

Legislative Summary

2021





Oregon’s annual legislative session came to a close June 26, 2021. There were 2,519 bills, memorials and resolutions introduced during the 2021 session and of those, the legislature passed 719.

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 2021 transportation-related legislation, please contact Government Relations staff.

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Copies of 2021 enrolled bills (the copy the Governor signs) may be found on the legislative website: <https://olis.leg.state.or.us/liz/2021R1/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 2021 Legislative Session will not be codified until the 2021 edition of Oregon Revised Statutes is released. The 2021 ORS will be distributed and made available online late summer 2021.

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

*Jerri Bohard served as the Policy, Data, and Analysis Division Administrator until her retirement earlier this year. Amanda Pietz was named Division Administrator effective May 3, 2021.



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House Measures

Hiring Preferences in Eastern Oregon

House Bill 2026

Effective Date: Upon Passage

House Bill 2026 requires public employers to give preferences to residents of Malheur County for civil service positions, if the majority of the work will be performed within the Eastern Oregon Border Economic Development Region. The measure also requires the resident applicant to maintain residency in Malheur County for at least five consecutive years, and failure to do so is considered a voluntary termination of employment. House Bill 2012 (2017) established the Eastern Oregon Border Economic Development Board to formulate and implement strategies and practices for strategic investment in workforce and economic development in that region. The region is defined as any territory within 20 miles of the Oregon border with Idaho that includes Ontario, Vale, and Nyssa; an area across the border from Weiser, Idaho; Brogan and Willow Creek; and an area southwest of Vale for a distance of ten miles.

DAS Parking Facility Management and State Fleet Electrification

House Bill 2027

Effective Date: January 1, 2022

House Bill 2027 makes updates to statutes related to the Department of Administrative Services' (DAS) management of parking facilities. Additionally, the measure amends section 8, chapter 565, Oregon Laws 2019 (SB 1044, 2019) to expedite the adoption of zero-emission vehicles in state fleets. Originally, SB 1044 required 25 percent of the state's new light-duty fleet purchases to be zero-emission vehicles beginning in 2025; and 100 percent beginning in 2029. The measure expedites the adoption of zero-emission vehicles in state fleets by requiring 100 percent of new light-duty vehicles be zero-emission vehicles beginning in 2025.

Distribution of State Revenues to Local Governments

House Bill 2028

Effective Date: January 1, 2022

House Bill 2028 amends statutes that govern the distribution of state revenues to local governments, by providing that so long as the state officer responsible for distributing the funds is satisfied that local governments have complied with statutory requirements, funds may be distributed; as well as removing requirements that a local government adopt an ordinance or resolution electing to receive the distribution.

DMV Customer Service Package

House Bill 2137

Effective Date: Upon Passage

Operative Date: June 5, 2021

House Bill 2137 is a package of proposals intended to improve customer service at ODOT-DMV, and provide protection to Oregonians with expired credentials. The measure reinstates a citation moratorium between January 1, 2021 and December 31, 2021 for driver licenses, vehicle registrations and permits, and disabled parking placards that are expired fewer than six months. Additionally, the measure makes the following the changes:

- Eliminates the requirement that individuals moving to Oregon, with a valid out-of-state license (or a license expired less than one year), take an Oregon knowledge test prior to obtaining an Oregon license;
- Eliminates the redundant Teen Safe Driving Practices knowledge test; and
- Increases the amount of time an individual has to renew their driver license after expiration without having to retake the vision, knowledge, and drive test, from one year to two years.

Rural Veterans Healthcare Transportation Grant Program

House Bill 2139

Effective Date: January 1, 2022

House Bill 2139 makes permanent a program created in the 2019-2021 budget for the Oregon Department of Veterans' Affairs (ODVA), which made funds available for one fiscal year to supplement federal Highly Rural Transportation Grant (HRTG) funds and serve veterans in rural areas who did not meet the federal definition of "highly rural." This program allows grants for the healthcare-related transportation of veterans regardless of whether the care being received is covered by any federal benefit plan. Federally recognized Indian tribes are eligible to receive the grants. ODVA partners with the ODOT to administer the program and disburse funds.

Transportation Electrification Rebates and Cost Recovery

House Bill 2165

Effective Date: January 1, 2022

House Bill 2165 requires electric companies with more than 25,000 Oregon customers to collect an amount from their retail customers to support transportation electrification, according to the plan accepted by the Public Utility Commission (PUC). The measure authorizes PUC to allow the electric companies to recover the costs from retail customers for prudent infrastructure

measures that support transportation electrification as long as certain criteria are met. The measure modifies the eligibility and value of Charge Ahead zero-emission and electric vehicle rebates, as well as modifies provisions related to the administrative costs of the program. Finally, the measure increases the maximum suggested retail price for qualifying hydrogen fuel cell vehicles from \$50,000 to \$60,000 and repeals the sunset on the zero-emission, Charge Ahead zero-emission, and electric vehicle rebate programs.

Establishing Juneteenth as a Legal State Holiday

House Bill 2168

Effective Date: September 25, 2021

House Bill 2168 establishes Juneteenth, also known as Emancipation Day, Jubilee Day, and Freedom Day, as an official state holiday on June 19 of each year. The date originates from June 19, 1865 when Union General Gordon Granger arrived in Galveston, Texas and issued General Order Number 3 announcing the end of the Civil War, and slavery in the United States, three years after President Lincoln issued the Emancipation Proclamation.

Reemployment Eligibility for Service Members

House Bill 2231

Effective Date: September 25, 2021

House Bill 2231 exempts uniformed overseas voluntary service and domestic voluntary service in response to a declaration of emergency or disaster by local, state or federal government, from the five-year limit calculations on eligibility for reemployment rights. Currently, a member of the military has the right to return to their civilian job without penalty or discrimination as long as their cumulative voluntary military service does not exceed five years. While involuntary call-ups do not count toward the five-year limit on reemployment rights, reservists' orders may state their service was voluntary regardless of whether they actually volunteered. House Bill 2231 exempts any time spent in voluntary service overseas and domestically from the five-year limit on reemployment rights.

Parks and Recreation Department Electric Vehicle Charging

House Bill 2290

Effective Date: January 1, 2022

House Bill 2290 directs the Oregon State Parks and Recreation Department (OPRD) to allow installation and service of public electric vehicle charging stations in parking spaces that are part of the state parks systems. The measure also establishes the Parks and Recreation Transportation Electrification Fund and continuously appropriates moneys from the Fund to OPRD to carry out adding public electric vehicle charging stations. The measure authorizes the Public Utility Commission to allow electric companies to recover costs, from retail electricity consumers, for

infrastructure investments to support transportation electrification. House Bill 2165 also makes reference to cost recovery to support transportation electrification.

Voluntary Environmental Restoration Weirs

House Bill 2298

Effective Date: Upon Passage

House Bill 2298 allows private landowners to install environmental restoration weirs to mimic beaver dams in any closed basin east of the Cascade Mountains. If native migratory fish are present then a fish passage must be included. The Oregon Department of Fish and Wildlife (ODFW) must develop new program rules to authorize these voluntary projects and may require maintenance of the weir for up to ten years. ODFW must also coordinate with ODOT to consider potential project impacts on existing or planned transportation infrastructure, and to require a weir to be modified if it is found to adversely impact transportation infrastructure.

Possessory Liens and Bond Requirements

House Bill 2311

Effective Date: Effective upon passage

Operate Date: January 1, 2022

House Bill 2311 requires those who perform vehicle-related services to maintain in effect at all times a surety bond or irrevocable letter of credit of \$20,000 to execute a possessory lien on a motor vehicle. The measure requires these letters of credit and surety bonds be filed with the ODOT and provide annual re-certification. Additionally, entities are required to notify ODOT when a surety bond or irrevocable letter of credit is cancelled.

Preferences in Public Contracting

House Bill 2374

Effective Date: Upon Passage

House Bill 2374 directs the DAS to develop training materials and specify procedures for state contracting agencies regarding the application of contract preferences. The measure further requires state contracting agencies to report to DAS by August 15, 2022, regarding specified procurements solicited between the bill's effective date (June 3, 2021) and July 31, 2022. The report must include which contract preferences were applied and why discretionary preferences were or were not applied, and DAS must provide a summary of this information to the Legislature no later than September 30, 2022. Finally, DAS must include in its report any recommendations for ensuring that state contracting agencies apply preferences as intended by the Legislative Assembly.

Broadband Trenching Coordination

House Bill 2411

Effective Date: September 25, 2021

Operative Date: January 1, 2022

House Bill 2411 requires notification and a process for allowing interested telecommunications providers to coordinate with the ODOT to include the installation of underground broadband infrastructure as part of certain projects included in the Statewide Transportation Improvement Program. The measure also directs the Oregon Broadband Office to develop a registry of telecommunications providers in the state. The measure grants ODOT rulemaking authority and specifies several items that the developed guidance must include.

Vehicle Privilege Tax Information

House Bill 2456

Effective Date: September 25, 2021

House Bill 2456 makes corrections to and updates various tax statutes. Specifically, the measure allows the Department of Revenue to share information with the ODOT for the purposes of the vehicle privilege tax. The measure also repeals ORS 315.601 and 315.606 related to the short line railroad rehabilitation tax credit, as these statutes are duplicative.

Oregon Family Leave Act Expansion

House Bill 2474

Effective Date: January 1, 2022

House Bill 2474 modifies the Oregon Family Leave Act to protect leave for all employees of a covered employer during a public health emergency who have been employed at least 30 days and worked at least 25 hours per week in the 30 days leading up to the leave. This includes employees requiring leave to care for a child of the employee who requires home care due to the closure of the child's school or child care provider as a result of a public health emergency. The measure also provides leave protections for employees who separate and are reemployed within 180 days or who would otherwise lose protection because of a temporary cessation of scheduled hours, and allows employers to request verification of the child care need.

Deaf and Hard of Hearing Indicators

House Bill 2498

Effective Date: January 1, 2022

House Bill 2498 requires ODOT-DMV to allow an individual to indicate on their vehicle registration, driver license, or identification card, that they are deaf or hard of hearing. The deaf or hard of hearing indicator will be provided to law enforcement via ODOT-DMV's Law Enforcement Data Systems connection; as well as on the physical vehicle registration card,

driver license, or identification card. Providing this information to law enforcement is intended to help facilitate communication, and prevent any misunderstanding between law enforcement officials and individuals who are deaf or hard of hearing during traffic stops.

Oregon Brownfield Properties Revitalization Fund

House Bill 2518

Effective Date: September 25, 2021

House Bill 2518 establishes and allocates funding to the Oregon Brownfield Properties Revitalization Fund at Business Oregon. The fund supports a forgivable loan program for owners and operators of brownfield properties that incur eligible costs in the recovery of the brownfield property. One such eligible use of funds is for brownfields located in an electric vehicle infrastructure plan developed by ODOT, which will be operated as a publicly accessible charging station for electric vehicles after completion.

