



TRANSPORTATION

2018 SUMMARY OF LEGISLATION: MEASURE SUMMARIES

The *2018 Summary of Legislation – Transportation* summarizes selected measures related to this policy area that were considered by the 79th Oregon Legislative Assembly, including bills, memorials, and resolutions. This publication will become part of a more comprehensive *2018 Summary of Legislation* that includes all topic area summaries and committee membership lists.

This publication begins with a table highlighting measures that establish task forces or create reporting requirements. The summaries of selected measures follow in three groups—bills, memorials, and resolutions—each listed in numerical order.

Each summary provides information on the chief sponsors, committees assigned, background and current law, description of the measure, and date when the measure, if enacted, becomes effective. Each summary also includes a link to the measure on the [Oregon Legislative Information System \(OLIS\)](#), which provides a more comprehensive staff measure summary, all versions of the measure, amendments, public testimony, a complete measure history, and final vote tallies.

The *2018 Summary of Legislation* focuses on policy measures. Information on revenue measures is available on the [Legislative Revenue Office website](#). Information on the state budget and selected legislation that impacts state agencies is available on the [Legislative Fiscal Office website](#).

The Legislative Policy and Research Office will update this publication with each bill's effective date and assigned chapter in Oregon Laws 2018 when that information becomes available.

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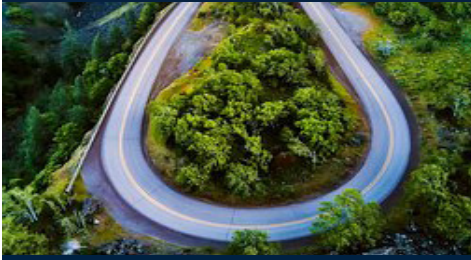
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TRANSPORTATION TASK FORCES AND REPORTING REQUIREMENTS

The following bills created task forces and reporting requirements. Additional information is provided in the bill summaries.

Bill Number	Requirement	Deadline
HB 4063	The Task Force on Autonomous Vehicles is directed to report to interim committees on transportation on or before regarding deployment of autonomous vehicles on highways.	September 15, 2018
HB 4063	The Task Force is directed to report on the long-term effects of autonomous vehicle deployment to interim committees on transportation.	September 15, 2019

[Senate Bill 1506](#)

Effective Date: April 3, 2018

Oregon Wounded Warrior Parking Program

Chief Sponsors: Sens. Manning Jr., Olsen; Rep. Sanchez

Committees: Senate Business and Transportation, Joint Ways and Means

Background and Current Law: Current law provides parking privileges for disabled persons in the form of a placard. A disabled user placard allows parking in spaces reserved for the disabled, while a wheelchair user placard allows parking in spaces designated for disabled or wheelchair users, free parking in metered spaces, and unlimited parking in time-limited spaces. Local jurisdictions have the discretion to authorize additional privileges to individuals with disabled person parking placards.

Bill Summary: Senate Bill 1506 creates the “Oregon Wounded Warrior” parking designation for individuals with a service-connected total disability rating of at least 50 percent and who received a discharge or release under other than dishonorable conditions. The measure specifies that the designation allows parking in public, time-limited, and metered spaces without penalty or payment.

Oregon Laws 2018: Chapter 69

[Senate Bill 1532](#)

Effective Date: January 1, 2019

Motor Assisted Scooter Definition

Chief Sponsors: Sen. Johnson

Committees: Senate Business and Transportation, House Transportation Policy

Background and Current Law: Current statute defines a motor assisted scooter as a vehicle designed to operate on the ground with not more than three wheels and having handlebars for the operator’s use. Four-wheeled motor assisted scooters may alleviate a user’s concern of operating a motor assisted scooter on steep inclines and curb cut-outs by offering a more stable platform.

Bill Summary: Senate Bill 1532 modifies the definition of “motor assisted scooter” by including vehicles with four wheels and removing the reference to handlebars.

Oregon Laws 2018: Chapter 3

[Senate Bill 1536](#)

Effective Date: January 1, 2019

Mass Transit District Structure

At the request of: Senate Interim Committee on Business and Transportation

Committees: Senate Business and Transportation, House Transportation Policy

Background and Current Law: Oregon law allows two methods for the formation of a mass transit district. One method (ORS 267.085-ORS 267.090) allows the mass transit district to include all territory within the counties comprising the metropolitan statistical area and requires the Governor to appoint one director from each of seven subdistricts. The other method (ORS 267.107) limits the size of a district to a city's urban growth boundary and calls for the voters in each of seven subdistricts to select a director. For mass transit districts formed under the latter method, the district must seek voter approval for certain financing methods.

