

Accountability

T4A Insert the T4A / Smart Growth approach to ranking STIP projects as per HB 2532 and require least cost corridor planning and use of practical design.

OEC Additional language to strengthen accountability.

- Require Cost Benefit Analyses (CBAs) to include discussion and findings from prior transportation corridor analysis conducted using the ODOT's Practical Design and Least Cost Planning tools.
- Require the website to include CBA scores for all projects being considered for funding.
- Add language from HB 2532 requiring the Oregon Transportation Commission to conduct Least Cost Plans on strategic corridors.
- Require a criteria-driven process to prioritize future congestion-relief projects based on their return on investment in advancing Oregon's goals. This evaluation could use the CBA to evaluate STIP projects and Least Cost corridor planning findings.
- Use practical design on all projects.

Section 2 Oregon Transportation Commission

ODOT Delete section 2(11) granting authority to the OTC to hire staff, fix compensation, etc. The OTC has that authority by virtue of its ability to exercise any authority granted to the department under section 5(2) which is a restatement of current law.

Section 6 Duties of the OTC

ODOT Delete the references to lists of projects within 20 year plans in section 6(1)(d) and 6(1)(e) and instead reference investment scenarios.

“(d) In coordination with the State Marine Board, the Oregon Business Development Department, the Oregon Department of Aviation, cities, counties, mass transit districts organized under ORS 267.010 to 267.390 and transportation districts organized under ORS 267.510 to 267.650, develop plans for each mode of transportation and multimodal plans for the movement of people and freight. ~~Subject to paragraph (c) of this subsection, the plans must include a list of projects needed to maintain and develop the transportation infrastructure of this state for at least 20 years in the future.~~

“(e) For the plans developed under paragraph (d) of this subsection, include investment scenarios ~~a list of projects~~ for at least 20 years into the future ~~that are capable of being accomplished using the resources reasonably expected to be available.~~ As the plans are developed by the

commission, the Director of Transportation shall prepare and submit implementation programs to the commission for approval. Work approved by the commission to carry out the plans shall be assigned to the appropriate unit of the Department of Transportation or other appropriate public body, as defined in ORS 174.109.

Section 9 Inventory of Property

ODOT Revise the wording of section 9(1) to clarify that the inventory is an inventory of surplus property. Section 9 appears to be duplicative of other statutory direction to state agencies to dispose of surplus property.

“SECTION 9. (1) The Oregon Transportation Commission shall compile and keep current an inventory of real property excess to the operating needs of and owned by the Department of Transportation.

Section 11 Condition of Transportation Infrastructure

ODOT Revise the wording of section 11(1) to clarify that the section requires consistent description and reporting of infrastructure conditions. Also, revise the milestone dates to February in section 11(2) and April in section 11(5).

(1) The Oregon Transportation Commission shall develop a set of uniform standards, in coordination with counties and cities, for the consistent measurement description and reporting of the condition of the transportation infrastructure owned by the state, counties and cities. The infrastructure measured must include pavement and bridges.

“(2) By ~~January~~ February 1 of each odd-numbered year, every city and county shall submit a report covering the condition of its transportation infrastructure.

“(5) Not later than ~~February~~ April 1 of each odd-numbered year, the commission shall submit a report about the state of the transportation infrastructure of Oregon, including the transportation infrastructure of cities and counties, to:

Section 12 Web Site

ODOT Reword section 12(1) to reflect the agency responsible for the development of the web site. OTC’s duties include oversight and policy direction; ODOT implements.

“(1) The Oregon Transportation Commission through the Oregon Department of Transportation shall develop a website.

Section 13 Benefit Cost Analysis

ODOT Revise section 13(1) to limit the range of projects for which a benefit cost analysis is required, revise section 13(2) concerning when an analysis must be prepared and section 13(3) concerning the contents of an analysis. ODOT suggested a \$25 million. The suggested language below uses a lower threshold, \$10 million, recommended by Sen. Boquist.

From ODOT material, page 43.

SECTION 13.

Written analysis of costs and benefits of proposed transportation projects. (1) As used in this section, 'transportation project' means a **state highway modernization or capacity building** project proposed for ~~that is included in~~ construction in the Statewide Transportation Improvement Program **at a cost estimated to be greater than ten million dollars.**

"(2) A written analysis of the costs and benefits shall be prepared for those projects identified in Section 13(1) as part of the project scoping phase. Before the Department of Transportation submits a proposal for a transportation project to the Oregon Transportation Commission for review and approval, the department shall prepare a written analysis of the costs and benefits of the project.

