

# House Bill 3483

Sponsored by Representative PHAM K

## 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**.

Directs Environmental Quality Commission to establish transportation greenhouse gas reduction targets.

Modifies requirements of long-range transportation plan developed by Oregon Transportation Commission to require that plan achieve greenhouse gas emissions reduction targets. Directs commission to consider whether projects included in statewide transportation improvement program are consistent with targets.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to greenhouse gas emissions; creating new provisions; amending ORS 184.617 and 184.621;  
3 and prescribing an effective date.

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

5 **SECTION 1. (1) The Environmental Quality Commission, in consultation with the De-**  
6 **partment of Transportation, the Department of Land Conservation and Development, local**  
7 **governments and metropolitan planning organizations, shall establish by rule targets for re-**  
8 **ducing greenhouse gas emissions from transportation throughout this state and in each re-**  
9 **gion served by a metropolitan planning organization.**

10 **(2) Rules adopted under this section shall include:**

11 **(a) Establishing greenhouse gas emissions reduction targets to ensure that transporta-**  
12 **tion funding plans and transportation projects are consistent with the greenhouse gas emis-**  
13 **sions reduction goals set forth in ORS 468A.205, including a timeline for achieving those**  
14 **targets;**

15 **(b) Requiring that modeling of expected greenhouse gas emissions from transportation**  
16 **sources include modeling approved by the United States Environmental Protection Agency**  
17 **for simulating motor vehicle emissions; and**

18 **(c) Procedures for the Department of Transportation and metropolitan planning organ-**  
19 **izations to demonstrate that a transportation plan or transportation project complies with**  
20 **the targets adopted under this section.**

21 **SECTION 2. ORS 184.617 is amended to read:**

22 184.617. (1) The Oregon Transportation Commission shall:

23 (a) Establish the policies for the operation of the Department of Transportation in a manner  
24 consistent with the policies and purposes of ORS 184.610 to 184.665.

25 (b) Develop and maintain state transportation policies, including but not limited to policies re-  
26 lated to the management, construction and maintenance of highways and other transportation sys-  
27 tems in Oregon, including but not limited to aviation, ports and rail.

28 (c) Develop and maintain a comprehensive, 20-year long-range plan for a safe, multimodal

**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 transportation system for the state which encompasses economic efficiency, orderly economic de-  
2 velopment and environmental quality. The comprehensive, long-range plan:

3 (A) Must include, but not be limited to, aviation, highways, mass transit, ports, rails and  
4 waterways; and

5 (B) Must be used by all agencies and officers to guide and coordinate transportation activities  
6 and to ensure transportation planning utilizes the potential of all existing and developing modes of  
7 transportation.

8 (C) **Must achieve the greenhouse gas emissions reduction targets established pursuant**  
9 **to section 1 of this 2023 Act.**

10 (d) In coordination with the State Marine Board, the Oregon Business Development Department,  
11 the State Aviation Board, cities, counties, mass transit districts organized under ORS 267.010 to  
12 267.394 and transportation districts organized under ORS 267.510 to 267.650, develop plans for each  
13 mode of transportation and multimodal plans for the movement of people and freight. Subject to  
14 paragraph (c) of this subsection, the plans must include a list of projects needed to maintain and  
15 develop the transportation infrastructure of this state for at least 20 years in the future.

16 (e) For the plans developed under paragraph (d) of this subsection, include a list of projects for  
17 at least 20 years into the future that are capable of being accomplished using the resources rea-  
18 sonably expected to be available. As the plans are developed by the commission, the Director of  
19 Transportation shall prepare and submit implementation programs to the commission for approval.  
20 Work approved by the commission to carry out the plans shall be assigned to the appropriate unit  
21 of the Department of Transportation or other appropriate public body, as defined in ORS 174.109.

22 (f) Initiate studies, as it deems necessary, to guide the director concerning the transportation  
23 needs of Oregon.

24 (g) Prescribe the administrative practices followed by the director in the performance of any  
25 duty imposed on the director by law.

26 (h) Seek to enter into intergovernmental agreements with local governments and local service  
27 districts, as those terms are defined in ORS 174.116, to encourage cooperation between the depart-  
28 ment and local governments and local service districts to maximize the efficiency of transportation  
29 systems in Oregon.

