

Agenda
Salem-Keizer Area Transportation Study (SKATS)

Technical Advisory Committee (TAC)

Date: Tuesday, June 13, 2017
Time: 1:30 p.m.
Place: MWVCOG Conference Room B
100 High St. SE, Suite 200
Salem, OR 97301
Phone: (503) 588-6177 FAX (503) 588-6094
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Website: www.mwvcog.org

- A. Call to OrderCindy Schmitt
- B. Approval of TAC Minutes May 9, 2017Cindy Schmitt
- C. Update on Legislative Funding..... Mike Jaffe

Background: The Joint Committee on Transportation Preservation and Modernization is reviewing and taking public comments on HB 2017-3, a proposed transportation bill released on May 31, 2017. The 298-page bill (HB 2017-3) can be found on OLIS at:
<https://olis.leg.state.or.us/liz/2017R1/Committees/JTPM/2017-06-05-17-00/HB2017/Details>, with an index of the section at:
<https://olis.leg.state.or.us/liz/2017R1/Downloads/CommitteeMeetingDocument/132300>

There are many elements to the bill including highway maintenance and preservation, seismic improvements, transit operations, bicycle and pedestrian needs, safety, inter-modal freight, etc., plus the creation of Congestion Relief Districts that mirror the boundaries of MPOs in Oregon. Staff at Lane Council of Governments prepared a summary of major sections of the HB2017-3 (*attached*), with a focus on sections that are of interest to MPOs.

The Joint Committee is taking public testimony the week of June 5, 2017. The co-chairman of the Committee has said that they hope to get the final version of the bill to the House by June 15, 2017.

The Mid-Willamette Valley Council of Governments is pleased to comply with the Americans with Disabilities Act (ADA). If you need special accommodations or translation services to attend this meeting, please contact Lori Moore at (503) 540-1609 or send e-mail to lomoore@mwvcog.org at least 72 hours prior to the meeting. *Hearing impaired please call Oregon Telecommunications Relay Service, 7-1-1.* Thank you.

Action
Requested: Information and discussion item.

**D. Congestion Mitigation Air Quality (CMAQ) Update and
FY 2018-21 TIP Mike Jaffe**

Background: The CMAQ Program Advisory Committee (PAC) met on May 16 and June 2 to continue the discussion of the allocating federal CMAQ funds to the five eligible areas in Oregon including SKATS. At the June 2nd meeting, the PAC reached an agreement to recommend to the Oregon Transportation Commission (OTC), which will need to take final action.

The addition of CMAQ funds for SKATS in FY 2019 to FY 2021 provides an opportunity to review projects in the FY 2018-2021 Transportation Improvement Program (TIP) and add projects using federal STP-U funds that were not programmed in the TIP. Staff and TAC members need to discuss the project identification process that should start this summer.

Action
Requested: Information and discussion item.

E. Quadrennial Certification Review Report Mike Jaffe

Background: Metropolitan planning organizations are certified by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) every four years for compliance to federal transportation planning requirements. The formal review process for SKATS included an on-site visit on October 12 and 13. On November 18, 2016, the federal review team certified SKATS's planning process for a period of four years. The formal certification report was issued on May 24, 2018. Staff will provide highlights of the report.

Action
Requested: Information and discussion item.

F. Mapping of SKATS Area Safety Projects Kim Sapunar

Background: Staff has compiled a list of pedestrian and motorized safety-focused projects that have been completed in the last several years within the MPO. These projects have been incorporated into an on-line mapping application that is still in progress. Staff will demonstrate the application and provide a link to its location on the MWVCOG website.

Action
Requested: Demonstration. Request TAC to review and provide any feedback and corrections.

G. Other Business..... SKATS Staff

- Wheatland Road Project
- Transit Asset Management Targets
- Policy Committee Meeting -- June 27, 2017
- Next TAC Meeting – July 11, 2017

H. AdjournmentCindy Schmitt

DRAFT

Minutes

Salem-Keizer Area Transportation Study (SKATS)
Technical Advisory Committee (TAC)

May 9, 2017

100 High St. SE, Suite 200

Salem, OR

1:30 p.m.

TAC Members Present

Lisa Anderson-Ogilvie, Salem Community Development

Dan Fricke, ODOT

Victor Lippert, Salem-Keizer School District, 2017 Vice Chair

Robert Mansolillo, DLCD

Austin McGuigan, Polk County Planning

Brandon Reich, Marion County Planning

Cindy Schmitt, Marion County Public Works, 2017 Chair

Julie Warncke, Salem Public Works

TAC Members Absent

Sam Ayash, ODOT System Studies, (non-voting)

Nate Brown, Keizer Community Development

Steve Dickey, SAMTD

Vacant, DEQ

Bill Lawyer, Keizer Public Works

David Sawyer, City of Turner

Rachael Tupica, FHWA, (non-voting)

Todd Whitaker, Polk County Public Works

Others Present

Roxanne Beltz, SAMTD

Chris French, SAMTD

Ray Jackson, MWVCOG-SKATS

Mike Jaffe, MWVCOG-SKATS

Lori Moore, MWVCOG-SKATS

Karen Odenthal, MWVCOG-SKATS

Ria Ok'Torina, Salem Planning

Mischa O'Reilly, SAMTD

Kim Sapunar, MWVCOG-SKATS

David Trimble, SAMTD

Agenda Item A. Call to Order

Chair Cindy Schmitt called the meeting to order at 1:30 p.m. Introductions were made.