"(3) The analysis must state:

"(a) The scope of the project;

"(b) The period of analysis;

"(c) The discount rate used in the analysis;

"(d) The ~~initial~~ estimated costs to the department to undertake the project, including any costs for design, **right-of-way engineering, acquiring land and construction **phases**;**

"(e) The future costs to the department to preserve and maintain the project, discounted to present value;

"(f) Any other costs to the department;

"(g) The costs to highway users that are associated with the project, including loss of safety, delays in the time of travel and additional expenses for operating vehicles;

"(h) The costs of any environmental impacts, including vehicle emissions and noise; and "(i) The value of the benefits of the project, including the value of any:

"(A) Savings in the time of travel;

"(B) Improvements to safety; ~~and~~

"(C) Savings in the cost of operating vehicles.; and

"(D) The value of any other social, economic or environmental benefits of the project.

"(3) The analysis required by this section:

"(a) Must include a discussion of increases in costs that would result from delays in the performance of routine maintenance scheduled by the department;

"(b) May include a discussion of:

"(A) The costs of the project for any other persons and governmental agencies; and

~~"(B) The value of any other social, economic or environmental benefits or costs of the project; and~~

"(C) Any costs or benefits which may result from the use of alternative design, construction or financing practices; and

"(c) Must be prepared in a format that allows for the comparison of proposed transportation projects.

"(4) The analysis required by this section must be made available to the commission and the public when the agenda is posted for the meeting at which the proposal will be submitted to the commission for its approval.

Section 15 Internal Auditor

ODOT Revise the wording of this section to leave the reporting relationships as they are but strengthen the role of the OTC.

From ODOT materials, page 44:

SECTION 15.

ORS 184.639 is amended to read:

"184.639. [The Director of Transportation shall designate an internal auditor for the Department of Transportation who shall perform internal audits of the department and report findings to the director.]

"(1) ~~In consultation with the Director of Transportation,~~ **the Oregon Transportation Commission shall designate an internal auditor for the Department of Transportation. The internal auditor shall be an employee of the Department of Transportation and report to the director. The internal auditor may not be removed except by a majority vote of the Oregon Transportation Commission. Among the duties assigned to the internal auditor by the commission, the internal auditor shall perform internal audits of the department, in accordance with ORS 184.360, including but not limited to the following:**

"(2) The internal auditor shall perform internal audits of the department in accordance with ORS 184.360, including but not limited to the following:

"(a) ~~Financial audits to ensure~~ Audits that assess the financial integrity of the department;

"(b) ~~Performance a~~Audits to determine the efficiency and effectiveness of the operations of the department;

"(c) ~~External a~~Audits of ~~a~~ contracts entered into by the department; ~~as deemed necessary or advisable by the commission;~~ and

"(d) Any audits required by federal law that are delegated to the commission or the department to perform.

~~"(2)-(3)~~ The internal auditor shall submit all final audit reports to the commission. The commission shall ~~post~~ **have the reports **posted** on the website described in section 12 of this 2017 Act. **Confidential or restricted information shall be redacted.****

~~"(3)-(4)~~The commission or the Director of Transportation may request that the internal auditor conduct ~~other~~ **specific audits as the **commission or the** director deems necessary.**

(5) The internal auditor, after considering input from the commission or the director will make the final determination on which audits to perform.

(6) The internal auditor will have unrestricted access to department information and personnel, and right to audit all third party arrangements entered into by the department.

~~"(4) The commission may authorize the employment by the internal auditor of persons that in the internal auditor's judgment may be necessary. Compensation, travel allowance and other expenses shall be fixed by the internal auditor with the approval of the commission.~~

~~"(5) This section is subject to any applicable provision of the State Personnel Relations Law. Upon request of the commission, the Oregon Department of Administrative Services shall provide professional services deemed necessary to carry out the administration of this subsection.~~

Section 18 Reporting Audits to Legislative Assembly

ODOT Revise wording of section 18 to clarify reporting.

“184.649. The [*Department of Transportation*] **Oregon Transportation Commission** shall ~~appear before~~ **report on audits of the department to** the Joint Legislative Audit Committee established by ORS 171.580 **and the Joint Committee on Transportation established by section 26 of this 2017 Act** at least once each biennium ~~to report on [internal audits and federal] audits of the department.~~

Section 37 Title Fee Surcharges

ODOT The wording in sections 37(3), 37(4), 37(5) and 37(6) appears to omit reference to the current fee for title replacement or duplicate and change of address in ORS 803.090(4)(c) and (6)(c), respectively.

This issue carries over into section 38.

Section 39a Title Fee Surcharges

ODOT Delete 39a(4)(c)(A) to (D) and 39a(6)(c)(A) to (D). The title fee surcharges should be at the same level for all light vehicles.

