

Requested by Senator THOMSEN

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 1530**

1 On page 1 of the printed A-engrossed bill, line 2, after “244.050,” insert  
2 “279C.537,”.

3 On page 77, after line 17, insert:  
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5 **“CLEAN DIESEL IN PUBLIC CONTRACTS**

6  
7 **“SECTION 86a.** ORS 279C.537 is amended to read:

8 “279C.537. (1) As used in this section, ‘diesel engine,’ ‘nonroad diesel en-  
9 gine’ and ‘motor vehicle’ have the meanings given those terms in ORS  
10 468A.795.

11 “(2) Except as provided in subsection (4) of this section, a public im-  
12 provement contract must require at least 80 percent of the total fleet of  
13 motor vehicles that are motor vehicles powered by diesel engines and  
14 equipment powered by nonroad diesel engines used on site and in the course  
15 of performing the contract to be:

16 “(a) Motor vehicles powered by model year 2010 or newer diesel engines;  
17 and

18 “(b) Equipment powered by nonroad diesel engines, whether or not capa-  
19 ble of being powered by alternative fuel, that **are manufactured or**  
20 **retrofitted to** meet or exceed United States Environmental Protection  
21 Agency Tier 4 exhaust emission standards for nonroad compression ignition

1 engines.

2 “(3) Subsection (2) of this section applies only to a public improvement  
3 contract for a public improvement:

4 “(a) With a value of \$20 million or more;

5 “(b) For which the contracting agency is a state contracting agency; and

6 “(c) If the public improvement is located within Multnomah, Clackamas  
7 or Washington County.

8 “(4)(a) The Department of Environmental Quality may by order establish  
9 minimum standards for contract specifications relating to the use of diesel  
10 engines in the course of performing a public improvement contract by a state  
11 contracting agency. In establishing standards under this subsection, the de-  
12 partment shall take into consideration methods for assisting contractors  
13 certified, under ORS 200.055, as disadvantaged business enterprises,  
14 minority-owned businesses, women-owned businesses, businesses owned by  
15 service-disabled veterans or emerging small businesses in complying with the  
16 minimum standards for contract specifications.

17 “(b) The Director of Transportation, the Director of the Oregon Depart-  
18 ment of Administrative Services and the Attorney General may adopt rules  
19 for contract specifications relating to the use of diesel engines on site and  
20 in the course of performing a public improvement contract by a state con-  
21 tracting agency. In adopting rules under this paragraph, the directors and  
22 the Attorney General shall consider the minimum standards established by  
23 the Department of Environmental Quality under paragraph (a) of this sub-  
24 section.

25 “(c) As an alternative to meeting the requirements of subsection (2) of  
26 this section, a public improvement contract subject to subsection (2) of this  
27 section may include contract specifications that meet the minimum standards  
28 applicable to the public improvement contract under rules adopted pursuant  
29 to paragraph (b) of this subsection.”.

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