

2020 SUMMARY OF LEGISLATION



Transportation and Infrastructure



TASK FORCES AND REPORTING REQUIREMENTS

There were no task forces or reporting requirements created by bills in this policy area.

Picture: A canola field on Logie Trail Road, Washington County – [Gary Halvorson, Oregon State Archives](#)

[House Bill 4036-A](#)**Not Enacted****Transportation Omnibus Bill**

At the request of: Joint Committee on Transportation for Representative McKeown and Senator Beyer

Committees: Joint Transportation

Background and Current Law: Since 2018, an omnibus transportation bill has been introduced each session. The first such omnibus measure was House Bill 4059 (2018), which was primarily designed to make technical adjustments to the transportation package enacted the prior year--House Bill 2017 (2017); since then, each succeeding measure has been a mix of technical fixes and minor policy changes.

Bill Summary: House Bill 4036-A would have been the omnibus transportation bill for 2020. It would have made a number of technical adjustments on topics ranging from railroad water sanitation, documents issued by the Oregon Department of Transportation (ODOT), odometer inspections, the definition of "bicycle" for applicability of the bicycle excise tax, clarification of driver responsibilities when approaching a flashing yellow beacon, and collection and use of fuel taxes.

In addition, the measure would have made several more substantive statutory changes. The measure would have extended the prohibition on the open carry of firearms that already applies in public areas of most public airports to all commercial service airports, including Portland International Airport. It also would have reinstated the classroom instruction requirement for motor carrier training and allowed ODOT to appoint agents to carry out that instruction, either online or in person. The measure would have provided for electric and natural gas utilities to recoup costs from retail customers associated with infrastructure for alternative fuel vehicle charging and fueling, including hydrogen. The sunset on the temporary aviation fuel and jet fuel taxes would have been repealed, and an additional two-cent tax on each would have been imposed; the grant programs funded by these taxes and administered by the Oregon Board of Aviation would have been modified by the measure. Finally, House Bill 4036-A would have merged the Elderly and Disabled Special Transportation Fund and the Statewide Transportation Improvement Fund.

[House Bill 4061](#)

Effective Date: January 1, 2021

Increased fee for Cultural Trust Vehicle Registration Plate**Chief Sponsors:** Rep. Lively**Committees:** Joint Transportation

Background and Current Law: The Oregon Department of Transportation issues a number of different license plates. In addition to the standard “tree plate,” consumers can choose from several other plate designs, each of which requires payment of an additional fee that raises money for a nonprofit organization. Other types of plates utilize the tree design and include a sticker for a university, fraternal or nonprofit organization, or branch of the military. The Cultural Trust registration plate was first issued in 2003 and was instituted to raise money for the newly created Oregon Cultural Trust to fund arts and culture throughout the state. The plate design features a painting by northwest artist Kelly Kievit.

Bill Summary: House Bill 4061 increases the surcharge for the Cultural Trust registration plate from the current level of \$30 per pair to \$50 per pair in order to raise additional revenue for the Oregon Cultural Trust.

Oregon Laws 2020: Chapter 1

[House Bill 4150-A](#)**Not Enacted****Willamette Falls Locks Authority****Chief Sponsors:** Reps. Meek, Prusak, Lewis, Salinas; Sens. Olsen, Wagner**Committees:** Joint Transportation

Background and Current Law: The Willamette Falls Canal was constructed in the 1870s to allow river traffic to navigate around the 40-foot, horseshoe-shaped basalt ridge between Oregon City and West Linn on the Willamette River. In 1915, the U.S. Army Corps of Engineers purchased the locks, which were later placed on the National Register of Historic Places in 1974. The locks were designated as non-operational in December 2011. Senate Bill 131 (2015) created the Task Force on the Willamette Falls Navigation Canal and Locks to gather information related to the locks, including current and potential future value. Senate Bill 256 (2017) established the Willamette Falls Locks Commission and the Willamette Falls Navigation Infrastructure Program Account.

Bill Summary: House Bill 4150-A would have established the Willamette Falls Locks Authority as a public corporation, run by a board of seven to 11 members, and administered by an executive director. The Authority would have taken operational authority over the Willamette Falls Locks project, as well as its associated properties and facilities.

[House Bill 4083](#)

Not Enacted

Roadside Memorials for POW/MIA

Chief Sponsors: Reps. Lewis, Zika, Helt, Evans

At the request of: Lieutenant Colonel Dick Tobiason

Committees: House Veterans and Emergency Preparedness, Senate Veterans

Background and Current Law: Under current law, memorial signs may be installed along roadways to honor individuals who were killed in action while serving in a branch of the U.S. Armed Forces. After five such individuals were so honored by legislation in 2013, a new process was enacted in 2015 requiring that the Legislative Assembly adopt a concurrent resolution, followed by completion of an application and payment of \$600 for sign installation. Thirty individuals were so memorialized between 2016 and 2018.