This issue carries over into section 39b.

Section 71a Funding Distribution

STAFF Revise Section 71a(3)(b) ... to accommodate changes in the project lists in section 71a(3) and following:

- “(A) Region one ~~\$ 16.5 million~~
- “(B) Region two ~~\$ 107.95 million~~
- “(C) Region three \$ 35 million
- “(D) Region four \$ 25 million
- “(E) Region five \$ 23.9 million
- “(F) Regions four and five joint project \$ 10 million

ODOT Revise the distribution of money to ODOT in section 71a(3)(c) to reflect the OTC strategic plan.

- 30% for bridges, rather than 40%
- 10% for seismic, rather than 30%
- 40% for maintenance and replacement of pavement and culverts, rather than 24%
- 20% for state highway maintenance, preservation and safety, rather than 6%

Section 71a (continued)

STAFF Section 71a(4) ... insert a new section for the OMIC road projects. Columbia County is in Region 1.

To Columbia County for access roads to the Oregon Manufacturing Innovation Center

ODOT Revise section 71a(4)(a) and (4)(d) to reflect that the department will implement these projects. Also correctly identify WaNaPa Street in Cascade Locks.

“(a) Spent by the department for the State Highway 211 and State Highway 213 intersection in Molalla.”

“(d) Spent by the department for WaNaPa Street in Cascade Locks.”

Metro Revise the amounts of money allocated to the Powell and Cornelius Pass Road jurisdiction transfer projects sufficient to support the transfers. The \$5 million allocated to each project is not adequate.

ODOT Revise section 71a(5)(b) to revise the name of the N-D Bypass, Phase II, 71a(5)(c) to reflect that the improvements to OR99E are in City of Halsey, 71a(5)(d) (5)(f) to reflect that the department will implement these projects.

(b) Spent by the department for the Highway 99W Newberg-Dundee Bypass, Phase II, design only.

(c) Spent by the department for State Highway 99E in Halsey.

(d) Spent by the department for the State Highway 214 crosswalk at Jefferson Street in Silverton.

(f) Spent by the department for U.S. Highway 20 from City of Albany to City of Corvallis.

Summit Strategies on behalf of N-D Bypass Provide more one for to develop the N-D Bypass, including right-of-way purchase, in order to get Phase II to shovel ready status. Summit suggestion additional wording to reflect moving the project into construction but does not suggest how much money should be allocated.

(b) Spent by the department for the Highway 99W Newberg-Dundee Bypass, Phase II.

STAFF Section 71a(5)(f) ... reword to better reflect the nature of the project.

(f) Distributed to the department for safety improvements to U.S. Highway 20 from the City of Albany to the City of Corvallis.

Rep Evans / Rep Clem Section 71a(5) ... new subsection to reflect an additional project in Region 2:

(x) Spent by the department to seismically retrofit the OR 22, Center Street, bridge over the Willamette River in Salem.

City of Eugene Section 71a(5) ... new subsection to reflect an additional project in Region 2:

(x) Spent by the department for improvements to OR 99 prior to the transfer of jurisdiction to the city of Eugene under section 134 of this Act.

ODOT Revise subsection 71a(7) to reflect that the department will implement the project.

(7) The moneys distributed to region four under subsection (3)(b)(D) of this section shall be spent by the department for the U.S. Highway 97 safety corridor project.

ODOT Revise the wording in subsection 71a(8) to reflect the entities that will implement these projects.

“(8) The moneys distributed to region five under subsection (3)(b)(E) of this section shall be distributed or spent as follows:

“(a) Distributed to Umatilla County for the Umatilla County access road project for the Eastern Oregon Trade and Event Center.

“(b) Distributed to the City of Hermiston for the Hermiston North First Place project.

“(c) Spent by the department for the State Highway 30 and Hughes Lane intersection Baker County.

“(d) Distributed to Union County for Pierce Road from State Highway 30 to the Interstate 84 interchange.

“(e) Distributed to the Port of Umatilla for Port of Umatilla Road.

“(f) Distributed to the Columbia Development Authority for Columbia Development Authority Access Road.

Section 71b Safe Routes to Schools Funding

Rep Lively / T4A Section 71b. Set aside additional funds (\$6 million per year) for the education component of SRTS.

The money in the transportation package is primarily road funds. The education component of the SRTS cannot be funded unless federal funds are used.

Rep Clem Remove the sunset.

Rep Marsh / Street Trust / OEC / Many individuals Increase the allocation for SRTS, increase the radius to 1 mile (see section 123), remove the sunset, and set aside \$6 million for the education component.

