



Oregon
Department
of Transportation

Legislative Summary

2022



Oregon’s annual legislative session came to a close March 4, 2022. There were 275 bills, memorials and resolutions introduced during the 2022 session and of those, the legislature passed 129.

Legislators advanced a number of bills, memorials, and resolutions that directly or indirectly impact the Oregon Department of Transportation (ODOT). If you have questions about 2022 transportation-related legislation, please contact Government Relations staff.

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Copies of 2022 enrolled bills (the copy the Governor signs) may be found on the legislative website: <https://olis.leg.state.or.us/liz/2022R1/Measures/list/>.

Measures signed into law are known as “session laws” and are available on the legislative website under [Oregon Laws](#). Permanent laws passed during the 2022 Legislative Session will not be codified until the 2023 edition of Oregon Revised Statutes is released. The 2023 ORS will be distributed and made available online late summer 2023.

Cover photos:
 OR 99W: Newburg-Dundee Bypass
 Spring at Oregon’s State Capitol



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House Measures

Study of Oregon Route 6

House Bill 4053

Effective Date: June 3, 2022

House Bill 4053 requires ODOT to study Oregon Route (OR) 6 and report back to the Joint Committee on Transportation by September 15, 2023 on the findings. The measure specifies that the report must include the following: an assessment of the condition, information regarding the deficiencies in the condition, recommendations for improving the condition, a cost estimate for the improvements, and any other pertinent information.

Emergency Management Omnibus

House Bill 4068

Effective Date: Upon passage

House Bill 4068 contains several provisions to improve Oregon’s disaster response and emergency management capabilities. The measure includes a requirement for certain government officials and management-level state and local employees to complete incident command and emergency response training, directs certain public bodies to conduct periodic emergency response exercises, and establishes a program to create an Oregon Critical Disaster Preparedness Stockpile program. To ensure that national supply chains are not disrupted by lack of commercial drivers, the measure permits ODOT, by rule, to waive certain issuance requirements or to extend the validity period of commercial driver licenses and commercial learners permits. Any waiver of requirements or extension of validity period requires a concurrent federal waiver.

Environmental Justice Council and Mapping Tool

House Bill 4077

Effective Date: June 3, 2022

House Bill 4077 renames the Environmental Justice Task Force as the Environmental Justice Council and establishes the Council within the office of the Governor. The measure directs the Council, with support from Department of Environmental Quality and in collaboration with the Office of Enterprise Information Services, the Institute for Natural Resources, Portland State University, and natural resources agencies, to develop an environmental justice mapping tool. The measure requires the Council to report back to the Governor and the legislature on best practices and guidelines for using the mapping tool.

Media Access to Wildfire or Natural Disasters on Public Lands

House Bill 4087

Effective Date: Upon passage

House Bill 4087 requires public bodies to allow news media representatives access to scenes of wildfires or natural disasters on public lands that are otherwise closed to the public. The measure specifies the criteria for allowing or limiting access for news media representatives and clarifies who holds liability for a news media representative who has entered a wildfire or natural disaster scene. The measure directs the Office of Emergency Management to establish a committee to develop training and other guidelines by September 1, 2022.

Hood River-White Salmon Bridge Bi-State Bridge Authority

House Bill 4089

Effective Date: June 3, 2022

House Bill 4089 provides for the creation of a bi-state bridge authority for the Hood River-White Salmon Bridge. The bi-state bridge authority is authorized to form a commission to design and construct a replacement of the current bridge, act as a bi-state governance structure for the purposes of tolling the bridge, maintain ownership and operation of the bridge, and perform other duties relating to the bridge as necessary.

Traffic Enforcement Agents

House Bill 4105

Effective Date: January 1, 2023

House Bill 4105 permits duly authorized traffic enforcement agents, in addition to sworn police officers, to review and issue citations based on photographs taken by photo red light cameras or by photo radar cameras. A duly authorized traffic enforcement agent is defined as person employed, appointed, and sworn in by governing body of the city where the agent performs their duties. The measure also allows duly authorized traffic enforcement agents to present the evidence reviewed by the agent in a trial for the violation.



