



# Oregon

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**TO:** Joint Committee on Transportation

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**SUBJECT:** SB 1024 – Removing personal property on state right of way

## INTRODUCTION

[Senate Bill 1024](#) expands the Oregon Department of Transportation's (ODOT) ability to enter into intergovernmental agreements with cities and counties to remove personal property left on land that is owned by the Department. The measure amends current statute by removing the city population threshold of 500,000 and expands the authority to include counties.

## DISCUSSION

ODOT's goal is to maintain a safe, secure, and effective transportation system for all users. ODOT is responsible for maintaining land adjacent to highways and transportation infrastructure, known as right of way, which includes removing litter and abandoned personal property. Removing abandoned property and litter on right of way is a critical maintenance service that improves the health and safety of the state's transportation system. Under current law, ODOT may remove abandoned personal property on state right of way after giving appropriate notice per [ORS 377.650](#), [377.653](#), and [377.655](#).

Since the COVID-19 pandemic in 2020, Oregon has seen a significant increase statewide in camping, litter, and graffiti on state-owned property, as well as an increase in associated maintenance costs. For the 2021-23 biennium, ODOT spent approximately 3% (\$22 million) of the Department's overall maintenance budget to clean and restore state highway property.

Litter and campsite cleanup on ODOT properties is a symptom of larger societal challenges. Planning and executing cleanup services with community partners supports the state's ability to address these challenges. Since 2018, ODOT and the City of Portland have partnered to coordinate social services, perform cleanups, and manage litter associated with camps throughout the city with the passage of [HB 4054](#) (2018). HB 4054 allowed ODOT to enter into intergovernmental agreements with cities with a population of 500,000 or more to remove personal property from state right of way. The measure established requirements for the agreement, including removal notices, guidelines on how local agencies deliver social services, and how unclaimed property is stored.

ODOT currently has an intergovernmental agreement with the City of Portland (City). No other city in Oregon meets the 500,000-population requirement. The intergovernmental agreement with the City has been a successful model for providing wraparound services for camp clean-ups and litter removal. Camp clean-up is delivered by the City, following practices that were developed

collaboratively between the City, ODOT, and Multnomah County service providers. The City is responsible for program management, site clean-up, renting and managing a storage warehouse, providing support to Central City Concern, and removal of derelict vehicles (including trailers and RVs) from state right of way. ODOT is responsible for litter removal on state right of way and uses maintenance crews, youth litter patrols, Adults in Custody work crews, permitted volunteer groups, and an Adopt-A-Highway program to deliver litter clean up services. To mitigate the safety risks inherent in performing cleanup on roadside right of way, ODOT plans these services in advance, uses traffic control as needed, and has a formal process to safely guide staff as they perform this work and handle items collected.

The 2024 Legislature recognized the growing demand for clean up services and appropriated a one-time infusion of \$20 million General Funds to ODOT with the passage of [SB 5701](#). This funding allowed ODOT, in partnership with the City of Portland, to increase the frequency of litter and graffiti removal, camp clean up services, and access prevention installment along major interstates and state highways in the Portland metro region through the 2023-25 biennium. The funding became available on April 17, 2024, and on April 18 the Department had contracts in place to carry out the work. To date, 234,480 lbs. of litter has been collected; 1,546 camps have been cleared; and 19,015 graffiti tags have been removed.

Limited resources are the primary barrier to sustaining this work in the Portland Metro area beyond the 2023–25 biennium and expanding services statewide through additional intergovernmental agreements under SB 1024. With structural funding challenges and rising costs, it has become increasingly difficult to meet the needs of the system. ODOT’s resources for graffiti removal, litter and camp cleanup, and site restoration are the same dollars and staff dedicated to core maintenance services, such as storm response, road repairs, and incident response. As a result, increasing clean up services across the state will require a decrease in providing other types of critical maintenance services. ODOT uses a variety of approaches to address this complex and challenging work, including established delivery programs and partnerships. Service frequency is carefully balanced with road maintenance needs and funding limitations.

Depending on the terms of the agreement, ODOT’s ability to enter into additional intergovernmental agreements per SB 1024 may be limited due to insufficient resources to perform cleanup services, whether performed via ODOT maintenance crews, contracted crews, or city or county crews under SB 1024-authorized IGAs.

## **CONCLUSION**

SB 1024 expands ODOT’s ability to enter into intergovernmental agreements with cities and counties to remove personal property left on land that is owned by the Department. ODOT is responsible for maintaining the state’s right of way and is permitted to remove abandoned property under current statute. Per [HB 4054](#) (2018), ODOT has an active intergovernmental agreement with the City of Portland and works with community partners to schedule and execute campsite cleanups. The demand for clean up services across Oregon has grown and is costly – ODOT balances demand with available resources and other maintenance services. Increasing clean up services through additional intergovernmental agreements will require sufficient resources.