Revise section 71b(1)(d) to reflect **\$11,007,000**.

Revise section 71b(2) to delete “, during the period beginning January 1, 2019 and ending December 31, 2027 and to reflect **\$15,000,000** each year.

Section 71d ConnectOregon

STAFF Delete 71d(1) ... the OMIC project is for an access road. See email from Patrick of 05/30.

STAFF Section 71d(2)(a) ... reword to reflect undetermined mid-Valley location.

(a) To the project sponsor of a Transmodal Facility to be located in the mid-Willamette Valley.

Note: ODOT is not aware that the OMIC project is a road project. ODOT has suggested that the money be transferred to Business Oregon.

ODOT Change the references to “transmodal” to “intermodal” facilities.

ODOT Revise the process in section 71d(3) that the ConnectOregon type projects must follow:

“(3) No later than January 1, 2020, to receive a distribution under this section, a potential recipient of moneys in the Connect Oregon Fund who receives moneys for projects listed in subsection ~~(1)~~ or (2) of this section shall prepare and submit a plan to the Oregon Transportation Commission ~~Department of Transportation~~. At a minimum, the plan submitted must certify when and how the potential recipient plans to spend the moneys for the project with no more than five percent of the allocated funds to be available to recipients for development of the plan. The commission ~~department~~ shall promptly review any submitted plans and if the Commission ~~department~~ approves the plan, the Department of Transportation shall distribute the moneys after adopting an agreement with the recipient. The agreement shall follow rules adopted by the commission for Connect Oregon projects. ~~distribute the moneys accordingly~~. Any funds not

distributed by January 1, 2020, shall be distributed as described in subsection (4) of this section.

City of Eugene Add a new subsection to section 71d(2) to reflect a new earmarked flexible funded project:

(x) To the City of Eugene for Airport Roadway Improvement Projects, \$1.5 million.

Section 72 Small City Program

ODOT Revise the wording in section 72(2) that describes how the money for the Small City Program is gathered.

“(2) Each year, the sum of [~~\$500,000~~] **\$2,500,000** shall be withdrawn from the appropriation specified in ORS 366.800 and [~~\$500,000~~] **\$2,500,000** shall be withdrawn from moneys available to the Department of Transportation from the State Highway Fund. [~~and set up~~] **The sums withdrawn shall be deposited transferred to** in a separate account to be administered by the Department of Transportation. The following apply to the account described in this subsection:

Section 73 Small County Program

ODOT Revise the wording in section 73(1) that describes how the money for the Small County Program is gathered.

(1) Not later than July 31 in each calendar year, the sum of [~~\$500,000~~] **\$5,500,000** shall be withdrawn from the appropriation specified in ORS 366.762[,] and the sum of \$250,000 shall be withdrawn from moneys available to the Department of Transportation from the State Highway Fund. The sums withdrawn shall be [~~set up~~] **deposited in transferred to** a separate account to be administered by the Department of Transportation.

Section 78 Connect Oregon Fund

ODOT Create a new definition in 78(1) for the term “private entity” as the term is used within the *ConnectOregon* program.

(b) ‘Private entity’ means any nongovernmental entity, including a corporation, partnership, company or other legal entity, or any natural person.

ODOT Revise section 78(2)(a) to reflect the transfer of privilege tax revenue to the Connect Oregon Fund.

“(a) Moneys transferred to the fund under section 84, 96 or 97 of this 2017 Act.

Section 79 ... ConnectOregon match ratios in ORS 367.082

STAFF / Bruce Carswell (Eastern Oregon RR) / ORULE Revise the match ratio for private entities to reflect a 30% match for entities that are not Class I railroads and 50% for entities that are Class I railroads.

Reword Section 79 (3)(b):

“(b) For private entities that are not Class I railroads, ~~50~~ 30 percent of the moneys required for the transportation project.

“(c) For private entities that are Class I railroads, 50 percent of the moneys required for the transportation project.

Section 80 ... ConnectOregon Part Two

STAFF Revise a rail maintenance criterion in section 80(11)(e) to improve readability:

“(e) Improves a railroad that serves industries that are important ~~and~~ to this state;

STAFF Revise a rail enhancement criterion in section 80(12)(a) to improve readability:

“(a) Eliminates or improves an identified rail congestion point;

Section 84 Transfer from State Parks and Recreation

ODOT Revise section 84 to resolve an issue raised by State Parks. The \$4 million per year that section 84 transfers into the Connect Oregon Fund are constitutionally dedicated for certain purposes.

Section 89 Definitions for Privilege Tax

ODVA Revise the definition of “retail sales price” in section 89(1)(b) to make the taxable price net of the value of vehicle that is being traded-in as part of the sales transaction.