Agenda Item B. Minutes of February 14, 2017

A correction to the May agenda was made. The TAC did not meet in March or April 2017. Therefore, the minutes to be approved should be the February 14, 2017 minutes. The committee is asked to approve the minutes of the February 14, 2017 meeting rather than the April minutes.

Referencing page 4, top paragraph, Julie Warncke, with the support of SKATS staff, asked that the phrase “traffic circle” related to Madrona be changed to “traffic improvement.”

Motion was made by Brandon Reich, seconded by Lisa Anderson-Ogilvie, to approve the minutes of the February 14, 2017, meeting as revised. Those voting in favor of the motion were Lisa Anderson-Ogilvie, Dan Fricke, Robert Mansolillo, Austin McGuigan, Brandon Reich, and Cindy Schmitt. **The motion passed unanimously.**

Agenda Item C. Performance Measures: Update

Ray Jackson reminded TAC members that a national set of goals for surface transportation were signed into law with the adoption of MAP-21 (Moving Ahead for Progress in the 21st Century) in 2012. The legislation contained requirements for the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) to develop performance measures for state DOTs (Department of Transportation) and MPOs (Metropolitan Planning Organizations) to use to track their investments in roads and transit in meeting national goals. The FAST Act of 2015 (Fixing America’s Surface Transportation) continued the requirement for performance measures.

Mr. Jackson reminded committee members that performance measures have been previously discussed several times. To date, two sets of final rules were published in 2016: roadway safety and transit state of good repair. Two others were published late in the Obama administration and are being reviewed by the current administration.

Mr. Jackson explained that there are six categories of performance measures. Each performance measure will include at least one specified target. Some of the targets may be set annually while others could be set every four years. In response to a question, Mr. Jackson noted that there are currently no penalties for MPOs not meeting targets. However, state departments of transportation have consequences if they don’t meet their targets.

Ray Jackson provided an overview of the process and timing for going from goals to measures to targets. For example, for the roadway-related measures, once all the Rules are Finalized, there will be a work group set up by ODOT to discuss the factors that could influence target setting. The ODOT-led group will work to define a statewide target. Once ODOT has set its target, SKATS will have 180 days to either accept the state target or to develop their own target.

TAC members are asked to recommend endorsement of the Transit State of Good Repair performance measure by the Policy Committee during their June meeting. The Safety target

endorsement is due by February 2018 with the Bridge, Pavement, and System Performance measure endorsed by November 2018.

Victor Lippert arrived at 1:39 p.m.

Committee members discussed supporting targets and developing a means to select transportation projects that will aid in reaching MPO targets.

Agenda Item D. Performance Measures: Transit Asset Management

David Trimble, Chief Operating Officer for the Salem Area Mass Transit District, provided an overview of the transit district performance measures that have been developed to address Transit State of Good Repair/Transit Asset Management. The transit district was required to develop and adopt targets related to the Transit State of Good repair by January 1, 2017. A Transit Asset Management Plan needs to be finalized by October 2018.

Mr. Trimble noted that aging equipment is costlier to maintain than newer equipment. In theory, the transit district would like to operate buses that are no more than 12 years old. However, it rarely works out that buses are replaced that soon.

Mr. Trimble informed TAC members that the transit district is seeking a FTA Low-No grant to be used to purchase electric buses and the infrastructure needed for them. He noted that the Salem-Keizer Transit District was unsuccessful in receiving a grant during the last funding cycle. He concluded with a request for support letters. Julie Warncke announced that the mayor of Salem is likely to submit a letter of support. Mike Jaffe informed the group that a draft letter of endorsement is likely to be reviewed by the SKATS Policy Committee at their May 23 meeting.

Agenda Item E. Potential Revenue Districts for MPO Areas/Legislative Bill on Transportation

Mike Jaffe provided an overview of the proposed legislation recommended by Senator Brian Boquist's subcommittee related to state-MPO taxing districts.

Mr. Jaffe distributed a joint MPO letter supporting the proposed legislation that was submitted to the Governor's Joint Committee on Transportation Preservation and Modification. It is requested in the joint letter that they include more projects outside the Portland area.

Austin McGuigan expressed the opinion that it doesn't seem like state-MPO taxing districts is a good deal for areas outside of Portland. He stated that smaller groups would be unable to compete with Portland for projects because they don't have traffic volume and congestion issues. Locals would be taxed but have no means of leveraging those funds.

Agenda Item F. Public Participation Plan (PPP) Update

Kim Sapunar informed TAC members that the adoption of the revised Public Participation Program (PPP) was delayed for one month due to the receipt of late comments just prior to the closure of the public review period. Staff needed time to review the comments and determine how to address them. Ms. Sapunar reported that staff have also received the draft results of the SKATS Quadrennial Review in which a corrective action related to the PPP was requested.

Ms. Sapunar reported that the update of the PPP following adoption of this one will begin almost immediately. She noted that the memorandum contained in the agenda packet included the background, comments, responses to comments, and the proposed changes to the PPP. It also includes the rationale for performing the update following so closely on the heels of this one. It is to address the corrective actions identified during the SKATS Quadrennial Review, which were briefly summarized

At this time, SKATS' staff request that the TAC recommend that the Policy Committee adopt the revised PPP.

It was noted that a correction needs to be made to a date on page 13 of the document.

Following discussion, **motion was made by Brandon Reich, seconded by Victor Lippert, to recommend that the SKATS Policy Committee adopt the revised PPP.** Those voting in favor of the motion were Lisa Anderson-Ogilvie, Dan Fricke, Victor Lippert, Robert Mansolillo, Austin McGuigan, Brandon Reich, and Cindy Schmitt. **The motion passed unanimously.**

Agenda Item G. Cherriots Trip Choice Work Plan

Roxanne Beltz provided an overview of the Cherriots Trip Choice Work Plan for July 2017 through June 2019. It is based on the 5-year Strategic Plan. Information related to the work plan items is illustrated in tables that were included in the agenda packet along with deliverables and metrics.

