

House Bill 2120

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Governor Theodore R. Kulongoski)

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**.

Creates Transportation Utility Commission. Sunsets January 2, 2012.
Directs Oregon Transportation Commission to conduct study. Sunsets January 2, 2014.
Directs Department of Transportation to develop pilot programs to implement congestion pricing in one or more communities. Sunsets January 2, 2016.
Authorizes Department of Transportation to establish pilot programs to test alternatives to motor vehicle fuel tax. Sunsets January 2, 2018.
Directs Oregon Transportation Commission to work with stakeholders to review and update criteria used to select projects within Statewide Transportation Improvement Program.
Directs Oregon Transportation Commission to determine amount of federal transportation funds available to Department of Transportation that may be used for eligible nonhighway projects.
Directs Department of Transportation to develop environmental performance standards for highway projects.
Directs department to develop least-cost planning model.
Authorizes state agencies to provide electricity for plug-in electric vehicles.
Authorizes issuance of lottery bonds for purchase of passenger railroad equipment.
Authorizes issuance of lottery bonds for transportation projects funded from Multimodal Transportation Fund. Specifies allocation of lottery bond proceeds.
Defines "medium-speed electric vehicle."
Creates offense of unlawfully operating medium-speed electric vehicle on highway. Punishes by maximum fine of \$360.
Directs Department of Transportation to adopt safety standards for low-speed vehicles and medium-speed electric vehicles.
Directs department to include specific request for capital construction funding for sharing of-fices and other facilities with local government in budget request prepared for Oregon Department of Administrative Services.
Increases vehicle title fees. Imposes fee for issuance of first certificate of title.
Increases vehicle registration fees.
Increases fuel tax and motor carrier taxes.
Creates Timber Counties Safety Net Account within State Highway Fund.
Permits mass transit district to increase payroll tax for district.
Authorizes transportation districts and mass transit districts to use certain forms of financing without first obtaining voter approval.
Increases allocation of State Highway Fund moneys for footpaths and bicycle trails.
Expands special county allotment program to provide counties with minimum level of funding from State Highway Fund.
Authorizes issuance of Highway User Tax Bonds in aggregate principal amount sufficient to produce net proceeds of not more than \$600 million. Specifies bond revenue to be used to finance projects selected by Oregon Transportation Commission that meet specified criteria. Provides for allocation of bond proceeds.
Eliminates requirement that county ordinance establishing vehicle registration fees be submitted to electors of county for approval.
Authorizes Department of Transportation to set registration plate manufacturing fee.
Increases customized registration plate fee.
Increases certain vehicle dealer fees.
Extends credit against corporate excise or corporate income tax for corporation that provides motor vehicle insurance issued under mile-based or time-based rating plan.

A BILL FOR AN ACT

1
2 Relating to transportation; creating new provisions; amending ORS 267.385, 267.430, 267.615, 319.020,
3 319.530, 366.514, 366.739, 366.772, 367.620, 801.041, 803.090, 803.420, 803.570, 805.250, 818.225,
4 822.043, 825.476 and 825.480 and section 4, chapter 545, Oregon Laws 2003; repealing ORS

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.

1 267.302 and sections 8 and 9, chapter 739, Oregon Laws 2003; appropriating money; and provid-
2 ing for revenue raising that requires approval by a three-fifths majority.

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

4 **SECTION 1.** (1) **There is established the Transportation Utility Commission, consisting**
5 **of five members appointed by the Governor.**

6 (2) **The commission, in consultation with the Department of Transportation, counties and**
7 **cities, shall:**

8 (a) **Develop a common chart of accounts for revenues and expenditures;**

9 (b) **Develop, for use by all state, county and city transportation agencies in this state,**
10 **common descriptions for the condition of the transportation infrastructure;**

11 (c) **Estimate the total amount of revenue required by all jurisdictions in this state to**
12 **maintain, preserve and modernize the transportation system;**

13 (d) **Develop a conceptual framework for funding transportation services and facilities;**
14 **and**

15 (e) **Develop and adopt alternative rates for consumers to choose as an option to the**
16 **motor fuel tax and for use in congestion pricing pilot projects.**

17 (3) **A majority of the members of the commission constitutes a quorum for the trans-**
18 **action of business.**

19 (4) **Official action by the commission requires the approval of a majority of the members**
20 **of the commission.**

21 (5) **The Governor shall designate one of the members of the commission to serve as**
22 **chairperson.**

23 (6) **If there is a vacancy on the commission for any cause, the Governor shall make an**
24 **appointment to become immediately effective.**

25 (7) **The commission shall meet at times and places specified by the call of the chairperson**
26 **or of a majority of the members of the commission.**

27 (8) **The commission may adopt rules necessary for the operation of the commission.**

28 (9) **No later than December 1, 2010, the commission shall prepare a report of its activities**
29 **for submission to the interim House and Senate committees related to transportation.**

30 (10) **Members of the commission who are not members of the Legislative Assembly are**
31 **not entitled to compensation, but may be reimbursed for actual and necessary travel and**
32 **other expenses incurred by them in the performance of their official duties in the manner**
33 **and amounts provided for in ORS 292.495. Claims for expenses incurred in performing func-**
34 **tions of the commission shall be paid out of funds appropriated to the Department of**
35 **Transportation for purposes of the commission.**

36 (11) **The Department of Transportation is directed to assist the commission in the per-**
37 **formance of its duties and, to the extent permitted by laws relating to confidentiality, to**
38 **furnish such information and advice as the members of the commission consider necessary**
39 **to perform their duties.**

40 **SECTION 2.** Section 1 of this 2009 Act is repealed on January 2, 2012.

41 **SECTION 3.** (1) **The Oregon Transportation Commission shall, in consultation with local**
42 **governments, metropolitan planning organizations and other transportation stakeholders:**

43 (a) **Review the responsibilities given to the state, counties and cities for improvement,**
44 **maintenance and management of the highway system and the resources available to each**
45 **level of government and make recommendations to better align resources and responsibil-**

1 ities.

2 (b) Review best practices for stakeholder involvement in transportation decision-making.

3 (c) Identify opportunities to achieve greater program efficiency in the delivery of trans-
4 portation services and programs through intergovernmental cooperation.

5 (d) Study national best practices for improving the delivery of metropolitan transporta-
6 tion services through enhanced regional decision-making.

7 (2) The Oregon Transportation Commission shall make a progress report to the interim
8 House and Senate committees related to transportation no later than December 1, 2010, and
9 shall make a final report to the interim House and Senate committees related to transpor-
10 tation no later than December 1, 2012.

11 SECTION 4. Section 3 of this 2009 Act is repealed on January 2, 2014.

12 SECTION 5. (1) At the direction of the Oregon Transportation Commission, the Depart-
13 ment of Transportation shall develop one or more pilot programs to implement congestion
14 pricing in communities within this state and study the effect congestion pricing may have
15 on reducing traffic congestion. Pilot programs may include, but need not be limited to,
16 time-of-day pricing with variable tolls.

17 (2) No later than December 1, 2010, the commission shall report to the interim House and
18 Senate committees related to transportation on the work of the commission and department
19 in designing and implementing the pilot programs.

20 SECTION 6. Section 5 of this 2009 Act is repealed on January 2, 2016.

21 SECTION 7. (1) The Department of Transportation, in consultation with the federal gov-
22 ernment, other states and transportation stakeholders, shall develop technology for imple-
23 menting collection of a fee based on vehicle miles traveled that may be used to replace the
24 motor vehicle fuel tax.

25 (2) The technology chosen by the department must be commercially viable and protect
26 the privacy of the motoring public.

27 (3) The department shall study mileage-based fees and other alternatives to the current
28 system of taxing highway use through motor vehicle fuel taxes. The department shall gather
29 public comment on alternative approaches and shall make recommendations to the Oregon
30 Transportation Commission on the design of pilot programs to be used to test alternative
31 approaches. The department may also make recommendations to the commission on criteria
32 to be used to evaluate pilot programs.

33 (4) The department shall report to each regular session of the Legislative Assembly on
34 the work of the department and the commission in designing, implementing and evaluating
35 pilot programs.

36 SECTION 8. (1) The Department of Transportation may develop one or more pilot pro-
37 grams to test alternatives to the current system of taxing highway use through motor ve-
38 hicle fuel taxes. Pilot programs may include, but need not be limited to, programs testing
39 technology and methods for:

- 40 (a) Identifying vehicles;
 - 41 (b) Collecting and reporting the number of miles traveled by a particular vehicle; and
 - 42 (c) Receiving payments from participants in pilot projects.
- 43 (2) Technology and methods tested under subsection (1) of this section shall be tested for:
- 44 (a) Reliability;
 - 45 (b) Ease of use;

- 1 (c) Public acceptance;
- 2 (d) Cost of implementation and administration; and
- 3 (e) Minimizing the potential for evasion of accurate reporting.

