

Senate Joint Resolution 204

Sponsored by Senator KENNEMER (Pre-session 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**.

Proposes amendment to Oregon Constitution to prohibit public body from assessing highway toll unless toll became operative before January 1, 2018, or proposed toll is approved by majority of total votes cast in elections held in counties with border located within 15-mile radius of any section of highway proposed to be tolled.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section 16 to be added to and made a part of Article IX, such section to read:

SECTION 16. (1) A public body may not assess a toll on a highway in this state unless:

(a) The toll was in operation before January 1, 2018; or

(b)(A) A toll is proposed by a public body;

(B) The toll proposed by the public body is referred for approval or rejection to the electors of each county in this state that has a county border within a 15-mile radius of any section of highway proposed to be tolled; and

(C) The toll proposed by the public body is approved by a majority of the total votes cast in the referral described in subparagraph (B) of this paragraph.

(2) As used in this section:

(a) "Highway" means every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right.

(b) "Public body" means a public body as defined by the laws of this state.

(c) "Section of highway proposed to be tolled" means the portion of highway beginning at the highway exit before the first toll collection facility and ending at the highway exit after the last toll collection facility, as observed by the direction of vehicle travel on the highway.

(d) "Toll" means any fee or charge for the use of a highway.

(e) "Toll collection facility" means any physical location at which a toll is charged to vehicles for using the highway, including a toll booth, toll plaza or electronic toll collection system.

(f)(A) "Vehicle" means any device in, upon or by which any person or property is or may be transported or drawn upon a public highway.

(B) "Vehicle" includes vehicles that are propelled or powered by any means.

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 **PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the
2 people for their approval or rejection at the next regular general election held throughout
3 this state.

4
