project.

2 [(g)] (G) Priority may be given where there is strong local support.

3 [(5)] (e) Except as otherwise provided in this subsection, federal moneys or moneys from the
 4 State Highway Fund other than those described in this section may be used for the modernization
 5 program as long as the total amount used is equal to the amount described in this section. Federal
 6 moneys that are appropriated by Congress for specific projects and federal moneys that are allo-
 7 cated by the United States Department of Transportation for specific projects may not be used for
 8 the modernization program under this section.

9 **SECTION 24.** ORS 366.744 is amended to read:

10 366.744. (1) The following moneys shall be allocated as provided in subsection (2) of this section:

11 (a) The amount attributable to the increase in title fees by the amendments to ORS 803.090 by
 12 section 1, chapter 618, Oregon Laws 2003.

13 (b) The amount attributable to the increase in registration fees by the amendments to ORS
 14 803.420 by section 2, chapter 618, Oregon Laws 2003, except for the amount paid to the State Parks
 15 and Recreation Department Fund under ORS 366.512; and

16 (c) The amount attributable to the increase in fees [*and tax rates*] by the amendments to ORS
 17 818.225[, 825.476 and 825.480 by sections 3, 4 and 5, chapter 618, Oregon Laws 2003] **by section 3,**
 18 **chapter 618, Oregon Laws 2003, and an amount from the increased revenues from the**
 19 **amendments to ORS 803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act**
 20 **that is equal to the amount that would have been attributable to the increase in fees and tax**
 21 **rates by the amendments to ORS 825.476 and 825.480 by sections 4 and 5, chapter 618, Oregon**
 22 **Laws 2003.**

23 (2) The moneys described in subsection (1) of this section shall be allocated as follows:

24 (a) 57.53 percent to the Department of Transportation.

25 (b) 25.48 percent to the department to pay the principal and interest due on bonds authorized
 26 under ORS 367.620 (3) that are issued for replacement and repair of bridges on county highways.
 27 However, any portion of the 25.48 percent that is not needed for payment of principal and interest
 28 on the bonds described in this paragraph shall be allocated to counties. Moneys allocated to coun-
 29 ties under this paragraph shall be distributed in the same manner as moneys allocated to counties
 30 under ORS 366.739 are distributed.

31 (c) 16.99 percent to the department to pay the principal and interest due on bonds authorized
 32 under ORS 367.620 (3) that are issued for replacement and repair of bridges on city highways.
 33 However, any portion of the 16.99 percent that is not needed for payment of principal and interest
 34 on the bonds described in this paragraph shall be allocated to cities. Moneys allocated to cities
 35 under this paragraph shall be distributed in the same manner as moneys allocated to cities under
 36 ORS 366.739 are distributed.

37 (3)(a) Multnomah County shall spend a majority of moneys distributed to it under subsection
 38 (2)(b) of this section on bridges in the county.

39 (b) Moneys distributed to Multnomah County under subsection (2)(b) of this section that are not
 40 spent on bridges shall be distributed equitably within the county, based on the agreement described
 41 in paragraph (c) of this subsection.

42 (c) Multnomah County and the cities within the county shall agree upon the distribution of
 43 moneys described in paragraph (b) of this subsection. When the county and the cities have reached
 44 an agreement, they shall notify the Oregon Transportation Commission of the agreement. If the
 45 commission does not receive notice of an agreement by June 30, 2004, the Department of Transpor-

1 tation may not distribute moneys that would otherwise go to the county under paragraph (b) of this
 2 subsection. Such moneys shall revert to the State Highway Fund for use by the Department of
 3 Transportation.

4 **SECTION 25.** ORS 366.752 is amended to read:

5 366.752. (1) The following moneys shall be allocated as described in subsections (2) and (3) of this
 6 section:

7 (a) The amount attributable to the fee increases by the amendments to ORS 803.090 by section
 8 42, chapter 865, Oregon Laws 2009.

9 (b) The amount attributable to the fee increases by the amendments to ORS 803.420 by section
 10 43, chapter 865, Oregon Laws 2009.

11 (c) The amount attributable to the fee increases by the amendments to ORS 803.420 by section
 12 43a, chapter 865, Oregon Laws 2009.

13 (d) The amount attributable to the fee increases by the amendments to ORS 803.570 by section
 14 44, chapter 865, Oregon Laws 2009.

15 (e) The amount attributable to the fee increase by the amendments to ORS 803.645 by section
 16 44a, chapter 865, Oregon Laws 2009.

17 (f) The amount attributable to the increase in fees and tax rates by the amendments to ORS
 18 319.020, 319.530, 818.225[825.476 and 825.480] by sections 48, 49 and 51 [to 53], chapter 865, Oregon
 19 Laws 2009, **and an amount from the increased revenues from the amendments to ORS 803.420,**
 20 **803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act that is equal to the amount**
 21 **that would have been attributable to the increase in fees and tax rates by the amendments**
 22 **to ORS 825.476 and 825.480 by sections 52 and 53, chapter 865, Oregon Laws 2009.**

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

27 (3) The moneys described in subsection (1) of this section that remain after the allocation of
 28 moneys described in subsection (2) of this section shall 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.

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

32 (4) Except as provided in subsection (5) of this section, the moneys described in subsection (3)(a)
 33 of this section or equivalent amounts that become available to the Department of Transportation
 34 shall be allocated as follows:

35 (a) 33 percent for maintenance, preservation and safety of highways.

36 (b) 15.75 percent for the state modernization program for highways as described in ORS 366.507.

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

39 (5) The moneys allocated in subsection (4) of this section may be used to secure and pay bond
 40 debt service on Highway User Tax Bonds under ORS 367.615.

41 (6) For the purposes of this section:

42 (a) "Bond" has the meaning given that term in ORS 367.010.

43 (b) "Bond debt service" has the meaning given that term in ORS 367.010.

44 **SECTION 26.** ORS 367.095, as amended by section 30c, chapter 93, Oregon Laws 2018, is
 45 amended to read:

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

2 (a) The amount attributable to the increase in tax rates by section 45, chapter 750, Oregon Laws
3 2017, and the amendments to ORS 319.020 and 319.530 by sections 40 to 43, chapter 750, Oregon
4 Laws 2017.

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

7 (c) The amount attributable to the increase in taxes and fees by the amendments to ORS 803.420,
8 803.645, 818.225, 818.270, 825.450[, 825.476, 825.480] and 826.023 by sections 34, 35, 48, 49, 51, 52, 54,
9 57[, 63, 64, 66, 67] and 70, chapter 750, Oregon Laws 2017, **and an amount from the increased**
10 **revenues from the amendments to ORS 803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and**
11 **10 of this 2019 Act that is equal to the amount that would have been attributable to the in-**
12 **crease in fees and tax rates by the amendments to ORS 825.476 and 825.480 by sections 63,**
13 **64, 66 and 67, chapter 750, Oregon Laws 2017.**

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

16 (a) For calendar years beginning on or after January 1, 2022, \$30 million shall be used for the
17 Interstate 5 Rose Quarter Project. This amount shall be used for the Interstate 5 Rose Quarter
18 Project only until the later of the date on which the project is completed or on which all bonds is-
19 sued to fund the project have been repaid.

20 (b) \$10 million per year shall be deposited into the Safe Routes to Schools Fund for the purpose
21 of providing Safe Routes to Schools matching grants under ORS 184.742. The remainder of the
22 moneys shall be distributed as described in subsection (3) of this section.

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

25 (a) 50 percent to the Department of Transportation.

