

HB 2342-9  
(LC 1698)  
5/14/21 (ASD/ps)

Requested by JOINT COMMITTEE ON TRANSPORTATION (at the request of Senator Lee Beyer  
and Representative Susan McLain)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2342**

1 On page 1 of the printed bill, line 2, after “367.095,” insert “801.041,  
2 801.042,”.

3 In line 3, after “803.422” insert “, 803.445” and after “2010,” delete “and”.

4 In line 4, after “2017” insert “, and section 6, chapter 491, Oregon Laws  
5 2019”.

6 On page 5, delete lines 31 through 35 and insert:

7 **“SECTION 19. (1) Notwithstanding ORS 319.885, for the period be-**  
8 **ginning on July 1, 2026, and ending on June 30, 2030, the registered**  
9 **owner or lessee of a subject vehicle of a model year of 2027 or later**  
10 **and with a rating of at least 30 miles per gallon may pay, in lieu of the**  
11 **per-mile road usage charge imposed under ORS 319.885 and the addi-**  
12 **tional amount of registration fees imposed under ORS 803.422, an an-**  
13 **ual fee prescribed, on or before June 30 immediately preceding July**  
14 **1 of each 12-month period to which this section relates, by the De-**  
15 **partment of Transportation in an amount equal to the rate of the**  
16 **per-mile road usage charge determined under ORS 319.885 then in ef-**  
17 **fect multiplied by the average number of miles traveled by passenger**  
18 **vehicles during the most recent 12-month period for which such data**  
19 **is available.**

20 **“(2) Moneys collected from the annual fee in lieu of the per-mile**  
21 **road usage charge payable under this section shall be deposited and**

1 **allocated for distribution in the same manner as moneys from the road**  
2 **usage charges under ORS 319.895.**

3 **“(3) The registered owner or lessee of a subject vehicle electing**  
4 **under this section to pay the annual fee in lieu of the per-mile road**  
5 **usage charge and the additional amount of registration fees imposed**  
6 **under ORS 803.422 shall remain liable for any amount of vehicle reg-**  
7 **istration fee imposed by a county or a district under the vehicle code**  
8 **that would be required if the annual fee payable under this section did**  
9 **not exist.”.**

10 On page 7, delete lines 1 through 29 and insert:

11 **“SECTION 28a. ORS 803.445 is amended to read:**

12 **“803.445. (1) The governing body of a county may impose registration fees**  
13 **for vehicles as provided in ORS 801.041.**

14 **“(2) The governing body of a district may impose registration fees for**  
15 **vehicles as provided in ORS 801.042.**

16 **“(3) The Department of Transportation shall provide by rule for the ad-**  
17 **ministration of laws authorizing county and district registration fees and for**  
18 **the collection of those fees.**

19 **“(4) Any registration fee imposed under this section shall be imposed in**  
20 **a manner consistent with ORS 803.420.**

21 **“(5) A county or district may not impose a vehicle registration fee that**  
22 **would by itself, or in combination with any other vehicle registration fee**  
23 **imposed under this section, exceed the sum of the fee imposed under ORS**  
24 **803.420 (6)(a) and the fee applicable to the registered vehicle under ORS**  
25 **803.422. The owner of any vehicle subject to multiple fees under this section**  
26 **shall be allowed a credit or credits with respect to one or more of such fees**  
27 **so that the total of such fees does not exceed the sum of the fee imposed**  
28 **under ORS 803.420 (6)(a) and the fee applicable to the registered vehicle un-**  
29 **der ORS 803.422.**

30 **“(6) A subject vehicle exempt under ORS 319.885 (3) from the fees**

1 applicable under ORS 803.422 shall remain liable for any amount of  
2 vehicle registration fee imposed by a county or a district under this  
3 section that would be required if the exemption did not exist. As used  
4 in this subsection, ‘subject vehicle’ has the meaning given that term  
5 in ORS 319.883.

6 **“SECTION 28b.** ORS 801.041 is amended to read:

7 “801.041. The following apply to the authority granted to counties by ORS  
8 801.040 to establish registration fees for vehicles:

9 “(1) An ordinance establishing registration fees under this section must  
10 be enacted by the county imposing the registration fee and filed with the  
11 Department of Transportation. Notwithstanding ORS 203.055 or any pro-  
12 vision of a county charter, the governing body of a county with a population  
13 of 350,000 or more may enact an ordinance establishing registration fees. The  
14 governing body of a county with a population of less than 350,000 may enact  
15 an ordinance establishing registration fees after submitting the ordinance to  
16 the electors of the county for their approval. The governing body of the  
17 county imposing the registration fee shall enter into an intergovernmental  
18 agreement under ORS 190.010 with the department by which the department  
19 shall collect the registration fees, pay them over to the county and, if nec-  
20 essary, allow the credit or credits described in ORS 803.445 (5). The inter-  
21 governmental agreement must state the date on which the department shall  
22 begin collecting registration fees for the county.

