

A-Engrossed House Bill 2806

Ordered by the House June 3
Including House Amendments dated June 3

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for State Department of Agriculture)

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act allows an agency to increase certain license fees. (Flesch Readability Score: 61.3).

Makes permanent the authority of the State Department of Agriculture to annually increase license fees for commercial weighing or measuring instruments by up to three percent, subject to certain maximum limits.

Authorizes the department to increase the license fees by a certain additional percentage for two fiscal years.

A BILL FOR AN ACT

Relating to license fees for commercial instruments; creating new provisions; amending ORS 618.136 and 618.141; and repealing section 4, chapter 385, Oregon Laws 2019.

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

SECTION 1. ORS 618.141 is amended to read:

618.141. The license fees established pursuant to ORS 618.136 for commercial weighing or measuring instruments or devices may not exceed the following:

Discrete Weighing Devices (Manufacturer's rated capacity)	Maximum Fee
Not over 400 pounds	[\$ 49] \$68
Over 400 pounds, but not over 1,160 pounds	[\$ 101] \$134
Over 1,160 pounds, but not over 7,500 pounds	[\$ 205] \$270
Over 7,500 pounds, but not over 60,000 pounds	[\$ 307] \$404
Over 60,000 pounds	[\$ 307] \$404
Static railroad track scales	[\$ 1,334] \$1,730

Continuous Weighing Systems
(Manufacturer's rated capacity)

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	Under 10 tons per hour	[\$ 386]	\$505
2	10-150 tons per hour	[\$ 600]	\$782
3	Over 150 tons per hour, but		
4	not over 1,000 tons per hour	[\$ 1,201]	\$1,560
5	Over 1,000 tons per hour	[\$ 2,668]	\$3,456
6	In-motion railroad track scales	[\$ 1,334]	\$1,730
7			
8	Liquid-Fuel Metering Devices for		
9	Noncorrosive Fuels Contained at		
10	Atmospheric Pressure		
11	(Maximum device flowrate)		
12			
13	Under 20 gallons per minute	[\$ 40]	\$59
14	20-150 gallons per minute	[\$ 205]	\$270
15	Over 150 gallons per minute	[\$ 307]	\$404
16			
17	Special Liquid-Fuel Measuring		
18	Equipment		
19	(Type)		
20			
21	Liquefied petroleum gas meters		
22	One inch pipe diameter or		
23	under	[\$ 307]	\$404
24	Over one inch pipe diameter	[\$ 307]	\$404
25	Tanks, under 500 gallons		
26	capacity when used as		
27	measure containers with		
28	or without gage rods or		
29	markers	\$ 115	
30	Tanks, 500 or more gallons		
31	capacity when used as		
32	measure containers with		
33	or without gage rods or		
34	markers	\$ 230	

SECTION 2. Notwithstanding the three percent limit established by ORS 618.136 (3) but subject to the maximum limits under ORS 618.141, the State Department of Agriculture may, by rule, increase a license fee described in ORS 618.136 (1) by:

(1) For the fiscal year beginning July 1, 2026, up to 10 percent of the amount of the license fee for the fiscal year beginning July 1, 2025; and

(2) For the fiscal year beginning July 1, 2027, up to 10 percent of the amount of the license fee for the fiscal year beginning July 1, 2026.

SECTION 3. Section 4, chapter 385, Oregon Laws 2019, is repealed.

SECTION 4. ORS 618.136, as amended by section 2, chapter 385, Oregon Laws 2019, is amended

1 to read:

2 618.136. (1) The license fee for each type or class of commercial weighing or measuring instru-
3 ment or device shall be established by the State Department of Agriculture in an amount not to
4 exceed the maximum limits under ORS 618.141. Such fees shall be established in the amounts nec-
5 essary for the department to carry out and enforce the provisions of ORS 618.010 to 618.246 relating
6 to the supervision of commercial weighing and measuring instruments or devices, and to maintain
7 an emergency fund with an unencumbered balance in an amount not to exceed the cost of adminis-
8 tering ORS 618.010 to 618.246 during a representative four-month period in order to ensure the or-
9 derly supervision of commercial weighing and measuring instruments or devices within this state.

10 (2) License fees become past due July 1 each year for renewals, and on the date of first com-
11 mercial use for original installations.

12 **(3) Except as provided in this subsection, the department may not establish a license fee**
13 **under this section that is more than three percent higher than the license fee charged during**
14 **the preceding year for a commercial weighing or measuring instrument or device of the same**
15 **type and class. Notwithstanding the three percent limit but subject to the maximum limits**
16 **under ORS 618.141, when establishing a license fee under this section the department may**
17 **round the fee amount to the next higher whole dollar amount. The department may not**
18 **change the license fee for the same type and class of commercial weighing or measuring in-**
19 **strument or device more than once each year.**

20 ~~[(3)]~~ (4) All moneys received by the department pursuant to ORS 618.010 to 618.246 shall be paid
21 into the Department of Agriculture Service Fund. Such moneys are continuously appropriated to the
22 department for the purpose of administering those provisions of ORS 618.010 to 618.246 relating to
23 testing, inspection, licensing and regulation of commercial weighing and measuring instruments or
24 devices.