4 (3) The department may solicit volunteers for participation in pilot programs developed
5 under this section. A participant must:

6 (a) Report the participant's use of the highway system in Oregon as required by the
7 program; and

8 (b) Pay the fee established for the program for use of the highway system.

9 (4) The department shall establish a fee for each pilot program the department under-
10 takes. The fee shall be a highway use fee and shall be paid by each participant in the pro-
11 gram. The program may be designed so that the fee is imposed in lieu of any tax on motor
12 vehicle fuel imposed under ORS 319.020 or any tax on the use of fuel in a vehicle under ORS
13 319.530 that would otherwise be paid by the participant.

14 (5) If a person who participates in a pilot program under this section pays the motor
15 vehicle fuel tax under ORS 319.020, the department may refund the taxes paid.

16 (6) A seller of fuel for use in a motor vehicle may not collect the tax that would other-
17 wise be due under ORS 319.530 from a person operating a vehicle registered in a pilot pro-
18 gram authorized by the department under this section.

19 (7) If a person participating in a pilot program under this section ends the person's par-
20 ticipation in the program prior to termination of the program, the person shall pay to the
21 department any amount of the highway use fee established for the program under subsection
22 (4) of this section that the person has not yet paid.

23 (8) The department may terminate a pilot program at any time and may terminate par-
24 ticipation by any particular person at any time. When a program is terminated or a person's
25 participation is terminated by the department, the department shall collect any unpaid
26 highway use fees established for the program under subsection (4) of this section.

27 (9) The department may adopt any rules the department deems necessary for the imple-
28 mentation of this section, including but not limited to rules establishing methods of collect-
29 ing highway use fees from program participants and rules establishing reporting
30 requirements for participants.

31 (10) The department may compensate participants in pilot programs established under
32 this section.

33 **SECTION 9.** The Department of Transportation may vary any fee established under sec-
34 tion 8 of this 2009 Act to facilitate:

- 35 (1) The maximum use of road capacity.
- 36 (2) The reduction of greenhouse gas emissions.
- 37 (3) The application of any public policy identified by the commission.

38 **SECTION 10.** (1) The Department of Transportation may use moneys in the State High-
39 way Fund for financing activities required under section 7 of this 2009 Act and the pilot
40 programs established under section 8 of this 2009 Act.

41 (2) The department may solicit and accept grants and assistance from the United States
42 Government and its agencies and from any other source, public or private, necessary to
43 carry out research and pilot programs under sections 7 and 8 of this 2009 Act.

44 (3) The department may accept gifts or donations of equipment necessary to carry out
45 research and pilot programs under sections 7 and 8 of this 2009 Act.

1 (4) Any moneys received by the department under subsections (2) and (3) shall be depos-
 2 ited into the State Highway Fund.

3 **SECTION 11.** (1) Mileage-based fee development and other possible alternatives to the
 4 current system of taxing highway use through motor vehicle taxes identified by the Depart-
 5 ment of Transportation under sections 7 and 8 of this 2009 Act are transportation projects
 6 as defined in ORS 367.800 to 367.824.

7 (2) Pilot programs established under section 8 of this 2009 Act are transportation projects
 8 as defined in ORS 367.800 to 367.824.

9 **SECTION 12.** Sections 7 to 11 of this 2009 Act are repealed on January 2, 2018.

10 **SECTION 13.** Section 14 of this 2009 Act is added to and made a part of ORS 184.610 to
 11 184.666.

12 **SECTION 14.** The Oregon Transportation Commission shall work with stakeholders to
 13 review and update the criteria used to select projects within the Statewide Transportation
 14 Improvement Program. When revising the project selection criteria the commission shall
 15 consider whether the project:

16 (1) Improves the state highway system or major access routes to the state highway sys-
 17 tem on the local road system to relieve congestion by expanding capacity, enhancing oper-
 18 ations or otherwise improving travel times within high-congestion corridors.

19 (2) Enhances the safety of the traveling public using access management and other
 20 techniques in support of decreasing traffic crash rates, promoting the efficient movement
 21 of people and goods and preserving the public investment in the transportation system.

22 (3) Increases the operational effectiveness and reliability of the existing system by using
 23 technological innovation, providing linkages to other existing components of the transporta-
 24 tion system and relieving congestion.

25 (4) Is capable of being implemented in a timely manner to reduce congestion in other
 26 modes of transportation and reduce the need for additional highway projects.

27 (5) Improves the condition, connectivity and capacity of freight-reliant infrastructure
 28 serving the state.

29 (6) Supports improvements necessary for the state's economic growth and
 30 competitiveness, accessibility to industries and economic development.

31 (7) Provides the greatest benefit in relation to project costs.

32 (8) Fosters livable communities by demonstrating that the investment reinforces or does
 33 not undermine compact urban development.

34 (9) Enhances the value of transportation projects through designs and development that
 35 reflect environmental stewardship and community sensitivity.

36 (10) Is consistent with infrastructure plans and reinforces the state's greenhouse gas
 37 emissions reduction goals described in ORS 468A.205.

38 **SECTION 15.** (1) The Oregon Transportation Commission shall determine the amount of
 39 federal transportation funds available to the Department of Transportation that may be used
 40 for eligible nonhighway projects without disqualifying Oregon from participation in discre-
 41 tionary grants of federal highway funds.

42 (2) The commission shall reserve the funds identified under subsection (1) of this section
 43 for eligible nonhighway purposes in the development of the Statewide Transportation Im-
 44 provement Program.

45 **SECTION 16.** (1) As used in this section, "highway" has the meaning given that term in

1 **ORS 801.305.**

2 (2) The Department of Transportation shall incorporate environmental performance
3 standards into the design and construction of all state highway construction projects, in-
4 cluding local government highway construction projects funded by the department.

5 (3) The department shall work with state and federal environmental regulatory agencies
6 to improve the environmental permitting process for state highway construction projects in
7 order to:

8 (a) Reduce the time required to design projects and obtain environmental permits;

9 (b) Reduce the cost and delay associated with redesigning projects to meet environmental
10 requirements; and

11 (c) Maintain a strong commitment to environmental stewardship.

12 **SECTION 17.** (1) As used in this section “least-cost planning” means a process of com-
13 paring direct and indirect costs of demand and supply options to meet transportation goals,
14 policies or both, where the intent of the process is to identify the most cost-effective mix
15 of options.

16 (2) The Department of Transportation shall, in consultation with local governments and
17 metropolitan planning organizations, develop a least-cost planning model for use as a
18 decision-making tool in the development of plans and projects at both the state and regional
19 level.

20 **SECTION 18.** Prior to February 1, 2011, the Department of Transportation shall submit
21 a progress report, including any recommendations for legislation, on the development of a
22 least-cost planning model under section 17 of this 2009 Act to the Seventy-sixth Legislative
23 Assembly.

24 **SECTION 19.** (1) As used in this section:

25 (a) “Electric vehicle” means a motor vehicle, as defined in ORS 801.360, that is manu-
26 factured or modified to use electricity.

27 (b) “State agency” means any state office, department, division, bureau, board and com-
28 mission, whether in the executive, legislative or judicial branch.

29 (2) It is the policy of the State of Oregon to encourage the use of electric vehicles.

30 (3) State agencies may provide electric power purchased at state expense for the purpose
31 of recharging privately owned and publicly owned plug-in electric vehicles at state agency
32 locations.

33 **SECTION 20.** (1) The Legislative Assembly finds that issuing lottery bonds to finance
34 passenger railroad equipment is essential to promoting the state’s economic development.

35 (2) The use of lottery bond proceeds is authorized based on the following findings:

36 (a) There is an urgent need to improve and expand publicly owned transportation
37 infrastructure to support economic development in this state.

38 (b) Development of efficient, safe and comprehensive rail service minimizes environ-
39 mental impact, contributes to effective land use, sustains jobs and contributes to a favorable
40 business climate.

41 (c) Railroads facilitate the efficient movement of people and goods, which directly im-
42 pacts local and regional economies. Public investment in expansion of capacity on the rail
43 system is warranted because railroads are a vital part of the transportation system.

44 (d) The ability of Oregon’s railroads to help divert road traffic for both freight and pas-
45 senger trips helps congestion management efforts and enhances the useable life of road in-

1 vestments.