Park Model Recreational Vehicles

House Bill 2522

Effective Date: Upon passage

Operative Date: September 1, 2021

House Bill 2522 expands the definition of Park Model Recreational Vehicles (PMRV) under HB 2333 (2019), to include vehicles that no longer meet the definition of a PMRV, but were originally manufactured to meet this definition, and were originally used as living quarters on or before January 1, 2021. These changes will enable a limited number of individuals to obtain a title document to help facilitate the sale of their structure. The measure indemnifies the State of Oregon against any potential claims related to the suitability of these structures as living quarters, or for transportation purposes.

Driving Privileges Reinstatement Fee Waiver

House Bill 2523

Effective Date: September 25, 2021

House Bill 2523 provides temporary reprieve to individuals to reinstate their driving privileges by amending ORS 809.380 (6) to include additional reasons for which a driving privilege reinstatement fee may be waived. These circumstances include a person whose driving privileges are suspended for one or any combination of the following:

- ORS 809.210 (2019 Edition) – failure to comply with a court order;
- ORS 809.220 – failure to appear for a traffic citation; and
- ORS 809.415 (3) – failure to provide new proof of compliance for future responsibility filings.

To be eligible for a reinstatement fee waiver, a person must not be concurrently suspended for any reason not listed in the measure, and must fulfill all other requirements of the suspension. The measure sunsets on January 2, 2023.

Fixed Photo Radar Sunset Repeal

House Bill 2530
Effective Date: January 1, 2022

House Bill 2530 repeals the sunset on provisions related to the operation of fixed photo radar speed enforcement in the City of Portland. House Bill 2621 (2015) authorized the City of Portland to operate fixed photo radar systems on urban high crash corridors. All provisions authorizing and prescribing the operation of the City's radar system on high crash corridors sunset on January 2, 2024. HB 2530 repeals this sunset.

Pollinator Health

House Bill 2531
Effective Date: January 1, 2022

House Bill 2531 adds ODOT, Oregon Department of Forestry, and Oregon Department of Fish and Wildlife (ODFW) as consulting agencies for the state pollinator health outreach and education plan, currently crafted by Oregon State University (OSU) and the Oregon Department of Agriculture. The measure requires OSU and the four agencies to meet annually to revise the plan to specify best practices for increasing habitat for pollinating insects as well as avoiding adverse effects from pesticides on pollinating insect populations.

Public Access Site Reports

House Bill 2549
Effective Date: September 25, 2021

House Bill 2549 modifies the public access to floatable natural waterways reporting requirements established in HB 2835 (2019). The measure exempts closures or restrictions lasting less than 24 hours from being included in the yearly report to the legislature, and adds the State Marine Board to the entities who receive that report. The measure also requires the State Marine Board to compile and make public the information received in the yearly report, publishing it to a website with a map.

Willamette Falls Locks Authority

House Bill 2564
Effective Date: Upon Passage

House Bill 2564 establishes the Willamette Falls Locks Authority as a public corporation. The measure modifies the duties of the Willamette Falls Locks Commission and sunsets the

Commission on June 30, 2022. The measure directs the Willamette Falls Locks Authority to appoint an executive director and allows for the Authority to create a tax-exempt entity, issue and sell revenue bonds, and enter into financing agreements.

Atomic Cleanup Veterans Memorial Highway

House Bill 2644

Effective Date: January 1, 2022

House Bill 2644 renames a portion of Interstate 5, currently designated the Atomic Veterans Memorial Highway, as the Atomic Veterans and Atomic Cleanup Veterans Memorial Highway. This name change is in recognition of the sacrifice of veterans who participated in the cleanup and decontamination efforts, between 1962 and 1980, of nuclear testing sites in the Marshall Islands. 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 new markers.

POW/MIA Memorial Signs

House Bill 2700

Effective Date: September 25, 2021

House Bill 2700 allows roadside memorial signs to be installed honoring service members killed in the line of duty who were previously designated as either prisoners of war or unaccounted for by the Defense POW/MIA Accounting Agency, without the legislature first adopting a concurrent resolution. The measure expands the roadside memorial signage program and alters the criteria for having a sign erected to honor those previously designated as a prisoner of war or unaccounted for by allowing those communities or families to apply directly to ODOT for placement of a sign.

Racial, Ethnic, and Ability Composition of ODOT Advisory Committees

House Bill 2985

Effective Date: January 1, 2022

House Bill 2985 requires ODOT to ensure the membership of its advisory committees reflects the racial, ethnic, and ability composition of Oregon, as determined by the most recent American Community Survey published by the United States Census Bureau. The measure applies to specific statutory committees as well as informal committees established by the Commission or Department.

Compensation for Boards and Commissions

House Bill 2992

Effective Date: September 25, 2021

House Bill 2992 increases the amount of compensation to members of state boards and commissions for their time spent performing official duties to equal the per diem paid to members of the Legislative Assembly, in addition to the reimbursement of actual and necessary travel or other expenses. This measure applies to qualified members who are not in full-time public service and have an adjusted gross income for the previous tax year of less than \$50,000, or less than \$100,000 reported on a joint income tax return. The measure also allows board or commission members to decline compensation or reimbursement.

Racial Equity in Administrative Rules

House Bill 2993

Effective Date: January 1, 2022

House Bill 2993 requires that the membership of a rules advisory committee or fiscal impact advisory committee represents the interests of persons and communities likely to be affected by the rule. The measure also requires agencies to include in its rulemaking notice a statement identifying how adoption of the rule will affect racial equity in Oregon. The measure applies to notices of intent to adopt rules filed on or after January 1, 2022.

Program Change Bill

House Bill 3011

Effective Date: Upon Passage

House Bill 3011 included a number of provisions, most notably the requirement that any public body carrying out a qualified project over \$10 million, using at least \$750,000 in American Rescue Plan Act funds must execute a project labor agreement (PLA) for all contracts with a value over \$200,000. The measure also includes additional contracting requirements related to apprenticeships and contract diversity.

ODOT anticipates these requirements applying to the Oregon 213/82nd Ave. Safety Improvements project, and Newberg Dundee Bypass Phase II project, identified in House Bill 5006.

Identification Card Fee Waiver for those Experiencing Homelessness

House Bill 3026

Effective Date: Upon passage

Operative date: January 1, 2022

House Bill 3026 requires ODOT to waive fees for the issuance, renewal, and up to two replacement identification cards (per eight year cycle), for those experiencing homelessness. The measure requires ODOT to develop administrative rules, and partner with homeless service organizations to certify to a person's eligibility for this waiver.

Ethanol Concentration in Gasoline

House Bill 3051

Effective Date: January 1, 2022

Current statute requires gasoline sold in Oregon to contain 10 percent denatured fuel ethanol by volume (or between 9.2 and 10 percent anhydrous ethanol by volume). House Bill 3051 allows for the sale of gasoline that contains at least 10 percent denatured fuel ethanol, or 9.2 percent anhydrous ethanol, allowing fuel dealers to sell gasoline that contains higher concentrations of ethanol.

Omnibus Transportation Bill

House Bill 3055

Effective Date: September 25, 2021

House Bill 3055 is the 2021 legislative session's omnibus transportation measure. The measure includes several technical corrections and programmatic changes, most notably:

Comprehensive Congestion Management and Mobility Finance Plan

The measure includes a three-part finance plan to support ODOT's Comprehensive Congestion Management and Mobility Plan. Components of this plan include increasing ODOT's short-term borrowing authority from \$100 million to \$600 million; allowing the \$30 million, originally earmarked for the I-5 Rose Quarter project under HB 2017 (2017), to also be used for the I-205 Improvements project, the I-5 Boone Bridge and Seismic Improvement project, and the implementation of a toll program; and making necessary changes to existing tolling statutes.

Tolling

The measure makes changes to existing tolling statutes to allow for further development and execution of a toll program. Changes include, consolidating existing funds, updating tolling language to reflect modern technology, as well as other technical changes. Most notably, the measure provides additional financing mechanisms, by allowing for future bond sales against toll revenues.

Contracting

The measure updates statutes related to ODOT’s contracting authority, including changes that enable ODOT to fully utilize alternative delivery methods; as well as expansion of ODOT’s Emerging Small Business program by increasing the cap on projects from \$100,000 to \$250,000, and exempting those projects from formal competitive procurements processes.

Highway Safety

The measure promotes highway safety by enhancing enforcement of traction tires and chain laws. The measure bifurcates the existing the violation of Failure to Carry or Use Traction Tires or Chains into two violations, and doubles the presumptive fine for Failure to Use Traction Tires or Chains to \$880. Additionally, the measure provides limited delegation of speed setting authority to Clackamas and Multnomah counties, and cities.

Transportation Electrification

The measure allows electric companies to recover the costs of transportation electrification infrastructure measures from consumers, upon approval by the Public Utility Commission (the same provisions included in House Bill 2165). Additionally, the measure allows natural gas utilities to undertake similar measures to support adoption of vehicles powered by renewable natural gas.

Clean Fuels Program Credits for Unused Transportation Tax Credits

House Bill 3056

Effective Date: September 25, 2021

The Oregon Department of Energy previously administered a transportation tax credit program, under which organizations could qualify by investing in alternative fuel infrastructure or fleets. This program sunset at the end of 2017, with unused credits remaining. Directly following the sunset of this program, the Oregon Clean Fuels Program was launched in 2017 and administered by the Oregon Department of Environmental Quality (DEQ), to encourage the use of cleaner fuels.

House Bill 3056 directs DEQ to issue clean fuels program credits to a credit generator for any unused credit allowable under the previous transportation tax credit program. To qualify, a credit generator must be a public transit operator serving at least two counties, having been approved as a credit generator prior to January 1, 2020, and must request clean fuels credits prior to December 1, 2021. Credits awarded under this provision are limited to the purchase of electric buses and charging infrastructure.

Swiping a Driver License or Identification Card at Financial Institutions

House Bill 3080

Effective Date: January 1, 2022

House Bill 3080 allows Oregon driver licenses and identification cards to be swiped by financial institutions in order to retrieve basic information, such as name, date of birth, and address. Swiping a driver license or identification card at a financial institution is limited to the collection of information for the purpose of processing an application for a deposit account or loan.

