

House Bill 2629

Sponsored by Representative DRAZAN; Representatives BONHAM, MEEK, NEARMAN, POST, RESCHKE, ZIKA
(Presession filed.)

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**.

Prohibits Oregon Transportation Commission from establishing toll on Interstate 205.

A BILL FOR AN ACT

1
2 Relating to prohibiting tolling on Interstate 205; creating new provisions; and amending ORS 383.003
3 and 383.150.

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

5 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 383.003 to**
6 **383.075.**

7 **SECTION 2. Notwithstanding ORS 383.004 and 383.150, the Oregon Transportation Com-**
8 **mission is prohibited from establishing any toll on Interstate 205 unless the toll is used to**
9 **pay for construction of additional lanes.**

10 **SECTION 3.** ORS 383.150 is amended to read:

11 383.150. (1) The Oregon Transportation Commission shall establish a traffic congestion relief
12 program.

13 (2) No later than December 31, 2018, the commission shall seek approval from the Federal
14 Highway Administration, if required by federal law, to implement value pricing as described in this
15 section.

16 (3) After seeking and receiving approval from the Federal Highway Administration, the com-
17 mission shall implement value pricing to reduce traffic congestion. Value pricing may include, but
18 is not limited to, variable time-of-day pricing. The commission shall implement value pricing [*in the*
19 *following locations:*]

20 [(a) *On Interstate 205, beginning at the Washington state line and ending where it intersects with*
21 *Interstate 5 in this state.*]

22 [(b)] on Interstate 5, beginning at the Washington state line and ending where it intersects with
23 Interstate 205.

24 (4) In addition to [*areas*] **the area** listed in subsection (3) of this section, the commission may
25 implement value pricing in other areas of this state.

26 (5) Notwithstanding ORS 383.009, the revenues received from value pricing under this section
27 shall be deposited into the Congestion Relief Fund established under ORS 383.155 for the imple-
28 mentation and administration of the congestion relief program established pursuant to this section,
29 including but not limited to the Value Pricing Set-Up Project.

30 (6) Subject to any restrictions in an agreement with the Federal Highway Administration or
31 other federal law, in addition to the amounts received from value pricing under this section, the

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 moneys in the Congestion Relief Fund shall be used to implement and administer the traffic con-
 2 gestion relief program.

3 (7) Before imposing value pricing, the commission shall report to the Joint Committee on
 4 Transportation established under ORS 171.858.

5 (8) The commission may enter into agreements with the State of Washington, or the State of
 6 Washington's designee, relating to establishing, reviewing, adjusting and collecting tolls for the
 7 program described in this section.

8 **SECTION 4.** ORS 383.003 is amended to read:

9 383.003. As used in ORS 383.003 to 383.075:

10 (1) "Department" means the Department of Transportation.

11 (2) "Electronic toll collection system" means a system that records use of a tollway by elec-
 12 tronic transmissions to or from the vehicle using the tollway and that collects tolls, or that is ca-
 13 pable of charging an account established by a person for use of the tollway.

14 (3) "Photo enforcement system" means a system of sensors installed to work in conjunction with
 15 an electronic toll collection system and other traffic control devices and that automatically produces
 16 videotape or one or more photographs, microphotographs or other recorded images of a vehicle in
 17 connection with the collection or enforcement of tolls.

18 (4) "Private entity" means any nongovernmental entity, including a corporation, partnership,
 19 company or other legal entity, or any natural person.

20 (5) "Related facility" means any real or personal property that:

21 (a) Will be used to operate, maintain, renovate or facilitate the use of the tollway;

22 (b) Will provide goods or services to the users of the tollway; or

23 (c) Can be developed efficiently when tollways are developed and will generate revenue that
 24 may be used to reduce tolls or will be deposited in the State Tollway Account.

25 (6) "Toll" means any fee or charge for the use of a tollway.

26 (7) "Toll booth collections" means the manual or mechanical collection of cash or charging of
 27 an account at a toll plaza, toll booth or similar fixed toll collection facility.

28 (8) "Tollway" means any roadway, path, highway, bridge, tunnel, railroad track, bicycle path or
 29 other paved surface or structure specifically designed as a land vehicle transportation route[*the*
 30 *construction, operation or maintenance of which is wholly or partially funded with toll revenues re-*
 31 *sulting from an agreement under ORS 383.005*] **for the use of which tolls are assessed.**

32 (9) "Tollway operator" means the unit of government or the private entity that is responsible
 33 for the construction, reconstruction, installation, improvement, financing, maintenance, repair and
 34 operation of a tollway or a related facility.

35 (10) "Tollway project" means any capital project involving the acquisition of land for, or the
 36 construction, reconstruction, improvement, installation, development or equipping of, a tollway, re-
 37 lated facilities or any portion thereof.

38 (11) "Unit of government" means any department or agency of the federal government, any state,
 39 any department or agency of a state, any bistate entity created by agreement under ORS 190.420
 40 or other law for the purposes of the Interstate 5 bridge replacement project, and any city, county,
 41 district, port or other public corporation organized and existing under statutory law or under a
 42 voter-approved charter.