“(b) ‘Retail sales price’ means the total price paid at retail for a taxable vehicle, exclusive of the amount of any excise, privilege or use tax and the value of any vehicle being traded-in, to a seller by a purchaser of the taxable vehicle.

ODVA ... Exempt antique vehicles and special interest vehicles from the definition of a “taxable vehicle” for purposes of applying the privilege tax.

“(f) ‘Taxable vehicle’ means a taxable bicycle or a taxable motor vehicle, except for an antique vehicle registered under in ORS 803.010 or a special interest vehicle registered under ORS 803.020.

Section 92 Bicycles Excise Tax

OEC / Physicians for Social Responsibility / Many individuals, including business owners Delete the bicycle excise tax from the proposal.

Delete Section 92.

Section 110 Use Tax / Vehicle Registration

ODOT Revise section 110 to sync the date when DMV must begin checking that vehicle owners have paid privilege or use tax (section 109) with the date when those taxes go into effect, January 1, 2018.

Section 109 of this 2017 Act applies to taxable motor vehicles purchased on or after ~~the effective date of this 2017 Act~~ January 1, 2018.

Section 112 Expedited Review by the Oregon Supreme Court

OJD Revise the language regarding expedited review to allow the Oregon Supreme Court to appoint a special master. The suggested language is standard wording that has been included in Supreme Court original jurisdiction bills. OJD would like to stay consistent with that drafting.

"In the event the Supreme Court determines that there are factual issues in the petition, the Supreme Court may appoint a special master to hear evidence and to prepare recommended findings of fact."

Section 118 ... Oregon Transportation Infrastructure Fund

STAFF Delete section 118 that amends the OTIF because the proceeds of the privilege tax (section 96) is to be transferred to the newly created Congestion Relief Fund.

Delete section 118.

Congestion Relief Program

Cortright / Many individuals Delete the congestion relief program / projects.

Delete sections 119 to 119o.

Section 119a Congestion Relief Districts

STAFF / Middle Rogue MPO ... reword the governing body provisions in 119a(3)(a) to reflect the appropriate governing bodies of the Middle Rogue MPO.

“(G) The governing body of the Middle Rogue Congestion Relief District shall be the ~~Rogue Valley Metropolitan Planning Organization Policy Committee~~ Middle Rogue Metropolitan Planning Organization Policy Committee.

It appears that section 119a(3)(b) may be deleted because the Rogue Valley MPO is not the governing body of the Middle Rogue MPO.

Section 119c Metro Congestion Relief District Projects

Metro Change the references to the Metro Congestion Relief District’s governing in sections 119c(1) and (2), 119d(1) and (2), 119e(1), (2)(a) and (3), 119f(4)(a), 119i(1) and (3), and 119o to the “Metro Congestion Relief District.” Members of JPACT that represent Oregon jurisdictions are established as the governing body of the Metro Congestion Relief District in section 119a(3)(a)(A). The change for sections 119c(1) and (2) is shown below.

(1) On or before December 31, 2017, the ~~Joint Policy Advisory Committee on Transportation, acting as the governing body of the Metro Congestion Relief District,~~ may adopt an ordinance or resolution approving the following projects, in whole and not in part, for the Metro Congestion Relief District:

“(2) Upon adoption of an ordinance or resolution approving the projects, the ~~Joint Policy Advisory Committee on Transportation~~ Metro Congestion Relief District shall notify the Oregon Transportation Commission in writing of the adoption.

Metro Revise the project cost estimate in sections 119c(a) to 119c(c) to reflect the current total estimated cost of the projects instead of 75% of those estimates.

Section 119d Congestion Relief

City of Wilsonville Request changes to:

1. Clarify that the regional surcharge for the Metro Congestion Relief District is mandated by the Oregon legislature with the concurrence or acceptance of JPACT;
2. Establish a clear statutory policy that funds raised through the regional surcharge generate cost responsibility; and
3. Require that revenues related to regional surcharge cost responsibility are placed in the District Congestion Relief subfund.

Metro Revise section 119d to impose the fuel tax and registration fee by Legislative action rather than by action of the district's governing body. Levy proportionate increases in heavy vehicles to ensure cost responsibility.

As currently proposed in the -3 amendment, the local option fuel tax and local option vehicle registration fee do not carry a cost responsibility component that increases taxes and fees on heavy vehicles. If the taxes and fees are imposed by the Legislature, proportionate increases in heavy vehicle fees will be levied in compliance with Article IX, section 3a(3).

