

SENATE AMENDMENTS TO SENATE BILL 1504

By COMMITTEE ON FINANCE AND REVENUE

February 19

1 In line 2 of the printed bill, delete “; and prescribing an effective date”.

2 Delete lines 4 through 10 and insert:

3 **“SECTION 1. (1) As used in this section, ‘carbon dioxide equivalent’ means the amount**
4 **of carbon dioxide by weight that would produce the same global warming impact as a given**
5 **weight of another greenhouse gas, based on considerations including but not limited to the**
6 **best available science, including information from the Intergovernmental Panel on Climate**
7 **Change.**

8 **“(2) A fungible authorization to emit a quantity of carbon dioxide equivalent, or a**
9 **fungible credit that represents a greenhouse gas emissions reduction or the removal of a**
10 **quantity of carbon dioxide equivalent, issued by a state government agency pursuant to a**
11 **state program for regulating greenhouse gas emissions, does not constitute property or a**
12 **property right for any purpose under state or local law, including taxation.**

13 **“(3) The receipt of a fungible authorization to emit a quantity of carbon dioxide equiv-**
14 **alent directly distributed, at no cost to the person that receives the authorization, by a state**
15 **government agency pursuant to a state program for regulating greenhouse gas emissions**
16 **may not be subject to any local tax, fee, assessment or other charge and is exempt from**
17 **taxation under ORS chapters 316, 317 and 318.**

18 **“SECTION 2. (1) The Department of Transportation, in consultation with the Department**
19 **of Environmental Quality and any other appropriate state agency, shall study modifying the**
20 **classification of diesel fuel from fuel, as defined in ORS 319.520, to motor vehicle fuel, as**
21 **defined in ORS 319.010. The study may include consideration of:**

22 **“(a) Any necessary changes to law to ensure compliance of fuel sellers and motor vehicle**
23 **fuel dealers;**

24 **“(b) Any potential impacts this change may have on motor vehicle fuel tax revenue col-**
25 **lections;**

26 **“(c) Any potential impacts this change may have on weight-mile tax revenue collections;**

27 **“(d) The most efficient method for maintaining fairness and proportionality of revenues**
28 **described in Article IX, section 3a (3), of the Oregon Constitution;**

29 **“(e) Any potential impacts this change may have on operations of the Department of**
30 **Transportation pursuant to its oversight and regulatory functions;**

31 **“(f) Whether vehicles with a registration weight over 10,000 pounds should be included**
32 **within a weight-mile tax system; and**

33 **“(g) Any necessary changes to law regarding the treatment for purposes of taxation, of**
34 **dyed fuels, including but not limited to:**

35 **“(A) Connection to the provisions of the Internal Revenue Code and federal regulations;**

1 **“(B) Testing for illegal use; and**

2 **“(C) Compliance and enforcement provisions.**

3 **“(2) The Department of Transportation shall report the results of the study to the Joint**
4 **Committee on Transportation during the 2021 regular session of the Legislative Assembly in**
5 **the manner provided in ORS 192.245. The report must include an implementation plan to re-**
6 **classify diesel fuel beginning January 1, 2022.”.**

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