

HB 4109 A STAFF MEASURE SUMMARY

Carrier: Rep. McLain

Joint Committee On Transportation**Action Date:** 02/29/24**Action:** Do pass with amendments. (Printed A-Eng.)**House Vote****Yeas:** 5 - Evans, Mannix, McLain, Nathanson, Pham K**Exc:** 2 - Boshart Davis, Reschke**Senate Vote****Yeas:** 3 - Frederick, President Wagner, Woods**Nays:** 2 - Boquist, Findley**Exc:** 1 - Gorsek**Fiscal:** Has minimal fiscal impact**Revenue:** Has minimal revenue impact**Prepared By:** Patrick Brennan, LPRO Analyst**Meeting Dates:** 2/8, 2/29**WHAT THE MEASURE DOES:**

This measure is the transportation omnibus for the 2024 Session. The measure expands project eligibility for grant funds for airports, revises the state's photo radar enforcement statutes, extends state distribution of compressed natural gas for vehicles for a year, helps families with disabled parking placards, creates a new fund for electric vehicle rebates, and directs the Oregon Department of Transportation to work with Idaho to apply for assistance to study reestablishing the Amtrak Pioneer passenger rail line to eastern Oregon.

Detailed Summary: Includes multiple provisions related to transportation.

Oregon Department of Aviation Matching Grants (Section 1): Specifies that grant funds available to the Oregon Department of Aviation can be used as matching funds for any Federal Aviation Administration grant available, rather than just for Airport Improvement Program grants.

Photo Radar (Sections 2-5): Merges statutes for mobile photo radar and fixed photo radar programs. Allows any city to issue citations on the basis of photo radar through a police officer or duly authorized traffic enforcement agent who has reviewed the photographic evidence of the conduct. Specifies that only sworn police officers may certify and issue photo radar citations, with the exception of City of Portland.

Compressed Natural Gas Distribution (Section 6): Extends, from January 2025 to January 2026, the sunset on the authority of the Department of Administrative Services to dispense compressed natural gas to private entities.

Disabled Parking Placards (Sections 7-8): Directs the Oregon Department of Transportation (ODOT) to issue family placard disabled parking permits to multiple households that collectively provide care for at least one person with a disability.

Electric Vehicle Rebate Fund (Sections 9-13): Creates a separate Charge Ahead Zero-Emission Incentive Fund to provide rebates to qualifying low-income Oregonians for purchase of electric vehicles; modifies the maximum amount of grants allowed through Charge Ahead program. Modifies size of grants that can be made to qualifying applicants through Charge Ahead program. Specifies that required allocation of privilege tax revenues are to be offset by moneys deposited into the Charge Ahead Zero-Emission Incentive Fund.

Amtrak Pioneer Passenger Rail Service (Sections 14-15): Directs ODOT to pursue cooperative efforts with the State of Idaho to apply for assistance from the Federal Rail Administration to study potential of reestablishing service on the Amtrak Pioneer line. Requires ODOT to report on progress to the Joint Committee on

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Transportation by December 31, 2024. Sunsets provision on January 2, 2025.

Effective Date (Section 17): Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Photo radar enforcement in Oregon
- Use of aviation grants by Oregon Department of Aviation
- Department of Administrative Services distribution of compressed natural gas
- Department of Motor Vehicle issuance of family placard disabled parking permits
- Oregon's zero-emission vehicle rebate program
- History of Amtrak Pioneer service

EFFECT OF AMENDMENT:

Specifies that a police officer certify and issue photo radar citations, except for City of Portland. Extends the current authority of the Department of Administrative Services to dispense compressed natural gas for use in motor vehicles at the agency's fleet center for one year, to January 2026. Directs Oregon Department of Transportation (ODOT) to issue family placard disabled parking permits to multiple households that collectively provide care for at least one person with a disability. Creates a separate Charge Ahead Zero-Emission Incentive Fund to provide rebates to qualifying low-income Oregonians for purchase of electric vehicles; modifies the maximum amount of grants allowed through Charge Ahead program; specifies that required allocation of privilege tax revenues are to be offset by moneys deposited into the Charge Ahead Zero-Emission Incentive Fund. Directs ODOT to pursue cooperative efforts with the State of Idaho to apply for assistance from the Federal Rail Administration to study potential of reestablishing service on the Amtrak Pioneer line; requires report to the Joint Committee on Transportation by December 31, 2024; sunsets certain provisions on January 2, 2025.