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

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

28 (4) The moneys described 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) \$10 million for safety.

31 (b) Of the remaining balance:

32 (A) Forty percent for bridges.

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

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

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

36 **SECTION 27.** ORS 367.095, as amended by section 71b, chapter 750, Oregon Laws 2017, and
37 section 30d, chapter 93, Oregon Laws 2018, is amended to read:

38 367.095. (1) The following amounts shall be distributed in the manner prescribed in this section:

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

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

44 (c) The amount attributable to the increase in taxes and fees by the amendments to ORS 803.420,
45 803.645, 818.225[, 825.476, 825.480] and 826.023 by sections 34, 35, 48, 49, 51, 52[, 63, 64, 66, 67] and

1 70, chapter 750, Oregon Laws 2017, and an amount from the increased revenues from the
 2 amendments to ORS 803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act
 3 that is equal to the amount that would have been attributable to the increase in fees and tax
 4 rates by the amendments to ORS 825.476 and 825.480 by sections 63, 64, 66 and 67, chapter
 5 750, Oregon Laws 2017.

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

8 (a) \$30 million shall be used for the Interstate 5 Rose Quarter Project. This amount shall be used
 9 for the Interstate 5 Rose Quarter Project only until the later of the date on which the project is
 10 completed or on which all bonds issued to fund the project have been repaid.

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

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

16 (a) 50 percent to the Department of Transportation.

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

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

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

21 (a) \$10 million for safety.

22 (b) Of the remaining balance:

23 (A) Forty percent for bridges.

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

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

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

27 **SECTION 28.** ORS 367.173 is amended to read:

28 367.173. The principal, interest, premium, if any, and the purchase or tender price of the grant
 29 anticipation revenue bonds issued under ORS 367.161 to 367.181 are payable solely from the follow-
 30 ing moneys:

31 (1) Federal transportation funds.

32 (2) To the extent affirmatively pledged at the time issuance of revenue bonds is authorized, the
 33 following moneys that are lawfully available:

34 (a) Moneys deposited in the State Highway Fund established under ORS 366.505.

35 (b) Except as provided in paragraph (c) of this subsection, moneys, once deposited in the State
 36 Highway Fund established under ORS 366.505, from the following sources may be affirmatively
 37 pledged:

38 *[(A) Moneys from the taxes and fees on motor carriers imposed under ORS 825.474 and 825.480.]*

39 *[(B)] (A) Moneys from the tax on motor vehicle fuel imposed under ORS 319.020.*

40 *[(C)] (B) Moneys from the tax on fuel used in motor vehicles imposed under ORS 319.530.*

41 *[(D)] (C) Moneys from the special use fuel license fee under ORS 319.535.*

42 *[(E)] (D) Moneys described under ORS 803.090 from the titling of vehicles.*

43 *[(F)] (E) Moneys described under ORS 803.420 from the registration of vehicles.*

44 *[(G)] (F) Moneys described under ORS 807.370 relating to the issuance of driver licenses and*
 45 *driver permits.*

1 ~~[(H)]~~ **(G)** Moneys received by the Department of Transportation from taxes, fees or charges im-
 2 posed after January 1, 2001, or other revenues or moneys received by the department from sources
 3 not listed in subparagraphs ~~[(A) to (G)]~~ **(A) to (F)** of this paragraph that are lawfully available to
 4 be pledged under this section.

5 (c) Moneys described in paragraph (b) of this subsection do not include:

6 (A) Moneys provided for appropriations to counties under ORS 366.762 to 366.768.

7 (B) Moneys provided for appropriations to cities under ORS 366.785 to 366.820.

8 (C) Moneys in the account established under ORS 366.512 for parks and recreation.

9 **SECTION 29.** ORS 367.605 is amended to read:

10 367.605. (1) Moneys deposited in the State Highway Fund established under ORS 366.505 are
 11 pledged to payment of Highway User Tax Bonds issued under ORS 367.615.

12 (2) Except as provided in subsection (3) of this section, moneys, once deposited in the highway
 13 fund from the following sources are subject to the use or pledge described in subsection (1) of this
 14 section:

15 ~~[(a) Moneys from the taxes and fees on motor carriers imposed under ORS 825.474 and 825.480.]~~

16 ~~[(b)]~~ **(a)** Moneys from the tax on motor vehicle fuel imposed under ORS 319.020.

17 ~~[(c)]~~ **(b)** Moneys from the tax on fuel used in motor vehicles imposed under ORS 319.530.

18 ~~[(d)]~~ **(c)** Moneys from the special use fuel license fee under ORS 319.535.

19 ~~[(e)]~~ **(d)** Moneys described under ORS 803.090 from the titling of vehicles.

20 ~~[(f)]~~ **(e)** Moneys described under ORS 803.420 from the registration of vehicles.

21 ~~[(g)]~~ **(f)** Moneys described under ORS 807.370 relating to the issuance of driver licenses and
 22 driver permits.

23 ~~[(h)]~~ **(g)** Moneys received by the Department of Transportation from taxes, fees or charges im-
 24 posed after January 1, 2001, or other revenues received by the department from sources not listed
 25 in paragraphs ~~[(a) to (g)]~~ **(a) to (f)** of this subsection that are available for the use or pledge de-
 26 scribed by this section.

27 (3) Moneys described under subsection (2) of this section do not include:

28 (a) Moneys provided for appropriations to counties under ORS 366.762 to 366.768.

29 (b) Moneys provided for appropriations to cities under ORS 366.785 to 366.820.

30 (c) Moneys in the account established under ORS 366.512 for parks and recreation.

31 (4) To the extent affirmatively pledged, moneys from the following sources are subject to the
 32 use or pledge described in subsection (1) of this section:

33 (a) Moneys received by the Department of Transportation from the United States government.

34 (b) Any other moneys legally available to the department.

35 (5) Notwithstanding ORS 366.507, the lien or charge of any pledge of moneys securing bonds
 36 issued under ORS 367.615 is superior or prior to any other lien or charge and to any law of the state
 37 requiring the department to spend moneys for specified highway purposes.

38 **SECTION 30.** ORS 367.621 is amended to read:

39 367.621. It is the policy of the State of Oregon to use increased revenues from the amendments
 40 to ORS 803.090, 803.420[,] **and** 818.225[, 825.476 and 825.480] by sections 1 to [5] **3**, chapter 618,
 41 Oregon Laws 2003, **and from the amendments to ORS 803.420, 803.645 and 818.270 by sections**
 42 **3, 4, 7, 8 and 10 of this 2019 Act in an amount that is equal to the increased revenues that**
 43 **would have been received from the amendments to ORS 825.476 and 825.480 by sections 4 and**
 44 **5, chapter 618, Oregon Laws 2003**, in a manner that maximizes the creation of new jobs. Each
 45 public body, as defined in ORS 174.109, that receives moneys from the revenues generated by the

1 amendments to ORS 803.090, 803.420[,] **and** 818.225[, 825.476 and 825.480] by sections 1 to [5] **3**,
2 chapter 618, Oregon Laws 2003, **and that receives moneys from the amendments to ORS**
3 **803.420, 803.645 and 818.270 by sections 3, 4, 7, 8 and 10 of this 2019 Act in an amount that is**
4 **equal to the amount that would have been received from revenues generated by the amend-**
5 **ments to ORS 825.476 and 825.480 by sections 4 and 5, chapter 618, Oregon Laws 2003**, shall
6 use private sector resources to the greatest extent possible in accomplishing the work funded by
7 revenues [from the amendments to ORS 803.090, 803.420, 818.225, 825.476 and 825.480 by sections 1
8 to 5, chapter 618, Oregon Laws 2003] **described in this section.**

9 **SECTION 31.** ORS 376.390 is amended to read:

10 376.390. Nothing in ORS 376.305 to 376.390 relieves the forest road contractor or agents or
11 subcontractors of the forest road contractor from payment of any taxes or fees prescribed by law[,
12 *except that, with respect to a motor vehicle operated upon a contract forest road by a forest road con-*
13 *tractor, or agent or subcontractor of the forest road contractor, the road tax mileage fees prescribed*
14 *by ORS 825.474, 825.476, 825.480 and 825.484 shall be assessed upon the declared combined weight of*
15 *the motor vehicle or 76,000 pounds, whichever is less*].