Agenda Item H. Other Business

Julie Warncke announced that the city of Salem will host a "Get Salem Moving" Open House on May 24 from 4:00-6:00 p.m. The open house will be followed by a Neighborhood Walk with community leaders to discuss how healthy streets create healthy neighborhoods and a presentation by Dan Burden, a walkability expert.

- The next Policy Committee meeting is scheduled for noon on Tuesday, May 23, 2017.
- The next TAC meeting is scheduled for 1:30 p.m. on Tuesday, June 13, 2017.

Mike Jaffe informed the group that he recently met with the Salem-Keizer School Superintendent and Marion County Health to think of ways of collaborating on Safe Routes to School (SRTS) programs and projects.

Referencing CMAQ issues, Mike Jaffe commented that local jurisdictions may be asked to write support letters or to testify before the Oregon Transportation Committee (OTC) regarding future distribution of CMAQ funds. He will keep the group advised as to what is needed and when it is needed.

Updates included the soft opening of the Peter Courtney Minto Island Bridge and an announcement by Julie Warncke that pedestrian/bicycle counters were installed at the new bridge.

Chair Cindy Schmitt adjourned the meeting at 3:33 p.m.

Agenda Item C.

Update on Legislative Funding

**SKATS Technical Advisory Committee
(TAC)**

June 13, 2017

Action Requested:

Information and discussion item.

ACCOUNTABILITY

OREGON TRANSPORTATION COMMISSION

- The Oregon Transportation Commission shall appoint the [ODOT] director, after consultation with the Governor. The director serves at the pleasure of the commission.
- The Governor may remove any [OTC] member after notice and public hearing.
- Subject to the State Personnel Relations Law, the commission may appoint all subordinate officers and employees of the commission, prescribe their duties and fix their compensation.
- Notwithstanding any other provisions of law, the commission has the power to adopt any rules, establish any policy or exercise any other duty, function or power if a statute gives such power to the Department of Transportation.
- Develop and maintain a comprehensive, 20-year long-range plan for a safe, multimodal transportation system for the state which encompasses economic efficiency, orderly economic development and environmental quality.
 - For the plans developed under paragraph (d) of this subsection, include a list of projects for at least 20 years into the future that are capable of being accomplished using the resources reasonably expected to be available.
- Initiate studies, as it deems necessary, to guide the director concerning the transportation needs of Oregon.
- Prescribe the administrative practices followed by the director in the performance of any duty imposed on the director by law.
- Form a Continuous Improvement Advisory Committee.
 - (1) The Oregon Transportation Commission shall appoint a Continuous Improvement Advisory Committee composed of members of the commission, employees of the Department of Transportation and transportation stakeholders. The committee shall be of such size and representation as the commission determines appropriate.
 - (2) The committee shall:
 - (a) Advise the commission on ways to maximize the efficiency of the department to allow increased investment in the transportation system over the short, medium and long term.
 - (b) Develop key performance measures, based on desired outcomes, for each division of the department. The committee shall submit key performance measures to the commission for its approval. The committee shall report to the commission at least once per year on the status of key performance measures and what steps are being taken by the department to achieve the goals of the key performance measures.
- Measuring condition of transportation infrastructure.
 - (1) The Oregon Transportation Commission shall develop a set of uniform standards, in coordination with counties and cities, for the consistent measurement of the condition of the transportation infrastructure owned by the state, counties and cities. The infrastructure measured must include pavement and bridges.
- The Oregon Transportation Commission shall develop a website.
- Written analysis of costs and benefits of proposed transportation projects.
 - (1) As used in this section, 'transportation project' means a project that is included in the Statewide Transportation Improvement Program.
 - (2) Before the Department of Transportation submits a proposal for a transportation project to the Oregon Transportation Commission for review and approval, the department shall prepare a written analysis of the costs and benefits of the project. The analysis must state:
 - (a) The scope of the project;

- (b) The period of analysis;
- (c) The discount rate used in the analysis;
- (d) The initial costs to the department to undertake the project, including any costs for design, engineering, acquiring land and construction;
- (e) The future costs to the department to preserve and maintain the project, discounted to present value;
- (f) Any other costs to the department;
- (g) The costs to highway users that are associated with the project, including loss of safety, delays in the time of travel and additional expenses for operating vehicles;
- (h) The costs of any environmental impacts, including vehicle emissions and noise; and
- (i) The value of the benefits of the project, including the value of any:
 - (A) Savings in the time of travel;
 - (B) Improvements to safety; and
 - (C) Savings in the cost of operating vehicles.
- The OTC shall designate an internal auditor for the Department of Transportation.

JOINT COMMITTEE ON TRANSPORTATION

- There is established the Joint Committee on Transportation [*this continues the existing Joint Committee on Transportation Preservation and Modernization as a permanent standing Joint Committee*].
 - The joint committee consists of members appointed as follows:
 - (a) The President of the Senate shall appoint five members from among members of the Senate.
 - (b) The Speaker of the House shall appoint five members from among members of the House.
 - The joint committee has a continuing existence and may meet, act and conduct its business during sessions of the Legislative Assembly or any recess thereof and in the interim between sessions.
 - The Joint Committee on Transportation shall examine transportation related policy and all measures, concepts and budget recommendations related to transportation. The joint committee has responsibility for oversight of the Department of Transportation.