30 (i) Review and approve the department's:

31 (A) Proposed transportation projects, as described in the Statewide Transportation Improvement  
32 Program, and any significant transportation project modifications, as determined by the commission;

33 (B) Proposed budget form prior to the department submitting the form to the Oregon Department  
34 of Administrative Services under ORS 291.208;

35 (C) Anticipated capital construction requirements;

36 (D) Construction priorities; and

37 (E) Selection, vacation or abandonment of state highways.

38 (j) Adopt a statewide transportation strategy on greenhouse gas emissions to aid in achieving  
39 the greenhouse gas emissions reduction goals set forth in ORS 468A.205. The commission shall focus  
40 on reducing greenhouse gas emissions resulting from transportation. In developing the strategy, the  
41 commission shall consider state and federal programs, policies and incentives related to reducing  
42 greenhouse gas emissions. **The commission shall confirm that the strategy is consistent with**  
43 **the greenhouse gas emissions reduction targets established pursuant to section 1 of this 2023**  
44 **Act.** The commission shall consult and cooperate with metropolitan planning organizations, other  
45 state agencies, local governments and stakeholders and shall actively solicit public review and

1 comment in the development of the strategy.

2 (k) Perform any other duty vested in it by law.

3 (2) The commission has general power to take any action necessary to coordinate and administer  
4 programs relating to highways, motor carriers, motor vehicles, public transit, rail, transportation  
5 safety and such other programs related to transportation.

6 (3) The commission may require the director to furnish whatever reports, statistics, information  
7 or assistance the commission may request in order to study the department or transportation-related  
8 issues.

9 **SECTION 3.** ORS 184.621 is amended to read:

10 184.621. The Oregon Transportation Commission shall work with stakeholders to review and  
11 update the criteria used to select projects within the Statewide Transportation Improvement Pro-  
12 gram. When revising the project selection criteria the commission shall consider whether the  
13 project:

14 (1) Improves the state highway system or major access routes to the state highway system on  
15 the local road system to relieve congestion by expanding capacity, enhancing operations or other-  
16 wise improving travel times within high-congestion corridors.

17 (2) Enhances the safety of the traveling public by decreasing traffic crash rates, promoting the  
18 efficient movement of people and goods and preserving the public investment in the transportation  
19 system.

20 (3) Supports improvements necessary for Oregon’s economic growth and competitiveness, acces-  
21 sibility to industries and economic development.

22 (4) Provides the greatest benefit in relation to project costs as analyzed under ORS 184.659.

23 (5) Fosters livable communities by demonstrating that the investment does not undermine  
24 sustainable urban development.

25 (6) Enhances the value of transportation projects through designs and development that reflect  
26 environmental stewardship and community sensitivity.

27 (7) Is consistent with the state’s greenhouse gas emissions reduction goals **set forth in ORS**  
28 **468A.205 and the greenhouse gas emissions reduction targets established pursuant to section**  
29 **1 of this 2023 Act**, and reduces Oregon’s dependence on foreign oil.

30 (8) To the extent practicable, ensures that the state’s transportation infrastructure is resilient  
31 in the event of a natural disaster.

32 (9) Is located near operations conducted for mining aggregate or processing aggregate as de-  
33 scribed in ORS 215.213 (2)(d) or 215.283 (2)(b).

34 **SECTION 4. The Environmental Quality Commission shall adopt rules to implement sec-**  
35 **tion 1 of this 2023 Act no later than January 1, 2025.**

36 **SECTION 5. The Oregon Transportation Commission shall amend the long-range trans-**  
37 **portation plan, the statewide transportation strategy on greenhouse gas emissions and the**  
38 **Statewide Transportation Improvement Program as necessary to comply with rules adopted**  
39 **pursuant to section 1 of this 2023 Act and the amendments to ORS 184.617 and 184.621 by**  
40 **sections 2 and 3 of this 2023 Act no later than January 1, 2026.**

41 **SECTION 6. This 2023 Act takes effect on the 91st day after the date on which the 2023**  
42 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**