

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Oregon Department of Transportation, Transportation Development Division		731	
Agency and Division		Administrative Rules Chapter Number	
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Rules Coordinator	Address		Telephone

RULE CAPTION

Use of federal transportation funds for transportation projects and purposes other than highway projects and purposes

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

September 17, 2009	10:00 am	355 Capitol Street NE, Room 122, Salem OR	Staff
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

ADOPT: 731-050-0030

AMEND:

REPEAL: 731-050-0030 Temp

RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND & RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS	_____	Other Authority
Stat. Auth.		
ORS	_____	
Stats. Implemented		

RULE SUMMARY

This rule replaces a temporary rule that was prepared and adopted as the result of direction provided by Oregon legislators during HB 2001 testimony and discussions. It directs the Oregon Transportation Commission to annually determine the amount of federal transportation funds to be made available for eligible transportation projects and purposes, that are not highway projects or purposes, and to distribute an amount of those funds for those projects and purposes.

Text of proposed and recently adopted ODOT rules can be found at web site <http://www.oregon.gov/ODOT/CS/RULES/>.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

September 21, 2009

Last Day for Public Comment
Last day to submit written comments to the Rules Coordinator

_____	Signature
Lauri Kunze	_____
Printed name	Date

* The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Transportation, Transportation Development Division
Agency and Division

731
Administrative Rules Chapter Number

In the Matter of the adoption of OAR 731-050-0030

Rule Caption: Use of federal transportation funds for transportation projects and purposes other than highway projects and purposes

Statutory Authority: ORS 184.616, 184.617, 184.619, 366.205

Other Authority: None

Statutes Implemented: ORS 184.616, 184.619, 366.205, 366.556, 366.558, 366.566.

Need for the Rule(s): This rule replaces a temporary rule that was prepared and adopted as the result of direction provided by Oregon legislators during HB 2001 testimony and discussions. It directs the Oregon Transportation Commission to annually determine the amount of federal transportation funds to be made available for eligible transportation projects and purposes, that are not highway projects or purposes, and to distribute an amount of those funds for those projects and purposes.

Documents Relied Upon and where they are available: Temporary Rule – OAR 731-050-0030

Fiscal and Economic Impact, including Statement of Cost of Compliance: The proposed rule directs the Oregon Transportation Commission to annually determine the amount of certain federal transportation funds that will be made available for eligible transportation projects and purposes. The rule does not identify the amount of funding or the projects and purposes that would be funded; other than that they not be highway projects and purposes. Fiscal and economic impacts are not anticipated and could not be determined as the projects have yet to be selected.

How were small businesses involved in the development of this rule? Notified by mail of pending rulemaking and invited to provide comments.

Administrative Rule Advisory Committee consulted?: No

If not, why?: This rulemaking is intended to replace an existing temporary rule. Language in the temporary rule was prepared as a result of direction provided by Oregon legislators during HB 2001 testimony and discussions.

Authorized Signer

Lauri Kunze
Printed name

Date