Expanded Online Voter Registration

House Bill 4133

Effective Date: January 1, 2023

Under current statute, an Oregon driver license number or identification card number is required for online voter registration. House Bill 4133 expands the electronic voter registration system to allow individuals to register online with the last four digits of their Social Security number, and allows those individuals to electronically submit an image of their signature for ballot validation purposes. The measure also allows the electronic voter registration system to include an application programming interface for approved third-party organizations to securely submit voter registration cards electronically on behalf of individuals. The measure sets an implementation deadline of January 1, 2026.

Environmental Product Declarations

House Bill 4139

Effective Date: June 3, 2022

House Bill 4139 directs ODOT to establish a greenhouse gas reduction program within ODOT by Dec. 31, 2025, to encourage the use of materials in ODOT's roadway construction and maintenance activities that will help the state meet its greenhouse gas reduction goals. The measure specifically focuses on environmental product declarations, and describes the activities that must be included in the program. The measure establishes a technical advisory committee to assist with implementation of the requirements in the measure. HB 4139 also directs ODOT to establish a grant program to assist smaller contractors and materials suppliers to comply with the program's requirements.

Senate Measures

Oregon Nisei Veterans World War II Memorial Highway

Senate Bill 1509

Effective Date: June 3, 2022

Senate Bill 1509 establishes the Oregon Nisei Veterans World War II Memorial Highway on Oregon Route 35, beginning where the highway intersects with U.S. Highway 26 and ending where the highway intersects with U.S. Highway 30. The memorial highway will be designated with signs installed and maintained by ODOT. ODOT is prohibited from using public funds for the installation of the markers and will accept moneys from veterans groups or others to pay for the markers.

Justice Reinvestment Equity Program

Senate Bill 1510

Effective Date: Upon passage

Operative Date: January 1, 2023

Senate Bill 1510 includes several reforms to address systemic inequities in Oregon’s criminal justice system, including interactions with law enforcement, modifications of general conditions of probation and post-prison supervision, and allocating funding to the Justice Reinvestment Equity Program for distribution to culturally specific organizations and culturally responsive service providers. The measure requires a police officer to inform a stopped person of their right to refuse consent to search. If consent is obtained, the measure requires the officer to obtain a written, video or audio record that the person gave consent to search. The measure also seeks to reduce unnecessary contact between law enforcement and drivers by prohibiting police officers from initiating traffic stops based solely on certain equipment violations, including having only one operative headlight, taillight, brake light, or registration plate light.

Omnibus Transportation Bill

Senate Bill 1558

Effective Date: June 3, 2022

Operative Date: January 1, 2023

Senate Bill 1558 clarifies that the enhanced penalty in existing law for failure to use vehicle traction tires or chains applies to commercial vehicles at the time of the offense. The measure also repeals the traffic citation moratorium from Senate Bill 1601 (2020 1st Special Session) on documentation and credentials that expired between March 1 and December 31, 2020, which was established in response to the closure of Oregon DMV offices as a result of COVID-19. SB 1558 also changes the allocation of vehicle dealer privilege tax revenues to the Zero-Emission Incentive Fund from \$12 million to the greater of \$12 million or 45 percent of gross revenues received with the remaining balance allocated to the Connect Oregon program.

Replacing the Term “Alien” with “Noncitizen”

Senate Bill 1560

Effective Date: January 1, 2023

Senate Bill 1560 updates statutory references to individuals who are not citizens or nationals of the United States by replacing the term “alien” with “noncitizen,” and directs state agencies to make the same update to all rules and regulations. The measure also authorizes agencies to amend rules without prior notice or hearing for this purpose. The term “alien” is embedded in the names of federal forms and the name of a federal program in some DMV administrative rules, but is not used generically in the text.

Acceptance of Coin/Currency

Senate Bill 1565

Effective Date: June 3, 2022

Senate Bill 1565 provides that a place of public accommodation, with specified exceptions, cannot refuse to accept coin and currency as payment for goods and services, nor make a distinction, discrimination, or restriction because a customer offers coin or currency as payment. The measure does permit a place of public accommodation to refuse to accept coins in the amount of \$100 or more, and currency in denominations of \$50 or \$100. The measure also provides a complaint process with the Commissioner of the Bureau of Labor and Industries for refusal to accept coins or currency.