2 (e) Financing of passenger railroad equipment is essential to maintain and improve pas-
 3 senger rail service from Eugene to Portland and provide Oregonians with transportation
 4 options in the future.

5 (3) The factors described in subsection (2) of this section will encourage and promote
 6 economic development within the State of Oregon, and issuance of lottery bonds to finance
 7 passenger railroad equipment is therefore an appropriate use of state lottery funds under
 8 section 4, Article XV of the Oregon Constitution, and ORS 461.510.

9 **SECTION 21.** (1) For the biennium beginning July 1, 2009, at the request of the Director
 10 of Transportation, the State Treasurer is authorized to issue lottery bonds pursuant to ORS
 11 286A.560 to 286A.585 in the amount of \$35 million for payment of the expenses of the De-
 12 partment of Transportation for financing of passenger railroad equipment, plus an additional
 13 amount to be estimated by the State Treasurer for payment of bond-related costs incurred
 14 by the Department of Transportation and the State Treasurer.

15 (2) The bond-related costs incurred by the Department of Transportation and the State
 16 Treasurer for the lottery bonds authorized by this section shall be paid from the gross pro-
 17 ceeds of the lottery bonds and from allocations for the purposes of ORS 286A.576 (1)(c).

18 **SECTION 22.** (1) Pursuant to ORS 286A.560 to 286A.585, for the biennium beginning July
 19 1, 2009, the State Treasurer may issue lottery bonds to finance grants and loans for trans-
 20 portation projects as provided in ORS 367.080 to 367.086.

21 (2) The use of lottery bond proceeds pursuant to this section is authorized based on the
 22 following findings:

23 (a) There is an urgent need to improve and expand publicly owned and privately owned
 24 transportation infrastructure to support economic development in this state.

25 (b) A safe, efficient and reliable transportation network supports the long-term economic
 26 development and livability of this state. A multimodal network of air, rail, public transit,
 27 highway and marine transportation moves people and goods efficiently.

28 (c) Local governments and private sector businesses often lack capital and the technical
 29 capacity to undertake multimodal transportation projects.

30 (d) Public financial assistance can stimulate industrial growth and commercial enterprise
 31 and promote employment opportunities in this state.

32 (e) Public investment in transportation infrastructure will create jobs and further eco-
 33 nomic development in this state.

34 (3) The aggregate principal amount of lottery bonds issued pursuant to this section may
 35 not exceed the sum of \$150 million plus an additional amount established by the State
 36 Treasurer to pay bond-related costs. The State Treasurer may issue lottery bonds pursuant
 37 to this section only at the request of the Director of Transportation.

38 (4) The net proceeds of the lottery bonds issued pursuant to this section shall be depos-
 39 ited in the Multimodal Transportation Fund established by ORS 367.080.

40 **SECTION 23.** To the extent that proposed transportation projects meet the qualifications
 41 established by the Oregon Transportation Commission by rule, the commission shall allocate
 42 at least 10 percent of the net proceeds of the lottery bonds authorized by section 22 of this
 43 2009 Act to each region described in this section. For purposes of this section, the regions
 44 are as follows:

45 (1) Region one consists of Clackamas, Columbia, Hood River, Multnomah and Washington

1 **Counties.**

2 (2) **Region two consists of Benton, Clatsop, Lane, Lincoln, Linn, Marion, Polk, Tillamook**
 3 **and Yamhill Counties.**

4 (3) **Region three consists of Coos, Curry, Douglas, Jackson and Josephine Counties.**

5 (4) **Region four consists of Crook, Deschutes, Gilliam, Jefferson, Klamath, Lake,**
 6 **Sherman, Wasco and Wheeler Counties.**

7 (5) **Region five consists of Baker, Grant, Harney, Malheur, Morrow, Umatilla, Union and**
 8 **Wallowa Counties.**

9 **SECTION 24.** Sections 25 to 27 of this 2009 Act are added to and made a part of the
 10 **Oregon Vehicle Code.**

11 **SECTION 25.** “Medium-speed electric vehicle” means an electric motor vehicle with four
 12 wheels that is equipped with a roll cage or a crushproof body design, can attain a maximum
 13 speed of 35 miles per hour on a paved, level surface, is fully enclosed and has at least one
 14 door for entry.

15 **SECTION 26.** (1) A person commits the offense of unlawfully operating a medium-speed
 16 electric vehicle on a highway if the person operates a medium-speed electric vehicle on a
 17 highway with a posted speed limit that is greater than 40 miles per hour.

18 (2) Notwithstanding subsection (1) of this section, a city or county may adopt an ordi-
 19 nance allowing operation of medium-speed electric vehicles on city streets or county roads
 20 that have speed limits or posted speeds of more than 40 miles per hour.

21 (3) The offense described in this section, unlawfully operating a medium-speed electric
 22 vehicle on a highway, is a Class B traffic violation.

23 **SECTION 27.** (1) The Department of Transportation shall adopt, by rule, minimum safety
 24 standards for low-speed vehicles and medium-speed electric vehicles. Standards adopted by
 25 the department under this section must be consistent with, but may exceed, any vehicle
 26 safety standards established under federal regulations.

27 (2) The department may not issue registration to a low-speed vehicle or medium-speed
 28 electric vehicle if the department has reason to believe the vehicle does not meet the safety
 29 standards adopted pursuant to this section.

30 **SECTION 28.** As part of the preparation of the capital construction estimate submitted
 31 to the Oregon Department of Administrative Services pursuant to ORS 291.224, the Depart-
 32 ment of Transportation shall prepare, in addition to any amounts budgeted for the depart-
 33 ment, a budget request for other funds that may be used to facilitate the sharing of offices
 34 and other facilities used by the Department of Transportation with the offices and other fa-
 35 cilities used by local government.

36 **SECTION 29.** ORS 803.090 is amended to read:

37 803.090. (1) The following fees are the fees for the transaction described:

38 [(1)] (a) The transfer fee under ORS 803.092:

39 [(a)] (A) For a salvage title, [\$17] **\$27.**

40 [(b)] (B) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehi-
 41 cles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, [\$90] **\$110.**

42 [(c)] (C) For vehicles other than vehicles for which the title fee is described in [paragraph (b)
 43 of this subsection, \$55] **subparagraph (B) of this paragraph, \$110.**

44 [(2)] (b) The fee for issuance of a certificate of title under ORS 803.045:

45 [(a)] (A) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehi-

cles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, [\$90] **\$110.**

[(b)] **(B)** For vehicles other than vehicles for which the title fee is described in [paragraph (a) of this subsection, \$55] **subparagraph (A) of this paragraph, \$110.**

[(3)] **(c)** The fee for issuance of a salvage title certificate under ORS 803.140, [\$17] **\$27.**

[(4)] **(d)** The fee for issuance of a duplicate or replacement certificate of title under ORS 803.065:

[(a)] **(A)** For a duplicate or replacement salvage title certificate, [\$17] **\$27.**

[(b)] **(B)** For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, [\$90] **\$110.**

[(c)] **(C)** For vehicles other than vehicles for which the title fee is described in [paragraph (b) of this subsection, \$55] **subparagraph (B) of this paragraph, \$110.**

[(5)] **(e)** The fee under subsection (4) of this section [must] **may not** be paid at the same time as a transfer fee under this section if application is made at the same time as application for transfer.

[(6)] **(f)** The fee for issuance of a new certificate of title under ORS 803.220 indicating a change of name or address:

[(a)] **(A)** For a new salvage title certificate, [\$17] **\$27.**

[(b)] **(B)** For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, [\$90] **\$110.**

[(c)] **(C)** For vehicles other than vehicles for which the title fee is described in [paragraph (b) of this subsection, \$55] **subparagraph (B) of this paragraph, \$110.**

[(7)] **(g)** The fee for late presentation of certificate of title under ORS 803.105, \$25 from the 31st day after the transfer through the 60th day after the transfer and \$50 thereafter.

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

(2) In addition to the fee required by subsection (1)(b) of this section, if title has never been issued in this state for a vehicle for which registration fees are established under ORS 803.420, the department shall charge a fee of \$100.

SECTION 30. ORS 803.090, as amended by section 29 of this 2009 Act, is amended to read:

803.090. (1) The following fees are the fees for the transaction described:

(a) The transfer fee under ORS 803.092:

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

(B) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$110.

(C) For vehicles other than vehicles for which the title fee is described in subparagraph (B) of this paragraph, \$110.

(b) The fee for issuance of a certificate of title under ORS 803.045:

(A) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$110.

(B) For vehicles other than vehicles for which the title fee is described in subparagraph (A) of this paragraph, \$110.

(c) The fee for issuance of a salvage title certificate under ORS 803.140, \$27.