Bill Summary: House Bill 4083 would have permitted the State to erect roadside memorial signs for veterans who were officially designated as either a prisoner of war or as unaccounted for by the Defense POW/MIA Accounting Agency. Such a designation would have allowed signs to be erected in their honor through a process separate from the concurrent resolution process.

[House Bill 4103-A](#)

Not Enacted

Authorizing Local Governments to Set Speed Limits

Chief Sponsors: Rep. Nosse; Sen. Manning Jr.

Committees: Joint Transportation

Background and Current Law: Oregon statute generally governs the speed limits for various types of roadways, based on road type (residential, arterial, etc.) and location (rural, urban, etc.). Currently, local governments wishing to modify the speed limit for a road under their jurisdiction must make a request to the Oregon Department of Transportation (ODOT), and the request then proceeds through a multi-step process for approval. House Bill 2682 (2017) authorized the City of Portland to reduce designated speeds on non-arterial residential highways under its jurisdiction by five miles per hour below the statutory speed.

Bill Summary: House Bill 4103-A would have allowed ODOT, by rule, to delegate authority to establish designated speed for highways to Multnomah County, Lane County, or to cities. Prior to a proposed change taking effect, the local government would have been required to submit the proposed change to ODOT for review, and the proposed change would have taken effect 30 days following submission.

[House Bill 4043](#)

Not Enacted

Materials for Local Water Projects

At the request of: House Interim Committee on Veterans and Emergency Preparedness for Representative Paul Evans

Committees: House Water

Background and Current Law: The Environmental Protection Agency (EPA) sets standards for drinking water and waste water quality and treatment through the Clean Water Act and National Primary Drinking Water Regulations. Construction of public drinking water systems is regulated by Oregon Drinking Water Services under the Public Health Division of the Oregon Health Authority, subject to OAR 333-061-0050. Construction of waste water systems is regulated by the Oregon Department of Environmental Quality, subject to OAR Chapter 340. Procurement rules for publicly funded construction projects can be found in ORS Chapter 279C and include provisions requiring competitive bidding and a least-cost policy requiring analysis of project costs prior to finalization of a public contract.

Bill Summary: House Bill 4043 would have prohibited a local government, local contracting agency, or a local contract review board from restricting the use of piping materials in a publicly funded drinking water or wastewater project, if the piping materials met specific performance standards. The bill provided that appropriate piping materials may have been required for a water project based on the recommendation of a licensed professional engineer in connection with the specific project. The provisions would have applied to public contracts for water projects on or after the operative date of the measure.

[House Bill 4070](#)

Not Enacted

Low-Interest Septic System Loan Program

At the request of: House Interim Committee on Water for Representative Ken Helm

Committees: House Water, Joint Ways and Means

Background and Current Law: A septic system is the most common method of sewage treatment for homes and businesses that are not connected to an area-wide sewage treatment system. Over 30 percent of Oregonians rely on septic systems to treat wastewater from their homes and businesses. Septic systems that fail or malfunction can pollute Oregon's land and waterways with raw sewage and create public health hazards. In 2016, Senate Bill 1563 required the Oregon Department of Environmental Quality (DEQ) to establish a program to award grants for developing and administering a low-income loan program for the repair, replacement, upgrade, or evaluation of residential or small business on-site septic systems. This program is known as the Clean Water Loan Program (ORS 454.779).

Bill Summary: House Bill 4070 would have appropriated \$2 million of the General Fund, for the biennium ending July 1, 2021, to DEQ to award a grant of no less than \$1,950,000 for a low-interest loan program to repair, replace, upgrade, or evaluate residential or small business on-site septic systems pursuant to ORS 454.779.

[House Bill 4071-A](#)**Not Enacted****Harmful Algal Blooms**

At the request of: House Interim Committee on Water for Representative Ken Helm

Committees: House Water, Joint Ways and Means

Background and Current Law: Harmful algal blooms (HABs) are high concentrations of certain types of algae that produce toxic compounds, known as cyanotoxins. HABs can cause sickness and death in humans, pets, and livestock who come into contact with or drink the water. HABs can also result in hypoxia, or low oxygen, in water bodies, which can kill fish and other wildlife.

Oregon has been experiencing increasing numbers of HABs, including blooms on the North Santiam River that affected drinking water quality for the City of Salem in 2018. In response, a work group made up of stakeholders whose work intersects with drinking water quality or recreational water quality, came together in 2019 to consider short-term and long-term strategies for addressing HABs and related impacts to Oregonians.

Bill Summary: House Bill 4071-A would have appropriated \$95,000 to the Oregon Department of Environmental Quality (DEQ) to purchase an instrument to analyze water samples for cyanotoxins and would have directed DEQ to make the instrument available to higher education institutions for education, training, and research during times it was not needed by DEQ. The Act would have appropriated an additional \$215,000 to DEQ for staff to collect water samples and assist with analysis and would have appropriated \$100,000 to the Oregon Health Authority for a Small Utility Outreach Coordinator to work with small water suppliers and water suppliers who depend on a vulnerable water body to make sure they have plans, tools, and training to address HABs and other water-related emergencies.