Bulk Oil and Liquid Fuel Terminal Seismic Risk Assessment and Planning

Senate Bill 1567

Effective Date: June 3, 2022

Senate Bill 1567 requires the owners or operators of bulk oil and liquid fuels terminals in Columbia, Multnomah, or Lane Counties to conduct seismic vulnerability assessments and implementation plan to the Department of Environmental Quality (DEQ) by June 1, 2024. The measure specifies components of the seismic vulnerability assessment and allows for the Environmental Equality Commission, in consultation with the State Department of Geology and Mineral Industries (DOGAMI) to adopt requirements by rule. The measure requires the Oregon Department of Energy (ODOE) to develop an energy security plan by June 1, 2024. ODOE must consult with relevant agencies such as ODOT, the Public Utility Commission, DEQ, the Department of Aviation, the Office of Emergency Management, and DOGAMI in the development and implementation of the energy security plan.



Non-Disclosure Agreements

Senate Bill 1586
Effective Date: January 1, 2023

Senate Bill 1586 extends the current prohibition against nondisclosure agreements (NDAs) between private or public employers and their employees to cover former employees, and makes it an unlawful employment practice for an employer or former employer to include NDAs in a settlement, separation, or severance agreement unless the provision is made at the request of the person claiming the grievance.

Memorial Signs

ORS 366.930 directs the Department of Transportation to install and maintain Fallen Officer roadside memorial signs to commemorate public safety officers (corrections officers, State Police, police chiefs and other police officers, sheriffs and deputies) killed in the line of duty.

ORS 366.931 outlines a parallel process for Fallen Hero roadside memorial signs to commemorate members of United States Armed Forces who were killed in action or died of wounds sustained in action.

ORS 366.940 outlines a parallel process for Fallen Firefighter roadside memorial signs to commemorate firefighters who were killed in the line of duty.

For most roadside memorial signs to be installed, the Legislative Assembly must pass a concurrent resolution recognizing the officer or member of the Armed Forces.

ORS 366.930 and 366.931 also specify that ODOT must receive payment of a fee not to exceed the direct and indirect costs to cover installation, maintenance, and removal of the sign. Public bodies may not expend funds to pay the fee.

The 2022 Legislative Assembly adopted the following concurrent resolutions that recognize law enforcement officers killed in the line of duty, meeting the first condition for placement of Fallen Officer memorial signs:

- HCR 202 – Sergeant John Burright

The 2022 Legislative Assembly adopted the following concurrent resolutions that recognize members of the United State Armed Forces who died in the line of duty, for placement of Fallen Hero memorial signs:

- HCR 204 – Sergeant John Noble Holcomb

Reports to the Legislative Assembly

Some legislation enacted by the 2022 Legislative Assembly requires agencies to report to the Assembly or its committees. This section focuses on new or revised reporting requirements that affect the Oregon Department of Transportation or transportation generally.

Study of Oregon Route 6 (HB 4053)

House Bill 4053 requires ODOT to study Oregon Route (OR) 6 and report back to the Joint Committee on Transportation by September 15, 2023 on the findings. The measure specifies that the report must include the following: an assessment of the condition, information regarding the deficiencies in the condition, recommendations for improving the condition, a cost estimate for the improvements, and any other pertinent information.

Environmental Product Declarations (HB 4139)

House Bill 4139 directs ODOT to establish a greenhouse gas reduction program within ODOT by Dec. 31, 2025, to encourage the use of materials in ODOT's roadway construction and maintenance activities that will help the state meet its greenhouse gas reduction goals. The measure specifically focuses on environmental product declarations (EPDs), and describes the activities that must be included in the program. The measure sets up a technical advisory committee to assist with implementation of the requirements in the measure. Additionally, once the greenhouse gas reduction program is established, the measure requires ODOT to submit a report by December 31 of each year to the Oregon Transportation Commission and the interim Joint Committee on Transportation concerning the progress of the program and related matters. The report must be prepared in consultation with the technical advisory committee and must include:

- A description of ODOT's efforts to design and implement the program, an evaluation of ODOT's success in reducing greenhouse gas emissions by means of EPDs, and recommendations as to whether to continue or expand the program; and
- Any other matters ODOT and the technical advisory committee deem relevant, material, or important to highlight or recommend to the commission or Legislative Assembly.