(d) The fee for issuance of a duplicate or replacement certificate of title under ORS 803.065:

(A) For a duplicate or replacement salvage title certificate, \$27.

(B) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$110.

1 (C) For vehicles other than vehicles for which the title fee is described in subparagraph (B) of
2 this paragraph, \$110.

3 (e) The fee under subsection (4) of this section may not be paid at the same time as a transfer
4 fee under this section if application is made at the same time as application for transfer.

5 (f) The fee for issuance of a new certificate of title under ORS 803.220 indicating a change of
6 name or address:

7 (A) For a new salvage title certificate, \$27.

8 (B) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles
9 with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, \$110.

10 (C) For vehicles other than vehicles for which the title fee is described in subparagraph (B) of
11 this paragraph, \$110.

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

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

16 (2) In addition to the fee required by subsection (1)(b) of this section, if title has never been is-
17 sued in this state for a vehicle for which registration fees are established under ORS 803.420, the
18 department shall charge a fee of [~~\$100.~~]:

19 (a) **\$50 for a vehicle with a vehicle registration weight of less than 26,001 pounds with an**
20 **Environmental Protection Agency combined fuel economy rating of at least 30 miles per**
21 **gallon.**

22 (b) **\$100 for a vehicle with a vehicle registration weight of less than 26,001 pounds with**
23 **an Environmental Protection Agency combined fuel economy rating of less than 30 miles per**
24 **gallon.**

25 **SECTION 31.** ORS 803.420 is amended to read:

26 803.420. This section establishes registration fees for vehicles. If there is uncertainty as to the
27 classification of a vehicle for purposes of the payment of registration fees under the vehicle code,
28 the Department of Transportation may classify the vehicle to assure that registration fees for the
29 vehicle are the same as for vehicles the department determines to be comparable. The registration
30 fees for the vehicle shall be those based on the classification determined by the department. Except
31 as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described
32 in this section are for an entire registration period for the vehicle as described under ORS 803.415.
33 The department shall apportion any fee under this section to reflect the number of quarters regis-
34 tered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are
35 payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS
36 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing
37 body of a county or by the governing body of a district, as defined in ORS 801.237 under ORS
38 801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of ve-
39 hicles are as follows:

40 (1) Vehicles not otherwise provided for in this section or ORS 821.320, [~~\$27~~] **\$81** for each year
41 of the registration period.

42 (2) Mopeds, [~~\$15~~] **\$45** for each year of the registration period.

43 (3) Motorcycles, [~~\$15~~] **\$45** for each year of the registration period.

44 (4) Government-owned vehicles registered under ORS 805.040, \$3.50.

45 (5) State-owned vehicles registered under ORS 805.045, \$3.50 on registration or renewal.

(6) Undercover vehicles registered under ORS 805.060, \$3.50 on registration or renewal.

(7) Antique vehicles registered under ORS 805.010, \$54.

(8) Vehicles of special interest registered under ORS 805.020, \$81.

(9) Electric vehicles and hybrid vehicles that use electricity and another source of motive power, as follows:

(a) The registration fee for an electric or hybrid vehicle not otherwise described in this subsection is [~~\$27~~] **\$81** for each year of the registration period.

(b) The registration fee for electric or hybrid vehicles that have two or three wheels is [~~\$27~~] **\$45**. This paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are subject to the same registration fee as otherwise provided for mopeds under this section.

(c) The registration fees for the following electric or hybrid vehicles are the same as for comparable nonelectric vehicles described in this section plus 50 percent of such fee:

(A) Motor homes.

(B) Commercial buses.

(C) Vehicles registered as farm vehicles under ORS 805.300.

(D) Vehicles required to establish registration weight under ORS 803.430 or 826.013.

(10) Motor vehicles required to establish a registration weight under ORS 803.430 or 826.013, and commercial buses as provided in the following chart, based upon the weight submitted in the declaration of weight prepared under ORS 803.435 or 826.015:

Weight in Pounds	Fee
8,000 or less	\$ [27] 81
8,001 to 10,000	169
10,001 to 12,000	192
12,001 to 14,000	215
14,001 to 16,000	238
16,001 to 18,000	261
18,001 to 20,000	291
20,001 to 22,000	314
22,001 to 24,000	345
24,001 to 26,000	375
26,001 to 28,000	184
28,001 to 30,000	192
30,001 to 32,000	207
32,001 to 34,000	215
34,001 to 36,000	230
36,001 to 38,000	238
38,001 to 40,000	253
40,001 to 42,000	261
42,001 to 44,000	276
44,001 to 46,000	284
46,001 to 48,000	291
48,001 to 50,000	307
50,001 to 52,000	322

1	52,001	to	54,000	330
2	54,001	to	56,000	337
3	56,001	to	58,000	352
4	58,001	to	60,000	368
5	60,001	to	62,000	383
6	62,001	to	64,000	398
7	64,001	to	66,000	406
8	66,001	to	68,000	421
9	68,001	to	70,000	429
10	70,001	to	72,000	444
11	72,001	to	74,000	452
12	74,001	to	76,000	467
13	76,001	to	78,000	475
14	78,001	to	80,000	490
15	80,001	to	82,000	498
16	82,001	to	84,000	513
17	84,001	to	86,000	521
18	86,001	to	88,000	536
19	88,001	to	90,000	544
20	90,001	to	92,000	559
21	92,001	to	94,000	567
22	94,001	to	96,000	582
23	96,001	to	98,000	590
24	98,001	to	100,000	598
25	100,001	to	102,000	613
26	102,001	to	104,000	621
27	104,001	to	105,500	636

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29

30 (11)(a) Motor vehicles with a registration weight of more than 8,000 pounds that are described
 31 in ORS 825.015, that are operated by a charitable organization as defined in ORS 825.017 (14), that
 32 are certified under ORS 822.205 or that are used exclusively to transport manufactured structures,
 33 as provided in the following chart:

34

35

36	Weight in Pounds		Fee
37	8,001	to 10,000	\$ 50
38	10,001	to 12,000	60
39	12,001	to 14,000	65
40	14,001	to 16,000	75
41	16,001	to 18,000	80
42	18,001	to 20,000	90
43	20,001	to 22,000	95
44	22,001	to 24,000	105
45	24,001	to 26,000	110

1	26,001	to	28,000	120
2	28,001	to	30,000	125
3	30,001	to	32,000	135
4	32,001	to	34,000	140
5	34,001	to	36,000	150
6	36,001	to	38,000	155
7	38,001	to	40,000	165
8	40,001	to	42,000	170
9	42,001	to	44,000	180
10	44,001	to	46,000	185
11	46,001	to	48,000	190
12	48,001	to	50,000	200
13	50,001	to	52,000	210
14	52,001	to	54,000	215
15	54,001	to	56,000	220
16	56,001	to	58,000	230
17	58,001	to	60,000	240
18	60,001	to	62,000	250
19	62,001	to	64,000	260
20	64,001	to	66,000	265
21	66,001	to	68,000	275
22	68,001	to	70,000	280
23	70,001	to	72,000	290
24	72,001	to	74,000	295
25	74,001	to	76,000	305
26	76,001	to	78,000	310
27	78,001	to	80,000	320
28	80,001	to	82,000	325
29	82,001	to	84,000	335
30	84,001	to	86,000	340
31	86,001	to	88,000	350
32	88,001	to	90,000	355
33	90,001	to	92,000	365
34	92,001	to	94,000	370
35	94,001	to	96,000	380
36	96,001	to	98,000	385
37	98,001	to	100,000	390
38	100,001	to	102,000	400
39	102,001	to	104,000	405
40	104,001	to	105,500	415

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43 (b) The owner of a vehicle described in paragraph (a) of this subsection must certify at the time
 44 of initial registration, in a manner determined by the department by rule, that the motor vehicle
 45 will be used exclusively to transport manufactured structures or exclusively as described in ORS

1 822.210, 825.015 or 825.017 (14). Registration of a vehicle described in paragraph (a) of this sub-
 2 section is invalid if the vehicle is operated in any manner other than that described in the certif-
 3 ication under this paragraph.

4 (12) Trailers registered under permanent registration, \$10.

5 (13) Fixed load vehicles as follows:

6 (a) If a declaration of weight described under ORS 803.435 is submitted establishing the weight
 7 of the vehicle at 3,000 pounds or less, \$54.

8 (b) If no declaration of weight is submitted or if the weight of the vehicle is in excess of 3,000
 9 pounds, [~~\$75~~] **\$81**.

10 (14) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that
 11 are not travel trailers or trailers registered under permanent registration, \$27.