16 **SECTION 32.** ORS 818.225, as amended by section 26, chapter 93, Oregon Laws 2018, is
17 amended to read:

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

22 (2)(a) In addition to any fee for a single-trip nondivisible load permit, a person who is issued the
23 permit or who operates a vehicle in a manner that requires the permit is liable for payment of a
24 road use assessment fee computed on the basis of the following rates per equivalent single-axle load
25 mile traveled:

26 (A) For the period beginning on January 1, 2018, and ending on December 31, 2019, eight and
27 five-tenths cents.

28 (B) For the period beginning on January 1, 2020, and ending on December 31, 2021, nine and
29 three-tenths cents.

30 (C) For the period beginning on January 1, 2022, and ending on December 31, 2023, ten and
31 three-tenths cents.

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

35 [(c) *The miles of travel authorized by a single-trip nondivisible load permit shall be exempt from*
36 *taxation under ORS chapter 825.*]

37 (3) The department may adopt rules:

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

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

42 **SECTION 33.** ORS 818.225, as amended by section 52, chapter 750, Oregon Laws 2017, and
43 section 27, chapter 93, Oregon Laws 2018, is amended to read:

44 818.225. (1) As used in this section, “equivalent single-axle load” means the relationship between
45 actual or requested weight and an 18,000 pound single-axle load as determined by the American

1 Association of State Highway and Transportation Officials Road Tests reported at the Proceedings
 2 Conference of 1962.

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

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

9 *[(c) The miles of travel authorized by a single-trip nondivisible load permit shall be exempt from*
 10 *taxation under ORS chapter 825.]*

11 (3) The department may adopt rules:

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

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

16 **SECTION 34.** ORS 822.040 is amended to read:

17 822.040. (1) The holder of a current, valid vehicle dealer certificate issued under ORS 822.020
 18 may exercise the following privileges under the certificate:

19 (a) A dealer is authorized, without violating ORS 803.025 or 803.300, to use and operate over
 20 and along the highways of this state all vehicles displaying the dealer's plates whether registered
 21 or not or whether or not a title is issued for the vehicle. This paragraph does not authorize dealers
 22 to use or operate vehicles under dealer plates unless the vehicles are actually owned or controlled
 23 by the dealer and in actual use by the dealer, members of the dealer's firm, any salesperson thereof
 24 or any person authorized by the dealer. Vehicles operated under dealer plates may be used for the
 25 same purposes as are any other vehicles registered in this state that are registered by payment of
 26 the fee under ORS 803.420. This paragraph is subject to the limitations under ORS 822.045.

27 (b) A dealer is entitled to receive dealer plates or devices and replacement or additional dealer
 28 plates or devices. As many additional dealer plates as may be desired may be obtained upon the
 29 filing of a formal application for additional plates with the Department of Transportation. The plates
 30 issued to dealers shall require the payment of fees as provided under ORS 805.250.

31 (c) The person is not subject to the prohibitions and penalties under ORS 822.005 as long as the
 32 holder's vehicle dealer business is conducted in a location approved under the certificate.

33 (d) The dealer shall be considered the owner of vehicles manufactured or dealt in by the dealer,
 34 before delivery and sale of the vehicles, and of all vehicles in the dealer's possession and operated
 35 or driven by the dealer or the dealer's employees.

36 *[(e) Notwithstanding ORS 825.474, in lieu of paying the weight-mile tax imposed under ORS*
 37 *825.474, the dealer may pay the fuel taxes imposed under ORS 319.020 and 319.530, when the*
 38 *vehicle:]*

39 *[(A) Displays the dealer's plates;]*

40 *[(B) Is actually owned or controlled by the dealer and in actual use by the dealer, members of the*
 41 *dealer's firm, any salesperson of the dealer or any person authorized by the dealer;]*

42 *[(C) Is operated on the highway for the purpose of test driving the vehicle; and]*

43 *[(D) Is unloaded.]*

44 (2) The holder of a vehicle dealer certificate may open additional places of business under the
 45 same business name by obtaining a supplemental certificate from the department under this sub-

1 section. The following all apply to a supplemental certificate issued under this subsection:

2 (a) The department may not issue a supplemental certificate under this subsection if the addi-
 3 tional place of business opened will be operated under a different business name than that indicated
 4 on the current certificate. Any business that a vehicle dealer operates under a separate business
 5 name must be operated under a separate certificate and the dealer must apply for and pay the fees
 6 for a regular dealer certificate for the business.

7 (b) A supplemental certificate issued under this subsection is subject to the fee for supplemental
 8 certificate under ORS 822.700.

9 (3) The holder of a vehicle dealer certificate may move a place of business or change a business
 10 name by obtaining a corrected certificate from the department. For purposes of this subsection,
 11 “place of business” includes a recreational vehicle service facility as defined in ORS 822.082. The
 12 following apply to a corrected certificate issued under this subsection:

13 (a) The department shall prescribe the form for application for a corrected certificate.

14 (b) A person applying for a corrected certificate shall pay the fee for the corrected certificate
 15 established in ORS 822.700.

16 (4) The department may establish by rule the requirements a holder of a vehicle dealer certif-
 17 icate must meet to display a vehicle at a location other than the dealer’s place of business for the
 18 purpose of advertising without first obtaining a supplemental certificate from the department. In
 19 addition to any requirements established by the department by rule, all of the following apply:

20 (a) The dealer must have a signed agreement with the owner of the property or the person using
 21 the property where the vehicle is to be displayed stating that the vehicle is for an advertising pro-
 22 motion only and that the processing of any documents or other activities required to purchase a
 23 vehicle must be done at the dealer’s place of business.

24 (b) The vehicle on display must be clearly marked with the dealer’s name and contact informa-
 25 tion and a notice that the vehicle is displayed only for the purpose of advertising and may be pur-
 26 chased only at the dealer’s place of business.

27 (c) Displaying the vehicle must not violate any zoning laws or ordinances.

28 (d) The dealer or the dealer’s employees may not remain with the vehicle except for the purpose
 29 of moving the vehicle in or out of the display area.

30 (5) A vehicle dealer certificate is valid for a three-year period and may be renewed as provided
 31 by the department. The department shall only renew a certificate if the applicant for renewal does
 32 all of the following:

33 (a) Pays the required fee for renewal under ORS 822.700.

34 (b) Delivers to the department a bond that meets the requirements under ORS 822.030.

35 (c) Delivers to the department a certificate of insurance that meets the requirements under ORS
 36 822.033.

37 (d) Provides the names of all partners or corporate officers.

38 (e) Certifies completion of the continuing education requirements of ORS 822.027 (1)(b) if the
 39 person is a dealer subject to the education requirements.