Contract Price Exemption from Competitive Bidding

House Bill 3082

Effective Date: September 25, 2021

House Bill 3082 raises the price at which public improvement contracts are exempt from competitive bidding requirements from \$5,000 to \$10,000. Oregon Public Contracting Code requires competitive bidding for all public improvement contracts and provides exceptions to this requirement, such as a qualified nonprofit agency providing employment opportunities for individuals with disabilities, or a contract to repair, maintain, improve, or protect property for the Department of Veterans' Affairs. This measure raises the price at which public improvement contract solicitations are exempt from the competitive bidding requirements. The measure also authorizes the Attorney General, DAS, and ODOT to adopt rules before the operative date in order to carry out the provisions of this bill.

Reasonable Local Time, Plan, and Manner Restrictions

House Bill 3115

Effective Date: Upon Passage

Operative Date: July 1, 2023

House Bill 3115 establishes that by July 1, 2023, local laws regulating the acts of sitting, lying, sleeping, or keeping warm and dry in outdoor public spaces must be reasonable as to the time, place, and manner with regard to persons experiencing homelessness. The measure also establishes an affirmative defense that the law is not objectively reasonable for persons who are charged with violating a local law, and allows a person experiencing homelessness to bring forward a suit to challenge the objective reasonableness of a local law.

Written Notice Prior to the Removal of Homeless Individuals from Camping Sites

House Bill 3124

Effective Date: Upon Passage

House Bill 3124 lengthens the amount of time that a notice must be posted prior to removing homeless individuals from established camping sites from 24 hours to 72 hours. The measure establishes that unclaimed personal property must be given to a law enforcement official, a local agency that delivers social services to homeless individuals, an outreach worker, a local agency official, or a person authorized to issue a citation under the statutes. For personal property removed from camping sites in Multnomah County, the measure specifies that the property must be stored in a facility located within six blocks of a public transit station. For all other communities, the property must be stored within the community from which it was removed.

Emergency Contact Information on Driver Records

House Bill 3125

Effective Date: January 1, 2022

House Bill 3125 allows individuals to maintain on their driver record emergency contact information that is available to police officers in the event that a person is killed, seriously injured, or rendered unconscious. Under the measure, an individual may provide contact information for up to two people that are 18 years of age or older; and in the case of a minor, at least one emergency contact must be a parent or legal guardian. Additionally, the measure requires ODOT to conduct an outreach program to inform the public about this program, and must do so using a variety of media sources, and in languages other than English.

Driving Under the Influence of Psilocybin

House Bill 3140

Effective Date: Upon Passage

House Bill 3140 provides that a person driving a vehicle while under the influence of psilocybin has committed the crime of Driving Under the Influence of Intoxicants (DUII). The measure updates the statutes referencing DUII or intoxicants within the vehicle code to include psilocybin.

Protection of Personal Health Data

House Bill 3284

Effective Date: Upon Passage

House Bill 3284 prohibits an organization that collects, uses, or discloses personal health data from collecting, using, or disclosing a person's data related to exposure, infection, or other

information related to COVID-19, without the individual's affirmative express consent. The measure requires these organizations to destroy, delete, or render inaccessible any personal health data collected by the organization within thirty days of the expiration of the emergency period, or 65 days after it is collected, received, or obtained. The measure also requires these organizations to report to the Oregon Health Authority every sixty days until the end of the emergency on specific aspects of the data being collected.

ODOT Report on Blueprint for Urban Design

House Bill 3304

Effective Date: September 25, 2021

House Bill 3304 requires ODOT to provide a progress report to the legislature on the implementation and utilization of recommendations published in the January 2020 ODOT *Blueprint for Urban Design*. ODOT is also to solicit feedback from cities, counties, and community planning organizations impacted by state highway projects where the state highway also serves as the rural community's main street, and that utilized the Blueprint for Urban Design. The report is due to the Joint Committee on Transportation no later than September 15, 2022.

Senate Measures

Common Law Employees Qualify for PERS

Senate Bill 112

Effective Date: On Passage

Senate Bill 112 amends the definition of “employee” and “eligible employee” for the purposes of PERS membership, in order to include persons who perform services for a participating employer, including persons considered employees under federal common law rules. In a 2019 decision, the Oregon Supreme Court interpreted current law to exclude from PERS membership a person who works for a PERS employer but is paid by a third party. The decision reversed a longstanding PERS practice to treat common law employees, who work under the direction and control of a PERS employer but who may or may not be on that employer’s payroll, as employees for the purpose of PERS membership and benefits. This measure aligns the definitions of “employee” and “eligible employee” with the definition of “employee” under the Federal Insurance Contribution Act for the purposes of PERS eligibility.

Address Confidentiality by Assistant Attorneys General

Senate Bill 175

Effective Date: January 1, 2022

Senate Bill 175 allows Assistant Attorneys General, whose duties include representing the Department of Human Services in child welfare matters, to use their employer address on any driver or vehicle record kept by ODOT in lieu of their residence address. This provision of statute ensures certain public employees’ private addresses are kept confidential during any public records requests processes.

Driving Under the Influence of Intoxicants

Senate Bill 201

Effective Date: Upon Passage

Senate Bill 201 clarifies that a person has committed DUII if the person is found to have a .08 or higher percent blood alcohol level within two hours of driving. The measure also clarifies when previous DUII convictions in other states can be used to enhance charges related to DUII and vehicle-related offenses in Oregon.

Environmental Equity on Public Lands

Senate Bill 289

Effective Date: January 1, 2022

Senate Bill 289 limits a person's access to areas under OPRD's jurisdiction for a period of at least six months and not more than five years if the person is convicted of a first or second degree bias crime, as defined by ORS 166.155 and 166.165, and the incident was committed while on Oregon waters or publicly owned land used for outdoor recreation. The measure makes an exception for entry onto State Capitol Park land, as well as public land if done so pursuant to community service requirements under this measure.

State Board of Towing

Senate Bill 300

Effective Date: Upon passage

Operative Date: January 1, 2022

Senate Bill 300 establishes the State Board of Towing within ODOT, and provides the Board certain regulatory powers over towing businesses in Oregon. The Board consists of nine members appointed by the Governor, representing towing companies from large and small cities; companies that specialize in towing small and large vehicles; the insurance industry; Oregon State Police (OSP); chiefs of police; and consumer advocates.

The measure allows the Board to deny, suspend, revoke, or refuse to renew a towing business certificate, or a letter of appointment to participate on OSP's rotational towing list, for certain violations. Additionally, the measure allows the Board to establish a schedule of civil penalties through administrative rule, and impose those penalties for certain violations.

Renewable Hydrogen Study

Senate Bill 333

Effective Date: September 25, 2021

Senate Bill 333 directs the Oregon Department of Energy to study the benefits and barriers to renewable hydrogen production and use in Oregon. The measure stipulates that the study must include the identification of current volume of use, potential applications, the potential for coupling renewable electricity generation and renewable hydrogen production, and the identification of barriers. A report on the study must be submitted to the interim legislative committees on revenue by September 15, 2022.

Employer Retaliation

Senate Bill 483

Effective Date: Upon passage

Senate Bill 483 creates a rebuttable presumption that retaliation or discrimination has occurred if the employer bars or discharges an employee or otherwise discriminates against that person within 60 days of the employee engaging in protected activities. The measure sets a standard for the employer to rebut the presumption that retaliation has occurred at a preponderance of the evidence, changing the current law that places the burden on the employee to prove the employer's action was retaliatory.

Determination of Prevailing Wage Rate

Senate Bill 493

Effective Date: September 25, 2021

Operative Date: January 1, 2022

Senate Bill 493 establishes that the prevailing wage rate for a trade or occupation is the wage established in a collective bargaining agreement (CBA) for that locality. The measure clarifies that if there is more than one (CBA) in a locality, then the highest rate among the CBAs is used. The measure establishes that the prevailing wage rate will be established using an independent wage survey if a CBA does not exist for a given trade or occupation in a locality. The measure applies to all public works contracts advertised and entered into on or after January 1, 2022.

Mailing to Post Office Boxes

Senate Bill 636

Effective Date: January 1, 2022

Senate Bill 636 requires state agencies to mail statutorily required notices to a post office box if the agency has a post office box on file, if that address is the individual's last known address, or the address is that which the individual has requested in writing that notices be sent. Additionally, the measure allows individual divisions within ODOT to maintain separate mailing lists, each independently subject to the measure.

Reducing Thefts of Catalytic Converters

Senate Bill 803

Effective Date: January 1, 2022

Senate Bill 803 establishes catalytic converters as a "major component part" in statute, requiring vehicle dismantlers to keep records, which must be made available to ODOT-DMV regulators upon request. Additionally, the measure makes other changes to attempt to reduce instances of catalytic converter thefts, including:

- Prohibiting scrap metal businesses from purchasing or receiving catalytic converters except from commercial seller, or from the owner of the vehicle from which the catalytic converter was removed;
- Prohibiting scrap metal businesses from paying for catalytic converters with cash or cryptocurrency;
- Prohibiting dismantlers from acquiring catalytic converters that have been removed from a vehicle and offered for sale as an independent item; and
- Requires scrap metal businesses to maintain transaction records that include specific information of the catalytic converter.

Environmental Justice Framework

Senate Concurrent Resolution 17
 Effective Date: June 15, 2021

Senate Concurrent Resolution 17 declares the intent of the Legislature to apply to all state agencies the duties listed in ORS 182.545 and that it is the responsibility of all state agencies to provide greater public participation to ensure individuals affected by natural resource decisions have a voice in those decisions. The measure also resolves that all state agencies are responsible for recognizing and responding to environmental justice and environmental concerns.

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 2021 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 4 – Trooper Burrell Milo Baucom
- HCR 7 – Lieutenant Harold R. Berg
- HCR 20 – Trooper Dale Benjamin “Bennie” Courtney

The 2021 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 12 – Specialist Four Larry Gilbert Dahl
- SCR 15 – Lance Corporal Jack-Ryan Ostrovsky

Reports to the Legislative Assembly

Some legislation enacted by the 2021 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.

Preferences in Public Contracting (HB 2374)

House Bill 2374 requires agencies that award certain public contracts to report to DAS on:

- How many procurements the agency solicited during the period described in the measure;
- The general nature of each procurement, including an estimate of contract price;
- Which contract preferences set forth in statute or administrative rule, the agency applied;
- Why the agency applied, or did not apply, any applicable discretionary preference; and
- Provide any other information DAS may require.

Equitable Income-Based Toll Rates (HB 3055)

House Bill 3055 requires ODOT to implement a method for establishing equitable income-based toll rates prior to assessing a toll and prepare and submit a report on the method it developed to the Joint Committee on Transportation and the Oregon Transportation Commission at least 90 days before the Oregon Transportation Commission seeks approval from the Federal Highway Administration to use the income-based toll rates. This report must be submitted no later than September 15, 2022.