12 (15) Trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500,
 13 the same as the fee for vehicles of the same type registered under other provisions of the Oregon
 14 Vehicle Code.

15 (16) Travel trailers, campers and motor homes as follows, based on length as determined under
 16 ORS 803.425:

17 (a) For travel trailers or campers that are 6 to 10 feet in length, \$81.

18 (b) For travel trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of
 19 length over the first 10 feet.

20 (c) For motor homes that are 6 to 14 feet in length, \$54.

21 (d) For motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over
 22 the first 10 feet.

23 (17) Special use trailers as follows, based on length as determined under ORS 803.425:

24 (a) For lengths 6 to 10 feet, \$54.

25 (b) For special use trailers over 10 feet in length, \$54 plus \$3 a foot for each foot of length over
 26 the first 10 feet.

27 (18) Fees for vehicles with proportional registration under ORS 826.009, or proportioned fleet
 28 registration under ORS 826.011, are as provided for vehicles of the same type under this section
 29 except that the fees shall be fixed on an apportioned basis as provided under the agreement estab-
 30 lished under ORS 826.007.

31 (19) For any vehicle that is registered under a quarterly registration period, a minimum of \$15
 32 for each quarter registered plus an additional fee of \$1.

33 (20) In addition to any other fees charged for registration of vehicles in fleets under ORS
 34 805.120, the department may charge the following fees:

35 (a) A \$2 service charge for each vehicle entered into a fleet.

36 (b) A \$1 service charge for each vehicle in the fleet at the time of renewal.

37 (21) The registration fee for vehicles with special registration for disabled veterans under ORS
 38 805.100 is a fee of \$15.

39 (22) Subject to subsection (19) of this section, the registration fee for motor vehicles registered
 40 as farm vehicles under ORS 805.300 is as follows based upon the registration weight given in the
 41 declaration of weight submitted under ORS 803.435:

Weight in Pounds	Fee
8,000 or less	\$ [27] 81

1	8,001	to	10,000	[30] 85
2	10,001	to	12,000	[35] 90
3	12,001	to	14,000	[45] 95
4	14,001	to	16,000	[50] 100
5	16,001	to	18,000	[60] 105
6	18,001	to	20,000	[65] 110
7	20,001	to	22,000	[75] 115
8	22,001	to	24,000	[80] 120
9	24,001	to	26,000	[90] 125
10	26,001	to	28,000	[95] 130
11	28,001	to	30,000	[105] 135
12	30,001	to	32,000	[110] 140
13	32,001	to	34,000	[120] 145
14	34,001	to	36,000	[125] 150
15	36,001	to	38,000	[135] 155
16	38,001	to	40,000	[140] 160
17	40,001	to	42,000	[150] 165
18	42,001	to	44,000	[155] 170
19	44,001	to	46,000	[165] 170
20	46,001	to	48,000	[170] 175
21	48,001	to	50,000	180
22	50,001	to	52,000	185
23	52,001	to	54,000	190
24	54,001	to	56,000	200
25	56,001	to	58,000	210
26	58,001	to	60,000	215
27	60,001	to	62,000	220
28	62,001	to	64,000	230
29	64,001	to	66,000	240
30	66,001	to	68,000	245
31	68,001	to	70,000	250
32	70,001	to	72,000	260
33	72,001	to	74,000	265
34	74,001	to	76,000	275
35	76,001	to	78,000	280
36	78,001	to	80,000	290
37	80,001	to	82,000	295
38	82,001	to	84,000	305
39	84,001	to	86,000	310
40	86,001	to	88,000	320
41	88,001	to	90,000	325
42	90,001	to	92,000	335
43	92,001	to	94,000	340
44	94,001	to	96,000	350
45	96,001	to	98,000	355

1	98,001 to 100,000	365
2	100,001 to 102,000	370
3	102,001 to 104,000	380
4	104,001 to 105,500	385

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(23) The registration fee for school vehicles registered under ORS 805.050 is \$7.50.

(24) The registration fee for a low-speed vehicle is \$54.

(25) A rental or leasing company, as defined in ORS 221.275, that elects to initially register a vehicle for an annual or biennial registration period shall pay a fee of \$1 in addition to the vehicle registration fee provided under this section.

(26) Racing activity vehicles registered under ORS 805.035, \$81.

(27) Medium-speed electric vehicles, \$54 for each year of the registration period.

SECTION 32. ORS 319.020 is amended to read:

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

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

(b) Except as provided in ORS 319.270, pay a license tax computed on the basis of [24] **26** cents per gallon on the first sale, use or distribution of such motor vehicle fuel or aircraft fuel so sold, used, distributed or withdrawn as shown by such statement in the manner and within the time provided in ORS 319.010 to 319.430.

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

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

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

SECTION 33. ORS 319.530 is amended to read:

319.530. (1) To compensate this state partially for the use of its highways, an excise tax hereby is imposed at the rate of [24] **26** cents per gallon on the use of fuel in a motor vehicle. Except as otherwise provided in subsections (2) and (3) of this section, 100 cubic feet of fuel used or sold in a gaseous state, measured at 14.73 pounds per square inch of pressure at 60 degrees Fahrenheit, is taxable at the same rate as a gallon of liquid fuel.

(2) One hundred twenty cubic feet of compressed natural gas used or sold in a gaseous state, measured at 14.73 pounds per square inch of pressure at 60 degrees Fahrenheit, is taxable at the same rate as a gallon of liquid fuel.

(3) One and three-tenths liquid gallons of propane at 60 degrees Fahrenheit is taxable at the same rate as a gallon of other liquid fuel.

SECTION 34. ORS 818.225 is amended to read:

818.225. (1)(a) In addition to any fee for a single-trip nondivisible load permit, a person who is issued the permit or who operates a vehicle in a manner that requires the permit is liable for payment of a road use assessment fee of [*five and seven-tenths cents*] _____ per equivalent single-axle load mile traveled. As used in this subsection, "equivalent single-axle load" means the relationship between actual or requested weight and an 18,000 pound single-axle load as determined by the American Association of State Highway and Transportation Officials Road Tests reported at the Proceedings Conference of 1962. The Department of Transportation may adopt rules to standardize the determination of equivalent single-axle load computation based on average highway conditions.

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

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

(2) The department by rule may establish procedures for payment, collection and enforcement of the fees and assessments established by this chapter.

SECTION 35. ORS 825.476 is amended to read:

825.476.

MILEAGE TAX RATE TABLE "A"

Declared Combined Weight Groups (Pounds)	Fee Rates Per Mile (Mills)
26,001 to 28,000	[40.0] _____
28,001 to 30,000	[42.4] _____
30,001 to 32,000	[44.3] _____
32,001 to 34,000	[46.3] _____
34,001 to 36,000	[48.1] _____
36,001 to 38,000	[50.6] _____
38,001 to 40,000	[52.5] _____
40,001 to 42,000	[54.4] _____
42,001 to 44,000	[56.4] _____
44,001 to 46,000	[58.3] _____
46,001 to 48,000	[60.2] _____
48,001 to 50,000	[62.2] _____
50,001 to 52,000	[64.5] _____
52,001 to 54,000	[66.9] _____
54,001 to 56,000	[69.4] _____
56,001 to 58,000	[72.3] _____

1	58,001 to 60,000	[75.6]	_____
2	60,001 to 62,000	[79.5]	_____
3	62,001 to 64,000	[83.9]	_____
4	64,001 to 66,000	[88.7]	_____
5	66,001 to 68,000	[95.0]	_____
6	68,001 to 70,000	[101.7]	_____
7	70,001 to 72,000	[108.4]	_____
8	72,001 to 74,000	[114.6]	_____
9	74,001 to 76,000	[120.5]	_____
10	76,001 to 78,000	[126.3]	_____
11	78,001 to 80,000	[131.6]	_____

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AXLE-WEIGHT MILEAGE

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TAX RATE TABLE "B"

16

Declared Combined

Number of Axles

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Weight Groups

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9 or
more

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(Pounds)

(Mills)

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80,001 to 82,000

[135.9]

124.3

116.2

110.4

104.1]

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21

82,001 to 84,000

[140.3]

126.3

118.1

111.8

105.5]

22

23

84,001 to 86,000

[144.5]

129.2

120.0

113.2

107.0]

24

25

86,001 to 88,000

[149.4]

132.0

121.9

115.2

108.4]

26

27

88,001 to 90,000

[155.2]

135.4

123.9

117.1

110.4]

28

29

90,001 to 92,000

[161.9]

139.3

125.7

119.0

112.3]

30

31

92,001 to 94,000

[169.2]

143.1

127.7

120.9

113.8]

32

33

94,001 to 96,000

[176.9]

147.5

130.1

122.9

115.6]

34

35

96,001 to 98,000

[185.1]

152.8

133.0

124.9

117.6]

36

37

98,001 to 100,000

[158.5]

135.9

127.2

119.5]

38

39

100,001 to 102,000

[138.8]

130.1

121.5]

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41

102,001 to 104,000

[141.7]

133.0

123.9]

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104,001 to 105,500

[145.5]

135.9

126.3]

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SECTION 36. ORS 825.480 is amended to read:

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

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

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

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

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

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

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

(5)(a) In lieu of other fees provided in ORS 825.474, carriers engaged in operating motor vehicles in the transportation of wood chips, sawdust, barkdust, hog fuel or shavings may pay annual fees for such operation computed at the rate of *[twenty-four dollars and sixty-two cents]* _____ for each 100 pounds of declared combined weight.