Budget

Budget Reconciliation

House Bill 5202
Effective Date: Upon Passage

House Bill 5202 is the budget reconciliation bill (also known as the End of Session Bill or Christmas Tree Bill), which provides various adjustments for state agencies associated with changes made to agency programs during session. House Bill 5202:

- Increased ODOT’s General Funds appropriation:
 - \$25,000,000 for wildfire recovery expenditures;
 - \$3,349,960 for distribution to the Lake County Railroad (with an equivalent reduction in American Rescue Plan Act Coronavirus State Fiscal Recovery Funds);
 - \$7,000,000 for ODOT’s Wildlife Crossing program; and
 - \$1,500,000 for distribution to Marion County for bridge repairs.

- Increased ODOT’s Other Funds expenditure limitation:
 - \$3,636,767, 12 positions (9.42 FTE) for the Interstate Bridge Replacement Project;
 - \$5,248,462, 46 positions (34.50 FTE) for DMV;

- Increased ODOT’s Other Funds expenditure limitation from American Rescue Plan Act Coronavirus State Fiscal Recovery Funds:
 - \$3,000,000 for distribution to Marion County Public Works for safety corridor improvements;
 - \$2,960,000 for distribution to the City of Canby for Walnut Street extension;
 - \$9,400,000 for distribution to Crook County for Combs Flat Road extension;
 - \$500,000 for distribution to the City of Dufur for sidewalk renovations.

Legislation Considered (Not Passed)

Data Broker Registry (HB 4017)

House Bill 4017 created a data broker registry for Oregon, within the Department of Consumer and Business Services, requiring data brokers operating in Oregon to register prior to collecting, selling or licensing brokered personal data. As part of registration, data brokers would be required to provide basic contact information, information on if consumers can opt out of the collection and sale of their personal information, and the method for requesting to opt-out.

The measure passed out of the House Committee on Business and Labor and was referred to the Joint Committee on Ways and Means where it remained upon adjournment.

Procurements from Qualified QRF Organizations (HB 4019)

House Bill 4019 required the Department of Administrative Services (DAS) to audit each public agency at least once every five years to verify compliance with qualified nonprofit agency procurement requirements and to publish those results on their agency website. The measure also required DAS to supervise and approve all successor service contracts to verify compliance with employment transition requirements for individuals with disabilities who worked more than 28 hours per week when the prior contract ended. Additionally, the measure gave DAS the authority to adopt rules and impose fines of not more than \$5,000 on public agencies, contractors, or successor service providers for their failure to comply with the requirements of the measure.

The measure did not receive a public hearing and was referred from the House Committee on Business and Labor to the House Rules Committee where it remained upon adjournment.

Technical Assistance for Federal Funding (HB 4060)

House Bill 4060 required ODOT to establish a program to provide administrative and technical assistance to any state agency, local government, or community organization in Oregon for activities relating to federal funding opportunities that support natural resource related priorities, programs, or projects. The measure specified the kinds of assistance that ODOT should provide to state agencies, local governments, and community organizations.

The measure passed out of the House Committee on Agriculture, Land Use, and Water, and was referred to the Joint Committee on Ways and Means where it remained upon adjournment.

Oregon Veterans Memorial Highway (HB 4066)

House Bill 4066 designated the portion of U.S. Highway 30, beginning where the highway intersects with U.S. Highway 101 and ending at the Idaho state line, as the Oregon Veterans Memorial Highway. The measure required that if approved by the Federal Highway Administration, the United State Department of Defense, and the United State Department of Homeland Security, the Oregon Veterans Memorial Highway markers include military service seals for the Army, Navy, Air Force, Marine Corps, Coast Guard of the United States, and the National Guard.

The measure passed the House, and had one public hearing in the Senate Committee on Veterans and Emergency Preparedness where it remained upon adjournment.

Oregon Freedom Pilot Program (HB 4079)

House Bill 4079 created the Oregon Freedom Pilot in the Department of Human Services to provide monthly stipends of \$750 to low-income adults. As a funding mechanism for the Oregon Freedom Pilot Program Fund, the measure imposed a sales and use tax on certain luxury goods. The proposed tax included a 3% tax on new and used motor vehicles, new recreational vehicles, new all-terrain vehicles and new snowmobiles, with the resulting funds transferred to the State Highway Fund.