Blueprint on Urban Design (HB 3304)

House Bill 3304 directs ODOT to prepare and submit a progress report on the implementation and utilization of the recommendations identified in the “Blueprint for Urban Design,” a report prepared by ODOT and dated January, 2020. In preparing the progress report, ODOT must solicit feedback from cities, counties, and community planning organizations that have been impacted by a state highway project that has used the Blueprint for Urban Design, and how that project impacted rural downtown districts where the state highway also serves as the rural community’s main street. This report is due to the Joint Committee on Transportation no later than September 15, 2022.

Budget & Bonding

Bond Authorization

House Bill 5505

Effective Date: Upon Passage

House Bill 5505 is the general bond authorization bill for state agencies, and establishes limits for the authorization of general obligation bonds, revenue bonds, and certificates of participation. ODOT received authorization to issue up to \$880,000,000 in Highway User Tax revenue bonds.

Capital Construction

House Bill 5506

Effective Date: Upon Passage

House Bill 5506 provides expenditure limitation for ODOT’s capital construction projects during the 2021-23 biennium. ODOT received:

- \$12,000,000 in expenditure limitation for the Meacham Maintenance Station;
- \$16,200,000 for the South Coast Maintenance Station; and
- \$3,800,000 for HVAC upgrades to ODOT facilities.

Lottery Bond Authorization

House Bill 5534

Effective Date: Upon Passage

House Bill 5534 is the lottery bond authorization bill for state agencies. ODOT received authorization for the issuance of:

- \$4 million in lottery bonds for distribution to the City of Sherwood for a pedestrian connection at or near the intersection of State Highway 99W and Sunset Boulevard;
- \$2.1 million in lottery bonds for distribution to the Tualatin Hills Parks and Recreation District for improvements to the Fanno Creek Regional Trail.

Oregon Department of Transportation Budget

Senate Bill 5542

Effective Date: July 1, 2021

House Bill 5542 is the 2021-23 Legislatively Adopted Budget for the Oregon Department of Transportation. Budget highlights include:

- \$14.4 million in General Fund, and \$31.6 million in Other Funds to support wildfire cleanup efforts;
- A continuation of 84 limited duration positions (25.25 FTE & \$3,988,730), originally approved during 2019-21, at DMV to assist customers seeking Real ID-compliant credentials, and those newly eligible under HB 2015 (2019);
- Updated Key Performance Measures

The department's 2021-23 Legislatively Adopted Budget totals \$4.9 billion in total funds and 4,843 positions. The 2021-23 budget decreased 25.3% from the 2019-21 Legislatively Approved Budget.

Oregon Department of Transportation Fees

House Bill 5543

Effective Date: Upon Passage

House Bill 5543 ratifies ODOT fee changes adopted by rule, including:

- \$30 fee for the issuance, renewal, or replacement of a Real ID-compliant credential;
- \$250 Short Line Railroad Rehabilitation Preliminary Certification fee; and
- Short Line Rehabilitation Final Certification fee equal to 0.50% of estimated tax credit.

Budget Reconciliation

House Bill 5006

Effective Date: Upon Passage

House Bill 5006 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 5006:

- Increased ODOT’s Lottery Funds expenditure limitation by \$650,000 for healthcare-related veteran transit services;
- Allocated \$2,000,000 in General Funds for graffiti and litter removal along state highways and interstates in Region 1;
- Allocated \$1,250,000 in General Funds for cultural resources assessments in advance of wildfire-related debris and recovery actions;
- Increased ODOT’s Other Funds expenditure limitation by \$298,451 for expenses related to establishing the State Board of Towing under SB 300; and
- Increased ODOT’s expenditure limitation under the American Rescue Plan Act Coronavirus State Fiscal Recovery Fund by:
 - \$5,000,000 for replacement of the Hood River-White Salmon Interstate Bridge Replacement;
 - \$3,349,960 for rehabilitation of the Lake County Railroad;
 - \$4,000,000 for the Sunrise Gateway Corridor planning;
 - \$80,000,000 for safety improvements to Oregon 213/82nd Avenue; and
 - \$32,000,000 for the Newberg-Dundee Bypass, Phase II.

Legislation Considered (Not Passed)

Photo Radar in the City of Unity (HB 2019)

House Bill 2019 added the City of Unity to the list of approved jurisdictions who may, at their own cost, operate photo radar. The measure specified that the photo radar be allowed on the portion of U.S. Highway 26 within the City of Unity.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

Repeal of Sunset on Aviation and Jet Fuel Tax Increase (HB 2034)

House Bill 2075 (2015) increased aviation and jet fuel taxes by two cents in 2015, to 11 and three cents respectively. These tax increases are scheduled to automatically sunset on January 1, 2022. House Bill 2034 removes the sunset, continuing these tax increases in perpetuity.

HB 2034 remained in the Joint Committee on Transportation upon adjournment.

Plug-In Hybrid Electric Vehicle Definition (HB 2181)

House Bill 2181 modified the definition of a “plug-in hybrid electric vehicle” for the purposes of zero-emission and electric vehicle rebates. The measure also adjusted the rebate amount for a plug-in hybrid electric vehicle, added a separate rebate amount for a light-duty zero-emission vehicle, and changed the amount required to be deposited in the Zero-Emission Incentive Fund each biennium.

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

Outreach Program for Electric and Zero-Emission Vehicle Rebate Program (HB 2182)

House Bill 2182 directed the administrator of the electric and zero-emission vehicle rebate program to conduct outreach efforts to help people identify rebates, for engineering and design for developing charging infrastructure, to help dealers promote the debate, and to low- and moderate-income households on the availability of rebates.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

Electric Bus Loans (HB 2184)

House Bill 2184 directed the Department of Environmental Quality to provide interest-free loans to school districts, mass transit districts, and transportation districts for the purchase of electric buses and related charging infrastructure.

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

Studying Electric Vehicles and Road Usage Charging (HB 2191)

House Bill 2191 directed the Department of Transportation to conduct a study of electric vehicles and the per-mile road usage charge under ORS 319.885 (OReGO). The measure required ODOT to report the findings of its study to interim committees of the Legislative Assembly related to transportation, no later than September 15, 2022.

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

Public Records Request Fees (HB 2224)

House Bill 2224 limited the amount a public body can charge for public employee time spent responding to public records requests to no greater than \$25 per hour. The measure also prohibited district attorneys from reviewing the petitions of persons seeking public records of the county or other public body if that public body provides financial support to the district or attorney or their office. Finally, the measure authorized a person seeking disclosure of public records to request binding arbitration in lieu of instituting proceedings for injunctive or declaratory relief in court.

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

Emergency Response Workforce Levels (HB 2235)

House Bill 2235 directed the Office of Emergency Management (OEM) to study and make recommendations on the emergency workforce needs in the event of a major emergency in a written report to the legislature by December, 2021. The measure also required OEM to submit a second report by September, 2022 on strategies to meet the work force levels outlined in the first report.

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

Cigarette Tax Increase (HB 2274)

House Bill 2274 increased the rate of the taxation on cigarettes and distributes the tax revenues to the Oregon Health Authority for preventive services and innovative, nontraditional health services, including mental health services and the treatment for substance use disorders, through coordinated care organizations.

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

Mandatory Road Usage Charging (HB 2342)

House Bill 2342 required model year 2027 or later vehicles, with a mileage rating of 30 miles per gallon or greater, to participate in ODOT's road usage charge program (OReGO), beginning July 1, 2026. Participating vehicles were exempt from paying MPG-based enhanced registration fees under ORS 803.422. The measure allowed owners of subject vehicles to opt-out of the program until July 1, 2029 by paying an annual opt-out fee. Additionally, the measure required ODOT to report to the Road User Fee Task Force on issues related to equity and the environment. The measure eliminated MPG-based title fees established by HB 2017 (2017), and replaced them with a single title fee of \$110, in addition to DMV's salvage title fee.

The measure remained in the Joint Committee on Ways and Means upon adjournment.

Racial Equity of Administrative Rules (HB 2353)

House Bill 2353 required that agencies, during rulemaking processes, complete statements on how adoption of the rule will affect racial equity. HB 2993 contained similar provisions and was passed.

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

Oregon Right to Rest Act (HB 2367)

House Bill 2367 established the Oregon Right to Rest Act. The measure declared that persons experiencing homelessness in Oregon have certain rights and created an affirmative defense to a civil or criminal charge related to the use of public spaces when a person was exercising the rights established in the measure. The measure outlined the complaint process and provided that damages could be awarded.

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

Non-pneumatic Spare Tires (HB 2382)

House Bill 2382 created an exemption from ORS 815.170, operation without pneumatic tires, by adding that ORS 815.170 does not apply to vehicles equipped with the original manufacturer’s non-pneumatic spare tires that are maintained in a safe operating condition.

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

Deaf and Hard of Hearing Indicators (HB 2404)

House Bill 2404 required ODOT-DMV to allow an individual to indicate on their vehicle registration, driver license, or identification card, that they are deaf or hard of hearing. This deaf or hard of hearing indicator would be provided to law enforcement via ODOT-DMV’s Law Enforcement Data Systems connection; as well as on the physical vehicle registration card, driver license, or identification card. Providing this information to law enforcement was intended to help facilitate communication, and prevent any misunderstanding. A similar measure, HB 2498, was signed by the Governor on May 6, 2021.

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

Transportation Electrification Cost Recovery (HB 2476)

House Bill 2476 authorized the PUC to allow the electric companies to recover the costs from retail customers for prudent infrastructure measures that support transportation electrification as long as certain criteria are met.

The measure had one public hearing and remained in the House Committee on Energy and Environment upon adjournment. The language in this measure was included in HB 2165.

Transit Right to Rest (HB 2482)

House Bill 2482 provided that a person who intentionally or knowingly enters or remains unlawfully in or on a public transit vehicle or station cannot be charged with the crime of interfering with public transportation. The measure also allowed a person to provide a peace officer with a “preferred name” if the officer can ascertain the person’s identity using an identification document or other information provided by the person. In addition, the measure prohibited a peace officer from conducting activities intended to determine whether a person has paid user charges, fees, or tolls imposed by a mass transit district.

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

Fee Reductions of Public Records Requests (HB 2485)

House Bill 2485 required state agencies to reduce public records request fees by 50 percent if the request is in the public interest, and to completely waive the fee if the request is in the public interest and narrowly tailored. The measure included any request made by a representative of the news media as being in the public interest.

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

News Media Access to Scenes of Emergencies (HB 2486)

House Bill 2486 required any official of a public body to grant credentialed or documented representatives of news media organizations access to scenes of wildfires or natural disasters that are otherwise closed to the public. The measure specified that access could only be denied by an onsite scene commander or public safety agency-designated public information officer. The measure granted the onsite scene commander or public safety agency-designated public information officer to grant access without an escort, so long as the news media representative agreed that entry was at their own risk and without promise of a rescue. The measure also required the Oregon State Policy to convene a committee to develop guidelines for implementing the new procedures.

