

CHAPTER 731, DIVISION 50
HIGHWAY AND OTHER THAN HIGHWAY PROJECTS

NEW RULE

731-050-0030

Allocation of funds for transportation projects and purposes other than highway projects or purposes.

(1) The Oregon Transportation Commission (Commission) shall annually determine the funds that will be available for transportation projects and purposes from federal transportation funds apportioned to the State under the Surface Transportation Program (STP), 23 United States Code (USC) 133 and the Congestion Mitigation and Air Quality Improvement Program (CMAQ), 23 USC 149, less those funds required by federal law to be sub-apportioned to local agencies. The Commission shall then establish an amount from such funds, under section 2 of this rule, to be used for projects and programs that are not highway projects or highway purposes. The amount of funds annually established for other than highway projects and purposes under section 2 of this rule shall be less than any amount that would disqualify the State of Oregon from applying for discretionary grants of federal highway funds.

(2) From the amount determined under section 1 of this rule available for transportation projects and purposes, the Commission shall establish an amount, and approve the distribution of such amount, for projects and purposes that are other than highway projects and purposes, less \$14 million reserved for distribution to any eligible transportation project(s) or purpose(s), whether highway or other than highway. In no event shall an amount less than ten percent of the remaining amount be dedicated for projects eligible under the Oregon Department of Transportation Elderly and Disabled Transportation Program, ORS 391.800 to 391.830.

(3) For the purposes of sections 1 and 2 of this rule, eligible transportation projects and purposes, that are other than highway projects or highway purposes, include but are not be limited to:

- (a) Transportation planning, research and data collection as authorized by 23 USC 505;
- (b) Elderly and Disabled Transportation Program as authorized by ORS 391.800 to 391.830;
- (c) Bicycle and pedestrian projects as authorized by 23 USC 217;
- (d) Transit capital projects as authorized by 23 USC 133 and 23 USC 149;
- (e) Transit operating assistance, limited to new or expanded transportation service as authorized by 23 USC 149;
- (f) Carpool projects and fringe and corridor parking facilities, as authorized by 23 USC 133;
- (g) Transportation Enhancement projects authorized by 23 USC 133;
- (h) Amounts committed to local governments according to agreements existing as of the date of adoption of this rule.

Stat. Auth.: ORS 184.616, 184.619, 366.205, 367.050

Stats. Implemented: 184.616, 184.619, 366.205, 367.010, 367.050