HIGHWAY MAINTENANCE, PRESERVATION & SEISMIC UPGRADES (Vehicle Registration Fees, Title Fees, & Fuel Taxes)

REGISTRATION FEES

- In addition to [current] registration fees beginning on January 1, 2018, and ending on December 31, 2019, there shall be paid an additional amount as follows:
 - (a) For vehicles other than electric vehicles, \$15.
 - (b) For electric vehicles, \$100.
- In addition, beginning on January 1, 2020, and ending on December 31, 2021, there shall be paid an additional amount as follows:
 - (a) For vehicles that have a rating of 0-19 MPG, \$15.
 - (b) For vehicles that have a rating of 20-39 MPG, \$25.
 - (c) For vehicles that have a rating of 40 MPG or greater, \$35.
 - (d) For electric vehicles, \$105.
- In addition, beginning on January 1, 2022, and ending on December 31, 2023, there shall be paid an additional amount as follows:

- (a) For vehicles that have a rating of 0-19 MPG, \$20.
- (b) For vehicles that have a rating of 20-39 MPG, \$30.
- (c) For vehicles that have a rating of 40 MPG or greater, \$40.
- (d) For electric vehicles, \$110.
- In addition, beginning on January 1, 2024, and ending on December 31, 2025, there shall be paid an additional amount as follows:
 - (a) For vehicles that have a rating of 0-19 MPG, \$25.
 - (b) For vehicles that have a rating of 20-39 MPG, \$35.
 - (c) For vehicles that have a rating of 40 MPG or greater, \$45.
 - (d) For electric vehicles, \$115.
- [and ultimately] In addition, there shall be paid an additional amount as follows:
 - (a) For vehicles that have a rating of 0-19 MPG, \$30.
 - (b) For vehicles that have a rating of 20-39 MPG, \$40.
 - (c) For vehicles that have a rating of 40 MPG or greater, \$50.
 - (d) For electric vehicles, \$120.

TITLE FEES

- In addition [to current title fees], beginning on January 1, 2018, and ending on December 31, 2019, there shall be paid an additional amount as follows:
 - (a) For vehicles other than electric vehicles, \$15.
 - (b) For electric vehicles, \$100.
- In addition, beginning on January 1, 2020, and ending on December 31, 2021, there shall be paid an additional amount as follows:
 - (a) For vehicles that have a rating of 0-19 MPG, \$15.
 - (b) For vehicles that have a rating of 20-39 MPG, \$25.
 - (c) For vehicles that have a rating of 40 MPG or greater, \$35.
 - (d) For electric vehicles, \$105.
- In addition, beginning on January 1, 2022, and ending on December 31, 2023, there shall be paid an additional amount as follows:
 - (a) For vehicles that have a rating of 0-19 MPG, \$20.
 - (b) For vehicles that have a rating of 20-39 MPG, \$30.
 - (c) For vehicles that have a rating of 40 MPG or greater, \$40.
 - (d) For electric vehicles, \$110.
- In addition, beginning on January 1, 2024, and ending on December 31, 2025, there shall be paid an additional amount as follows:
 - (a) For vehicles that have a rating of 0-19 MPG, \$25.
 - (b) For vehicles that have a rating of 20-39 MPG, \$35.
 - (c) For vehicles that have a rating of 40 MPG or greater, \$45.
 - (d) For electric vehicles, \$115.
- [and ultimately] In addition, there shall be paid an additional amount as follows:
 - (a) For vehicles that have a rating of 0-19 MPG, \$30.
 - (b) For vehicles that have a rating of 20-39 MPG, \$40.
 - (c) For vehicles that have a rating of 40 MPG or greater, \$50.
 - (d) For electric vehicles, \$120.

[STATE] FUEL TAXES [currently at 30 cents per gallon]

- (A) For the period beginning on January 1, 2018, and ending on December 31, 2019, 36 cents.
- (B) For the period beginning on January 1, 2020, and ending on December 31, 2021, 38 cents.
- (C) For the period beginning on January 1, 2022, and ending on December 31, 2023, 40 cents.
- (D) For the period beginning on January 1, 2024, and ending on December 31, 2025, 42 cents.
- (E) Beginning on January 1, 2026, 44 cents.

[weight-mile and other associated taxes are appropriately adjusted/increased]

TAX AND FEE DISTRIBUTION AND PROJECTS (Registration, Title, Fuel)

- The amounts shall be distributed as follows:
 - (a) 50 percent to the Department of Transportation.
 - (b) 30 percent to counties for distribution as provided in ORS 366.762.
 - (c) 20 percent to cities for distribution as provided in ORS 366.800.
- Of the amounts that become available to the Department of Transportation under this section, the department shall distribute the moneys in the following order of priority:
 - (a) First, \$10 million for highway safety.
 - (b) Second, for transportation projects listed in this section for each of the following regions:
 - (A) Region one \$ 16.5 million
 - **(B) Region two..... \$ 107.95 million**
 - (C) Region three \$ 35 million
 - (D) Region four \$ 25 million
 - (E) Region five..... \$ 23.9 million
 - (F) Regions four and five joint project \$ 10 million
 - (c) Third, for the following purposes:
 - (A) Forty percent for bridges.
 - (B) Thirty percent for seismic improvements related to highways and bridges.
 - (C) Twenty-four percent for maintenance & replacement of state highway pavement & culverts.
 - (D) Six percent for state highway maintenance, preservation and safety improvements.
 - The moneys distributed to region one shall be distributed or spent as follows:
 - (a) Distributed to the City of Molalla for the State Hwy 211 and State Hwy 213 intersection.
 - (b) Spent by the department for Cornelius Pass Road improvements.
 - (c) Distributed to the City of Portland for Powell Boulevard improvements.
 - (d) Distributed to the City of Cascade Locks for Wanapa Street.
 - (e) Distributed to the Port of Hood River for the Port of Hood River bridge replacement environmental informational study.
 - **The moneys distributed to region two shall be distributed or spent as follows:**
 - **(a) Spent by the department for Interstate 5 at the Aurora-Donald interchange, Phase I.**
 - **(b) Spent by the department for the Newberg and Dundee Bypass, Phase II, design only.**
 - **(c) Spent by the department for State Highway 99E at Halsey Street.**
 - **(d) Distributed to the City of Silverton for the State Highway 214 crosswalk at Jefferson Street.**
 - **(e) Distributed to Lane County for Territorial Highway following the jurisdictional transfer under section 134 of this 2017 Act.**
 - **(f) Distributed to the department for U.S. Hwy 20 from the City of Albany to the City of Corvallis.**