40 (f) If the dealer offers new recreational vehicles for sale under the certificate, certifies that the
 41 dealer maintains a recreational vehicle service facility as listed in the dealer certificate application
 42 described in ORS 822.025.

43 (6) The department may adopt suitable rules for the issuance and renewal of certificates under
 44 this section and ORS 822.020.

45 **SECTION 35.** ORS 822.213 is amended to read:

1 822.213. [(1)] In addition to the privileges described under ORS 822.210, the holder of a current,
 2 valid towing business certificate issued under ORS 822.205 may use a tow vehicle to transport
 3 property for hire other than as described in ORS 822.210 if:

4 [(a)] (1) The tow vehicle is used primarily for the purposes described in ORS 822.210 in a manner
 5 specified by the department by rule;

6 [(b)] (2) The tow vehicle has a combined weight of 26,001 pounds or more;

7 [(c)] (3) The holder of the towing business certificate has submitted a declaration of weight un-
 8 der ORS 803.435 and has registered the tow vehicle under ORS 803.420 (14)(a); and

9 [(d)] (4) The holder of the towing business certificate operates in accordance with the provisions
 10 of ORS chapter 825.

11 [(2) A tow vehicle that is used to transport property for hire other than as described in ORS
 12 822.210 is subject to the weight-mile tax imposed under ORS 825.474.]

13 **SECTION 36.** ORS 823.012 is amended to read:

14 823.012. (1) If the Director of Transportation determines that an emergency, as defined in ORS
 15 401.025, has occurred or is imminent, the director may suspend operation of one or more of the fol-
 16 lowing statutes involving motor carriers for the purpose of expediting the movement of persons or
 17 property:

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

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

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

24 (d) ORS 825.160, requirement for person operating as motor carrier to have policy of public li-
 25 ability and property damage insurance.

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

28 (f) ORS 825.250, requirement to stop and submit to an inspection of the driver, the cargo or the
 29 vehicle or combination of vehicles.

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

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

32 [(i) ORS 825.450, weight receipts issued by Department of Transportation for motor vehicles subject
 33 to weight-mile tax.]

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

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

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

37 (2) A suspension under this section may occur prior to a declaration of a state of emergency
 38 under ORS 401.165, but may not exceed 72 hours unless a state of emergency is declared under ORS
 39 401.165. If a state of emergency is declared under ORS 401.165, the suspension shall last until the
 40 state of emergency is terminated as provided under ORS 401.204.

41 (3) The director may designate by rule a line of succession of deputy directors or other em-
 42 ployees of the department who may suspend operations of statutes under this section in the event
 43 the director is not available. Any suspension by a person designated by the director under this
 44 subsection has the same force and effect as if issued by the director, except that, if the director can
 45 be reached, the suspension must be affirmed by the director when the director is reached. If the

1 director does not set aside a suspension within 24 hours of being reached, the suspension shall be
 2 considered affirmed by the director.

3 **SECTION 37.** ORS 825.005 is amended to read:

4 825.005. As used in this chapter:

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

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

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

10 (4) "Combined weight" means the weight of the motor vehicle plus the weight of the maximum
 11 load which the applicant has declared such vehicle will carry. Any declared combined weight is
 12 subject to audit and approval by the Department of Transportation.

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

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

17 [(7)] (6) "For-hire carrier" means:

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

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

23 [(8)] (7) "Household goods" means the personal effects or other property used or to be used in
 24 a dwelling but does not include property transported from a store or factory or property exclusively
 25 for office use.

26 [(9)] (8) "Motor vehicle" means any self-propelled vehicle and any such vehicle in combination
 27 with any trailing units, used or physically capable of being used upon any public highway in this
 28 state in the transportation of persons or property, except vehicles operating wholly on fixed rails
 29 or tracks and electric trolley buses. "Motor vehicle" includes overdimension vehicles or vehicles
 30 permitted excessive weights pursuant to a special authorization issued by a city, county or the De-
 31 partment of Transportation.

32 [(10)] (9) "Permit" means an authority issued to a carrier under ORS 825.102, 825.106, 825.108
 33 or 825.127.

34 [(11)] (10) "Private carrier" means any person who operates a motor vehicle over the public
 35 highways of this state for the purpose of transporting persons or property when the transportation
 36 is incidental to a primary business enterprise, other than transportation, in which such person is
 37 engaged.

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

39 [(13)] (11) "Property" includes, but is not limited to, permanent loads such as equipment, appli-
 40 ances, devices, or ballast that are attached to, carried on, or made a part of the vehicle and that
 41 are designed to serve some functional purpose.

42 [(14)] (12) "Public highway" means every street, alley, road, highway and thoroughfare in this
 43 state used by the public or dedicated or appropriated to public use.

44 [(15)] (13) "Transit-type motor vehicle" means any passenger-carrying vehicle that does not have
 45 a separate space for transporting baggage or express.

1 [(16)] (14) "Transporter" has the meaning given that term in ORS 466.005.

2 **SECTION 38.** ORS 825.007 is amended to read:

3 825.007. (1) The business of operating as a motor carrier of persons or property for hire upon
4 the highways of this state is declared to be a business affected with the public interest. It is hereby
5 declared to be the state transportation policy to do the following:

6 (a) Promote safe, adequate, economical and efficient service and to promote the conservation
7 of energy.

8 (b) Promote sound, economic conditions in transportation.

9 (c) Encourage the establishment and maintenance of reasonable rates for transportation ser-
10 vices, without unjust discriminations, undue preferences or advantages or unfair or destructive
11 competitive practices.

12 (d) Provide specific state action immunity against all antitrust claims and prosecution in those
13 instances when carriers lawfully develop, publish and charge rates relating to the transportation of
14 household goods and joint line rates relating to the transportation of other property and provide
15 services specifically prescribed and subject to regulation by the Department of Transportation and
16 in those instances when carriers lawfully engage in prior consultation for purposes described in this
17 paragraph.

18 (2) The volume of motor carrier traffic presents dangers and hazards on public highways and
19 makes it imperative that:

20 (a) Stringent rules be employed, to the end that the highways may be rendered safe for the use
21 of the general public;

22 (b) The wear of such highways be controlled;

23 (c) A minimum of inconvenience to other users of the highways be effected;

24 (d) A minimum hindrance and stoppage to other users of the highways compatible with needs
25 of the public for adequate transportation service, be effected;

26 (e) The highways be safeguarded from improper or unnecessary usage;

27 (f) Operation by irresponsible persons or any other operation threatening the safety of the public
28 or detrimental to the general welfare be prevented;

29 (g) Congestion of traffic on the highways be minimized;

30 (h) The various transportation agencies of the state be adjusted and correlated so that public
31 highways may serve the best interest of the general public; and

32 (i) A method of assessing [*privilege*] taxes be provided to enable the further construction of
33 highways and to provide for the operation, preservation and maintenance of highways already built.

34 (3) The Legislative Assembly hereby declares that to effect the ends and purposes listed in this
35 section, this chapter is adopted.

36 **SECTION 39.** ORS 825.020 is amended to read:

37 825.020. Except as otherwise provided in this section and ORS 825.030, this chapter does not
38 apply to the persons or vehicles described in this section. The provisions of ORS 825.100, 825.137,
39 825.139, 825.141, 825.160, 825.164, 825.166, 825.168, 825.210 (1) and (3), [825.212,] 825.450, 825.454,
40 [825.470, 825.472, 825.474, 825.476, 825.480, 825.484, 825.488, 825.490, 825.492, 825.494, 825.496,]
41 825.498, 825.504, [825.506, 825.507,] 825.508 and 825.515 apply to any of the following vehicles or
42 combinations of vehicles with a combined weight of more than 26,000 pounds:

43 (1) Vehicles being used exclusively in the transportation of United States mail on a trip basis.

