PERMANENT ADMINISTRATIVE ORDER

PTD 1-2020
CHAPTER 732
DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSIT DIVISION

FILING CAPTION: Creation of new Mass Transit District or Transportation District

EFFECTIVE DATE: 01/24/2020
AGENCY APPROVED DATE: 01/23/2020

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ADOPT: 732-005-0090
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RULE SUMMARY: This rule recognizes the formation of a new Mass Transit District or Transportation District. The new District replaces the county(ies) in which it exists as STF agency for the area(s) previously served by the county(ies). This rule change responds to an immediate need so that such District can continue Public Transportation Services and receive STF Formula funding.

CHANGES TO RULE:

732-005-0090
Creation of New Mass Transit District or Transportation District
(1) In the event that a District comes to exist in any part of a county or counties in which it did not previously exist, the District replaces the county(ies) in which it exists as STF Agency for the area(s) previously served by the county(ies). Upon its existence, the District shall assume the STF Agency role previously held by the county(ies) in which any part of it exists with respect to all aspects of the administration of the Formula Program.¶
(2) It is the goal of the Division that such a transition between STF Agencies be accomplished smoothly, efficiently and without disruption of Public Transportation Services. For that reason, a county which is a STF Agency shall provide notice to the Division when it publishes notice of the first public meeting at which it will consider creating or establishing a District.¶
(3) Upon establishment of a District in any county or counties, the Oregon Transportation Commission and the Oregon Department of Transportation hereby recognize the District as the new STF Agency for the area(s) previously served by the county(ies) in which any part of the District exists.¶
(a) Within ten business days of coming into existence, the District shall send the Division notice of the effective date of its existence, the name(s) of its designated contact person(s), a copy of the legal documentation of its creation, and the date of its first public meeting. The Division may reasonably delay any pending Formula Program disbursements until the District establishes a financial account.¶
(b) For the period between the District’s coming into existence and its first public meeting the Division shall consider the District to have appointed an Advisory Committee, for the purposes of ORS 391.810(3), composed of
The eligible members of the Advisory Committee(s) of the county(ies) in which the District has come to exist. The
Division shall consider individuals “eligible members” if they satisfy the criteria to serve on the District’s Advisory
Committee under ORS 391.820.¶
(c) At its first public meeting, the District, consistent with its procedural requirements, may determine the
numbers and terms of Advisory Committee members and may appoint an Advisory Committee. The District may
appoint some or all of same individuals to its Advisory Committee who previously served on the Advisory
Committee(s) of the county(ies). If it appoints an Advisory Committee, the District shall notify the Division in
writing of the membership.¶
(d) If the District does not provide written notification to the Division of the membership of its Advisory
Committee, within three business days of the date of its first public meeting, the Division shall withhold Formula
Program funds until the District notifies the Division that it has appointed an Advisory Committee.¶
(e) The Division shall consider the STF Plan previously submitted to Division by the county(ies) pursuant to OAR
732-005-0081, to have been assigned to and assumed by the District, unless the District notifies the Division that
it has adopted a new STIF Plan or updated the STF Plan, as described in OAR 732-005-0081.¶
(4) In coordination with the county(ies), relevant Recipients or Providers, and other parties as necessary, the
District shall undertake all necessary tasks to develop its STF Plan, carry out the Projects of the relevant STF
Plan(s) and otherwise ensure a smooth transition of all STF Agency responsibilities from the county(ies) to the
District. The Division shall provide reasonable assistance and guidance to the new STF Agency to facilitate the
transition, consistent with the respective roles of the STF Agency and the Division.
Statutory/Other Authority: ORS 184.619, 391.810
Statutes/Other Implemented: ORS 391.800, 391.810, 391.820, 391.830