

# House Joint Resolution 5

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Revenue)

## 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**.

Proposing amendment to Oregon Constitution to allow revenue from taxes on motor vehicle fuel and ownership, operation or use of motor vehicles to be used for transportation projects that will prevent or reduce pollution and congestion created by use of motor vehicles.

Refers proposed amendment to people for their approval or rejection at next regular general election.

## JOINT RESOLUTION

**Be It Resolved by the Legislative Assembly of the State of Oregon:**

**PARAGRAPH 1.** Section 3a, Article IX of the Constitution of the State of Oregon, is amended to read:

**Sec. 3a.** (1) Except as provided in subsection (2) of this section, revenue from the following shall be used exclusively for the construction, reconstruction, improvement, repair, maintenance, operation and use of public highways, roads, streets and roadside rest areas in this state:

(a) Any tax levied on, with respect to, or measured by the storage, withdrawal, use, sale, distribution, importation or receipt of motor vehicle fuel or any other product used for the propulsion of motor vehicles; and

(b) Any tax or excise levied on the ownership, operation or use of motor vehicles.

(2) Revenues described in subsection (1) of this section:

(a) May also be used for the cost of administration and any refunds or credits authorized by law.

(b) May also be used for the retirement of bonds for which such revenues have been pledged.

(c) If from levies under paragraph (b) of subsection (1) of this section on campers, motor homes, travel trailers, snowmobiles, or like vehicles, may also be used for the acquisition, development, maintenance or care of parks or recreation areas.

(d) If from levies under paragraph (b) of subsection (1) of this section on vehicles used or held out for use for commercial purposes, may also be used for enforcement of commercial vehicle weight, size, load, conformation and equipment regulation.

**(e) May also be used to fund transportation projects for the purpose of preventing or reducing pollution and congestion created by the use of motor vehicles.**

(3) Revenues described in subsection (1) of this section that are generated by taxes or excises imposed by the state shall be generated in a manner that ensures that the share of revenues paid for the use of light vehicles, including cars, and the share of revenues paid for the use of heavy vehicles, including trucks, is fair and proportionate to the costs incurred for the highway system because of each class of vehicle. The Legislative Assembly shall provide for a biennial review and, if necessary, adjustment, of revenue sources to ensure fairness and proportionality.

**(4) As used in this section, "transportation project" means any project or undertaking**

**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 that facilitates any mode of transportation within this state. "Transportation project" in-  
2 cludes, but is not limited to, a project for highway, transit, rail and aviation capital  
3 infrastructure, bicycle and pedestrian paths, bridges and ways, and other projects that fa-  
4 cilitate the transportation of materials, animals or people.

5

6 PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the  
7 people for their approval or rejection at the next regular general election held throughout  
8 this state.

9

---