44 (2) Vehicles being used in the transportation of persons for hire, in vehicles with a seating ca-
45 pacity of more than five persons, within a city and within three air miles of the city. When the

1 three air mile radius extends into the corporate limits of another city, the two cities shall be con-
 2 sidered as one city for the purposes of this subsection. The following apply to this subsection:

3 (a) Service may also be provided to or from any area surrounding the area described under this
 4 subsection so long as the service does not compete with a carrier granted authority by the Depart-
 5 ment of Transportation under this chapter to operate in that surrounding area.

6 (b) Any vehicle exempt from the provisions of this chapter under this subsection is subject to
 7 regulation by the city or cities in which it is operated.

8 (3) Vehicles being used for the purpose of transporting persons or property in connection with
 9 the patrolling of forests for the prevention or fighting of forest fires.

10 (4) Vehicles being used in towing or otherwise transporting vehicles at the direction of a police
 11 officer or in servicing, towing or transporting wrecked or disabled vehicles, or in towing or trans-
 12 porting a replacement vehicle for such wrecked or disabled vehicle if the vehicle:

13 (a) Is not otherwise used in transporting goods and merchandise for compensation; and

14 (b) In the case of towing, is specially constructed for that use or has a combined weight not
 15 exceeding 8,000 pounds.

16 (5) Vehicles being used by a for-hire carrier to transport within this state free or at reduced
 17 rates:

18 (a) The carrier's officers, agents or employees, or dependent members of the families of those
 19 individuals, or the personal effects or household goods of those individuals.

20 (b) Ministers of religions, inmates of hospitals and individuals exclusively engaged in charitable
 21 and eleemosynary work.

22 (c) Indigent, destitute and homeless individuals and the necessary agents employed in the
 23 transportation.

24 (d) Witnesses attending legal investigations in which the carrier is interested.

25 (e) Persons injured in wrecks and physicians and nurses attending those persons.

26 (f) Persons providing relief in cases of general epidemic, pestilence or other emergency.

27 (g) Persons traveling under commuter, party or excursion passenger tickets, if available to all
 28 persons applying under like circumstances or conditions.

29 (h) Persons traveling under an exchange of passes between for-hire carriers.

30 (6) Vehicles being used to transport plants, artificial and natural flowers and accompanying
 31 florist accessories in movements originating at retail shops.

32 (7) Any vehicle used by a person licensed under ORS 508.235 while the person is transporting
 33 the person's own, unsold catch of fish from the point of landing to the first point where fish from
 34 the catch will be sold, placed in storage or processed in any way.

35 (8) Vehicles owned or operated by truck leasing companies operated empty over the public
 36 highways for the purpose of relocation of equipment. This exemption does not apply to motor vehi-
 37 cles operated empty as a result of or for the purpose of transporting passengers or property.

38 **SECTION 40.** ORS 825.022 is amended to read:

39 825.022. The provisions of ORS 825.160, 825.450, 825.454[, 825.470, 825.472, 825.474, 825.476,
 40 825.480, 825.484, 825.488, 825.490, 825.492, 825.494, 825.496] and 825.515 do not apply to any of the
 41 following:

42 (1) A vehicle or combination of vehicles with a combined weight of 26,000 pounds or less.

43 (2) A vehicle being used in the transportation of persons for hire if the operation:

44 (a) Is performed by a nonprofit entity;

45 (b) Is performed by use of vehicles operating in compliance with ORS 820.020 to 820.070; and

1 (c) Is approved by the Department of Transportation as complying with paragraphs (a) and (b)
 2 of this subsection.

3 (3) A vehicle owned or operated by a transportation district organized under ORS 267.510 to
 4 267.650.

5 (4) A vehicle owned or operated by a county service district authorized to provide public
 6 transportation under ORS 451.010.

7 (5) A vehicle owned or operated by an intergovernmental body formed by two or more public
 8 bodies, as defined in ORS 174.109, to provide public transportation.

9 **SECTION 41.** ORS 825.137 is amended to read:

10 825.137. (1) Certificates and permits when issued shall be valid until suspended or revoked when
 11 the carrier is found by the Department of Transportation to be in violation of this chapter or ORS
 12 chapter 818. A variance permit issued under ORS chapter 818 shall be valid for the length of time
 13 for which it is issued unless prior to that time the permit is suspended or revoked by the Depart-
 14 ment of Transportation for violation of this chapter or ORS chapter 818.

15 (2) Certificates or permits, or variance permits issued pursuant to ORS chapter 818, may be
 16 suspended or canceled by the department based upon the department's own motion after notice and
 17 hearing, when the certificate or permit holder:

18 (a) Or agents or employees of the holder have repeatedly violated this chapter or other highway
 19 or motor laws of this state. In applying this paragraph the department may consider violations by
 20 agents or employees of the holder that occurred prior to the time they became agents or employees
 21 of the holder, but only if the agent or employee has a substantial interest or control, directly or
 22 indirectly, in or over the operation of the holder.

23 (b) Has repeatedly violated or avoided any order or rule of the department.

24 (c) Is a transporter of household goods and has repeatedly made unlawful rebates or repeatedly
 25 underestimated transportation charges to clients.

26 (d) Has repeatedly refused or has repeatedly failed, after being requested to do so, to furnish
 27 service authorized by certificate. The department in such cases may also, in the discretion of the
 28 department, restrict the certificate to conform with operations conducted.

29 (e) Has not, except for reasons beyond the control of the holder, transported household goods
 30 authorized by the certificate for a period exceeding 180 consecutive days immediately preceding the
 31 filing of the complaint in the proceeding. The department in these cases may also, in the discretion
 32 of the department, restrict the certificate to conform with operations performed that were required
 33 by the public convenience and necessity.

34 (f) Has not, except for reasons beyond the control of the holder, transported property authorized
 35 by the permit for a period exceeding one year immediately preceding the filing of the complaint in
 36 the proceeding.

37 (g) Has refused, or has failed, within the time provided, to file the annual report required by
 38 ORS 825.320 or has failed or refused to maintain records required by the department or to produce
 39 such records for examination within the time set by the department.

40 (h) Has failed to appear for hearing after notice that the certificate or permit is under investi-
 41 gation.

42 (i) Has filed with the department an application which is false with regard to the ownership,
 43 possession or control of the equipment being used or the operation being conducted.

44 (3) The department *[shall]* **may** not suspend or revoke a certificate or permit of a vehicle or
 45 person described in ORS 825.020 unless the person or vehicle is in violation of this section and ORS

1 825.139, 825.141, 825.160, 825.164, 825.166, 825.168, 825.210 (1) and (3), [825.212,] 825.450, 825.454,
 2 [825.470, 825.472, 825.474, 825.476, 825.480, 825.484, 825.488, 825.490, 825.492, 825.494, 825.496,]
 3 825.498, 825.504, [825.506, 825.507,] 825.508 or 825.515.

4 **SECTION 42.** ORS 825.139 is amended to read:

5 825.139. (1) A certificate or permit is subject to suspension or cancellation, if the holder
 6 [thereof:]

7 [(a)] is delinquent in reporting or paying any fees, taxes or penalties due the Department of
 8 Transportation, whether imposed under this chapter or under ORS chapter 826[; or]

9 [(b) Has refused or failed, within the time provided, to file a deposit or bond requested under ORS
 10 825.506].