- **(g) Spent by the department for State Hwy 58, adding passing lanes west of the City of Oakridge.**
- The moneys distributed to region three shall be spent by the department for the southern Oregon seismic triage transportation project.
- The moneys distributed to region four shall be distributed to Sherman County for the U.S. Highway 97 safety corridor project.
- The moneys distributed to region five shall be distributed as follows:
 - (a) To Umatilla Co. for Umatilla Co. access road project for the Eastern OR Trade & Event Center.
 - (b) To the City of Hermiston for the Hermiston North First Place project.
 - (c) To Baker County for the State Highway 30 and Hughes Lane intersection.
 - (d) To Union County for Pierce Road from State Highway 30 to the Interstate 84 interchange.
 - (e) To the Port of Umatilla for Port of Umatilla Road.
 - (f) To the Columbia Development Authority for Columbia Development Authority Access Road.
- The moneys distributed to regions four and five for a joint project shall be spent by the department for U.S. Highway 20 freight mobility enhancements.
- Notwithstanding section 71a of this 2017 Act, during the period beginning January 1, 2018, and ending December 31, 2018, the Department of Transportation shall first distribute the moneys described in section 71a (1) of this 2017 Act as follows:
 - (a) To Wheeler County for the Alder Creek project, \$593,000.
 - (b) To the City of Dufur for school traffic and pedestrian safety improvements, \$400,000.
 - (c) To the City of Heppner for pedestrian and highway improvements, \$3 million.
 - (d) For deposit into the **Safe Routes to Schools Fund** for the purpose of providing Safe Routes to Schools matching grants under section 123 of this 2017 Act, **\$6,007,000.**
- Notwithstanding section 71a of this 2017 Act, during the period beginning January 1, 2019, and ending December 31, 2027, the moneys described in section 71a (1) of this 2017 Act shall be distributed first in the **amount of \$10 million each year** for the purposes of providing **Safe Routes to Schools matching grants** under section 123 of this 2017 Act.



CONNECTOREGON [first distribution = \$71.9 million]

- **For the biennium beginning July 1, 2017, the Department of Transportation shall first distribute the moneys in the Connect Oregon Fund as follows for the projects listed below:**
 - **(a) To Lane County for the Valley Transmodal Facility, \$25 million.**
 - **(b) To the Port of Arlington for the Arlington Airport paving project, \$1.7 million.**
 - **(c) To Malheur County for the Treasure Valley Transmodal Facility, \$26 million.**
 - **(d) To the Port of Morrow for the East Beach Industrial Park rail expansion, \$5.3 million.**
 - **(e) To the Oregon Military Department for the Oregon National Guard for rail improvements, \$3 million.**
- An applicant receiving a grant must provide the following amounts:
 - (a) For public bodies, 30 percent of the moneys required for the transportation project.
 - (b) For private entities, 50 percent of the moneys required for the transportation project
- The commission shall divide the Connect Oregon program into two parts to be known as Connect Oregon Part One and Connect Oregon Part Two.
- Connect Oregon Part One consists of transportation projects that involve one or more of the following modes of transportation:
 - (a) Air;



- (b) Marine;
- (c) Rail; and
- (d) Bicycle and pedestrian.
- Connect Oregon Part Two consists of transportation projects that:
 - (a) Are transportation projects of statewide significance; and
 - (b) Enhance or maintain one or more of the following modes of transportation:
 - (A) Air;
 - (B) Marine;
 - (C) Class I railroads; or
 - (D) Class III railroads.
- The commission may award grants only for bicycle and pedestrian transportation projects that expand and improve commuter routes for nonmotorized vehicles and pedestrians, including bicycle trails, footpaths and multiuse trails.
- *[a lot more new statutory language governing the selection of ConnectOregon marine and rail projects...]*
- The amounts available under ORS 367.080 shall be distributed for transportation projects within the Connect Oregon program as follows:
 - (1) For projects within Connect Oregon Part One:
 - (a) Forty-seven percent for transportation projects that involve one or more of the following modes of transportation:
 - (A) Aviation;
 - (B) Marine; or
 - (C) Rail.
 - (b) Seven percent for bicycle and pedestrian transportation projects.
 - (c) One percent is appropriated to the Department of Transportation to pay administrative costs incurred by the department in carrying out the provisions of ORS 367.080 to 367.086.
 - (2) Forty-five percent for transportation projects within ConnectOregon Part Two.
 - (3) To the extent that proposed transportation projects meet the qualifications established by the Oregon Transportation Commission by rule, the commission shall allocate at least 10 percent of the amount described in subsection (1)(a) of this section to each of the five regions described in ORS 366.805.