23 “(2) The authority granted by this section allows the establishment of  
24 registration fees in addition to those described in ORS 803.420 and 803.422.  
25 There is no authority under this section to affect registration periods, qual-  
26 ifications, cards, plates, requirements or any other provision relating to ve-  
27 hicle registration under the vehicle code.

28 “(3) Except as otherwise provided for in this subsection, when registration  
29 fees are imposed under this section, they must be imposed on all vehicle  
30 classes. Registration fees as provided under this section may not be imposed

1 on the following:

2 “(a) Snowmobiles and Class I all-terrain vehicles.

3 “(b) Fixed load vehicles.

4 “(c) Vehicles registered under ORS 805.100 to disabled veterans.

5 “(d) Vehicles registered as antique vehicles under ORS 805.010.

6 “(e) Vehicles registered as vehicles of special interest under ORS 805.020.

7 “(f) Government-owned or operated vehicles registered under ORS 805.040  
8 or 805.045.

9 “(g) School buses or school activity vehicles registered under ORS 805.050.

10 “(h) Law enforcement undercover vehicles registered under ORS 805.060.

11 “(i) Vehicles registered on a proportional basis for interstate operation.

12 “(j) Vehicles with a registration weight of 26,001 pounds or more de-  
13 scribed in ORS 803.420 (14)(a) or (b).

14 “(k) Vehicles registered as farm vehicles under the provisions of ORS  
15 805.300.

16 “(L) Travel trailers, campers and motor homes.

17 “(m) Vehicles registered to an employment address as provided in ORS  
18 802.250 when the eligible public employee or household member’s residence  
19 address is not within the county of the employment address. The department  
20 may adopt rules it considers necessary for the administration of this para-  
21 graph.

22 “(n) Vehicles registered under ORS 805.110 to former prisoners of war.

23 “(4) Any registration fee imposed by a county must be a fixed amount not  
24 to exceed, with respect to any vehicle class, the sum of the registration fee  
25 established under ORS 803.420 (6)(a) and the fee applicable to the registered  
26 vehicle under ORS 803.422. For vehicles on which a flat fee is imposed under  
27 ORS 803.420, the fee must be a whole dollar amount. **A subject vehicle ex-**  
28 **empt under ORS 319.885 (3) from the fees applicable under ORS 803.422**  
29 **shall remain liable for any amount of vehicle registration fee imposed**  
30 **by a county under this section that would be required if the exemption**

1 **did not exist. As used in this subsection, ‘subject vehicle’ has the**  
2 **meaning given that term in ORS 319.883.**

3 “(5) Moneys from registration fees established under this section must be  
4 paid to the county establishing the registration fees as provided in ORS  
5 802.110.

6 “(6) Except as provided in section 3, chapter 392, Oregon Laws 2019, or  
7 unless a different distribution is agreed upon by the county and the cities  
8 within the jurisdiction of the county, the county ordinance shall provide for  
9 payment of at least 40 percent of the moneys from registration fees estab-  
10 lished under this section to cities within the county.

11 “(7) The moneys for the cities and the county shall be used for any pur-  
12 pose for which moneys from registration fees may be used, including the  
13 payment of debt service and costs related to bonds or other obligations is-  
14 sued for such purposes.

15 “(8) Two or more counties may act jointly to impose a registration fee  
16 under this section. The ordinance of each county acting jointly with another  
17 under this subsection must provide for the distribution of moneys collected  
18 through a joint registration fee.

19 **“SECTION 28c.** ORS 801.042 is amended to read:

20 “801.042. The following apply to the authority granted to a district by  
21 ORS 801.040 to establish registration fees for vehicles:

22 “(1) Before the governing body of a district can impose a registration fee  
23 under this section, it must submit the proposal to the electors of the district  
24 for their approval and, if the proposal is approved, enter into an intergov-  
25 ernmental agreement under ORS 190.010 with the governing bodies of all  
26 counties, other districts and cities with populations of over 300,000 that  
27 overlap the district. The intergovernmental agreement must state the regis-  
28 tration fees and, if necessary, how the revenue from the fees shall be appor-  
29 tioned among counties and the districts. Before the governing body of a  
30 county can enter into such an intergovernmental agreement, the county shall

1 consult with the cities in its jurisdiction.