11 (2) A written 10-day notice of suspension shall be given to the certificate or permit holder and
 12 unless a hearing is requested within such time, the certificate or permit shall be deemed suspended
 13 without further notice or hearing until the report[, payment, bond or deposit] is filed **or payment**
 14 **is made** with the department.

15 (3) Upon a written 10-day notice by the department, a certificate or permit may be suspended
 16 or canceled for [any of] the reasons [set forth] **described** in subsection (1) of this section. If the
 17 certificate or permit is suspended, the filing of the report[, or making the payment[, bond or deposit
 18 will] **does** not reinstate the authority until the suspension period has expired, except on order of the
 19 department.

20 **SECTION 43.** ORS 825.354 is amended to read:

21 825.354. The Department of Transportation may appoint agents [to issue temporary passes pro-
 22 vided in ORS 825.470 and] to collect any fees and taxes required by this chapter. The department
 23 shall prescribe the duties and compensation of such agents and may require them to give bonds or
 24 irrevocable letters of credit issued by an insured institution, as defined in ORS 706.008, in such
 25 amount as the department determines appropriate, conditioned upon the faithful performance of their
 26 duties.

27 **SECTION 44.** ORS 825.400 is amended to read:

28 825.400. The Department of Transportation shall adopt rules to establish a program for the ed-
 29 ucation of motor carriers that covers, at a minimum, safety, [weight mile tax and] insurance and size
 30 and weight regulations administered by the department.

31 **SECTION 45.** ORS 825.450, as amended by section 58, chapter 750, Oregon Laws 2017, is
 32 amended to read:

33 825.450. (1) [Except as otherwise permitted under ORS 825.470,] The Department of Transporta-
 34 tion shall issue a receipt stating the combined weight of each self-propelled or motor-driven vehicle
 35 and any train or combination of vehicles to be used with the self-propelled or motor-driven vehicle.

36 (2) A person may not load any motor vehicle in excess of its combined weight permit rating
 37 determined under subsection (1) of this section except as variations may necessarily result in pas-
 38 senger loading. A fee of \$10 shall be paid to the department for each weight receipt issued.

39 (3) Receipts issued under this section are valid from the first day of any calendar quarter to the
 40 last day of the fourth consecutive calendar quarter. Each carrier may select the calendar quarter
 41 in which the period will begin except that, if necessary for administrative convenience, the depart-
 42 ment may require a carrier to adopt a starting date chosen by the department.

43 (4) All vehicles operating under the carrier's authority shall have the same four-quarter period
 44 of receipt validity. The department may allow a carrier to operate with expired receipts for up to
 45 one extra quarter if the renewal application has been submitted and the required fees have been

1 paid on or before the last day of the period of validity of the receipt. The extension of time allowed
2 by this subsection shall be granted only if the department determines that the extension is necessary
3 for the administrative convenience of the department.

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

5 **SECTION 46.** ORS 825.450, as amended by section 58, chapter 750, Oregon Laws 2017, and
6 section 28a, chapter 93, Oregon Laws 2018, is amended to read:

7 825.450. (1) [*Except as otherwise permitted under ORS 825.470,*] The Department of Transporta-
8 tion shall issue a receipt stating the combined weight of each self-propelled or motor-driven vehicle
9 and any train or combination of vehicles to be used with the self-propelled or motor-driven vehicle.

10 (2) A person may not load any motor vehicle in excess of its combined weight permit rating
11 determined under subsection (1) of this section except as variations may necessarily result in pas-
12 senger loading. A fee of \$8 shall be paid to the department for each weight receipt issued.

13 (3) Receipts issued under this section are valid from the first day of any calendar quarter to the
14 last day of the fourth consecutive calendar quarter. Each carrier may select the calendar quarter
15 in which the period will begin except that, if necessary for administrative convenience, the depart-
16 ment may require a carrier to adopt a starting date chosen by the department.

17 (4) All vehicles operating under the carrier's authority shall have the same four-quarter period
18 of receipt validity. The department may allow a carrier to operate with expired receipts for up to
19 one extra quarter if the renewal application has been submitted and the required fees have been
20 paid on or before the last day of the period of validity of the receipt. The extension of time allowed
21 by this subsection shall be granted only if the department determines that the extension is necessary
22 for the administrative convenience of the department.

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

24 **SECTION 47.** ORS 825.475 is amended to read:

25 825.475. Notwithstanding ORS 319.020[,] **and** 319.530 [*and 825.474*], a person operating a motor
26 vehicle with a combined weight of 26,000 pounds or more is not required to pay [*the weight-mile tax*
27 *imposed under ORS 825.474 or*] fuel taxes imposed under ORS 319.020 and 319.530, if:

28 (1) The person is not operating as a for-hire carrier; and

29 (2) The person is operating the motor vehicle for the purpose of emissions research and devel-
30 opment and the United States Environmental Protection Agency has provided a testing exemption
31 from complying with federal emission requirements.

32 **SECTION 48.** ORS 825.515 is amended to read:

33 825.515. [*(1) Every for-hire carrier and private carrier shall keep daily records, upon forms pre-*
34 *scribed by the Department of Transportation, of all vehicles used during the current month.*]

35 [*(2) On or before the last day of the month following, except as otherwise permitted under ORS*
36 *825.492, they shall certify to the department, upon forms prescribed therefor, the true and correct sum-*
37 *maries of their daily records which shall show the extreme miles traveled in this state during the pre-*
38 *ceding month, the amount of fuel tax paid to the state during the preceding month, and such other*
39 *information as the department may require.*]

40 [(3)] **Every motor carrier shall keep daily records of all vehicles used.** The daily records
41 shall be kept on file in the office of the **motor** carrier and thereafter preserved [*until written per-*
42 *mission for their destruction is given by the department*] **for four years.**

43 **SECTION 49.** ORS 825.517 is amended to read:

44 825.517. (1) The following are not public records unless the public interest requires disclosure
45 in the particular instance:

1 (a) Reports from motor carriers required to be filed with the Department of Transportation in
 2 connection with the imposition or collection of any tax **or fee**.

3 (b) Information collected by the department from a motor carrier for the purpose of conducting
 4 a tax audit **or fee audit**.

5 (2) A motor carrier to whom the information pertains, or a person who has written permission
 6 from the carrier, may inspect information described in subsection (1) of this section.

7 (3) The department, upon request or as required by law, shall disclose information from the re-
 8 cords described in subsection (1) of this section to a government agency for use in carrying out its
 9 governmental functions.

10 **SECTION 50.** ORS 826.031 is amended to read:

11 826.031. (1) **A motor carrier as defined in ORS 825.005 that is** the owner of a vehicle that
 12 *[is subject to the tax imposed under ORS 825.474]* **weighs 26,001 pounds or more** and that is not
 13 registered under the proportional registration provisions of this chapter and is not registered in any
 14 other jurisdiction shall register the vehicle with the Department of Transportation if the vehicle is
 15 to be operated in this state. Registration under this section is in lieu of registration under ORS
 16 chapter 803.

17 (2) The department shall determine the form of application for registration and renewal of reg-
 18 istration and may require any information that it determines necessary to facilitate the registration
 19 process.

20 (3) A vehicle registered under this section is subject to the insurance requirements of ORS
 21 825.160 and not to the financial responsibility requirements of ORS chapter 806. Certification of
 22 compliance with financial responsibility requirements as specified in ORS 803.460 is not required for
 23 renewal of registration of a vehicle under this section.