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

SECTION 37. Sections 38 and 39 of this 2009 Act are added to and made a part of ORS

1 chapter 366.

2 **SECTION 38.** (1) The following moneys shall be allocated as described in subsections (2)
3 and (3) of this section:

4 (a) The amount attributable to the fee increases by the amendments to ORS 803.090 by
5 sections 29 and 30 of this 2009 Act.

6 (b) The amount attributable to the fee increases by the amendments to ORS 803.420 by
7 section 31 of this 2009 Act.

8 (c) The amount attributable to the increase in fees and tax rates created by the amend-
9 ments to ORS 319.020, 319.530, 818.225, 825.476 and 825.480 by sections 32 to 36 of this 2009
10 Act.

11 (2) The moneys described in subsection (1) of this section shall be allocated first in an
12 amount equivalent to the federal funds reserved by the Oregon Transportation Commission
13 for eligible nonhighway purposes under section 15 of this 2009 Act to the Department of
14 Transportation with the remainder as provided in subsection (3) of this section.

15 (3) The remainder of the moneys described in subsection (2) of this section shall be allo-
16 cated as follows:

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

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

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

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

22 (a) 2.86 percent to the Timber Counties Safety Net Account established by section 39 of
23 this 2009 Act.

24 (b) 5.71 percent for studies and developing technology needed to implement pilot pro-
25 grams for congestion pricing and for alternatives to taxing highway use through motor ve-
26 hicle fuel taxes as authorized under sections 5, 7 and 8 of this 2009 Act.

27 (c) 0.22 percent to the Transportation Utility Commission established under section 1 of
28 this 2009 Act.

29 (d) 0.22 percent to the Department of Environmental Quality.

30 (e) 15.38 percent for maintenance and safety of highways.

31 (f) 10.99 percent for preservation of highways.

32 (g) 4.40 percent for bridges.

33 (h) 9.67 percent for operation of highways.

34 (i) 50.55 percent for modernization as defined in ORS 367.622.

35 **SECTION 39.** The Timber Counties Safety Net Account is established within the State
36 Highway Fund. The account shall consist of moneys paid into the account under section 38
37 of this 2009 Act. All moneys in the account are continuously appropriated to the Department
38 of Transportation for the purpose of assisting counties that have a county road base funding
39 deficit, as defined in ORS 366.772. Moneys in the account, with the approval of the State
40 Treasurer, may be invested as provided by ORS 293.701 to 293.820 and the earnings from such
41 investments must be credited to the account.

42 **SECTION 40.** ORS 366.739 is amended to read:

43 366.739. Except as otherwise provided in ORS 366.744 and section 38 of this 2009 Act, the
44 taxes collected under ORS 319.020, 319.530, 803.090, 803.420, 818.225, 825.476 and 825.480, minus
45 \$71.2 million per biennium, shall be allocated 24.38 percent to counties under ORS 366.762 and 15.57

1 percent to cities under ORS 366.800.

2 **SECTION 41.** ORS 267.385 is amended to read:

3 267.385. (1) To carry out the powers granted by ORS 267.010 to 267.390, a district may by ordi-
4 nance impose an excise tax on every employer equal to not more than [*seven-tenths*] **eight-tenths**
5 of one percent of the wages paid with respect to the employment of individuals. For the same pur-
6 poses, a district may by ordinance impose a tax on each individual equal to not more than [*seven-*
7 *tenths*] **eight-tenths** of one percent of the individual's net earnings from self-employment.

8 (2) No employer shall make a deduction from the wages of an employee to pay all or any portion
9 of a tax imposed under this section.

10 (3) The provisions of ORS 305.620 are applicable to collection, enforcement, administration and
11 distribution of a tax imposed under this section.

12 (4) At any time an employer or individual fails to remit the amount of taxes when due under
13 an ordinance of the district board imposing a tax under this section, the Department of Revenue
14 may enforce collection by the issuance of a distraint warrant for the collection of the delinquent
15 amount and all penalties, interest and collection charges accrued thereon. Such warrant shall be
16 issued and may be enforced in the same manner and have the same force and effect as prescribed
17 with respect to warrants for the collection of delinquent state income taxes.

18 (5) Any ordinance adopted under subsection (1) of this section shall require an individual having
19 net earnings from self-employment from activity both within and without the district taxable by the
20 State of Oregon to allocate and apportion such net earnings to the district in the manner required
21 for allocation and apportionment of income under ORS 314.280 and 314.605 to 314.675. Such ordi-
22 nance shall give the individual the option of apportioning income based on a single factor designated
23 by the ordinance.

24 (6) Any ordinance adopted under subsection (1) of this section with respect to net earnings from
25 self-employment may impose a tax for a taxable year measured by each individual's net earnings
26 from self-employment for the prior taxable year, whether such prior taxable year begins before or
27 after November 1, 1981, or such ordinance.

28 (7) Any ordinance imposing a tax authorized by subsection (1) of this section shall not apply to
29 any business, trade, occupation or profession upon which a tax is imposed under ORS 267.360.

30 (8) The district board may not adopt an ordinance increasing a tax authorized by subsection (1)
31 of this section unless the board makes a finding that the economy in the district has recovered to
32 an extent sufficient to warrant the increase in tax. In making the finding, the board shall consider
33 regional employment and income growth.

34 **SECTION 42. Notwithstanding ORS 267.385 (1) and subject to ORS 267.260 (3) and (6), an**
35 **increase in any tax imposed on wages or on net earnings from self-employment that is au-**
36 **thorized by a mass transit district under ORS 267.385 (1) on or after January 1, 2010, must**
37 **be phased in over a 10-year period. The district shall by ordinance set forth the increments**
38 **by which the increase in tax is phased in. Subject to ORS 267.260 (3) and (6), each annual**
39 **increment may not increase the rate of tax by more than 0.02 percent of the wages or net**
40 **earnings from self-employment.**

41 **SECTION 43.** ORS 267.615 is amended to read:

42 267.615. [(1)] For the purpose of performing any of the powers conferred by ORS 267.510 to
43 267.650, a transportation district may use any of the following methods of financing:

44 [(a)] (1) Service charges and user fees collected under ORS 267.570 (1)(d).

45 [(b)] (2) Levy of ad valorem taxes under ORS 267.620.

1 [(c)] (3) Use of a revolving fund as authorized for mass transit districts under ORS 267.310.

2 [(d)] (4) Sale of bonds under ORS 267.630 and 267.640.

3 [(e)] (5) Levy of business license fees as authorized for mass transit districts under ORS 267.360.

4 [(f)] (6) Levy of a tax measured by net income as authorized for mass transit districts under ORS
5 267.370.

6 [(g)] (7) Levy of a tax measured by employer payrolls as authorized for mass transit districts
7 under ORS 267.380 and 267.385.

8 [(h)] (8) Acceptance and use of any contributions or loans from the United States, without lim-
9 itation by any other provision of ORS 267.510 to 267.650 requiring approval of indebtedness.

10 [(i)] (9) Any combination of the provisions of [paragraphs (a) to (h) of this subsection] **sub-**
11 **sections (1) to (8) of this section.**

12 [(2) A district shall not use any method of financing authorized under subsection (1)(c) to (g) of this
13 section without first obtaining authorization at a properly called election held for that purpose.]

14 **SECTION 44.** ORS 267.430 is amended to read:

15 267.430. ORS 267.300, 267.380, 267.410 to 267.430 do not apply to entities described in ORS
16 267.380 (1)(a)(C) that made, and that continue to make, payments under the provisions of ORS
17 291.405 and 291.407 equivalent to the rate in effect on January 1, 1989. If a mass transit district or
18 transportation district does not collect a tax under ORS 267.300 (1)(g) or 267.615 [(1)(g)] (7), ORS
19 267.300, 267.380 and 267.410 to 267.430 do not affect payment under ORS 291.405 and 291.407.