The measure did not receive a public hearing and remained in the House Committee on Human Services upon adjournment.

Diesel Engine Procurement (HB 4090)

House Bill 4090 required state contracting agencies that procured, or intend to procure, vehicles with diesel motors or engines to qualify the vehicle for procurement by obtaining a certification from the manufacturer that the motor or engine is capable of operating with a blended fuel that consists of not less than 20 percent biodiesel.

The measure had one public hearing and a work session, but remained in the Joint Committee on Transportation upon adjournment.

Use of Inhalants near Buildings (HB 4101)

House Bill 4101 increased the distance within which a person may not smoke or use inhalants from certain parts of public places and places of employment from 10 feet to 25 feet. The measure also exempted public places or places of employment that hold a license issued by the OLCC.

The measure passed the House of Representatives and was assigned to the Senate Committee on Health Care, where it received one public hearing and remained upon adjournment.

Funding for Wildlife Corridor Projects (HB 4130)

House Bill 4130 appropriated \$7 million to ODOT out of the General Fund for the purpose of funding projects that reduce wildlife-vehicle collisions and improve habitat connectivity for wildlife. The measure directed ODOT to work with the Oregon Department of Fish and Wildlife when distributing the funds. The measure specified that the funds were to be used for a variety of project purposes such as feasibility studies, planning, and construction and indicated that the funds were eligible to match towards federal grant programs. Under the measure ODOT was allowed to partner with tribes, counties, cities, or other private or public entities for projects that were consistent with the goals of the measure.

The measure passed out of the House Committee on Environment and Natural Resources and was referred to the Joint Committee on Ways and Means where it remained upon adjournment. The funding allocation was made part of HB 5202.

Expands Duties of Government Ethics Commission to Enforce Public Meetings Law (HB 4140)

House Bill 4140 expanded the duties of the Oregon Government Ethics Commission (OGEC) to conduct investigations, make findings, and impose penalties for violations of public meetings law. The measure also directed OGEC to develop training sessions for governing bodies and public officials on how to comply with the public meetings law, and authorized individuals to file complaints with the OGEC alleging that meetings of a governing body were not in compliance with the law.

The measure received one public hearing and remained in the House Committee on Rules upon adjournment.

Task Force on Renewable Diesel (HB 4141)

House Bill 4141 established the Task Force on Renewable Diesel. The sixteen member task force was charged with studying the availability of, and demand for, renewable diesel in Oregon. The task force was also required to look at cost differences between renewable diesel and other fuels. A report by the task force was due to the legislature by December 31, 2022.

The measure passed out of the Joint Committee on Transportation and was referred to the Joint Committee on Ways and Means where it remained upon adjournment.

Property Damage Threshold for Accident Reporting (SB 1508)

Senate Bill 1508 increased the accident reporting property damage threshold from \$2,500 to \$4,000, and increased the accident reporting deadline from 72 hours to 120 hours. Furthermore, the measure required DMV to provide a confirmation of receipt for accident reports.

The measure did not receive a public hearing and remained in the Joint Committee on Transportation upon adjournment.

Occupational Licensing (SB 1512)

Senate Bill 1512 reduced barriers to employment through changes to the consideration of an applicant's criminal history or juvenile adjudication history when applying for an occupational or provisional license. The measure prohibited a licensing board, commission or agency from denying, suspending or revoking a license solely because the applicant or licensee was convicted of crime that does not substantially relate to specific duties and responsibilities for which license is required, and limited the consideration of juvenile adjudications to certain qualifying juvenile adjudications.

The measure passed out of the Senate Judiciary and Ballot Measure 110 Implementation Committee and was referred to the Senate Committee on Rules where it remained upon adjournment.

Constitutional Amendment to Assess Highway Tolls (SJR 204)

Senate Joint Resolution 204 proposed an amendment to the Oregon Constitution to prohibit a public body from assessing a highway toll unless it was operative before January 1, 2018 or unless the proposed toll was approved by a majority vote cast in counties within a 15 mile radius of any section of the highway proposed to be tolled. The proposed amendment would have been referred to the people of Oregon for their approval or rejection at the next regular general election.

The measure did not receive a public hearing, and remained in the Joint Committee on Transportation upon adjournment.