24 (4) A vehicle registered under this section shall be deemed to be fully registered in this state
 25 for any type of movement or operation, except that in those instances in which a grant of authority
 26 is required for intrastate movement or operation, no such vehicle shall be operated in intrastate
 27 commerce in this state unless the owner thereof has been granted intrastate authority or right by
 28 the department and unless the vehicle is being operated in conformity with such authority and
 29 rights.

30 (5) A vehicle may be registered under this section prior to a certificate of title being issued for
 31 the vehicle but nothing in this section affects any requirement that a certificate of title be issued.

32 **SECTION 51.** ORS 801.041, as amended by section 1, chapter 24, Oregon Laws 2018, and section
 33 24, chapter 93, Oregon Laws 2018, is amended to read:

34 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
 35 registration fees for vehicles:

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

1 ing registration fees for the county.

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

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

- 9 (a) Snowmobiles and Class I all-terrain vehicles.
- 10 (b) Fixed load vehicles.
- 11 (c) Vehicles registered under ORS 805.100 to disabled veterans.
- 12 (d) Vehicles registered as antique vehicles under ORS 805.010.
- 13 (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- 14 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- 15 (g) School buses or school activity vehicles registered under ORS 805.050.
- 16 (h) Law enforcement undercover vehicles registered under ORS 805.060.
- 17 (i) Vehicles registered on a proportional basis for interstate operation.
- 18 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 [(14)(a)
 19 or (b)] **(14)(a), (15) or (16)**.
- 20 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
- 21 (L) Travel trailers, campers and motor homes.

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

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

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

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

33 (6) The county ordinance shall provide for payment of at least 40 percent of the moneys to cities
 34 within the county unless a different distribution is agreed upon by the county and the cities within
 35 the jurisdiction of the county.

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

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

42 **SECTION 52.** ORS 801.042, as amended by section 25, chapter 93, Oregon Laws 2018, is
 43 amended to read:

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

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

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

12 (3) Interest received on moneys credited to the Regional Arterial Fund shall accrue to and be-
13 come a part of the Regional Arterial Fund.

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

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

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

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

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

36 (b) Fixed load vehicles.

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

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

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

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

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

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

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

44 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 [(14)(a)]
45 or (b)] **(14)(a), (15) or (16)**.

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

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

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

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

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

12 **SECTION 53.** ORS 366.508 is amended to read:

13 366.508. (1) The Legislative Assembly finds that:

14 (a) Estimated highway, road and street revenues from current sources will not adequately meet
15 the need for continued development of a statewide road and bridge system that is economically ef-
16 ficient, provides accessibility to and from commercial, agricultural, industrial, tourist and recre-
17 ational facilities and enhances the highway safety, environmental quality and land use goals of this
18 state;

19 (b) Responsibility for the cost of the highway, road and street system should be proportional and
20 should be based on the number and types of vehicles that use the system and on the frequency of
21 their use; and

22 (c) Expansion, modernization, maintenance, repair, reconstruction, increased capacity and en-
23 hanced safety on all roads and bridges is crucial to the economic revitalization of Oregon.

24 (2) The Legislative Assembly declares that the purpose of this section and ORS 319.020, 319.530,
25 366.507, 366.739, 366.774[,] **and** 366.790[, 825.476 and 825.480] is:

26 (a) To enhance the revenue base for the state, counties and cities for continued development and
27 maintenance of the road and bridge system; and

28 (b) To enhance the revitalization of this state's economy by implementing a long-term plan for
29 the state, counties and cities that establishes priorities for road and bridge improvements.

30 **SECTION 54.** ORS 366.739 is amended to read:

31 366.739. Except as otherwise provided in ORS 366.744, the taxes collected under ORS 319.020,
32 319.530, 803.090, 803.420[,] **and** 818.225[, 825.476 and 825.480] and the special use fuel license fees
33 collected under ORS 319.535, minus \$71.2 million per biennium, shall be allocated 24.38 percent to
34 counties under ORS 366.762 and 15.57 percent to cities under ORS 366.800.

35 **SECTION 55.** ORS 825.232 is amended to read:

36 825.232. (1) The Department of Transportation shall, by general order or otherwise, prescribe
37 and enforce rules in conformity with this chapter to better accomplish the enforcement of its pro-
38 visions, which shall cover and include for-hire carriers and private carriers and their operations.

39 (2) The department may make such subdivisions of the carriers, as classified in this chapter, as
40 in the opinion of the department may work to the efficient administration of this chapter and shall
41 do all things necessary to carry out and enforce its provisions.

42 (3) All rules made by the department pursuant to this chapter and filed in the office of the de-
43 partment have the force and effect of law.

44 (4) This section does not restrict the powers of the county courts or boards of county commis-
45 sioners under existing laws and amendments thereof.

1 (5) Without restricting the general powers conferred upon the department to prescribe and en-
2 force rules, the department is vested with special authority with respect to the matters listed in ORS
3 825.204[,] and 825.210 [and 825.212].

4 **SECTION 56.** Sections 57 and 58 of this 2019 Act are added to and made a part of the
5 Oregon Vehicle Code.

6 **SECTION 57.** (1) Whenever practicable, and in any event no later than three years after
7 any report of taxes or fees is filed in accordance with ORS chapter 825 or 826, the Interna-
8 tional Registration Plan or the International Fuel Tax Agreement, the Department of
9 Transportation shall audit the report if the department deems such audit practicable. If the
10 department is not satisfied with the report filed or the amount of taxes or fees paid to the
11 state by any person, the department may, not later than four years after the report was filed
12 or the taxes or fees were paid, make a proposed assessment of additional taxes or fees due
13 from such person based upon any information available to the department. A late payment
14 charge shall be added to each registration assessment, in a sum equal to 10 percent of the
15 amount of additional Oregon taxes or fees due.

16 (2) Every additional assessment under subsection (1) of this section shall bear interest
17 at the rate of one percent per month, or fraction thereof, from the last day of the month
18 following the close of the month for which the additional assessment is imposed until paid.

19 (3) If the additional Oregon registration assessment imposed exceeds by at least five
20 percent but not more than 15 percent the amount of registration fees reported or paid, a
21 penalty of five percent of the amount of the additional assessment shall be added thereto in
22 addition to the 10 percent late payment charge provided in subsection (1) of this section.

23 (4) If the additional Oregon registration assessment imposed exceeds by more than 15
24 percent the amount of registration fees reported or paid, a penalty of 20 percent of the
25 amount of the additional assessment shall be added thereto in addition to the 10 percent late
26 payment charge provided in subsection (1) of this section.

27 (5) A penalty charge in the amount of 10 percent of the net assessment due shall be im-
28 posed on additional fuel tax assessments resulting from International Fuel Tax Agreement
29 assessment audits.

30 (6) The department shall give to the person concerned written notice of any additional
31 assessment.

32 (7) The department shall refund to any person the amount of any overpayment caused
33 by any incorrect report.

34 (8) Whenever the department has made an assessment pursuant to this section that has
35 become final pursuant to section 58 of this 2019 Act, the department may not reopen or re-
36 assess such taxes, interest or penalties unless the department is satisfied that the taxpayer
37 fraudulently or with intent to evade taxation destroyed, concealed or withheld any books,
38 accounts, papers, records or memoranda required to be maintained by the taxpayer pursuant
39 to ORS chapter 825 or 826 or the rules of the department.

