

FISCAL IMPACT OF PROPOSED LEGISLATION

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

Measure: HB 3055 - B24

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Modifies, adds and repeals laws relating to transportation.

Government Unit(s) Affected:

Oregon Department of Transportation (ODOT)

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Summary of Expenditure Impact:

See Analysis.

Analysis: This measure makes housekeeping changes to the statutes governing the Oregon Department of Transportation (ODOT) operations. In addition to the housekeeping changes, the measure changes the following:

- Changes tolling statutes to include language around managing demand and improving operations as part of the rationale for assessing tolls;
- Allows the dedicated \$30 million in State Highway Fund annual revenue for the I-5 Rose Quarter Project to also be used to pay for:
 - The I-205 Improvements: Stafford Road to Oregon Route 213 Project;
 - The I-5 Boone Bridge and Seismic Improvement Project; and
 - The implementation of the toll program established under ORS 383.150.
- Increases ODOT's short-term borrowing authority from \$100 million to \$600 million and extends maximum maturity of short-term obligations from 3 to 5 years;
- Renames the State Tollway Account the Toll Program Fund and establishes the fund as separate and distinct from the State Highway Fund; and
- Authorizes the State Treasurer, at the request of ODOT, to issue tollway project revenue bonds for the purpose of financing tollway projects.

The measure would allow federally recognized Indian Tribes to purchase fuel from Oregon fuel dealers if: the fuel is purchased directly from the dealer, and delivered directly to the Tribe; the fuel is delivered directly a service station that is owned by an Indian Tribe; and the Indian Tribe: has an equivalent tax on the fuel that is used for government services; and certifies annually to ODOT that they are in compliance with the above. The amendment also corrects a Section numbering error. The amendment also limits the expenditures of the equivalent tax a tribe must impose, specifying that the revenue must be used in a manner consistent with Article IX, section 3(a) of the Oregon Constitution. This will have a revenue impact on the State Highway Fund and a more in-depth analysis will be provide by the Legislative Revenue Office.

The changes to ODOT's statutes will have a minimal fiscal impact but may require additional expenditure limitation requirements due to the increased short-term borrowing authority granted by the measure. In addition, budget adjustments may be required to account for the provisions allowing the I-5 Rose Quarter Project funding to be used for other projects. Necessary adjustments to ODOT's budget can be made during the

February 2022 legislative session or at a subsequent meeting of the Emergency Board, if such adjustments are ultimately determined to be necessary.

The -B24 amendment resolves conflicts with HB 3082. The Legislative Fiscal Office, due to time constraints, has not received feedback from the agency affected, but does not believe that the amendment will have a substantive fiscal affect on the agency.