Metro Add a new subsection to section 119d to provide authority for the Metro Congestion Relief District to repeal or reverse its decision to enact the authorized fuel taxes and registration fee in the event that a referendum petition referring the enactment of these taxes / fees is filed, certified or approved.

Section 119e Congestion Relief Projects

ODOT Revise 119e(4)(a) to reflect that federal discretionary funds, rather than federal formula funds, are to be taken into account when determining the amount of contribution to a project's cost that is to be made by the statewide Congestion Relief Fund and the Metro Congestion Relief Fund.

“(a) First, by federal discretionary funds dedicated to the project;

Section 119f Congestion Relief Fund

Metro Correct a typo in section 119f(4)(b).

“(b) The moneys shall be maintained in the contingency subfund until expended by the Oregon Transportation Commission under section ___ of this 2017 Act or the date on which the projects listed in section 119c (1)(a) to (c) are completed. Any funds remaining in the subfund on the date on which the projects are completed shall be transferred to the Contingency Congestion Relief Fund.

Section 119h Potential downstate MPO Congestion Relief projects

SKATS Revise section 119h(3)(a) to reflect additional potential projects in the S-K congestion relief projects.

- Salem River Crossing (Phase 1) [*Polk County & Marion County*]: \$250 million
- Chemawa Road @ I-5 Interchange Upgrades [*Marion County*]: \$210 million
- Salem Center Street Bridge Seismic [*Polk County & Marion County*]: \$60 million
- OR22 @ O51 Interchange & Frontage Roads [*Polk County*]: \$55 million
- Cordon Road Capacity Upgrades [*Marion County*]: \$47 million
- New interchange at OR22 @ Cordon Road [*Marion County*]: \$36 million

City of Eugene Section 119h(3)(c) ... revise to reflect a different potential project (Delta Hwy and Territorial Hwy are addressed via transfers).

(c) For the Central Lane Congestion Relief District, the Beltline Highway Project (River Road to Coburg Road), the I-5/Coburg Interchange and 42nd Street Improvements.

Sen. Boquist / Middle Rogue MPO / Rogue Valley MPO ... Revise Section 119h(3)(e) to substitute another project for the Seismic Triage Project which is funded in section 71a.

“For the Rogue Valley Congestion Relief District, the South Stage/Phoenix Road/Foothills Road Freight and Seismic Resiliency Corridor.”

Summit Strategies on behalf of Yamhill County Parkway Committee ... Revise section 119h(3)(f) to better name the project.

“(f) For Yamhill County, the Yamhill County Parkway Committee’s Newberg-Dundee Bypass Project.

Section 119i Potential JPACT Congestion Relief District projects in the out years.

Metro Require the Metro Congestion Relief District to take the same factors into consideration as those laid out for the downstate congestion relief districts and follow the same process that those districts must follow when the MCRD develops additional projects.

“(3) The Joint Policy Advisory Committee on Transportation Metro Congestion Relief District may adopt an ordinance or resolution establishing the process by which the committee shall develop the projects and allocate the funds. In establishing the process for developing projects and allocating funds, the Metro Congestion Relief District shall include consideration of factors including, but not limited to, identified in section 119h(4).

(4) When approving additional projects under this section, the Metro Congestion Relief District must:

“(a) Consult with public and private operators of public transportation, employers and transportation management organizations;

“(b) Provide substantial evidence in the record to support any determination made by the governing body; and

“(c) Comply with all applicable federal, state and local law.

Sen Monroe Revise section 119i to list an additional project in subsection(2)(x).

(x) The Sunrise Corridor, Phase II, project at a cost to be determined.

City of Happy Valley Revise section 119i to list an additional project in subsection(2)(x).

(x) A project to be identified soon by the City of Happy Valley.

Section 120 Tolling / Congestion Pricing

ODOT Proposes an extensive rewrite of the section that requires OTC and ODOT to seek approval from the federal government to implement tolling and congestion pricing. In summary, the amendment proposes to authorize the OTC to further study congestion pricing / value pricing and tolling.

Section 122L Wage Tax

ODOT / ODOR Revise section 122L to delay implementation of the payroll tax collection to July 1, 2018.

Section 122a of this 2017 Act applies to tax periods beginning on or after ~~January 1, 2018~~ July 1, 2018.

Section 122m Statewide Transportation Improvement Fund

ODOT Revise 122m(1) to allow the department to recover the cost of administering the Statewide Transportation Improvement Program from the Fun.

“(1) The Statewide Transportation Improvement Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Statewide Transportation Improvement Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the Department of Transportation to pay the department’s administrative cost of the program and to finance investments and improvements in public transportation services, except that the moneys may not be used for light rail.

TriMet Revise the uses of the Fund in section 122m(1) to prohibit the use of the money to expand the light rail system, but allow spending for light rail capital replacement and operations.