40 **SECTION 58.** (1) Any person against whom an assessment is made under section 57 of
41 this 2019 Act may petition the Department of Transportation for a reassessment within 30
42 days after service upon the person of notice. If a petition is not filed within the 30-day period,
43 the assessment becomes final and further appeal is waived. If a petition for reassessment is
44 filed within the 30-day period, the department shall reconsider the assessment and, if the
45 person has requested a hearing in the petition, shall grant such person a hearing and give

1 the person 10 days' notice of the time and place of the hearing. The department may con-
2 tinue the hearing from time to time as may be necessary. The decision of the department
3 upon a petition for reassessment shall become final 30 days after service of notice of the
4 decision upon the person concerned.

5 (2) The department may waive or reduce the late payment charge, penalty and interest
6 amounts under section 57 of this 2019 Act on such terms as the department considers proper
7 if request for waiver or reduction is filed within 30 days after service of notice of assessment
8 upon the person concerned, or as part of the pleas made in the department's reconsideration
9 of the assessment. Consideration of waiver or reduction of late payment, penalty and in-
10 terest charges on audits completed pursuant to the International Registration Plan or the
11 International Fuel Tax Agreement is contingent on authority granted by the appropriate
12 agreement.

13 (3) Every assessment made by the department under section 57 of this 2019 Act becomes
14 due and payable at the time it becomes final. If the assessment is not paid to the department
15 when due and payable, there shall be added to the assessment a penalty of 10 percent of the
16 amount of the tax or, in the case of registration fees, of the Oregon registration fees due.

17 (4) If any person that has requested a hearing pursuant to this section fails to withdraw
18 the petition for reassessment at least five days before the date of the hearing and fails to
19 appear at the scheduled hearing, the department may require such person to pay a charge
20 of \$150 in addition to any other fees, taxes and charges that may be imposed.

21 (5) A petition for reassessment under subsection (1) of this section or a request for
22 waiver or reduction under subsection (2) of this section is considered filed upon receipt of
23 the petition or request in the office designated by the department.

24 **SECTION 59.** ORS 825.500 is amended to read:

25 825.500. (1) Interest and penalties for delinquent payments of road use assessment fees payable
26 pursuant to the provisions of ORS 818.225 and of single-trip nondivisible load permits shall be cal-
27 culated in the same manner that interest and penalties are calculated **for registration fees** under
28 [ORS 825.490 and 825.494] **section 57 of this 2019 Act.**

29 (2) An audit conducted by the Department of Transportation pursuant to its authority under this
30 chapter may include an examination of records of the carrier pertaining to the road use assessment
31 fee imposed under ORS 818.225. If the audit shows that movement by a carrier exceeds the mileage
32 authorized by a single-trip nondivisible load permit, the department shall determine the amount of
33 the road use assessment fee that is due. The department shall collect the amount due and may im-
34 pose any penalties or additional assessments authorized by this chapter for delinquent payment of
35 taxes.

36 **SECTION 60.** ORS 825.504 is amended to read:

37 825.504. (1) If any tax, or fee in lieu of tax, reported due, or any final assessment made by the
38 Department of Transportation under ORS [825.490, 825.494 and 825.496] **section 57 or 58 of this**
39 **2019 Act**, including any penalties or charges therein imposed, or any final penalty imposed under
40 ORS 825.950, 825.955 or 825.960, is not paid in full, the department may issue a warrant for the
41 amount of the tax, fee or assessment, with the added penalties or charges, interest and the cost of
42 executing the warrant. A copy of the warrant shall be mailed or delivered to the taxpayer by the
43 department at the taxpayer's last-known address.

44 (2) At any time after issuing a warrant under this section, the department may record the war-
45 rant in the County Clerk Lien Record of any county of this state. Recording of the warrant has the

1 effect described in ORS 205.125. After recording a warrant, the department may direct the sheriff
 2 for the county in which the warrant is recorded to levy upon and sell the real and personal property
 3 of the taxpayer found within that county, and to levy upon any currency of the taxpayer found
 4 within that county, for the application of the proceeds or currency against the amount reflected in
 5 the warrant and the sheriff's cost of executing the warrant. The sheriff shall proceed on the warrant
 6 in the same manner prescribed by law for executions issued against property pursuant to a judg-
 7 ment, and is entitled to the same fees as provided for executions issued against property pursuant
 8 to a judgment. The fees of the sheriff shall be added to and collected as a part of the warrant li-
 9 ability.

10 (3) In the discretion of the department a warrant under this section may be directed to any
 11 agent authorized by the department to collect amounts under this section, and in the execution of
 12 the warrant the agent has all of the powers conferred by law upon sheriffs, but is entitled to no fee
 13 or compensation in excess of actual expenses paid in the performance of such duty.

14 (4) Until a warrant issued under this section is satisfied in full, the department has the same
 15 remedies to enforce the claim for the tax, fee or assessment as if the state had recovered judgment
 16 against the taxpayer for the amount of the tax, fee or assessment.

17 (5) The procedures authorized by this section may also be used for collection of any fees and
 18 penalties imposed on persons registering vehicles under ORS chapter 826.

19
 20 **CAPTIONS**

21
 22 **SECTION 61. The unit captions used in this 2019 Act are provided only for the conven-**
 23 **ience of the reader and do not become part of the statutory law of this state or express any**
 24 **legislative intent in the enactment of this 2019 Act.**

25
 26 **OPERATIVE DATE AND EFFECTIVE DATE**

27
 28 **SECTION 62. (1) Sections 2, 11b, 13, 15, 16, 17, 18a, 57 and 58 of this 2019 Act, the**
 29 **amendments to statutes and session law by sections 3, 10, 11, 12, 19a to 55, 59 and 60 of this**
 30 **2019 Act and the repeal of ORS 825.212, 825.470, 825.472, 825.474, 825.476, 825.480, 825.482,**
 31 **825.484, 825.486, 825.488, 825.490, 825.492, 825.494, 825.496, 825.502, 825.506, 825.507 and 825.550**
 32 **by section 1 of this 2019 Act become operative on January 1, 2022.**

33 **(2) Notwithstanding the date specified in subsection (1) of this section, a state agency on**
 34 **which duties, functions and powers are conferred under sections 2, 11b, 13, 15, 16, 17, 18a,**
 35 **57 and 58 of this 2019 Act, the amendments to statute and session law by sections 3, 10, 11,**
 36 **12, 19a to 55, 59 and 60 of this 2019 Act and the repeal of ORS 825.212, 825.470, 825.472, 825.474,**
 37 **825.476, 825.480, 825.482, 825.484, 825.486, 825.488, 825.490, 825.492, 825.494, 825.496, 825.502,**
 38 **825.506, 825.507 and 825.550 by section 1 of this 2019 Act may take any action before the date**
 39 **specified in subsection (1) of this section that is necessary to enable the agency to exercise,**
 40 **on and after the date specified in subsection (1) of this section, all the duties, functions and**
 41 **powers conferred on the agency by sections 2, 11b, 13, 15, 16, 17, 18a, 57 and 58 of this 2019**
 42 **Act, the amendments to statutes and session law by sections 3, 10, 11, 12, 19a to 55, 59 and**
 43 **60 of this 2019 Act and the repeal of ORS 825.212, 825.470, 825.472, 825.474, 825.476, 825.480,**
 44 **825.482, 825.484, 825.486, 825.488, 825.490, 825.492, 825.494, 825.496, 825.502, 825.506, 825.507 and**
 45 **825.550 by section 1 of this 2019 Act.**

1 **SECTION 63.** This 2019 Act takes effect on the 91st day after the date on which the 2019
2 regular session of the Eightieth Legislative Assembly adjourns sine die.
3 _____