2 “(2) If a district raises revenues from a registration fee for purposes re-  
3 lated to highways, roads, streets and roadside rest areas, the governing body  
4 of that district shall establish a Regional Arterial Fund and shall deposit in  
5 the Regional Arterial Fund all such registration fees.

6 “(3) Interest received on moneys credited to the Regional Arterial Fund  
7 shall accrue to and become a part of the Regional Arterial Fund.

8 “(4) The Regional Arterial Fund must be administered by the governing  
9 body of the district referred to in subsection (2) of this section and such  
10 governing body by ordinance may disburse moneys in the Regional Arterial  
11 Fund. Moneys within the Regional Arterial Fund may be disbursed only for  
12 a program of projects recommended by a joint policy advisory committee on  
13 transportation consisting of local officials and state agency representatives  
14 designated by the district referred to in subsection (2) of this section. The  
15 projects for which the joint policy advisory committee on transportation can  
16 recommend funding must concern arterials, collectors or other improvements  
17 designated by the joint policy advisory committee on transportation.

18 “(5) Ordinances establishing registration fees under this section must be  
19 filed with the Department of Transportation. The governing body of the dis-  
20 trict imposing the registration fee shall enter into an intergovernmental  
21 agreement under ORS 190.010 with the department by which the department  
22 shall collect the registration fees, pay them over to the district and, if nec-  
23 essary, allow the credit or credits described in ORS 803.445 (5). The inter-  
24 governmental agreement must state the date on which the department shall  
25 begin collecting registration fees for the district.

26 “(6) The authority granted by this section allows the establishment of  
27 registration fees in addition to those described in ORS 803.420 and 803.422.  
28 There is no authority under this section to affect registration periods, qual-  
29 ifications, cards, plates, requirements or any other provision relating to ve-  
30 hicle registration under the vehicle code.

1 “(7) Except as otherwise provided for in this subsection, when registration  
2 fees are imposed under this section, the fees must be imposed on all vehicle  
3 classes. Registration fees as provided under this section may not be imposed  
4 on the following:

5 “(a) Snowmobiles and Class I all-terrain vehicles.

6 “(b) Fixed load vehicles.

7 “(c) Vehicles registered under ORS 805.100 to disabled veterans.

8 “(d) Vehicles registered as antique vehicles under ORS 805.010.

9 “(e) Vehicles registered as vehicles of special interest under ORS 805.020.

10 “(f) Government-owned or operated vehicles registered under ORS 805.040  
11 or 805.045.

12 “(g) School buses or school activity vehicles registered under ORS 805.050.

13 “(h) Law enforcement undercover vehicles registered under ORS 805.060.

14 “(i) Vehicles registered on a proportional basis for interstate operation.

15 “(j) Vehicles with a registration weight of 26,001 pounds or more de-  
16 scribed in ORS 803.420 (14)(a) or (b).

17 “(k) Vehicles registered as farm vehicles under the provisions of ORS  
18 805.300.

19 “(L) Travel trailers, campers and motor homes.

20 “(m) Vehicles registered to an employment address as provided in ORS  
21 802.250 when the eligible public employee or household member’s residence  
22 address is not within the county of the employment address. The department  
23 may adopt rules it considers necessary for the administration of this para-  
24 graph.

25 “(n) Vehicles registered under ORS 805.110 to former prisoners of war.

26 “(8) Any registration fee imposed by the governing body of a district must  
27 be a fixed amount not to exceed, with respect to any vehicle class, the reg-  
28 istration fee established under ORS 803.420 (6)(a) and the fee applicable to  
29 the registered vehicle under ORS 803.422. For vehicles on which a flat fee  
30 is imposed under ORS 803.420, the fee must be a whole dollar amount.