“(1) The Statewide Transportation Improvement Fund is established in the State Treasury, separate and distinct from the General Fund. Interest earned by the Statewide Transportation Improvement Fund shall be credited to the fund. Moneys in the fund are continuously appropriated to the Department of Transportation to finance investments and improvements in public transportation services, except that the moneys may not be used for new light rail capital construction.

Section 122n Definitions for the Statewide Transportation Improvement Fund

City of Silverton & cities generally Revise section 122n(1) to include municipal transit agencies in the definition of a qualified entity.

"(e) Municipal transit agencies owned and operated by a city providing regularly scheduled fixed route and paratransit transportation services to the general public.

Section 122o Distribution of Statewide Transportation Improvement Fund money

Oregon Transit Association revise the percentages in section 122o (& 122p) to be used to distribute STIF money. Allow mass transit districts to compete for competitive grants.

Change the distribution of STIF money from 85-10-4-1 to 90-5-4-1 in section 122o(1).

Remove the text “, other than mass transit districts,” from 122o(1)(b).

ODOT / Oregon Transit Association revise section 122o and following sections to clarify how the distribution formula will operate.

“(a) ~~85~~ 90 percent to qualified entities, provided that each qualified entity receives an annual amount of at least \$100,000; other than an Indian tribe, shall receive a share of available funds equal to its county’s share of total statewide payroll, except that each qualified entity shall receive a minimum of \$100,000 per fiscal year. Each Indian tribe shall receive the minimum of \$100,000. Funding for counties that include a mass transit district or transportation district will be provided to the largest district located entirely or partially in that county. The mass transit district or transportation district shall be entitled to a share of the county’s funding equal to its share of the county’s population and shall distribute remaining funding to other transit providers in the county proportional to the population of their service territories, or as provided by rule.

“(b) ~~10~~ 5 percent to qualified entities, ~~other than mass transit districts,~~ based on a competitive grant program adopted by the commission by rule;

This revision will also affect section 122p.

Section 122p Public Transportation Plans

OEC Revise section 122p(5) to better connect transit plans with the purpose of mitigating the effect on low income households.

“(5) In order to receive a percentage distribution under subsection (1)(a) of this section, a qualified entity shall prepare and submit a public transportation improvement plan to the commission. In its Public Transit Improvement Plan the transit provider must identify the steps it will take, in coordination with community involvement, to mitigate the impact of the tax on low income households. The commission must approve the plan submitted by the entity before the commission may make a percentage distribution to the entity.

Section 122q Public Transportation Advisory Committee

ODOT / Oregon Transit Association Revise section 122q to strengthen and clarify the advisory committees' role.

“ (1) The governing body of each recipient shall appoint an advisory committee to advise and assist the governing body in prioritizing the distribution ~~disbursements~~ from the moneys received under a percentage distribution under section 122o of this 2017 Act to public transit service providers that provide services within the jurisdiction of the recipient. The Oregon Transportation Commission shall adopt by rule requirements for the composition of the advisory committees. ~~The governing body shall determine the number and terms of the members of an advisory committee appointed under this section.~~

“(2) The advisory committee appointed under this section shall review every disbursement of moneys described in subsection (1) of this section made by the recipient. The advisory committee may propose any changes to the policies or practices of the governing body relating to the disbursement that the advisory committee considers necessary.

(3) In prioritizing the distribution of money from a percentage distribution under section 1220 of this 2017 Act, the advisory committee shall:
(a) consider the qualified entity’s approved public transportation improvement plan required under Section 122p of this 2017 Act;
(b) consider the need for regional connections with other communities and coordinate with transit providers in other jurisdictions to ensure regional connections.

Section 122s Statewide Transportation Improvement Fund

ODOT Delay the OTC report to the Legislature specified in section 122s by a year to reflect the later start for collection of wage tax revenue.

“SECTION 122s. On or before February 1, ~~2019~~ 2020, the Oregon Transportation Commission shall submit a report in the manner provided by ORS 192.245 to the Joint Committee on Transportation established under section 26 of this 2017 Act on the implementation and outcomes of sections 122n to 122r of this 2017 Act.

Section 123 Safe Routes

City of Eugene Revise section 123(2)(b) to reduce local match requirement to 30%.

“(b) Provide a cash match of at least 40 30 percent of the project’s costs;

Rep Clem / Rep Power Revise section 123(3) to eliminate local match requirements for Title 1 schools or, alternatively, reduce the match to 20 percent for Title 1 schools.