Bill Summary: Senate Bill 1536 requires mass transit district board members to be appointed by the Governor. The Governor must first seek recommendations for the positions from local business and civic groups if the mass transit district is formed under ORS 267.107. Effective January 1, 2026, the measure repeals the restriction on certain financing methods for mass transit districts that are formed under ORS 267.107.

Oregon Laws 2018: Chapter 4

[Senate Bill 1538](#)

Effective Date: January 1, 2019

Driver License Suspension Reform

At the request of: Senate Interim Committee on Business and Transportation

Committees: Senate Judiciary, House Judiciary

Background and Current Law: The Joint Interim Task Force on Reentry, Employment and Housing, created by Senate Bill 969 (2015), studied ways to improve successful reentry for persons with criminal histories. The task force met formally for more than a year and continued on its own initiative through the 2017 interim. It found that a driver license is critical to secure and maintain employment, but could be suspended for a number of reasons unrelated to driving.

Bill Summary: Senate Bill 1538 makes several changes to provisions involving driver licenses. First, it treats National Oceanic and Atmospheric Administration personnel the same as members of the military for certain driver license exceptions. It also eliminates probationary permits for persons whose licenses are revoked as habitual offenders; standardizes hardship permits (issued to drivers for a variety of reasons after a license suspension); and eliminates several types of suspensions for reasons unrelated to driving, as recommended by the Joint Interim Task Force on Reentry, Employment and Housing.

Oregon Laws 2018: Chapter 76

[House Bill 4003-A](#)

Not Enacted

Diesel Engine Emissions

Chief Sponsors: Reps. Nosse, Greenlick, Salinas

Committees: House Health Care, House Rules

Background and Current Law: The U.S. Environmental Protection Agency (EPA) estimated 10.3 million older diesel engines remained in use as of 2016. Diesel engine exhaust contains a mixture of gases and very small diesel particles that may cause health effects when an individual is exposed to high concentrations or has prolonged exposure. Currently, there are specific EPA regulations for newer on-road and off-road vehicles (2007 model year or newer).

Bill Summary: House Bill 4003-A would have specified state requirements for the adoption of indirect source review program rules to address locations that attract mobile sources of air contaminants, registration requirements for nonroad diesel engines, and adoption of diesel engine emission standards for specific on-road vehicles and nonroad engines. The measure would have authorized additional grant awards from the Environmental Mitigation Trust Agreement to reduce emissions from diesel engines operated in environmental justice communities or communities of color. The measure would also have repealed state preemption of local regulation of idling by primary engines in commercial vehicles.

[House Bill 4004](#)

Not Enacted

Transport of Oil by Rail

Chief Sponsors: Rep. Smith Warner

Committees: House Veterans and Emergency Preparedness

Background and Current Law: In 2015, the Oregon Legislative Assembly enacted House Bill 3225, which required the Office of the State Fire Marshal to adopt a plan for coordinated response to a spill or release of oil or other hazardous material that could occur during rail transport.

On June 3, 2016, a train carrying crude oil derailed near the small city of Mosier in the Columbia River Gorge. Eleven cars from the 96-car train left the rails near Rock Creek, which feeds the Columbia River. Several cars caught fire and some oil was released.

Bill Summary: House Bill 4004 would have designated train routes transporting high volumes of oil near bodies of water as high hazard train routes. The designation would have required railroads transporting oil through high hazard train routes to develop emergency response contingency plans and to submit such plans to the Department of Environmental Quality for approval.

[House Bill 4054](#)

Effective Date: January 1, 2019

Coordination of Portland Homeless Camp Cleanup

Chief Sponsors: Rep. Reardon; Sen. Monroe

Committees: House Transportation Policy, Senate Business and Transportation

Background and Current Law: The City of Portland prohibits unsanctioned camping within city limits (City Code 14A.50.020 and 14A.50.050). Under the code, campers are notified at least 24 hours in advance that an unlawful camping site will be cleared, though it typically takes between 24 and 72 hours before cleanup occurs. The cleanup process is designed to restore the land to public use, and can include removing debris, garbage, waste, and biohazards. The Oregon Department of Transportation, which manages several property sites within the City of Portland, utilizes different timelines and procedures for homeless camp cleanup.

Bill Summary: House Bill 4054 authorizes the Oregon Department of Transportation to enter into an intergovernmental agreement with the City of Portland to coordinate the removal of personal property from locations owned by the department as part of homeless camp cleanup operations. The measure specifies provisions that must be included in the intergovernmental agreement.