1       **“(9) A subject vehicle exempt under ORS 319.885 (3) from the fees**  
2 **applicable under ORS 803.422 shall remain liable for any amount of**  
3 **vehicle registration fee imposed by a district under this section that**  
4 **would be required if the exemption did not exist. As used in this sub-**  
5 **section, ‘subject vehicle’ has the meaning given that term in ORS**  
6 **319.883.**

7       **“SECTION 28d.** Section 6, chapter 491, Oregon Laws 2019, is amended to  
8 read:

9       **“Sec. 6.** Notwithstanding ORS 803.445 (5), a metropolitan service district  
10 established under ORS chapter 268 may impose a vehicle registration fee that  
11 does not exceed the sum of the fee imposed under ORS 803.420 (6)(a) and the  
12 fee applicable to the registered vehicle under ORS 803.422, if the vehicle  
13 registration fee is approved by the electors of the district before December  
14 31, 2022. **A subject vehicle exempt under ORS 319.885 (3) from the fees**  
15 **applicable under ORS 803.422 shall remain liable for any amount of**  
16 **vehicle registration fee imposed by a district under this section that**  
17 **would be required if the exemption did not exist. As used in this sec-**  
18 **tion, ‘subject vehicle’ has the meaning given that term in ORS 319.883.**

19       **“SECTION 28e.** The amendments to ORS 801.041, 801.042 and 803.445  
20 and section 6, chapter 491, Oregon Laws 2019, by sections 28a to 28d  
21 of this 2021 Act become operative on July 1, 2026.

22       **“SECTION 29.** (1)(a) This subsection sets forth the policy of the  
23 Legislative Assembly for purposes of designing and implementing a  
24 mandatory per-mile road usage charge program.

25       **“(b) In addition to the per-mile road usage charge imposed under**  
26 **ORS 319.885, the registered owner of a subject vehicle shall pay an**  
27 **additional fee that is:**

28       **“(A) Designed to reflect the impact on health and the environment**  
29 **of the criteria pollutants and greenhouse gases emitted by the subject**  
30 **vehicle; and**



1       **“(B) Of a kind, and imposed at a rate, that, together with other**  
2 **national, state and local measures, can reasonably be expected to**  
3 **achieve Oregon’s transition to a fully zero-emission fleet, as measured**  
4 **by the benchmarks enacted in chapter 565, Oregon Laws 2019.**

5       **“(c) The transition from the current fuel tax system to a per-mile**  
6 **road usage charge program shall be designed in such a way as to en-**  
7 **sure that historically underserved communities and low-income**  
8 **Oregonians do not, on balance, face:**

9       **“(A) Any greater disparate impact from the per-mile road usage**  
10 **charge program than they face under the current fuel tax system; or**

11       **“(B) Additional barriers to employment or economic opportunity.**

12       **“(2) Not later than September 15, 2022, September 15, 2024, and**  
13 **September 15, 2026, the Department of Transportation shall submit, in**  
14 **the manner provided in ORS 192.245, to the Road User Fee Task Force**  
15 **created under ORS 184.843 a report on the department’s progress in**  
16 **developing and implementing the mandatory per-mile road usage**  
17 **charge under ORS 319.883 to 319.946 and may include in the reports**  
18 **recommendations for legislation.**

19       **“(3) The reports required under subsection (2) of this section shall**  
20 **present the findings of studies conducted by the department to con-**  
21 **sider, in accordance with the policy statement set forth under sub-**  
22 **section (1) of this section:**

23       **“(a) Technological readiness and pricing mechanisms other than the**  
24 **per-mile road usage charge;**

25       **“(b) Possible rate structures for, and the best method of imposing**  
26 **and collecting, the additional fee described in subsection (1)(b) of this**  
27 **section;**

28       **“(c) The best method of making the transition from the current fuel**  
29 **tax system to a per-mile road usage charge program, including, but**  
30 **not limited to, the likely impact of the transition on:**

1       **“(A) Individuals and communities, categorized by income, race and**  
2 **socioeconomic status; and**

3       **“(B) Urban, rural and suburban communities; and**

4       **“(d)(A) The feasibility of including in the weight-mile tax system**  
5 **or other per-mile road usage charge programs vehicles with a regis-**  
6 **tration weight of more than 8,000 pounds, and less than 26,000 pounds,**  
7 **that are not registered as passenger vehicles; and**

8       **“(B) If feasible, an implementation plan for the inclusion.**

9       **“(4) After considering a report submitted under this section, the**  
10 **Road User Fee Task Force may make recommendations, including**  
11 **recommendations for legislation, to the Joint Committee on Trans-**  
12 **portation established under ORS 171.858.**

13       **“(5) In conducting the studies, the department shall consult with**  
14 **other state agencies and stakeholders whose contributions the de-**  
15 **partment considers helpful to the studies. State agencies shall comply**  
16 **with reasonable requests from the department for consultation.”.**

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