20 **SECTION 45.** ORS 366.514 is amended to read:

21 366.514. (1) Out of the funds received by the Department of Transportation or by any county or
22 city from the State Highway Fund reasonable amounts shall be expended as necessary to provide
23 footpaths and bicycle trails, including curb cuts or ramps as part of the project. Footpaths and bi-
24 cycle trails, including curb cuts or ramps as part of the project, shall be provided wherever a
25 highway, road or street is being constructed, reconstructed or relocated. Funds received from the
26 State Highway Fund may also be expended to maintain footpaths and trails and to provide footpaths
27 and trails along other highways, roads and streets.

28 (2) Footpaths and trails are not required to be established under subsection (1) of this section:

29 (a) Where the establishment of such paths and trails would be contrary to public safety;

30 (b) If the cost of establishing such paths and trails would be excessively disproportionate to the
31 need or probable use; or

32 (c) Where sparsity of population, other available ways or other factors indicate an absence of
33 any need for such paths and trails.

34 (3) The amount expended by the department or by a city or county as required or permitted by
35 this section shall never in any one fiscal year be less than [one] 1-1/2 percent of the total amount
36 of the funds received from the highway fund. However:

37 (a) This subsection does not apply to a city in any year in which the [one] 1-1/2 percent equals
38 \$250 or less, or to a county in any year in which the [one] 1-1/2 percent equals \$1,500 or less.

39 (b) A city or county in lieu of expending the funds each year may credit the funds to a financial
40 reserve fund in accordance with ORS 294.525, to be held for not more than 10 years, and to be ex-
41 pended for the purposes required or permitted by this section.

42 (c) For purposes of computing amounts expended during a fiscal year under this subsection, the
43 department, a city or county may record the money as expended:

44 (A) On the date actual construction of the facility is commenced if the facility is constructed
45 by the city, county or department itself; or

1 (B) On the date a contract for the construction of the facilities is entered with a private con-
2 tractor or with any other governmental body.

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

14 (5) As used in this section, "bicycle trail" means a publicly owned and maintained lane or way
15 designated and signed for use as a bicycle route.

16 **SECTION 46.** ORS 366.772 is amended to read:

17 366.772. *[(1) Not later than July 31 in each calendar year, the sum of \$500,000 shall be withdrawn
18 from the appropriation specified in ORS 366.762, and the sum of \$250,000 shall be withdrawn from
19 moneys available to the Department of Transportation from the State Highway Fund. The sums with-
20 drawn shall be set up in a separate account to be administered by the Department of Transportation.]*

21 *[(2) Not later than July 31 in each calendar year, the sum of \$750,000 shall be withdrawn from the
22 separate account described in subsection (1) of this section and distributed to counties that had a county
23 road base funding deficit in the prior fiscal year. A county's share of the \$750,000 shall be based on
24 the ratio of the amount of the county's road base funding deficit to the total amount of county road base
25 funding deficits of all counties.]*

26 *[(3) Moneys allocated as provided in this section may be used only for maintenance, repair and
27 improvement of existing roads.]*

28 *[(4)]* (1) As used in this section:

29 (a) "Arterial highway" has the meaning given that term in [ORS 801.127] **the Federal Highway
30 Administration Functional Classification Guidelines, as in effect January 1, 2009.**

31 (b) "Collector highway" has the meaning given that term in [ORS 801.197] **the Federal High-
32 way Administration Functional Classification Guidelines, as in effect January 1, 2009.**

33 (c) **"County road" has the meaning given that term in ORS 368.001.**

34 *[(c)]* (d) "County road base funding deficit" means the amount of a county's minimum county
35 road base funding minus the amount of that county's dedicated county road funding. A county has
36 a county road base funding deficit only if the amount of the dedicated county road funding is less
37 than the amount of the minimum county road base funding.

38 *[(d)]* (e) "Dedicated county road funding" for a county means:

39 (A) Moneys received from federal forest reserves and apportioned to the county road fund in
40 accordance with ORS 294.060;

41 (B) State Highway Fund moneys distributed to the county, other than moneys distributed under
42 this section and not including moneys allocated under section 15, chapter 911, Oregon Laws 2007;
43 and

44 (C) Federal Highway Administration revenues allocated by formula to the county annually under
45 the federal-aid highway program authorized by 23 U.S.C. chapter 1. These moneys do not include

1 federal funds received by the county through a competitive grant process.

2 [(e)] (f) "Minimum county road base funding" means **\$1 million or \$4,500** per mile of county
3 roads that are arterial and collector highways beginning on July 1, 2008, [and] **whichever is**
4 **greater. For each fiscal year** thereafter [means] **the \$4,500** per mile of county roads that are ar-
5 terial and collector highways [as] **shall be** adjusted annually on the basis of the Portland-Salem,
6 OR-WA, Consumer Price Index for All Urban Consumers for All Items, as published by the Bureau
7 of Labor Statistics of the United States Department of Labor.

8 **(2) Not later than July 31 in each calendar year, the Department of Transportation, in**
9 **consultation with counties, shall:**

10 **(a) Determine the amount of county road base funding deficit, if any, in the prior fiscal**
11 **year for each county; and**

12 **(b) Develop a quarterly distribution plan for the fiscal year beginning July 1 that ensures**
13 **that each county with a county road base funding deficit in the prior fiscal year receives an**
14 **amount equal to its county road base funding deficit in the prior fiscal year in addition to**
15 **the amount distributed to the county under ORS 366.764.**

16 **(3) Prior to the end of the first month of each quarter of the fiscal year, the Department**
17 **of Transportation shall withdraw the funding required to implement the quarterly distrib-**
18 **ution plan from the Timber Counties Safety Net Account and, if the moneys in the Timber**
19 **Counties Safety Net Account are not sufficient to implement the quarterly distribution plan,**
20 **the balance shall be withdrawn from the appropriation specified in ORS 366.762. The sums**
21 **withdrawn shall be deposited in a separate account to be administered by the department.**

22 **(4) Prior to the end of the first month of each quarter of the fiscal year, after the moneys**
23 **are deposited in the separate account described in subsection (3) of this section, the De-**
24 **partment of Transportation shall distribute the moneys to counties that had a county road**
25 **base funding deficit as indicated in the quarterly distribution plan.**

26 **(5) Moneys allocated as provided in this section may be used only for maintenance, repair**
27 **and improvement of existing roads.**

28 **SECTION 47.** ORS 367.620 is amended to read:

29 367.620. (1) The principal amount of Highway User Tax Bonds issued under ORS 367.615 shall
30 be subject to the provisions of ORS 286A.035.

31 (2) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described in
32 ORS 367.622 in an aggregate principal amount sufficient to produce net proceeds of not more than
33 \$500 million.

34 (3)(a) Highway User Tax Bonds may be issued under ORS 367.615 for bridge purposes described
35 in section 10 (1), chapter 618, Oregon Laws 2003, in an aggregate principal amount sufficient to
36 produce net proceeds of not more than \$1.6 billion.

37 (b) Highway User Tax Bonds may be issued under ORS 367.615 for modernization purposes de-
38 scribed in sections 10 (2) and 11, chapter 618, Oregon Laws 2003, in an aggregate principal amount
39 sufficient to produce net proceeds of not more than \$300 million.

40 **(c) Highway User Tax Bonds may be issued under ORS 367.615 for the purposes described**
41 **in section 48 of this 2009 Act, in an aggregate principal amount sufficient to produce net**
42 **proceeds of not more than \$600 million.**

43 [(c)] (d) The Department of Transportation, with the approval of the State Treasurer, may des-
44 ignate the extent to which a series of bonds authorized under this subsection is secured and payable
45 on a parity of lien or on a subordinate basis to existing or future Highway User Tax Bonds.

1 **SECTION 48.** Proceeds of the bonds authorized under ORS 367.620 (3)(c) shall be used to
 2 finance projects chosen by the Oregon Transportation Commission. The commission shall
 3 select projects that relieve freight bottlenecks.

4 **SECTION 49.** The amendments to ORS 367.620 by section 47 of this 2009 Act do not impair
 5 the interests of the owners of any Highway User Tax Bonds that are outstanding on the ef-
 6 fective date of this 2009 Act or any obligations of the agreements of the Department of
 7 Transportation under its Amended and Restated Master Highway User Tax Revenue Bond
 8 Declaration dated June 1, 2008, as amended and supplemented.