Oregon Laws 2018: Chapter 21

[House Bill 4059](#)

Effective Date: June 2, 2018

Transportation Package Policy Options

At the request of: Joint Committee on Transportation

Committees: Joint Transportation

Background and Current Law: In 2017, the Legislative Assembly enacted a comprehensive transportation funding and policy measure (House Bill 2017) that provided new and increased funding for several transportation modes. Roads and highways received additional funding from increased fuel taxes and vehicle fees; in addition, new revenue streams were created in the form of a statewide employee payroll tax for public transportation, a bicycle excise tax for off-road bicycle and pedestrian trails, and a vehicle dealer privilege tax for multimodal freight infrastructure and electric vehicle rebates. The measure also made significant changes to the governance structure of the Oregon Department of Transportation and created a statutory Joint Committee on Transportation.

Bill Summary: House Bill 4059 includes a suite of technical fixes and policy clarifications related to House Bill 2017 (2017), some being necessary to make the programs created by the latter measure work as intended, and others providing clarification of legislative intent. The measure also modifies several provisions of existing law, including adjusting traffic laws to accommodate connected vehicles, eliminating the cap on the allowed number of Pacific Wonderland vehicle registration plates, and compensation to owners of outdoor advertising signs affected by road construction.

Oregon Laws 2018: Chapter 93

[House Bill 4062](#)

Effective Date: June 2, 2018

Oregon Department of Transportation Fees

At the request of: House Interim Committee on Transportation Policy

Committees: House Transportation Policy, Joint Transportation

Background and Current Law: Oregon Department of Transportation's Driver and Motor Vehicle (DMV) Services Division service fees are set in statute. The fees are intended to cover the cost of service, with title and registration fees producing additional revenue for the State Highway Fund. As the cost of providing these services has increased, revenue that would otherwise be deposited into the State Highway Fund is used to cover the difference between the statutory fee and the actual cost of providing the service.

Under current law, DMV allows license plates to be transferred to a new vehicle for a \$6 fee. The statute does not allow DMV to require proof that the plates were legally acquired, nor does DMV have a method to determine whether the plates in question have been stolen.

Bill Summary: House Bill 4062 modifies several Oregon Department of Transportation fees to better cover the cost of service, and reorganizes statutes related to motor vehicle titling and registration, driving privileges, and vehicle business certificates. The measure also specifies that license plates that are transferred from one vehicle to another do not carry any remaining registration period with the plates, except when both vehicles are owned by the same person.

Oregon Laws 2018: Chapter 114

[House Bill 4063](#)

Effective Date: April 10, 2018

Autonomous Vehicle Task Force

At the request of: House Interim Committee on Transportation Policy

Committees Assigned: House Transportation Policy, Joint Ways and Means

Background and Current Law: The terms "automated motor vehicle" and "autonomous motor vehicle" refer to motor vehicles that use sensors, computers, and self-control systems to sense the surrounding road environment and other vehicles on the road and navigate with limited or no human input. Several vehicle manufacturers are developing and testing automated motor vehicles, and several jurisdictions allow for their operation on public roads. In addition, ride share companies such as Uber and Lyft are in the process of developing fleets of self-driving autonomous vehicles that would be available for use by ride share customers.

Bill Summary: House Bill 4063 designates the Oregon Department of Transportation as the state's lead agency responsible for coordinating autonomous vehicle (AV) programs and policies. The measure also establishes the Task Force on Autonomous Vehicles consisting of 26 members and supported by the Oregon Department of Transportation. The Task Force is directed to study and make recommendations regarding safe operation of AVs on public roads; the long-term effects of AVs on land use, transportation, public transit, and the workforce; and AV-related cybersecurity.

Oregon Laws 2018: Chapter 94

[House Bill 4087](#)

Effective Date: January 1, 2019

Auto Repair Shops

At the request of: House Interim Committee on Business and Labor

Committees: House Business and Labor, Senate Judiciary

Background and Current Law: A lien is a charge against property to secure payment of a debt, performance of an obligation, or discharge of a debt, tax, or duty owed. One type of lien is a “mechanic’s lien,” which allows an auto repair shop to assert a lien against the repaired vehicle until the owner settles payment for the services provided. A work group met during the 2017-2018 interim to develop consensus on changes to Oregon’s mechanic’s lien law.

Bill Summary: House Bill 4087 requires an auto repair shop to carry a \$20,000 bond to properly attach a mechanic’s lien on a repaired vehicle. The measure provides an avenue for recovery against those who improperly assert a lien on a repaired vehicle.

Oregon Laws 2018: Chapter 58

[House Bill 4092-A](#)

Not Enacted

Aurora Airport Expansion

Chief Sponsors: Reps. Lewis, Vial; Sen. Girod

Committees: House Transportation Policy, House Rules

Background and Current Law: Oregon’s airport network consists of 97 public-use airports. Local jurisdictions (cities, counties, and port districts) own Oregon’s six commercial service airports (Eugene, Medford, North Bend, Pendleton, Portland, Redmond) and most general aviation airports. Twenty-eight airports are owned and maintained by the State of Oregon. The Aurora State Airport, constructed in 1943, is the largest of the state airports. It is located in Marion County, just south of the Marion-Clackamas county line, just east of Interstate 5. It has a single runway, 5,004 feet in length. The Aurora Airport’s master plan calls for a 1,000-foot extension of its runway; however, while the airport has the land necessary for the runway, additional land must be acquired for supporting facilities.

