

March 11, 2025

**Senator Gorsek and Representative McLain
Joint Committee on Transportation
Oregon State Legislature
900 Court St. NE
Salem, OR 97301**

Re: Neutral on HB 3453

Co-Chair McLain, Co-Chair Gorsek and Members of the Committee:

TriMet is Oregon's largest transit agency, providing more than 1.3 million trips per week to Oregonians across the tri-county Portland metro region. Our service includes 80 bus lines, 1 Frequent Express bus rapid transit line, 5 MAX light rail lines, our LIFT paratransit service, and the WES commuter rail line.

In our testimony on 2023 and 2024 legislation proposing to study extending the WES from Wilsonville to Salem, TriMet recommended exploring the creation of some type of rail authority to operate this extension for the following reasons:

1. Under TriMet's charter, we can't operate transit service outside of our service territory without adequate compensation.
2. While we do operate WES, heavy passenger rail is not one of our core competencies.
3. WES ridership is low and the cost-per-ride is very high compared to bus and MAX light rail.
4. TriMet has some concerns about the opportunity cost of being directed to increase WES service as a component of extending the service to Salem. Our priorities for our limited funds include addressing our growing state of good repair backlog and new bus rapid transit lines on 82nd avenue and TV Hwy. We want to make sure that pressure to increase TriMet's investment in WES would not result in less funding for these other investments.

For these reasons, we support the concept of creating of a new rail authority to take over the ownership and operation of the entire WES line. However, we are neutral on House Bill 3453 due to several questions that the legislation does not explicitly answer:

1. Who would cover the potential costs of breaking current lease agreements between TriMet and ODOT?
2. Who would cover cost of repaying the FTA for the remaining useful life of WES vehicles equipment?
3. Will the WES authority buy the WES vehicles and maintenance facility from TriMet?

4. Who will cover the potential cost of breaking the 50-year lease agreement that TriMet holds with Portland & Western Railroad, as well as the contracts between TriMet and Portland and Western for labor, inspections and testing?
5. In setting up the WES, Washington County purchased the northern segment of the Right of Way between Tigard and Beaverton and quit claimed it to TriMet to operate the WES. We would like to know where the ownership of that right of way would transfer if TriMet relinquishes operation of the WES.

In the interest of addressing these questions, we might recommend a study bill as an appropriate next step for this concept. Any study should involve TriMet, ODOT, Portland and Western Railroad and other entities with interest in the WES.

In closing, I'd just like to reiterate TriMet's support for this general concept and thank Representative Mannix and Representative Neron for their attention to this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Myles Pengilly', is positioned above the typed name.

Myles Pengilly
Director of Government Affairs
TriMet