BACKGROUND:

Oregon Department of Aviation Matching Grants

Under existing law, the Oregon Department of Aviation may only utilize revenues from taxes on fuel used by turbine aircraft engines for specific enumerated purposes. Five percent of revenues are appropriated for administrative costs of the Department and the State Board of Aviation; 25 percent is distributed to state-owned airports for safety improvements and infrastructure projects; and the remaining 70 percent is distributed for a variety of services, including use as matching grants for the Federal Aviation Administration's (FAA) Airport Improvement Program. House Bill 4109 A expands the allowed use of these moneys as matching funds for any applicable FAA grant.

Photo Radar

Oregon first enacted legislation to allow photo enforcement of speed laws in 1995. Over the years, a number of jurisdictions were given statutory authority to use photo radar, including Albany, Beaverton, Bend, Eugene, Gladstone, Medford, Milwaukie, Oregon City, Portland, and Tigard. The use of photo radar was limited to four hours per day at any given location and required the presence of uniformed law enforcement in marked vehicles. The City of Portland subsequently was granted statutory authority to use a different type of photo radar enforcement, known as "fixed photo radar," in 2015, allowing the city to enforce at a limited number of locations at all hours of the day. Legislation enacted later allowed citations to be issued by either police officers or duly authorized traffic enforcement agents. House Bill 4105 A merges these two photo radar programs.

Compressed Natural Gas Distribution

The Department of Administrative Services (DAS) is statutorily authorized to dispense compressed natural gas (CNG) as a vehicle fuel, both for use within its own fleet and to private entities. Currently, the closest publicly available refueling stations to the DAS Fleet Center in Salem are in Medford and in Vancouver, Washington. This statutory authority is scheduled to sunset on January 2, 2025; House Bill 4109 A extends DAS' authority to dispense CNG until January 2, 2026.

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Disabled Parking Placards

The Oregon Department of Transportation's Driver and Motor Vehicle Services Division (DMV) is the entity responsible for issuing disabled parking placards for persons with disabilities and for their caregivers and family members. One type of permit issued is the family disabled parking placard, which is used by families with more than one disabled family member, including wheelchair users. In some cases, multiple families may provide transportation services for one or more disabled individuals. House Bill 4109 A allows DMV to issue family parking placards to multiple families that collectively provide care for at least one individual with a disability.

Electric Vehicle Rebate Fund

Oregon instituted its zero-emission vehicle rebate program in 2017. House Bill 2017 (2017) established two separate rebate programs; the standard program offers rebates to any applicant who purchases a new electric vehicle, and the Charge Ahead Oregon program offers rebates to qualified lower-income Oregonians purchasing a new or used electric vehicle. Both programs use moneys from the Zero-Emission Vehicle Incentive Fund to provide grants. House Bill 4109 A establishes a second fund, the Charge Ahead Zero-Emission Incentive Fund, to provide grants specifically for the Charge Ahead program, in anticipation of receipt of a federal grant to provide electric vehicle rebates specifically for low-income individuals.

Amtrak Pioneer Passenger Rail Service

The Amtrak Pioneer line provided passenger rail service from Seattle to Chicago from 1977 to 1997. The route extended south to Portland, connecting to Boise through the Columbia River Gorge and Ontario, providing east-west passenger rail service in Oregon. House Bill 4109 A directs ODOT to work collaboratively with the State of Idaho on applying for federal assistance to reestablish the Amtrak Pioneer Line.