

Requested by Representative BOWMAN

**PROPOSED AMENDMENTS TO
HOUSE BILL 2793**

1 In line 2 of the printed bill, after “transportation” insert “; creating new
2 provisions; amending ORS 802.348; and declaring an emergency”.

3 Delete lines 4 through 11 and insert:

4 **“SECTION 1. (1) The Jurisdictional Transfer Advisory Committee**
5 **is established within the Department of Transportation.**

6 **“(2) The committee consists of 11 members appointed by the Gov-**
7 **ernor. The members of the committee shall include:**

8 **“(a) Two members who are transportation engineers;**

9 **“(b) Two members who represent cities and who have experience**
10 **working on transportation projects;**

11 **“(c) One member who represents a county and who has experience**
12 **working on transportation projects;**

13 **“(d) One member who represents a regional government and who**
14 **has experience working on transportation projects;**

15 **“(e) One member who represents road users;**

16 **“(f) One member who represents law enforcement;**

17 **“(g) One member who represents transit users;**

18 **“(h) One member who represents the advisory committee on bicycle**
19 **traffic established in ORS 366.112; and**

20 **“(i) One member who represents the Transportation Safety Com-**
21 **mittee established in ORS 802.300.**

1 **“(3) The Governor shall appoint members to the Jurisdictional**
2 **Transfer Advisory Committee so that there is at least one member of**
3 **the committee from each congressional district in this state.**

4 **“(4) The Jurisdictional Transfer Advisory Committee shall:**

5 **“(a) Review proposed jurisdictional transfer applications submitted**
6 **under section 4 of this 2023 Act; and**

7 **“(b) Develop a list of three recommended jurisdictional transfers to**
8 **submit to the Joint Committee on Transportation before each odd-**
9 **numbered year session.**

10 **“(5) The committee shall actively solicit review and comment from**
11 **the Oregon Transportation Commission in the development of the list.**
12 **The committee shall also shall take into consideration the following:**

13 **“(a) The difference between the applicant’s and the department’s**
14 **standards of maintenance;**

15 **“(b) The amount of deferred maintenance;**

16 **“(c) A description of how the highway is used in the community;**

17 **“(d) The climate impact of a transfer and subsequent upgrades the**
18 **applicant could provide;**

19 **“(e) The potential positive impacts on historically underserved**
20 **groups;**

21 **“(f) The increase in multimodal transportation options provided by**
22 **a transfer; and**

23 **“(g) A transfer readiness assessment that may include:**

24 **“(A) The interest of the community;**

25 **“(B) Funding capacity of the applicant for the transfer and main-**
26 **tenance in the future; and**

27 **“(C) The existing condition of the highway and its current state of**
28 **maintenance.**

29 **“(6) No later than September 15 of an even-numbered year, the Ju-**
30 **risdictional Transfer Advisory Committee shall submit a report to the**

1 **Joint Committee on Transportation, in the manner provided in ORS**
2 **192.245, that contains a list of three jurisdictional transfers the advi-**
3 **sory committee recommends funding.**

4 **“(7) The term of office of each member of the committee is four**
5 **years, but a member serves at the pleasure of the Governor. Before**
6 **the expiration of the term of a member, the Governor shall appoint a**
7 **successor whose term begins on January 1 next following. A member**
8 **is eligible for reappointment. However, a member of the committee**
9 **may not serve more than two terms. If there is a vacancy for any**
10 **cause, the Governor shall make an appointment to become imme-**
11 **diately effective for the unexpired term. When a vacancy occurs in an**
12 **appointment made from a congressional district, the successor shall**
13 **be appointed from the congressional district for which the vacancy**
14 **exists.**

15 **“(8) A majority of the members of the committee constitutes a**
16 **quorum for the transaction of business.**

17 **“(9) Official action by the committee requires the approval of a**
18 **majority of the members of the committee.**

19 **“(10) The committee shall elect one of its members to serve as**
20 **chairperson.**

21 **“(11) The committee shall meet at times and places specified by the**
22 **call of the chairperson or of a majority of the members of the com-**
23 **mittee, provided that the committee meets at least four times a year.**

24 **“(12) The committee may adopt rules necessary for the operation**
25 **of the committee.**

26 **“(13) The Department of Transportation shall provide assistance**
27 **and space for meetings as requested by the chair of the committee.**

28 **“(14) Qualified members, as defined in ORS 292.495, of the advisory**
29 **committee are entitled to compensation for actual and necessary**
30 **travel or other expenses incurred in the performance of their official**

1 **duties as specified for qualified members of boards or commissions in**
2 **ORS 292.495 (4).**

3 **“SECTION 2. Notwithstanding the term of office specified by sec-**
4 **tion 1 of this 2023 Act, of the members first appointed by the Governor**
5 **to the Jurisdictional Transfer Advisory Committee:**

6 **“(1) Two shall serve for a term ending January 1, 2025.**

7 **“(2) Three shall serve for a term ending January 1, 2026.**

8 **“(3) Three shall serve for a term ending January 1, 2027.**

9 **“(4) Three shall serve for a term ending January 1, 2028.**

10 **“SECTION 3. ORS 802.348 is amended to read:**

11 **“802.348. (1) The Department of Transportation shall ensure that the**
12 **membership of advisory committees to the department reflects the racial and**
13 **ethnic and ability composition of this state as determined by the most recent**
14 **American Community Survey from the United States Census Bureau.**

15 **“(2) Subsection (1) of this section applies to all advisory committees to**
16 **the department, including but not limited to:**

17 **“(a) The Continuous Improvement Advisory Committee established in ORS**
18 **184.665.**

19 **“(b) The Freight Advisory Committee established in ORS 366.212.**

20 **“(c) The Road User Fee Task Force established in ORS 184.843.**

21 **“(d) Any stakeholder forum established under ORS 366.215.**

22 **“(e) The advisory committee on vehicle dealer regulation established in**
23 **ORS 802.370.**

24 **“(f) The advisory committee on bicycle traffic established in ORS 366.112.**

25 **“(g) The Transportation Safety Committee established in ORS 802.300.**

26 **“(h) The Jurisdictional Transfer Advisory Committee established in**
27 **section 1 of this 2023 Act.**

28 **“SECTION 4. (1) The Department of Transportation shall adopt**
29 **rules specifying the process by which a city or county may apply for**
30 **inclusion on the list presented to the Legislative Assembly under sec-**

1 **tion 1 of this 2023 Act.**

2 **“(2) An application must be on a form prescribed by the department**
3 **and must include the following:**

4 **“(a) The name of the city or county;**

5 **“(b) A description of the portion of the highway to be transferred;**

6 **“(c) A desired timeline for the transfer;**

7 **“(d) The scope of the transfer;**

8 **“(e) A description of which body assumes liability during and after**
9 **the transfer;**

10 **“(f) The cost to update the segment of highway transferred to a**
11 **state of good repair; and**

12 **“(g) Any other information necessary or helpful to the Jurisdic-**
13 **tional Transfer Advisory Committee in making its recommendation to**
14 **the Oregon Transportation Commission.**

15 **“(3) An applicant must submit:**

16 **“(a) Plans to provide at least 20 percent of the moneys required for**
17 **the jurisdictional transfer; and**

18 **“(b) A community vision plan that describes the applicant’s plan for**
19 **managing and improving the road.**

20 **“SECTION 5. This 2023 Act being necessary for the immediate**
21 **preservation of the public peace, health and safety, an emergency is**
22 **declared to exist, and this 2023 Act takes effect on its passage.”.**

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