9 **SECTION 50.** Notwithstanding ORS 367.620 (1), the provisions of ORS 286A.035 do not
 10 apply to bonds described in ORS 367.620 (3)(c) for the biennium beginning July 1, 2009.

11 **SECTION 51.** ORS 801.041 is amended to read:

12 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
 13 registration fees for vehicles:

14 (1) **Notwithstanding ORS 203.055 or any provision of a county charter**, an ordinance estab-
 15 lishing registration fees under this section must be enacted by the county imposing the registration
 16 fee and filed with the Department of Transportation. [*Any ordinance establishing registration fees*
 17 *that is enacted by the governing body of a county must be submitted to the electors of the county for*
 18 *their approval.*] The governing body of the county imposing the registration fee shall enter into an
 19 intergovernmental agreement under ORS 190.010 with the department by which the department shall
 20 collect the registration fees, pay them over to the county and, if necessary, allow the credit or
 21 credits described in ORS 803.445 (5). The intergovernmental agreement must state the date on which
 22 the department shall begin collecting registration fees for the county.

23 (2) The authority granted by this section allows the establishment of registration fees in addition
 24 to those described in ORS 803.420. There is no authority under this section to affect registration
 25 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-
 26 tration under the vehicle code.

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

- 30 (a) Snowmobiles and Class I all-terrain vehicles.
- 31 (b) Fixed load vehicles.
- 32 (c) Vehicles registered under ORS 805.100 to disabled veterans.
- 33 (d) Vehicles registered as antique vehicles under ORS 805.010.
- 34 (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- 35 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- 36 (g) School buses or school activity vehicles registered under ORS 805.050.
- 37 (h) Law enforcement undercover vehicles registered under ORS 805.060.
- 38 (i) Vehicles registered on a proportional basis for interstate operation.
- 39 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10)
- 40 or (11).
- 41 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
- 42 (L) Travel trailers, campers and motor homes.

43 (4) Any registration fee imposed by a county must be a fixed amount not to exceed, with respect
 44 to any vehicle class, the registration fee established under ORS 803.420 (1). For vehicles on which
 45 a flat fee is imposed under ORS 803.420, the fee must be a whole dollar amount.

1 (5) Moneys from registration fees established under this section must be paid to the county es-
 2 tablishing the registration fees as provided in ORS 802.110. The county ordinance shall provide for
 3 payment of at least 40 percent of the money to cities within the county unless a different distrib-
 4 ution is agreed to between the county and the cities within the jurisdiction of the county. The
 5 moneys shall be used for any purpose for which moneys from registration fees may be used.

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

9 (7) Before the governing body of a county that overlaps a district can impose a registration fee
 10 under this section, it must enter into an intergovernmental agreement under ORS 190.010 with the
 11 governing bodies of that district and all counties, other districts and cities with populations of over
 12 300,000 that overlap the district. The intergovernmental agreement must state the registration fees
 13 and, if necessary, how the revenue from the fees are to be apportioned among the counties and the
 14 districts. Before the governing body of a county can enter into such an intergovernmental agree-
 15 ment, the county shall consult with the cities in its jurisdiction.

16 **SECTION 52.** ORS 803.570 is amended to read:

17 803.570. Except as otherwise specifically provided by law, the Department of Transportation
 18 shall collect the fee described by this section each time the department issues a registration plate
 19 upon the registration of a vehicle or at other times when a registration plate is issued by the de-
 20 partment. The following all apply to the fee established by this section:

21 (1) The fee shall be in addition to any other fee collected upon issuance of a registration plate.

22 *[(2) The fee for each registration plate issued and for each set of two plates issued shall be deter-*
 23 *mined by the department and shall be established by the department by rule. The fee may not exceed*
 24 *\$3 for one plate and \$5 for a set of two plates.]*

25 **(2) The fee for each registration plate issued and for each set of two plates issued shall**
 26 **be determined by the department by rule.**

27 **(3) The department shall establish the fee for each registration plate issued and for each**
 28 **set of two plates issued under this section by determining the cost to manufacture each plate**
 29 **and each set of two plates. The department shall round the amount of the fee to the next**
 30 **higher half-dollar.**

31 **(4) If the difference between the cost to manufacture a single plate and the cost to**
 32 **manufacture a pair of plates would result in a difference in the fee established under this**
 33 **section, the department shall establish separate fees for issuance of single registration plates**
 34 **and pairs of registration plates.**

35 **SECTION 53.** ORS 805.250 is amended to read:

36 805.250. This section establishes fees for issuance of registration plates authorized under ORS
 37 805.200. If a fee for plates authorized in ORS 805.200 is not established in this section, the fee is the
 38 same fee as established under ORS 803.570. Where a fee is established under this section, the fee
 39 is in addition to the fee established under ORS 803.570 unless otherwise provided in the following:

40 (1) Amateur radio operator registration plates issued under ORS 805.230, \$5.

41 (2) Customized registration plates issued under ORS 805.240:

42 (a) For original issuance or renewal, [~~\$25~~] **\$50** annual fee.

43 (b) For issuance of a duplicate or replacement plate, \$5 when the plate is issued at the time of
 44 renewal of registration or \$10 when the plate is issued at any other time.

45 (3) Special interest registration plates approved under ORS 805.210 are approved without cost

1 except as provided in this subsection, including without payment of the fee established under ORS
 2 803.570. If identifying stickers are required, \$1 per sticker or pair of stickers.

3 (4) Dealer plates issued under ORS 822.020 and 822.040 are as follows:

4 (a) For the original dealer plate, no fee except the fee established under ORS 803.570.

5 (b) For replacement dealer plates, \$10 for each plate except that persons dealing exclusively in
 6 motorcycles, mopeds, snowmobiles or any combination of those vehicles shall pay only \$3 for each
 7 replacement plate.

8 (c) For additional plates, or for renewal of registration, \$42, except that persons dealing exclu-
 9 sively in motorcycles, mopeds or snowmobiles or any combination of those vehicles shall pay only
 10 \$9 for each additional plate, or for renewal of registration.

11 (5) Special vehicle transporter plates or devices issued under ORS 822.310, \$5 for each plate or
 12 device.

13 **SECTION 54.** ORS 822.043 is amended to read:

14 822.043. (1) As used in this section:

15 (a) “Integrator” has the meaning given that term in ORS 802.600.

16 (b) “Vehicle dealer” means a person issued a vehicle dealer certificate under ORS 822.020.

17 (2) A vehicle dealer may elect to prepare, submit, or prepare and submit documents necessary
 18 to:

19 (a) Issue or transfer a certificate of title for a vehicle;

20 (b) Register a vehicle or transfer registration of a vehicle; or

21 (c) Issue a registration plate.

22 (3) A vehicle dealer who prepares any documents described in subsection (2) of this section:

23 (a) May charge a purchaser of a vehicle a fee for the preparation of those documents.

24 (b) May not charge a purchaser of a vehicle a fee for the submission of any document or the
 25 issuance of a registration plate.

26 (4) The Department of Transportation may adopt rules to:

27 (a) Limit the amount of a fee charged under subsection (3) of this section. The limit established
 28 by rule may not be less than:

29 (A) [~~\$75~~] **\$100**, if the vehicle dealer uses an integrator; or

30 (B) [~~\$50~~] **\$75**, if the vehicle dealer does not use an integrator.

31 (b) Determine when a vehicle dealer is required to inform the purchaser of the vehicle of the
 32 option of using an integrator and when the purchaser has the option of electing to use an integrator.

33 (5) Unless otherwise provided by rule, if a vehicle dealer uses an integrator and charges a fee
 34 greater than that charged for not using an integrator, the dealer must inform the purchaser of the
 35 vehicle of the option of using an integrator to prepare the documents. The purchaser may then elect
 36 whether or not to have the vehicle dealer use an integrator to prepare the documents.

37 **SECTION 55.** Section 4, chapter 545, Oregon Laws 2003, is amended to read:

38 **Sec. 4.** Sections 2 and 3, **chapter 545, Oregon Laws 2003**, [*of this 2003 Act*] apply to tax years
 39 beginning on or after January 1, 2005, and before January 1, [~~2010~~] **2015**.

40 **SECTION 56.** ORS 267.302 and sections 8 and 9, chapter 739, Oregon Laws 2003, are re-
 41 pealed.

42 **SECTION 57.** The amendments to ORS 801.041 by section 51 of this 2009 Act apply to or-
 43 dinances enacted by the governing body of a county on or after the effective date of this 2009
 44 Act.

45 **SECTION 58.** The amendments to ORS 803.090 by section 30 of this 2009 Act become op-

1 **erative on January 1, 2011.**

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