The measure received one public hearing and remained in the House Committee on Rules upon adjournment. This topic is slated to be addressed by an interim work group.

Climate Justice and Community Involvement through Land Use Planning (HB 2488)

House Bill 2488 required the Land Conversation and Development Commission to amend the statewide land use planning goal relating to citizen involvement to ensure that disadvantaged groups have the opportunity to participate in the process and are engaged on topics of climate justice, environmental justice, and equity in land use planning. The measure also directed the Commission to include within statewide land use planning goals a directive for local governments to take similar actions regarding citizen involvement.

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

Expansion of Automatic Voter Registration (HB 2499)

House Bill 2499 expanded Oregon's automatic voter registration process to the Oregon Health Authority (OHA) and those that participate in the Oregon Health Plan. The measure directed the Oregon Secretary of State to develop a schedule by which information will be provided, and

authorizes the Secretary to obtain an electronic signature from the Oregon Department of Transportation if one is not available through OHA. Additionally, the measure authorized the Governor to designate any state agency an ‘automatic voter registration agency’, if the agency collects the legal name, age, residence, and citizenship information of individuals during its normal course of business.

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

Organ Donor Registry and Public Awareness Fund (HB 2506)

House Bill 2506 directed the Oregon Department of Transportation to accept donations of three dollars or more for the Organ Donor Registry and Public Awareness Fund. These proceeds would be transferred to the ‘organ procurement organization’ established ORS 97.953, and would be used to conduct statewide outreach and public education related to anatomical gifts. The measure required ODOT to notify individuals of the option to donate whenever a person:

- Applied for a driver permit, driver license, or identification card;
- Renews a driver permit, driver license, or identification card; or
- Registers or renews a vehicle registration.

The measure passed out of the House Committee on Health Care without recommendation and was referred to the Joint Committee on Transportation where it remained upon adjournment.

Jurisdictional Transfer of Hall Boulevard (HB 2515)

House Bill 2515 directed ODOT to transfer Hall Boulevard, State Highway 141, to the City of Tigard. The measure did not outline the terms of the transfer or provide a funding mechanism.

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

Hydrogen Fuel Cell Vehicle Price for Zero-Emission Vehicle Rebate (HB 2529)

House Bill 2529 modified the maximum suggested retail price for qualifying vehicles powered by hydrogen fuel cells for the purposes of the zero-emission vehicle rebate program. The change would have applied to vehicles purchased on or after the effective date of the measure.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

Funding for Wildlife Corridor Road Crossings (HB 2548)

House Bill 2548 required the Legislative Policy and Research Office to study issues relating to funding wildfire corridor road crossings, as a supplement to the Wildlife Corridor Action Plan described in House Bill 2834 (2019). The measure specified the items that the study must explore, and required ODOT, the Oregon Department of Fish and Wildlife, and the Department of Consumer and Business Services, to support the research effort. The study was to be presented to an appropriate legislative committee by September 15, 2022.

The measure received one public hearing and a work session, and remained in the House Committee on Agriculture and Natural Resources upon adjournment. This topic is slated to be addressed by an interim work group.

Residential Development near Fixed Guideway Corridors (HB 2558)

House Bill 2558 required local governments to allow certain residential development within one-eighth mile of fixed guideway corridor stops. These residential developments included multifamily buildings of no less than three floors and no fewer than 45 units per acre.

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

Prohibiting Tolling on Interstate 205 (HB 2629)

House Bill 2629 prohibited the Oregon Transportation Commission from establishing any toll on Interstate 205, unless the toll was used to pay for the construction of additional travel lanes.

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

Public Meetings Law Compliance (HB 2659)

House Bill 2659 expanded the duties of the Oregon Government Ethics Commission to conduct investigations, make findings, and impose penalties for violations of the public meetings law. The measure also authorized any person to file a complaint with the Commission alleging that meetings of a governing body were not in compliance with the public meetings law.

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

Apprenticeship Programs in Rural Areas (HB 2669)

House Bill 2669 appropriated \$10 million to the Bureau of Labor and Industries for distribution to its Apprenticeship Training Division for the purpose of promoting registered apprenticeship programs in rural areas of Oregon with above-average concentrations of high unemployment, high rent burden or lack of affordable housing, or that are prone to wildfires.

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

Clean Diesel (HB 2674)

Originally a placeholder measure, a (-1) amendment was proposed for HB 2674, bringing forward a suite of proposals from the Supporting Businesses in Reducing Diesel Emissions Task Force. These proposals included:

- Establishing an excise tax of 3% on the retail sales of tires;
- Establishing a privilege tax of 1.5% for engaging in the business of providing nonroad diesel equipment;
- Establishing a use tax of 1.5% on the storage, use, or other consumption of nonroad diesel equipment purchased at retail;
- Establishing a 3.5% tax on nonroad diesel rental equipment, and a 2% tax on all other qualified heavy rental equipment;
- Expanding the existing privilege and use taxes to include heavy-duty on-road vehicles; and
- Establishing a Dyed Diesel program in Oregon.

The measure directed a number of these revenue sources to the Clean Diesel Engine Fund to be used for grants and loans to replace old non-road diesel equipment, or repower/retrofit equipment to meet modern emission standards.

The measure did not receive a hearing and remained in the House Committee on Energy and Environment upon adjournment.

Environmental Product Cost and Declaration (HB 2688)

House Bill 2688 required ODOT to establish a pilot program for assessing how products that the department or a contractor procures for a public improvement contract affect levels of carbon dioxide in the atmosphere. The measure established the criteria to be included in the pilot program and phased in the products included starting with concrete and then adding in asphalt and steel. The measure required the program to be fully implemented and no longer a pilot program by January 1, 2025.

The measure did not receive a public hearing and remained in the House Committee on Energy and Environment upon adjournment. This topic is slated to be addressed by an interim work group.

Passenger Vehicle Registration Fees (HB 2690)

House Bill 2690 transitioned base registration fees under ORS 803.420, from a flat fee of \$43 per year, to a formula-based fee, contingent on a vehicle's age, weight, list price, and MPG rating. The measure changed the distribution of both base and enhanced registration fees, allocating 60% of these registration revenues to ODOT (whereas current statute allocates 50% of these revenue sources to ODOT).

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

LGBT-Owned Businesses in Business Equity Programs (HB 2694)

House Bill 2694 allowed businesses owned by individuals who are lesbian, gay, bisexual, or transgender to certify their business for public contracting opportunities. The measure also allowed the Business Development Department to adopt rules that set standards for certifying these businesses, specifying that the Department may accept certification from the National LGBT Chamber of Commerce as evidence that the applicant for certifications has met certain standards.

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

Jurisdictional Transfer Study (HB 2744)

House Bill 2744 directed ODOT to conduct an evaluation of highways that are suitable candidates for jurisdictional transfer. The measure directed ODOT to identify and prioritize these corridors, and required ODOT to report back to the Joint Committee on Transportation by September 15, 2022. The measure required the analysis to examine candidates in five named regions and specified that ODOT collaborate with counties and cities. The measure required ODOT use the November 2020 Metro Regional Framework on Highway Jurisdictional Transfer Study as part of the study. House Bill 2744 stipulated that ODOT will study the cost estimates for improving standards prior to transfer, and identify resources to pay for those costs. Further, the measure established the Oregon Highway Jurisdictional Transfer Fund within the State Highway Fund

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

Demographic Information on Voter Registration Cards (HB 2745)

House Bill 2745 required any form containing a voter registration card to include a space where an individual may indicate their race, ethnicity, and preferred language. Additionally, the measure required this information be captured in the Secretary of State's electronic voter registration system. Amendments to the measure were proposed:

- Exempting any voter registration cards used at the ODOT;
- Prohibiting disclosure of a person's demographic information unless under certain circumstances; and
- Prohibiting the sale of demographic information requested under the measure.

The measure received two public hearings and remained in the House Committee on Rules upon adjournment.

Apprentice Utilization in Public Improvement Contracts (HB 2756)

House Bill 2756 lowered the estimated contract price at which apprentice utilization requirements apply to public improvement contracts from \$1 million to \$200,000, and raised the percentage of apprentice work hours from 12 percent to 15 percent. The measure also required subcontractors bidding on public improvement contracts of \$200,000 or more to encourage minorities, women, economically and socially disadvantaged individuals, and service-disabled veterans to become apprentices. Senate Bill 576 was this measure's companion bill in the Senate.

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

Public Improvement Contractor Health Benefits (HB 2757)

House Bill 2757 required bidders for public improvement contracts to demonstrate that they provide a health benefit plan or health insurance and retirement benefit plan to their employees, if the public improvement contract or subcontract has a price exceeding \$200,000.

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

Task Force on Use of Surplus Public Lands for Housing (HB 2766)

House Bill 2766 established the 14 member Task Force on Use of Surplus Public Lands for

Housing. Members included one Senator, one Representative, representatives from: the Department of Land Conservation and Development (DLCD), the Department of Administrative Services, the Construction Contractors Board, ODOT, the Department of State Lands (DSL), and OPRD. The Director of Housing and Community Services Department was also tasked with appointing three members representing housing, and the Governor was tasked with appointment a county, city, and tribal representative. The task force was to study the sale and use of surplus public lands to address housing shortages throughout the state. A report from the task force was due to the legislature by December 31, 2021.

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

Privilege Tax Rate Increase (HB 2783)

House Bill 2783 increased the vehicle dealer privilege tax by 0.5 percent on vehicles registered within the boundaries of a metropolitan service district under ORS chapter 268. The measure dedicated the revenue attributable to the increase to the Oregon Department of Environmental Quality's zero-emission and electric vehicle rebate program established by HB 2017 (2017). This additional revenue would have increased rebates under this program by \$2,500 per vehicle.

Additionally, the measure required electric companies to invest no less than one half of one percent of total rates collected within metropolitan service districts, on programs to support the acceleration of transportation electrification; and allowed electric companies to recover the costs of these investments from electricity consumers.

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

Department of Justice Charging State Agencies (HB 2788)

House Bill 2788 prohibited the Department of Justice (DOJ) from charging officers and agencies of state government for any assistance rendered or from entering into or renewing a collective bargaining agreement that permits job classification or performance evaluations of attorneys employed by DOJ based on the hours billed by the attorney. The measure also directed DOJ to pay the costs of assistance rendered to officers and agencies of state government using funds appropriated to DOJ, and allowed DOJ to charge a public body other than state government for assistance rendered.

The measure received two public hearings and remained in the Joint Committee on Ways and Means upon adjournment.