“(3) Notwithstanding subsection (2) of this section, the commission may reduce the amount the applicant must provide for a cash match. An applicant providing a reduced cash match shall provide matching funds according to the following schedule at least 25 percent of the project’s costs. This subsection applies if:

“(a) The school is located in a city with a population of 5,000 or less, 25 percent match; or

“(b) The project reduces hazards within a safety corridor, as defined by the commission by rule, 25 percent match; or,

“(c) The school associated with the project is a Title 1 school, no match.

City of Eugene Revise section 123(4) to increase the radius from one quarter mile to one half mile.

Rep Lively / Rep Clem / Rep Power / Street Trust / OEC / Many Individuals

Revise section 123(4) to increase the radius to 1 mile and set aside \$6 million for the education component.

“(4) The commission shall prioritize the expenditure of funds as authorized under this section for projects that are located within a quarter-mile _____ radius of a school that serves students in prekindergarten, kindergarten or grades 1 through 8, or any combination of those grade levels, or a school that serves students in kindergarten through grade 12.

ToGo Oregon Revise section 123(5) to allow multiyear education programs to be eligible. However, State Highway Fund revenues, the source for SRTS, cannot be used for education program.

Bob Russell Delete section 123(5)(e) or reword to better reflect purpose.

~~“(e) Improve traffic diversion.~~

Section 126 Roadside Rest Areas

ODOT Revise section 126(3)(a) to reflect that the US Forest Service owns the Government Camp rest area (1)(v). OTIC operates the Government Camp rest area under permit from the Forest Service.

“(a) **Except for the roadside rest area identified in subsection (1)(v),**
mMaintain ownership of [any] the roadside rest [area located along an
interstate highway] **areas** that the council manages, maintains, improves and
develops pursuant to subsection [(1)] **(2)** of this section; and

This change also affects section 127.

Section 134 Jurisdiction Transfers

ODOT Revise the text to reflect the jurisdiction transfers that the Legislature is making.

~~The Department of Transportation shall enter into a memorandum of understanding with:~~

“(1) **The Department of Transportation shall** The City of Portland to transfer jurisdiction of Southeast Powell Boulevard beginning where the highway intersects with Southeast 9th Avenue and ending where the highway **intersects the city limits east of** with Southeast 174th Avenue from the department to the **city City of Portland.**

“(2) **The department shall** ~~Lane County to~~ transfer jurisdiction of the portion of Territorial Highway that is located within **Lane County** ~~the county~~ from the department to ~~the county~~ **Lane County.**

“(3) Lane County ~~to~~ **shall** transfer jurisdiction of the portion of Delta Highway beginning where the highway intersects with Interstate 105 and ending where the highway intersects with the Randy Pape Beltline from the county to the department.

“(4) Multnomah County and Washington County ~~to~~ **shall** transfer jurisdiction of the portion of Cornelius Pass Road beginning where the highway intersects with U.S. Highway 30 and ending where the highway intersects with U.S. Highway 26 from the counties to the department.

City of Eugene New subsection in section 134 to reflect transfer of a portion of OR 99.

(5) City of Eugene to transfer jurisdiction of a portion of OR 99 from mile point 119 to mile point 123.3 from the department to the City.

Section 136 Snow and Salt

ODOT Replace section 136 with language that reflects development of a strategy for use of salt on Oregon roads.

The Oregon Transportation Commission shall develop a statewide winter maintenance strategy and policy that includes the use of rock salt or similar solid salt products. This strategy will focus on the Interstate and freeways and will be consistent with environmental best practices.

City of Eugene Delete section 136(2) to remove mandate on Portland, Salem and Eugene to plow snow and use salt under certain conditions.

Sections 138 to 140 Transportation Electrification

Rep Lively / Rep Smith-Warner / Rep Marsh / Home Performance Guild / Northwest Energy Efficiency Council / GLUMAC / OEC Remove the use of the public purchase charge to subsidize the purchase of electric vehicle.

Delete sections 138 to 140.

Climate Solutions Clarify that the 25% cap in section 138(3)(b) on expenditures for transportation electrification in this Act does not overlap and cap the funding available for utilities' transportation electrification programs enabled under SB 1547 (2016).

New section to subsidize the purchase of electric vehicles

Rep Helm / Sen Dembrow / OEC / FORTH / Tesla / Oregon AFL-CIO Endorses the concept of including a tax credit / rebate program for electric vehicles (see HB 2704) in the package.

New sections concerning Public Improvement Contracts

Sen Boquist / Contractors Add HB 3203 -9 amendments to HB 2017 -x

New sections to adjust the Road Usage Charge

ODOT Revise the road usage charge (ORS 319.885(2)) so that it remains in alignment with the fuel tax.