[DREDGING . . . establishes Marine Navigation Improvement Fund]

SMALL CITIES AND COUNTIES . . . each small (city/county) fund is increased by \$5M

“STUDY AND REPORT”

- The Oregon Transportation Commission shall conduct a study. The purpose of the study is to determine:
 - (a) The proportionate share that users of vehicles that are powered by different means should pay for the costs of maintenance, operation and improvement of the highways in this state; and
 - (b) Whether users of vehicles that are powered by different means are paying that share.
- If the commission determines that users are not paying a proportionate share, then the commission may include in the report recommendations for legislation.

- This section applies to users paying the vehicle registration fee under ORS 803.420 (1) or (9)(a).
- The commission shall report the results of the study to the Joint Committee on Transportation established under section 26 of this 2017 Act, in the manner provided by ORS 192.245, no later than September 15, 2023.

REVENUE FOR TRAFFIC CONGESTION RELIEF, FREIGHT MOBILITY AND CONNECT OREGON

- **Imposition of tax for privilege of engaging in the business of selling taxable motor vehicles at retail.**
 - A tax is imposed on each vehicle dealer for the privilege of engaging in the business of selling taxable motor vehicles at retail in this state.
 - The privilege tax shall be computed at the rate of 0.75 percent of the retail sales price of the taxable motor vehicle.
 - ... the amount of privilege tax imposed ... may not exceed \$3,750.
 - In the case of vehicles purchased outside of Oregon and then registered in Oregon, there will be a “compensatory” Use Tax of 0.75 percent imposed [*this is to avoid circumventing the Privilege Tax by purchasing a vehicle outside of Oregon*]
 - Moneys attributable to the privilege tax shall be transferred as follows:
 - (A) Ten percent shall be transferred to the Connect Oregon Fund.
 - (B) Ninety percent shall be transferred to the Congestion Relief Fund. Moneys transferred under this subparagraph shall be used exclusively for the construction, reconstruction, improvement, repair, maintenance, and operation of public highways, roads, streets and roadside rest areas in this state.
- **Imposition of excise tax on retail sale of taxable bicycles (wheels of at least 26 inches in diameter; or Is sold at retail for \$500 or more).**
 - An excise tax is imposed on the sale at retail in this state of taxable bicycles.
 - The excise tax shall be computed at the rate of three percent of the retail sales price of the taxable bicycle.
 - The excise tax is a liability of the purchaser of the taxable bicycle.
 - The department shall transfer the balance of the moneys received from the excise tax to the Connect Oregon Fund established under ORS 367.080 for the purpose of providing grants for bicycle and pedestrian transportation projects.

TRAFFIC CONGESTION RELIEF AND FREIGHT MOBILITY (Congestion Relief Districts)

- Each metropolitan planning organization as defined in ORS 197.629 is established as a congestion relief district for purposes of sections 119a to 119m of this 2017 Act as follows:
 - (a) Metro is established as the Metro Congestion Relief District. The Metro Congestion Relief District shall not be considered a metropolitan service district for any purpose.
 - (b) **The Salem-Keizer Area Transportation Study is established as the Salem-Keizer Area Congestion Relief District.**
 - (c) The Albany Area Metropolitan Planning Organization is established as the Albany Area Congestion Relief District.
 - (d) The Corvallis Area Metropolitan Planning Organization is established as the Corvallis Area Congestion Relief District.
 - (e) The Central Lane Metropolitan Planning Organization is established as the Central Lane Congestion Relief District.
 - (f) The Bend Metropolitan Planning Organization is established as the Bend Congestion Relief District.



- (g) The Middle Rogue Metropolitan Planning Organization is established as the Middle Rogue Congestion Relief District.
- (h) The Rogue Valley Metropolitan Planning Organization is established as the Rogue Valley Congestion Relief District.
- (2)(a) Except as provided in paragraph (b) of this subsection, the boundaries of each congestion relief district shall be the boundaries of the related metropolitan planning organization.
- (b) The boundaries of the Metro Congestion Relief District shall be the urban growth boundary of Metro.
- *[language establishing the governing body for each district is the same as the existing MPO governing body, but legally separate and apart]*
- Only members of a governing body listed in this subsection who are elected officials shall be voting members of the governing body.
- Oregon MPO Consortium may not participate as an entity in any deliberations or actions undertaken by a congestion relief district under sections 119a to 119m of this 2017 Act.
- On or before December 31, 2017, the Joint Policy Advisory Committee on Transportation, acting as the governing body of the **Metro Congestion Relief District**, may adopt an ordinance or resolution approving the following projects, in whole and not in part, for the Metro Congestion Relief District:
 - (a) The I-5 Rose Quarter Project, at a cost not to exceed \$338 million, to commence not later than December 31, 2022.
 - (b) The I-205 Abernethy Bridge Project, at a cost not to exceed \$152 million, to commence not later than December 31, 2020.
 - (c) The I-205 Freeway Widening Project, at a cost not to exceed \$188 million, to commence not later than December 31, 2020, or, with the approval of the Legislative Assembly, December 31, 2025.
 - (d) The OR-217 Northbound Project, at a cost not to exceed \$54 million, to commence not later than December 31, 2021, or at an earlier date, if the Oregon Transportation Commission determines that the earlier date will not delay or otherwise interfere with the I-5 Rose Quarter Project.
 - (e) The OR-217 Southbound Project, at a cost not to exceed \$44 million, to commence not later than December 31, 2023, or at an earlier date, if the Oregon Transportation Commission determines that the earlier date will not delay or otherwise interfere with the I-5 Rose Quarter Project.
- On or before the earlier of 30 days after adopting an ordinance or resolution approving the projects under section 119c of this 2017 Act for the Metro Congestion Relief District, or December 31, 2017, the Joint Policy Advisory Committee on Transportation may impose the following schedule of fuel taxes and registration fees, in whole and not in part:
 - (a) For the period beginning on January 1, 2019, and ending on December 31, 2020:
 - (A) Notwithstanding ORS 319.950, a tax computed at the rate of three cents per gallon on the first sale, use or distribution of motor vehicle fuel sold, used, distributed or withdrawn, within the Metro Congestion Relief District, and a tax computed at the rate of three cents per gallon on the use of fuel in a motor vehicle, within the meaning of ORS 319.510 to 319.880, within the Metro Congestion Relief District; and
 - (B) Notwithstanding ORS 803.445, a registration fee of \$5 for each vehicle registered to an address within the Metro Congestion Relief District.
 - (b) For the period beginning on January 1, 2021, and ending on December 31, 2022, in addition to and not in lieu of the fuel taxes and registration fee imposed under paragraph (a) of this subsection:
 - (A) Notwithstanding ORS 319.950, a tax computed at the rate of three cents per gallon on the first sale, use or distribution of motor vehicle fuel sold, used, distributed or withdrawn, within the Metro Congestion Relief District, and a tax computed at the rate of three cents per gallon on

