

Senate Bill 886

Sponsored by Senator GORSEK

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

Digest: The Act tells ODOT that it should focus on asks to build power lines or other systems on roads when those asks are from places where energy is made from sources that can be replaced, like sunlight, wind or water. (Flesch Readability Score: 60.4).

Directs the Department of Transportation or county authorities to prioritize applications for renewable energy facilities and lines, facilities or systems for transmitting electricity from renewable energy facilities when reviewing or granting applications to place, build or construct on the right of way of a state highway or county road.

A BILL FOR AN ACT

1
2 Relating to renewable energy facilities in highway right of way; amending ORS 374.305.

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

4 **SECTION 1.** ORS 374.305 is amended to read:

5 374.305. (1) A person may not place, build or construct on the right of way of any state highway
6 or county road, any approach road, structure, pipeline, ditch, cable or wire, or any other facility,
7 thing or appurtenance, or substantially alter any such facility, thing or appurtenance or change the
8 manner of using any such approach road without first obtaining written permission from the De-
9 partment of Transportation with respect to state highways or the county court or board of county
10 commissioners with respect to county roads. In reviewing or granting an application for written
11 permission, the department or a county court or board of county commissioners [*may not discrimi-*
12 *nate against or favor a renewable energy facility*] **shall prioritize applications for renewable en-**
13 **ergy facilities and lines, facilities or systems for transmitting electricity from renewable**
14 **energy facilities. The department or a county court or board of county commissioners shall**
15 **notify the applicant of its decision within 30 days of receipt of the application.**

16 (2) After written notice of not less than 10 days to the permittee and an opportunity for a
17 hearing, the department with respect to crossings over a state highway and the county court or
18 board of county commissioners with respect to crossings over a county road may abolish any
19 crossing at grade by a private road or may alter or change any private road crossing when the
20 public safety, public convenience and the general welfare require the alteration or change.

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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.