Bill Summary: House Bill 4092-A would have established standards for expansion of the Aurora State Airport on land zoned for exclusive farm use. Local planning bodies would have been directed to approve the expansion unless the project would cause significant impacts on existing farm practices or to public health, public safety, or the welfare of individuals residing in the area. Local governments would have been directed to amend their comprehensive plans as appropriate to conform to provisions of the measure.

House Bill 4092-A would also have directed the Oregon Homeland Security Council to consider the Aurora State Airport as a critical emergency preparedness, response, recovery, and resiliency platform and to prioritize state airports for resiliency investments.

[House Bill 4099-A](#)

Not Enacted

Task Force on Motorboat Water Sports and Recreational Activities

Chief Sponsors: Reps. Vial, Power

Committees: House Transportation Policy, Joint Ways and Means

Background and Current Law: Wakeboarding is a water sport that involves standing on a small, rectangular wakeboard towed behind a motorboat that typically operates at speeds of 30 miles per hour or greater. The sport gets its name from the practice of using the boat’s wake to leave the surface of the water to perform aerial tricks. Boats used for wakeboarding typically use equipment that raises the height of the tow cable and that increases water displacement to enlarge the boat’s wake.

The growing popularity of wakeboarding on the Willamette River has led to concerns about the effects of powerful motorboats on river banks, river ecology, and other recreational river users.

Bill Summary: House Bill 4099-A would have created a Task Force on Motorboat Water Sports and Recreational Activities consisting of 10 members and staffed by the Oregon State Marine Board. The Task Force would have been directed to study conflicts between motorboat users, shoreline property owners, and those who use the river for recreational purposes.

[House Bill 4111](#)

Effective Date: April 3, 2018

Real ID Compliant Driver License Fee

Chief Sponsors: Reps. Witt, Hernandez

Committees Assigned: House Transportation Policy, Senate Business and Transportation

Background and Current Law: The federal Real ID Act of 2005 prescribes minimum standards for state-issued driver licenses and identification cards to ensure they are acceptable proof of identity for federal purposes. Oregon began the compliance process with the Real ID Act with passage of Senate Bill 1080 (2008); Senate Bill 374 (2017) subsequently created a separate driver license, referred to as a “Real ID,” that fully satisfies the federal Real ID Act by requiring verification and electronic storage of identifying documents.

Bill Summary: House Bill 4111 clarifies fees required to obtain a driver license that complies with the Real ID Act for applicants seeking an original, replacement, or renewal of an existing license. The measure also prohibits the Oregon Department of Transportation from verifying documents used to obtain limited-term driver licenses, permits, or identification cards, and provides for the renewal of the same for specified persons in certain circumstances.

Oregon Laws 2018: Chapter 60

[House Bill 4130](#)

Effective Date: July 1, 2018

Student Transportation Grants

Chief Sponsors: Reps. McKeown, Lively; Sen. Roblan; Rep. Piluso

Committees: House Transportation Policy, Joint Ways and Means

Background and Current Law: Most Oregon school districts provide student transportation to and from public schools through the bus service funded by the State School Fund. Districts receive funding based on the number of students; districts with especially high per-student transportation costs receive a higher per-student rate. Buses funded by the State School Fund may transport students to and from school only; students participating in after-school programs or activities are often unable to utilize the school bus service.

Bill Summary: House Bill 4130 establishes a grant program under which the Oregon Department of Education awards, as grants to school districts, a percentage of student transportation costs for which the school district does not receive any funds from the State School Fund. The measure allocates \$250,000 for the current 2017-2019 biennium for the grant program. A related measure, House Bill 4059, specifies that up to one percent of revenues from the Statewide Transportation Improvement Fund may also be utilized for the grant program.

Oregon Laws 2018: Chapter 62

[House Bill 4138](#)

Not Enacted

Motorboat Erosion Regulations

Chief Sponsors: Reps. Kennemer, Vial

Committees Assigned: House Transportation Policy, Senate Business and Transportation

Background and Current Law: The growing popularity of wakeboarding on the Willamette River has led some to raise concerns about the effects of powerful motorboats on river banks, river ecology, and other recreational river users. The Oregon State Marine Board is the state's regulatory agency for maintaining safe access to and use of Oregon's waterways, providing education and enforcement for the boating public, and helping to address environmental stewardship.

Bill Summary: House Bill 4138 would have authorized the State Marine Board to adopt rules, at the request of the Department of State Lands, on the operation of motorboats to minimize and prevent erosion.