Indirect Air Source Contamination Study (HB 2814)

House Bill 2814 directed the Department of Environmental Quality to study program and policy approaches to reducing diesel engine emissions attributable to indirect sources of air contamination. The study was to look at different types of indirect sources of air contamination including those on construction sites or projects, at freight distribution centers, and at port facilities. The measure required a report back to the legislature by September 15, 2022.

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

Study of Studded Tires (HB 2829)

House Bill 2829 directed ODOT to conduct a review of studded tires used on vehicles and report on the findings. The report was required to include information about safety, trends over time, other pertinent information, and recommendations to reduce road damage caused by studded tires. The report was due to the Joint Committee on Transportation by September 15, 2022.

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

Public Improvement Contractor Compensation Ratios (HB 2886)

House Bill 2886 provided that a contracting agency may not accept a bid or proposal for a public contract from a contractor whose ratio between the highest paid and lowest paid employees exceeds 100 to 1.

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

Special Bridge District (HB 2887)

House Bill 2766 granted the authority for a special bridge district within the capital city region consisting of Benton, Marion, Polk, and Yamhill counties to be established. The measure granted that if a bridge district was formed within these boundaries, it would have the purpose of planning, financing, constructing, operating and maintaining bridges over the Willamette River in the capital city region. The measure also outlined provisions relating to structure, authority, and taxation. The measure would repeal this authority unless a bridge district was formed prior to January 2, 2026.

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

Mandatory Emergency Response Training (HB 2897)

House Bill 2897 required all elected officials in Oregon, all administrative heads of state agencies, and all persons in management service to complete introductory courses offered or approved by the Federal Emergency Management Agency on incident command and the National Incident Management System.

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

Veteran Apprenticeship Program (HB 2900)

House Bill 2900 appropriated \$250,000 from the General Fund to the Bureau of Labor and Industries for the purpose of creating a program to inform veterans about trade careers and to connect veterans with apprenticeship opportunities.

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

Veterans' Preference in Public Employment (HB 2903)

House Bill 2903 provided that a veteran must provide evidence of eligibility for veterans' preference in public employment at the time of application for a civil service position. The measure also required a public employer who does not interview a veteran to provide the veteran with a written explanation of the reasons the interview was not granted.

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

Selection Criteria of Transportation Projects (HB 2917)

House Bill 2917 modified the selection criteria for projects included within the Statement Transportation Improvement Program to include whether the project may result in a negatively impacting an underserved community. The measure also added this selection criteria to projects funded with Connect Oregon moneys.

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

Transportation Network Companies (HB 2957)

House Bill 2957 directed the Oregon Department of Transportation to adopt rules to regulate the operation of transportation network companies. The measure required ODOT to report on or

before September 15, 2022 to the appropriate legislative committee regarding ODOT's rulemaking efforts, and other identified issues.

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

Unlawful Employment Practices (HB 2974)

House Bill 2974 provided that conditioning employment on refraining from using any substance that is legal to use in Oregon is an unlawful employment practice.

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

Racial and Ethnic Impact Statements for Legislation (HB 2991)

House Bill 2991 required the Director of the Legislative Policy and Research Office, or the chief sponsor of a bill or proposed constitutional amendment, to prepare a racial and ethnic impact statement if requested by a member or committee of the Legislative Assembly. The measure also prohibited the Senate, House, or joint committee from moving a bill or proposed constitutional amendment to the floor of either chamber unless a racial and ethnic impact statement has been prepared by the director or by the chief sponsor.

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

Task Force on Personal Delivery Devices (HB 3015)

House Bill 3015 established the Task Force on Personal Delivery Devices. The task force was to be staffed by ODOT, and consisted of 13 appointed members representing different interests. The task force was charged with developing recommendations for legislation to be introduced during the 2023 legislative session. The proposed legislation was to include guidelines and address specific areas of locations, safety, operations, insurance, licensing, testing, inspections, and enforcement. The task force was also required to develop a statewide regulatory and registration system for the deployment and operation of personal delivery devices, and included items that the statewide system must consider and require. A report was due to a transportation related committee on the legislature by September 15, 2022, and the task force was repealed on January 2, 2024.

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

Hood River-White Salmon Interstate Bridge (HB 3019)

House Bill 3019 established the Hood River-White Salmon Interstate Bridge Working Group. The group was to consist of members from the City of Bingen, City of White Salmon, and Klickitat County in Washington State, and the City of Hood River, Hood River County, and the Port of Hood River in Oregon. By September 15, 2021, the group was to detail findings and recommendations related to replacing the bridge and establishing a bi-state authority, and recommendations for legislative changes to the Joint Committee on Transportation.

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

COVID-19 Workers' Compensation (HB 3025)

House Bill 3025 added exposure to or infection by SARS-CoV-2 to the definition of occupational disease for the purposes of workers' compensation. Senate Bill 488 was this measure's companion bill in the Senate.

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

Report on Maximum Length Limits or Commercial Vehicles (HB 3048)

House Bill 3048 required ODOT to prepare a report on the maximum length limits of commercial vehicles, including any recommended legislative changes, to the interim committees of the Legislative Assembly related to transportation, on or before September 15, 2022.

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

Fees along County Right of Way (HB 3049)

House Bill 3049 allowed a county to charge a permit fee for constructing or altering a utility line, fixture, or facility within the right of way of a public road under the jurisdiction of the county. The measure also allowed public bodies to charge utilities for costs that incurred from the failure of a utility to relocate the utility facilities under certain circumstances.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

Vehicle Crash not Vehicle Accident (HB 3050)

House Bill 3050 replaced references to vehicle “accident” or “collision” with the word “crash” throughout the vehicle code and other statutes concerning vehicles.

The measure passed out of the House of Representatives, and remained in the Senate Committee on Rules upon adjournment. HB 3134 was introduced with identical language and remained in the House Committee on Judiciary upon adjournment.

Tolling Proposals (HB 3065)

House Bill 3065 proposed a variety of alternatives related to financing ODOT’s Comprehensive Congestion Management and Mobility Plan, some of which are included in HB 3055. A variety of amendments were proposed, which included provisions such as:

- Allowing the originally dedicated \$30 million for the I-5 Rose Quarter project, to be used on the I-205 Improvements project, the I-5 Boone Bridge and Seismic Improvement project, and the implementation of the toll program (this provision was ultimately included in HB 3055);
- Raising ODOT’s short-term borrowing authority from \$100 million to \$600 million (this provisions was ultimately included in HB 3055);
- Requiring ODOT to use variable rate tolls to manage congestion and support Oregon’s greenhouse gas emissions reduction goals;
- Requiring projects funded by toll revenues to fund efforts to reduce congestion, improve safety, and reduce the impacts of diversion; including multimodal investments on adjacent or connect highways;
- Requiring ODOT to conduct a study on equitable income-based toll rates, and report to the Legislative Assembly, prior to seeking approval from the Federal Highway Administration for the implementation of tolls; and
- Requiring the use of project labor agreements on projects funded by toll revenues.

The measure received three public hearings and remained in the Joint Committee on Transportation upon adjournment.

Seismic Standards for Public Works Contracts (HB 3083)

House Bill 3083 required specifications for public improvement or public works contracts to require adherence to current seismic safety standards and seismic rehabilitation standards for projects on public buildings or critical infrastructure that are located in an area of the state that is susceptible to seismic events. The measure required that the specifications be prepared in consultation with the Seismic Safety Policy Advisory Committee, the Department of Consumer and Business Services, and any local government within the jurisdiction of the project if the local government had seismic standards. The measure allowed for ODOT, the Attorney General, the

Oregon Department of Administrative Services, and other contracting agencies to adopt rules prior to the measure taking effect.

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

Variable Time-Of-Day Pilot Program (HB 3085)

House Bill 3085 required the Oregon Transportation Commission (OTC) to implement a variable time-of-day pilot program as part of the traffic congestion relief program established in statute. The pilot program aimed to rapidly implement variable time-of-day pricing on limited access highway on-ramps in the Portland metropolitan area. The measure specified that by January 1, 2022, the OTC would have received the necessary federal approvals, and by September 1, 2022, the OTC would begin assessing tolls on at least one limited access highway on-ramp in the Portland metropolitan area. By March 1, 2023, the measure required that the OTC begin assessing tolls on at least five more limited access highway on-ramps in the Portland metropolitan area. The measure outlined how the OTC was to establish the toll collection and penalty process. Finally, the measure required two reports to be submitted to the Joint Committee on Transportation, one by June 30, 2023, and one by June 30, 2025.

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

Temporary Sign Size on Private Property (HB 3097)

House Bill 3097 amended the maximum allowable size for a temporary sign on private property from 12 square feet to 32 square feet. Any temporary sign on private property over 32 square feet would still be required to receive a variance to display that sign.

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

Veterans Transportation Grant Program (HB 3099)

House Bill 3099 established the Veterans Transportation Grant Program within the Department of Veterans' Affairs for the Department to provide grants to public or private entities to provide transportation to veterans so that veterans may access essential services. HB 2139 contained similar provisions and was passed.

The measure did not receive a public hearing and remained in the House Committee on Veterans and Emergency Management upon adjournment.

Wildfire Recovery Funding (HB 3127)

House Bill 3127 appropriated moneys from the General fund and authorized payments from lottery bonds and the State Highway Fund to state agencies for distribution to cities, counties, fire districts, school districts, nonprofit organizations, private companies, and agencies for response related to the 2020 wildfires. Included were directives to ODOT for distribution of State Highway Funds to local governments for the repair and replacement of transportation infrastructure, General Funds to ODOT for the assessment of cultural resources, and General Funds for hazardous waste and structural debris cleanup costs.

The measure passed out of the House Special Committee on Wildfire Recovery and was referred to the Joint Committee on Ways and Means where it remained upon adjournment. Many components of the measure were included in other end-of-session measures.

DUII *per se* Intoxication Reduced from 0.08 Blood Alcohol Content to 0.05 (HB 3132)

Under current law, a person arrested for DUII, and given a breath or blood test, is legally (*per se*) impaired if their Blood Alcohol Content (BAC) is 0.08 or more. House Bill 3132 reduced that *per se* intoxication level to 0.05 BAC.

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

Any Intoxicating Substance, Driving Under the Influence of Intoxicants (HB 3133)

House Bill 3133 defined “intoxicant” for the purposes of the Oregon Vehicle Code. The measure expanded the offense of DUII to reflect the new definition of intoxicant and specified that the offense also applies to a combination of intoxicants.

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

Vehicle Crash not Vehicle Accident (HB 3134)

House Bill 3134 replaced references to vehicle “accident” or “collision” with the word “crash” throughout the vehicle code and other statutes concerning vehicles.