- the use of fuel in a motor vehicle, within the meaning of ORS 319.510 to 319.880, within the Metro Congestion Relief District; and
 - (B) Notwithstanding ORS 803.445, a registration fee of \$5 for each vehicle registered to an address within the Metro Congestion Relief District
- (c) For calendar years beginning on or after January 1, 2023, in addition to and not in lieu of the fuel taxes and registration fees imposed under paragraphs (a) and (b) of this subsection:
 - (A) Notwithstanding ORS 319.950, a tax computed at the rate of three cents per gallon on the first sale, use or distribution of motor vehicle fuel sold, used, distributed or withdrawn, within the Metro Congestion Relief District, and a tax computed at the rate of three cents per gallon on the use of fuel in a motor vehicle, within the meaning of ORS 319.510 to 319.880, within the Metro Congestion Relief District; and
 - (B) Notwithstanding ORS 803.445, a registration fee of \$5 for each vehicle registered to an address within the Metro Congestion Relief District.
- If the Joint Policy Advisory Committee on Transportation decides to impose the fuel taxes and registration fees authorized under subsection (1) of this section, the committee shall impose the taxes by majority vote of the governing body, without submitting the question of the fuel taxes, the registration fees or the rates of the fuel taxes or registration fees to the electors of the Metro Congestion Relief District.
- There is appropriated to the Joint Policy Advisory Committee on Transportation, acting as governing body of the Metro Congestion Relief District, out of the General Fund, the amount of \$200,000 for the purpose of funding the operations of the Joint Policy Advisory Committee on Transportation, acting as governing body of the Metro Congestion Relief District. This appropriation is available continuously until expended for the purposes specified in this section.

[CONGESTION RELIEF DISTRICTS OUTSIDE PORTLAND]

- SECTION 119g. (1)(a) **On or before December 31, 2021, the governing body of a county that is outside the territory of all congestion relief districts may submit a request to the Legislative Assembly to be established as a congestion relief district.**
- SECTION 119h. (1)(a) **On or before December 31, 2021,** the governing body of a congestion relief district other than the Metro Congestion Relief District may prepare and approve by majority vote a congestion relief program.
- (2) A congestion relief program must identify:
 - (a) The highway, arterial and related transportation projects to be financed;
 - (b) For each proposed project, the nature and amount of taxes recommended to be allocated to the project;
 - (c) The amount of reserves, if any, to be held in the subfund of the congestion relief district established under section 119f of this 2017 Act for future amendments to the congestion relief program; and
 - (d) The multiyear schedule of district revenues that may be pledged or otherwise allocated to pay debt service for any bonds issued to pay the costs of the project.
- (3) Projects which may be proposed by a congestion relief district under this section include, but are not limited to:
 - **(a) For the Salem-Keizer Area Congestion Relief District, the River Crossing Project.**
 - (b) For the Albany Area Congestion Relief District, the I-5 Auxiliary Lanes Project.
 - (c) For the Central Lane Congestion Relief District, the Delta Highway and Territorial Road Project.
 - (d) For the Bend Congestion Relief District, the North Hwy 97 Improvements Projects, Phases I and II.
 - (e) For the Rogue Valley Congestion Relief District, the Southern Oregon Seismic Triage Project.

