



Oregon


Tina Kotek, Governor

Oregon Transportation Commission

Office of the Director, MS 11
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DATE: March 5, 2024

TO: Oregon Transportation Commission



FROM: Kristopher W. Strickler
Director

SUBJECT: Agenda Item M –2025 Legislative Concepts Approval

Requested Action:

Approve the Oregon Department of Transportation’s 2025 Legislative Concepts.

Background:

During each odd-numbered year (long) legislative session, executive branch agencies may introduce legislation through the Office of the Governor. This process and timeline are prescribed by the Office of the Governor, Department of Administrative Services (DAS), and the Office of Legislative Counsel. For legislative concepts proposed for the 2025 legislative session, executive branch agencies must submit those concepts to the Governor’s Office and DAS by April 30, 2024.

Governor Kotek’s 2025 agenda will be finalized later this year and is expected to remain consistent with her priorities to date: housing and homelessness, behavioral health and addiction, and education and early learning. Governor Kotek has also historically prioritized government efficiency, effectiveness, and delivery of core government services. Executive branch agencies’ policy and budget proposals should align with and advance these priorities.

Additionally, solutions to Oregon’s structural revenue challenges affecting the transportation sector will be a primary focus and top priority during the 2025 legislative session.

Oregon Department of Transportation (ODOT) staff have identified concepts that 1) provide necessary statutory “housekeeping” and technical corrections; or 2) advance the priorities of the Governor, Oregon Transportation Commission (OTC), and the ODOT Director. ODOT staff were asked to ensure concepts reflected some or all of the following:

- Increase the safety of Oregon’s transportation system and its users, and the safety of the public and private workforce supporting it;
- Improve and incent community collaboration in the development, delivery, and management of the transportation system; or
- Mitigate an identified risk, improve programmatic or operational efficiency, or reduce cost.

In January 2024, these concepts were presented to the OTC for review, and now the OTC is asked to approve the submission of the agency's legislative concepts to the Governor's Office and DAS for further review. The Governor's Office will make final decisions regarding which concepts move forward to Legislative Counsel for drafting and pre-session filing by June 28, 2024.

Attachments:

- Attachment 01 – Proposed 2025 Legislative Concepts

Oregon Department of Transportation Proposed 2025 Legislative Concepts

Legislative Concept #1. Safety (Work Zone and Roadway). In recent years roadways in Oregon, including roads owned and operated by ODOT, have seen increasingly (in some instances historically) high rates of serious injury and fatality. Many of these fatalities are attributed to driver behavior (e.g. driving under the influence, distracted driving/texting while driving, speeding, etc.). These increased rates affect drivers as well as bicyclists, pedestrians, and other vulnerable users. To reduce crashes involving highway workers and the traveling public, concept #1 proposes to expand the existing Move Over Law to include stationary or slow-moving highway construction or maintenance vehicles. The concept also proposes to combat deadly speeding and red-light running behavior by revising existing statutes relating to automated enforcement to capture current technology definitions and provide opportunities for expanded use.

Legislative Concept #2. Safety (Uses within ODOT Right of Way). This concept proposes changes to improve efficiency of development of transportation facilities, such as multi-use trails, rest areas, and weigh stations, within transportation corridors, by clarifying transportation uses allowed within state highway rights of way. Providing ease in the development of transportation facilities allows for users of the transportation system to safely access destinations through connectivity and appropriate stopping locations.

Legislative Concept #3. Safety (Teen Driver Education). This concept proposes to expand access for Oregon teens seeking an approved driver education course. Completing a driver education course dramatically reduces drivers' crash, citation, and suspension rate. The concept proposes changes to the maximum reimbursement rate per eligible student who completes an approved teen driver education course and increase the entities eligible for reimbursement, with a corresponding modest fee increase.

Legislative Concept #4. Technical Changes and Safety Improvements for Heavy Motor Carriers. Each session ODOT brings forward "housekeeping" or "technical corrections" measures for its regulatory programs; this measure will amend statutes governing heavy and commercial vehicle regulation to reflect federal law and rule, improve operational efficiency, and reduce administrative burden where appropriate.

This concept proposes to make several technical changes to statutes overseen by the Commerce and Compliance Division (primarily regulating heavy and commercial motor carriers). These changes relate to improving operational efficiencies by removing moot notifications, complying with federal audit requirements, adding consistency to violation types, allowing for better enforcement for household goods movers in violation of existing statutes. This concept also proposes to revise statute to gain compliance from those commercial vehicles with a Gross Vehicle Weight Rating of 10,001 pounds and up, bringing Oregon closer to the federal definition of a commercial motor vehicle.

Legislative Concept #5. DMV Omnibus Technical Changes. Each session ODOT brings forward "housekeeping" or "technical corrections" measures for its regulatory programs; this measure will amend statutes administered by the DMV regulating drivers, passenger vehicles, businesses, and vehicle dealers to reflect federal law and rule, improve operational efficiency, and reduce administrative burden where appropriate.

This concept proposes technical changes to several areas of driver services at DMV including the administration of provisional driver permit requirements, driver transactions permitted at kiosks, the Valid with Previous Photo program, working with other agencies on the fee ID card program, photo sharing with other states, and expanding the definition of the false swearing statute. The concept also proposes changes to comply with federal Commercial Driver License requirements from the Federal Motor Carrier Safety Administration. This concept proposes several changes to modernize the vehicle and business regulation components of DMV.

Legislative Concept #6. Weight Mile Tax Simplification and Fee Adjustments (Placeholder Concept). Oregon's Weight Mile Tax system collects revenue from heavy commercial carriers; currently the weight mile tax system has dozens of weight classes and many configurations, which often results in difficulty and burdensome administrative processes on behalf of both covered entities/taxpayers and ODOT staff.

This is a placeholder concept to simplify and reduce the number of tax rates and eliminate certain tracking configurations to modernize the current weight mile tax classifications. Any changes to the weight mile tax rates will not reduce the overall revenue generated but will make the system easier to implement and enforce.

Legislative Concept #7. Interstate Bridge Replacement Program (Placeholder Concept). Oregon Revised Statute currently has outdated language (dating back to the first iteration of the Interstate Bridge Project). Statute needs updating to reflect the current program structure and partnership with Washington State.

This is a placeholder concept to address necessary statutory changes related to financing and delivery of the Interstate Bridge Replacement and program administration with the State of Washington.

Legislative Concept #8. Electric Vehicle Infrastructure. Current law is ambiguous in the authority given to ODOT to fund projects and programs that support active and public transportation systems and transportation electrification.

This concept proposes to add clarifying language to existing statute for ODOT to continue funding zero emission vehicle infrastructure projects and programs.