The measure received one public hearing and remained in the House Committee on Judiciary upon adjournment. HB 3050 was introduced with identical language and remained in the Senate Committee on Rules upon adjournment.

24/7 Sobriety Program (HB 3135)

House Bill 3135 required ODOT to establish a 24/7 sobriety program to encourage abstinence from alcohol and drug use. The measure required ODOT to adopt rules and establish user fees. A person would be required to participate in the program through sentencing. The participant would have paid user fees to offset the program costs. The measure also established the 24/7 Sobriety Program Fund in the State Treasury, separate and distinct from the General Fund.

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

Drug Recognition Evaluation (HB 3136)

House Bill 3136 required that a driver operating a vehicle on a highway or other public areas has given consent to submit to a drug recognition evaluation. The measure set standards for drug recognition evaluation tests and certifications through OSP rulemaking, and allowed the evidence of the refusal or failure to participate in the drug recognition evaluation to be used in a court case or administrative proceeding.

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

Interagency Agreements (HB 3157)

House Bill 3157 required a state agency that enters into an interagency agreement must evaluate the performance of the other party and report evaluation results to the Joint Legislative Audit Committee (JLAC) by December 31 of each year. The state agency must decide to continue, renew, or terminate the interagency agreement every six years. The measure also set a minimum evaluation criteria and allows JLAC to set additional criteria by rule.

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

Law Enforcement Staffing (HB 3192)

House Bill 3192 required a municipal law enforcement agency in a jurisdiction with a population of at least 350,000 to staff an enclosed patrol vehicle with a minimum of two law enforcement officers. The measure allowed for exceptions if extraordinary circumstances did prevented the agency from complying with the requirement.

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

Bioengineering to Protect Coastal Resources (HB 3286)

House Bill 3286 allowed ODOT, DLCD, and DSL to use bioengineering practices that incorporated natural materials for any projects undertaken for the mitigation, preservation, restoration, remediation, or stabilization of coastal resources.

The measure did not receive a public hearing and remained in the House Committee on Agriculture and Natural Resources upon adjournment.

Patrol Trooper Staffing Level (HB 3303)

House Bill 3303 required OSP to maintain a patrol trooper staffing level of at least 15 patrol troopers per 100,000 residents of Oregon, based on population figures from the most recent census.

The measure did not receive a public hearing, and remained in the House Committee on Judiciary upon adjournment. An identical measure, SB 490, remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment. Another identical measure, SB 211, remained in the Joint Committee on Ways and Means upon adjournment.

Prohibition on the Sale of Petroleum Diesel (HB 3305)

House Bill 3305 prohibited the sale or use of petroleum-based diesel fuel under certain circumstances. These provisions included:

- Prohibiting the sale of petroleum diesel in Clackamas, Multnomah, and Washington counties beginning January 1, 2024, and expanding to the rest of the state beginning January 1, 2028;
- Prohibiting the use of petroleum diesel on public improvement contracts in Clackamas, Multnomah, and Washington beginning January 1, 2023, and expanding to the rest of the state January 1, 2026; and
- Prohibiting a public body located in Clackamas, Multnomah, and Washington Counties from using petroleum diesel in its motor vehicles beginning January 1, 2023, and expanding to the rest of the state January 1, 2026.

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

Establishing the Oregon Vehicle Industry Board (HB 3324)

House Bill 3324 abolished the Oregon Dealer Advisory Committee, and replaced it with the Oregon Vehicle Industry Board; and transferred the duties, functions, and powers of ODOT related to the regulation of vehicle dealers and dismantlers to the Oregon Vehicle Industry Board.

The measure received a public hearing and remained in the Joint Committee on Transportation upon adjournment.

Prohibition on Blocking a Railroad-Highway Grade Crossing (HB 3339)

House Bill 3339 prohibited a person from willfully obstructing, blocking, interfering with, or preventing the use of a railroad-highway grade crossing, for longer than 10 consecutive minutes, unless exempted under certain circumstances. The measure directed ODOT to adopt administrative rules to establish a schedule of civil penalties for violation of this provisions, and the forms, processes, and procedures required to administer the measure.

The measure received a public hearing and remained in the Joint Committee on Transportation upon adjournment.

Photo Red Light Camera Review (HB 3357)

House Bill 3134 authorized duly authorized traffic enforcement agents of a law enforcement agency to review photo red light citations, in addition to the police officers who are currently required to review and sign these citations. A proposed -2 amendment would have authorized a duly authorized traffic enforcement agent of a public body to review these citations, in addition to a police officer.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

Short Line Railroad Resiliency Program (HB 3392)

House Bill 3392 created the Short Line Resiliency Program within the Oregon Business Development Department to provide grants for short line railroad infrastructure projects. The measure established the Short Line Railroad Fund, and authorized the issuance of \$5 million in lottery bonds to be used to make grants to short line railroad infrastructure projects.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

State Agency Contracts or Agreements with Counties (HB 3402)

House Bill 3402 specified the conditions around how a state agency may enter into a contract or agreement with a county and what provisions may be contained in a contract or agreement with a county. The measure applied to contracts or agreements entered into between a state agency and a county on or after the operative date.

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

COVID-19 Payments to Workers (HB 3409)

House Bill 3409 required the Department of Consumer and Business Services to develop and implement programs to make one-time payments directly to certain workers as incentive payments to return to work or as worker retention payments for workers who were frontline essential workers during the first year of the COVID-19 pandemic.

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

Occupational Licensing in Eastern Oregon (SB 17)

Senate Bill 17 allowed an out-of-state applicant seeking an occupational license in Oregon more time to meet Oregon's standards if the applicant was already licensed in another state and was seeking to work in the Eastern Oregon Border Economic Development Region.

The measure received one public hearing and remained in the Senate Committee on Labor and Business upon adjournment.

Definition of Class IV All-Terrain Vehicle (SB 107)

Senate Bill 107 modified the definition of a Class IV all-terrain vehicle by removing the reference to tire size, and adding reference to standard engine size. The measure also deleted the requirement that Class IV all-terrain vehicles with windshields be equipped with windshield wipers.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

Penalties for Ignition Interlock Device Offenses (SB 127)

Senate Bill 127 increased the penalty for most offenses related to ignition interlock devices from a Class A traffic violation to a Class C misdemeanor. The measure also added a Class A misdemeanor for if the offense occurred when a minor was in the vehicle. The measure also clarified the time period as being 180 consecutive days before a person may request that a court vacate the requirement to install and use an ignition interlock device.

The measure did not receive a public hearing and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment.

Vehicle Headlight Use (SB 166)

Senate Bill 166 required that motor vehicle headlights, other than headlights on motorcycles or mopeds or vehicles equipped with daytime running lights, be lighted at all times when a vehicle is being driven.

The measure passed out of the Joint Committee on Transportation, but failed to pass the Senate.

Patrol Trooper Staffing Level (SB 211)

Senate Bill 211 required OSP to maintain a patrol trooper staffing level of at least 15 patrol troopers per 100,000 residents of Oregon, based on population figures from the most recent census.

The measure received a public hearing and a work session where it was referred to the Joint Committee on Ways and Means. The measure remained in the Joint Committee on Ways and Means upon adjournment. Two identical measures, HB 3303 and SB 490, remained in the House Committee on Judiciary, and the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment.

Design Professionals Indemnification (SB 213)

Senate Bill 213, and the proposed amendments, voided provisions of a construction contract agreement that required a design professional to defend or indemnify another against claims or damages arising from negligence in design services, except to the extent the design professional's proportionate negligence caused the damage at a trial or through arbitration. The measure, with amendments, was specific to projects funded in whole or part by public funds and required the design professional to reimburse for defense costs up to the amount of the portion of the design professional's negligence.

The measure received one public hearing and a work session and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment. This topic is slated to be addressed by an interim work group.

Statutory Counterpart (SB 217)

Senate Bill 217 defined "statutory counterpart" within the Oregon Criminal and Vehicle Code as meaning a statute establishing a crime in another jurisdiction that has the same use, role, or characteristics as an identified Oregon statute.

Provisions in this measure were included in Senate Bill 201. The measure had two public hearings and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment.

Prohibition on Facial Recognition Technology (SB 309)

Senate Bill 309 prohibited state agencies from using facial recognition technologies unless it is used to allow states employees to access communication devices (i.e. cell phones), or for the retention of public records if acquired prior to the measure’s effective date. Further, the measure required state agencies to notify the State Chief Information Officer (OSCIO) of instances in which facial recognition technology was inadvertently unintentionally used, for inclusion in the OSCIO’s biennial assessment under ORS 276A.203. Additionally, the measure allowed for injured parties to bring suit against the state for any violations of the measure.

The measure did not received a public hearing and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment.

Cost Recovery for Transportation Electrification (SB 314)

Senate Bill 314 authorized the Public Utility Commission to allow electric companies and natural gas companies to recover costs from retail consumers for infrastructure measures to support transportation electrification. The measure outlined the types of benefits that the investment must be reasonably anticipated to support.

The measure passed out of the Senate, and received one public hearing and a work session in the House Committee on Energy and Environment where it remained upon adjournment.

Minimum Service Requirements for Mass Transit Districts (SB 332)

Senate Bill 332 imposed minimum service requirements on mass transit districts, and prohibited mass transit districts from imposing a tax on employer payrolls or self-employment earnings if the business was located more than one mile from a transit route.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

New Travel Lanes for Interstate Projects (SB 369)

Senate Bill 369 required the Interstate 5 Rose Quarter Project and the Interstate 205 Abernethy Bridge Program to include at least one new travel lane in each direction of the project areas. The measure included the status and progress of the new travel lanes as a requirement in the Section 45 Report established in HB 2017 (2017). Approval of the Section 45 report by the Joint Committee on Transportation triggers the two cent gas tax increase established in HB 2017 (2017).

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

Veterans' Employment Preferences (SB 378)

Senate Bill 378 provided that a public employer must interview each veteran applicant who met the qualifications for a position and showed transferable skills if the duties of the positions are performed by only one person within the public employer's organization.

The measure received one public hearing and remained in the Senate Committee on Veterans and Emergency Preparedness upon adjournment.

Bicycle and Pedestrian Infrastructure Funding (SB 395)

Senate Bill 395 increased the required expenditure on footpaths and bicycle trails from one percent to five percent of the State Highway Fund. The measure also required ODOT to report annually to the Joint Committee on Transportation regarding the implementation of the program, and revised the membership and duties of the Bicycle and Pedestrian Advisory Committee.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

Storage of Unclaimed Personal Property (SB 410)

Senate Bill 410 required that unclaimed personal property removed from a homeless camping site in Multnomah County be subject to certain criteria. The unclaimed personal property was to be given to a law enforcement official, a local agency that delivers social services to homeless individuals, an outreach work, a local agency official, or other authorized personal and stored in a facility located within six blocks of a public transit station.

