



Open Government Impact Statement

80th Oregon Legislative Assembly
2019 Regular Session

Measure: HB 2858

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Directs Environmental Quality Commission to adopt rules applying certain oil spill prevention and emergency response planning requirements to high hazard train routes in this state.

Defines "high hazard train route" and "listed sensitive area" for purposes of contingency plans.

Requires railroads that own or operate high hazard train routes to annually submit financial responsibility statements to Department of Environmental Quality.

Requires department to levy and collect annual assessment equal to \$ per year. Requires railroads that own and operate high hazard train routes to pay share of annual assessment proportionate to high hazard train route track miles operated by railroads.

Establishes High Hazard Train Route Oil Spill Prevention Fund. Requires moneys collected to be deposited in High Hazard Train Route Oil Spill Prevention Fund. Prescribes uses of fund.

Requires facilities receiving crude oil from railroad cars to provide advance notice to department.

Becomes operative January 1, 2020.

Takes effect on 91st day following adjournment sine die.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure proprietary, commercial or financial information provided to the Department of Environmental Quality, under advanced notice reporting requirements, by a facility receiving crude oil from a railroad car.

If the public records were instead subject to mandatory disclosure under public records law, trade secret information of facilities receiving crude oil by railroad car could be revealed.