- **(f) For Yamhill County, the Yamhill Parkway Dundee Bypass Project.**
- (4) When approving a congestion relief program, the governing body of the district shall consider factors including, but not limited to, the following:
 - (a) Characteristics of the transportation system throughout the congestion relief district, including, but not limited to, the location and impact of traffic bottlenecks and safety issues on interstate high ways, state highways and regional arterials, and the seismic vulnerability of major traffic bridges and other infrastructure, within the district;
 - (b) Travel characteristics throughout the congestion relief district, including, but not limited to, the location and impact of pedestrian and bicycle safety issues and opportunities to foster transportation by means other than motor vehicle use;
 - (c) Consistency with local, regional and state land use and transportation plans;
 - (d) Allowed uses of the district revenues available for the congestion relief program;
 - (e) The anticipated amount of revenues available for the congestion relief program and whether the reasonably estimated annual amount of revenues will be sufficient to pay the costs of projects in each year of the program;
 - (f) Compliance of all proposed projects included in the program with the state transportation policy and plan developed and maintained by the Oregon Transportation Commission under ORS 184.618; and
 - (g) The implementation of the congestion relief program.
- (5) When approving a congestion relief program, the governing body of a congestion relief district must:
 - (a) Consult with public and private operators of public transportation, employers and transportation management organizations;
 - (b) Provide substantial evidence in the record to support any determination made by the governing body; and
 - (c) Comply with all applicable federal, state and local law.
- (6)(a) Upon approval of a congestion relief program, the governing body of the congestion relief district shall submit the program to the Oregon Transportation Commission.
 - (b) If the commission rejects the program, the commission shall notify the governing body in writing, explaining the reasons for the rejection.
 - (c) The governing body of the congestion relief district may reconsider the program in light of the reasons given by the commission, approve and resubmit a revised program to the commission at any time before the deadline provided in subsection (1)(a) of this section.
 - (d) The commission may not directly adopt or amend a congestion relief program, in whole or in part.
- (7) If the Oregon Transportation Commission approves a proposed program under this section, the commission shall submit the approved program, including the list of projects with proposed taxes, budgets and schedules, as a recommendation for legislation to the Legislative Assembly during the current regular session of the Legislative Assembly, if applicable, or during the next following regular session of the Legislative Assembly.

TASK FORCE ON MEGA TRANSPORTATION PROJECTS

- The Task Force on Mega Transportation Projects is established. For the purposes of this section, a ‘mega transportation project’ includes transportation projects, as defined in ORS 367.010, that cost at least \$500 million to complete, that attract a high level of public attention or political interest because of substantial direct and indirect impacts on the community or environment or that require a high level of attention to manage the project successfully.
- The task force consists of nine members appointed as follows:

- The President of the Senate shall appoint two members from among members of the Senate.
- The Speaker of the House of Representatives shall appoint two members from among members of the House of Representatives.
- The Governor shall appoint three members who represent highway users.
- The chairperson of the Oregon Transportation Commission shall appoint two members from among members of the commission.
- The task force shall study how the State of Oregon selects and approves mega transportation projects.

PUBLIC TRANSPORTATION AND PUBLIC SAFETY (Public Transit)

- A tax is imposed at the rate of one-tenth of one percent of the wages paid by an employer for services performed in this state
- The Statewide Transportation Improvement Fund is established in the State Treasury, separate and distinct from the General Fund. Moneys in the fund are continuously appropriated to the Department of Transportation to finance investments and improvements in public transportation services, except that the moneys may not be used for light rail.
- The Oregon Transportation Commission shall distribute the moneys in the Statewide Transportation Improvement Fund as follows:
 - (a) 85 percent to qualified entities, provided that each qualified entity receives an annual amount of at least \$100,000;
 - (b) 10 percent to qualified entities, other than mass transit districts, based on a competitive grant program adopted by the commission by rule;
 - (c) Four percent to intercity public transportation service providers to provide funding assistance to cover the costs of improving public transportation services between two or more communities; and
 - (d) One percent to the Department of Transportation to establish a statewide public transportation technical resource center, the purpose of which is to assist public transportation service providers in rural areas with training, transportation planning and information technology
- *[much more language establishing specific purposes, reporting, etc.]*



SAFE ROUTES TO SCHOOLS

- The Oregon Transportation Commission may provide matching grants under this section for safety improvement projects near schools.
- To qualify for a matching grant an applicant shall:
 - (a) Demonstrate that a project fits within the applicable plan developed pursuant to ORS 195.115;
 - (b) Provide a cash match of at least **40 percent of the project's costs**; and
 - (c) Provide any other information required by the commission.
- Notwithstanding subsection (2) of this section, the commission may reduce the amount the applicant must provide for a cash match.
 - An applicant providing a reduced cash match shall provide **at least 25 percent of the project's costs**. This subsection applies if:
 - (a) The school is located in a city with a population of 5,000 or less; or
 - (b) The project reduces hazards within a safety corridor, as defined by the commission by rule.
- The commission shall prioritize the expenditure of funds as authorized under this section for projects that are located within a quarter-mile radius of a school that serves students in prekindergarten, kindergarten or grades

1 through 8, or any combination of those grade levels, or a school that serves students in kindergarten through grade 12.

- The matching grants shall be used to reduce barriers and hazards to children walking or bicycling to and from school, including but not limited to safety improvement projects that:
 - (a) Improve sidewalks;
 - (b) Reduce vehicle speeds;
 - (c) Improve pedestrian and bicycle crossings;
 - (d) Create or improve bicycle lanes; or
 - (e) Improve traffic diversion.

[ROADSIDE REST AREAS]

TRANSPORTATION GENERALLY

[Among other things, this section includes the following specific jurisdictional transfers]

- The City of Portland to transfer jurisdiction of Southeast Powell Boulevard beginning where the highway intersects with Southeast 9th Avenue and ending where the highway intersects with Southeast 174th Avenue from the department to the city.
- Lane County to transfer jurisdiction of the portion of Territorial Highway that is located within the county from the department to the county.
- Lane County to transfer jurisdiction of the portion of Delta Highway beginning where the highway intersects with Interstate 105 and ending where the highway intersects with the Randy Pape Beltline from the county to the department.
- Multnomah County and Washington County to transfer jurisdiction of the portion of Cornelius Pass Road beginning where the highway intersects with U.S. Highway 30 and ending where the highway intersects with U.S. Highway 26 from the counties to the department.