The measure passed the Senate and received one public hearing in the House of Representatives. The measure remained in the House Committee on Housing upon adjournment. This language was made part of HB 3124.

Binding Arbitration for Collective Bargaining (SB 412)

Senate Bill 412 required that any issue subject to collective bargaining that was not resolved through negotiation or mediation during the term of the collective bargaining agreement be resolved through binding arbitration.

The measure did not receive a public hearing and remained in the Senate Committee on Labor and Business upon adjournment.

Statewide Transportation Improvement Fund Distribution (SB 429)

Senate Bill 429 specified that distribution to TriMet from the Statewide Transportation Improvement Fund is conditioned upon providing documentation to the OTC of a state-recognized apprenticeship program administered by the mass transit district. The measure requires the OTC to verify the existence of an apprenticeship program prior to making formula distributions from the Fund.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

POW/MIA Memorial Signs (SB 441)

Senate Bill 441 allowed for roadside memorial signs to be installed for service members killed in the line of duty who were previously designated as either prisoners of war or unaccounted for by the Defense POW/MIA Accounting Agency. The measure required that a concurrent resolution that recognized the individual be adopted prior to a roadside memorial sign being erected.

The measure passed the Senate and remained in the House Committee on Veterans and Emergency Management upon adjournment. House Bill 2700, which also addresses POW/MIA Memorial Signs takes effect on September 25, 2021.

Mandatory Approval of Agency Fees by Legislative Assembly (SB 447)

Senate Bill 447 required that the Legislative Assembly approve any new or increased agency fees prior to the fees going into effect.

The measure did not receive a public hearing and remained in the Senate Committee on Finance and Revenue upon adjournment.

Sunset of Agency Rules (SB 448)

Senate Bill 448 prohibited agency administrative rules from being in effect longer than six years. The measure allowed the adoption of an identical rule if the agency found there was a continuing need for the rule and that the rule was the most efficient and least costly way to achieve the purpose of the rule.

The measure received one public hearing and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment.

Abandoned RV Disposal Revolving Account (SB 466)

Senate Bill 466 created a fund to pay for towing and disposal of derelict recreational vehicles abandoned on public highways, funds for which are raised by a supplemental registration fee for RVs, not to exceed \$12.

The measure received a public hearing and remained in the Joint Committee on Transportation upon adjournment.

State Board of Towing (SB 472)

Senate Bill 472 established the State Board of Towing within ODOT, and provided the Board certain regulatory powers over towing businesses in Oregon. The Board would have consisted of nine members appointed by the Governor, representing towing companies from large and small cities; companies that specialize in towing small and large vehicles; the insurance industry; OSP; chiefs of police; and consumer advocates.

The measure allowed the Board to deny, suspend, revoke, or refuse to renew a towing business certificate, or a letter of appointment to participate on OSP's rotational towing list, for certain violations. Additionally, the measure allowed the Board to establish a schedule of civil penalties through administrative rule, and impose those penalties for certain violations.

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

COVID-19 Workers' Compensation (SB 488)

Senate Bill 488 added exposure to or infection by SARS-CoV-2 to the definition of occupational disease for the purposes of workers' compensation. House Bill 3025 was this measure's companion bill in the House.

The measure did not receive a public hearing and remained in the Senate Committee on Labor and Business upon adjournment.

Patrol Trooper Staffing Level (SB 490)

Senate Bill 490 required OSP to maintain a patrol trooper staffing level of at least 15 patrol troopers per 100,000 residents of Oregon, based on population figures from the most recent census.

The measure did not receive a public hearing, and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment. An identical measure, HB 3303, remained in the House Committee on Judiciary upon adjournment. Another identical measure, SB 211, remained in the Joint Committee on Ways and Means upon adjournment.

Oregon State Police Trooper Study (SB 492)

Senate Bill 492 directed OSP to study the impact the number of troopers has on public safety and report back to the legislature by September 15, 2022.

The measure did not receive a public hearing, and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment.

Mailing Notices to Post Office Boxes (SB 524)

Senate Bill 524 required state agencies, as defined under ORS 174.111, to mail notices to a post office pox address, when the agencies is required by statute to mail a notice to a person, and the agency has a post office box address for the person.

The measure did not received a public hearing and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation.

Task Force on Vehicle Charging Stations (SB 542)

House Bill 2488 established the Task Force on Vehicle Charging Stations. The twelve member task force was required to investigate installing vehicle charging stations on public property across Oregon and make recommendations for any changes necessary in statute that can promote installing and using vehicle charging stations on public property. ODOT was required to provide staff support to the task force. The task force was required to report back to the Joint Committee on Transportation by September 15, 2022.

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

Time Limit on Suspension of Motor Carrier Regulations Prior to an Emergency (SB 546)

ORS Chapter 823 provides the Director of Transportation the ability to suspend certain motor carrier-related regulations for up to 72 hours, without needing further declarations from the Governor or the federal government. Senate Bill 546 would have extended this time limit to 120 hours.

The measure did not receive a public hearing and remained in the Senate Committee on Emergency Preparedness upon adjournment.

Speeds on Interstate 5 and Interstate 205 (SB 548)

Senate Bill 548 prohibited ODOT from establishing a speed of less than 60 miles per hour for most vehicles on Interstate 5 and Interstate 205 from the Washington state line and ending at Portland’s southern border.

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

Unique Identifier in Lieu of Employee Name (SB 550)

Senate Bill 550 required public employers to implement a process by which employees may have requested a unique identifier to be used in lieu of the employee’s name in records subject to public records requests.

The measure did not receive a public hearing and remained in the Senate Committee on Labor and Business upon adjournment.

Flashing Yellow Beacons (SB 561)

Senate Bill 561 added “flashing yellow beacon” to the list of traffic control devices that drivers must respond appropriately to. The measure described the appropriate response for a driver who encounters a flashing yellow beacon.

The measure did not receive a public hearing and remained in the Joint Committee on Transportation upon adjournment. This language was made part of House Bill 3055.

Motorcycle Lane Splitting/Filtering (SB 574)

Senate Bill 574 allowed, under certain conditions, a person operating a motorcycle to travel between lanes of traffic, also known as “lane filtering.” Conditions included the requirement that traffic is either stopped or has slowed to a speed of 10 miles per hour or less; the motorcyclist traveled between lanes at no more than 10 miles per hour above the speed of traffic; the motorcyclist did not impede normal movement of traffic; and the motorcyclist merged with regular traffic flow once the speed of traffic exceeds 10 miles per hour. The measure allowed lane filtering only on interstate highways or roads with a designated speed of 50 miles per hour or higher, with two or more lanes in a single direction, and did not apply in certain school zones. The measure also did not permit the motorcyclist to operate on the road shoulder (to the right of the far right lane), on the center line (to the left of the left-most lane), or in highway work zones.

The measure passed both the House of Representatives and the Senate, but was vetoed by Governor Brown.

Apprentice Utilization in Public Improvement Contracts (SB 576)

Senate Bill 576 lowered the estimated contract price at which apprentice utilization requirements apply to public improvement contracts from \$1 million to \$200,000, and raised the percentage of apprentice work hours from 12 percent to 15 percent. The measure also required subcontractors bidding on public improvement contracts of \$200,000 or more to encourage minorities, women, economically and socially disadvantaged individuals, and service-disabled veterans to become apprentices. In addition, the measure required contracting agencies to verify bidders are registered apprentice training agents. House Bill 2756 was this measure's companion bill in the House.

The measure received one public hearing and remained in the Senate Committee on Labor and Business upon adjournment.

Replacement of Registration Plates (SB 591)

Currently, when a single license plate is damaged and replacement plates are ordered, ODOT-DMV issues a new set (two) of plates, with a new configuration of characters. If an individual requests to keep their original configuration of characters, that order is treated as a custom plate order with an enhanced fee. Senate Bill 591 required ODOT to allow an individual to request to replace a single registration plate, with the same configuration of characters, without being charged an enhanced fee if requested by the customer, and the original plates were not customized plates.

The measure did not receive a public hearing, and remained in the Joint Committee on Transportation upon adjournment. The language was made part of House Bill 3055.

Prevailing Wage (SB 639)

Senate Bill 639 changed the minimum contract price at which the prevailing rate of wage applies to public works projects from \$50,000 to an amount DAS determined by rule. The measure required DAS to set the contract price at \$64,000 for the year ending December 31, 2022, and to establish a new contract price each year by March 31 that reflects the percentage change in the U.S. City Average Consumer Price Index for the previous calendar year.

The measure received one public hearing and remained in the Senate Committee on Labor and Business upon adjournment.

Public Meeting Notice Requirements (SB 666)

Senate Bill 666 required labor negotiations to be conducted in open meetings and requires public notice of such meetings. The measure also required that a notice of an executive session included the time and place of the meeting.

The measure received one public hearing and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment.

Transit District Apprenticeships (SB 669)

Senate Bill 669 required mass transit and transportation districts with populations of 500,000 or more to be registered apprenticeship training agents as a condition of receiving distributions from the Statewide Transportation Improvement Fund.

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

Public Records Law Compliance (SB 692)

Senate Bill 692 required each state agency to report to the Attorney General, Public Records Advocate, and public records subcommittee of the Legislative Counsel Committee on the number of public records requests received during the preceding year, and the number of those requests still outstanding after specified periods of time.

The measure did not receive a public hearing and remained in the Senate Committee on Judiciary and Ballot Measure 110 Implementation upon adjournment.

U.S. Coins or Currency (SB 746)

Senate Bill 746 made it an unlawful practice for a place of public accommodation to refuse to accept United States coins or currency as payment for goods and services.

The measure received one public hearing and remained in the Senate Committee on Labor and Business upon adjournment.

Oregon Veterans Memorial Highway (SB 790)

Senate Bill 790 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 States Department of Defense, and the United States 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 Senate, and had one public hearing in the House Committee on Veterans and Emergency Management where it remained upon adjournment.

Grant for Salvage Chief (LSM380) Foundation (SB 826)

Senate Bill 826 appropriated to the Department of Administrative Services, out of the General Fund, a grant of \$1.9 million to be distributed to the Salvage Chief (LSM380) Foundation. The grant was to be used for repairing, upgrading, and returning the Salvage Chief vessel to operation.

The measure received one public hearing and remained in the Joint Committee on Transportation upon adjournment.

Constitutional Amendment to Repeal Administrative Rule by Passage of Joint Resolution (SJR 23)

Senate Joint Resolution 23 was a constitutional amendment to allow the Legislative Assembly to repeal, by a joint resolution, any administrative rule or amendment of an administrative rule that is adopted by an Executive Branch agency.

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