



To: The Joint Committee on Transportation Reinvestment
From: The Nez Perce Tribe
Date: June 13, 2025
Re: Requesting a slight change to HB 2025

Co-Chairs Gorsek and McLain, Co-Vice-Chairs Boshart Davis and Starr, Members of the
Joint Committee on Transportation Reinvestment

Thank you for the opportunity to submit testimony on behalf of the Nez Perce Tribe regarding HB 2025. While we support the state's effort to develop a more sustainable transportation revenue model, we respectfully urge the committee to include clear language exempting tribal governments and tribal vehicles from road usage charges under this bill.

Under the treaty signed in 1855 between the United States Government and the Nez Perce Tribe, the Nez Perce have the right to travel. The Supreme Court's decision in the Washington v. Cougar Den case affirmed the interpretation that the right to travel means that tribal members have the right to travel without being subject to certain taxes. This exemption reflects established principles of tribal sovereignty and intergovernmental respect.

However, in past legislation and rulemaking, Oregon has traditionally defined tribal eligibility or benefit access in ways that exclude tribes like the Nez Perce—whose historic and governmental ties to Oregon are longstanding, but whose federally recognized reservation is located outside the state's borders. This practice has led to unintended exclusions despite the tribe's legal and operational presence in Oregon.

HB 2025 is currently silent on the treatment of tribes with the right to travel under the new road usage charge system and other similar transportation related fees and taxes.



This silence raises concerns about potential ambiguity in how the law would be implemented—particularly for tribes like the Nez Perce how have the right to travel.

We appreciate the committee’s thoughtful work on HB 2025 and respectfully request that the bill be amended to clearly exempt tribes with the right to travel. Doing so would reflect both Oregon’s existing legal framework and its responsibility to maintain equitable, inclusive policies for all tribal partners.

Thank you for your time and consideration.

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