

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

**ORDINANCE NO: 15-01**

**IN THE MATTER OF AMENDING  
LANE CODE CHAPTER 15 TO ADOPT  
A VEHICLE REGISTRATION FEE, IF  
APPROVED BY THE LANE COUNTY  
VOTERS IN MAY 2015**

**WHEREAS**, the Board of Commissioners wishes to provide the voters of Lane County with the option of establishing vehicle registration fees as authorized by Oregon Revised Statutes (ORS) 801.040, 801.041, 801.445; and

**WHEREAS**, a well-maintained road system is essential to sustaining the local economy and the livability of our communities by supporting the safe and efficient transportation of people and goods; and

**WHEREAS**, current County Road Fund revenues derived primarily from gas taxes are insufficient to meet current and future road maintenance and operation needs; and

**WHEREAS**, the County's Roads Advisory Committee, which is an independent citizen advisory committee, found that additional revenues are needed to adequately maintain the County road system; and

**WHEREAS**, the County road network will sharply degrade in the safety and maintenance of its road system and the County will have reduced ability to respond to storm and catastrophic events due to insufficient maintenance funding; and

**WHEREAS**, a vehicle registration fee is a stable form of revenue that is generated by users of roads within the County; and

**WHEREAS**, revenues from a vehicle registration fee can be used for road-related purposes as defined in Section 3a of Article IX of the Oregon Constitution, including the maintenance and operation of roads; and

**WHEREAS**, under ORS 801.041, forty percent of the revenue from such a fee will be shared with cities within the County; and

**WHEREAS**, it is in the public interest to implement a vehicle registration fee to provide additional revenue for the purposes described within; and

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**ORDINANCE 15-01**

**WHEREAS**, this Ordinance complies with the requirements set forth in the Lane County Charter and the Lane County Code; and

**WHEREAS**, the Board of County Commissioners conducted a first reading of this Ordinance on January 6, 2015, conducted a second reading and public hearing on this Ordinance on January 27, 2015, conducted a third reading and continued public hearing on February 10, 2015, and is now ready to take action.

**NOW, THEREFORE**, the Board of County Commissioners of Lane County **ORDAINS** as follows:

1. The Board of County Commissioners of Lane County, Oregon hereby refers the question of whether to impose a Lane County vehicle registration fee in the amount of \$35 for passenger vehicles, light trailers, and trucks under 26,001 lbs; and \$20 for motorcycles and mopeds to the people of Lane County at the May 19, 2015 election.
2. This Ordinance becomes effective and takes effect immediately upon certification by the county clerk only if the referral of this Ordinance is approved by the voters. If the referral of this Ordinance is not approved by the voters, then this Ordinance is rejected.
3. If the vehicle registration fee passes, the County shall establish a citizen oversight committee and annual audit for County projects.
4. If the referral of this Ordinance is approved by the voters, Lane Code Chapter 15 is amended by removing, substituting and adding the following sections:

**REMOVE THESE SECTIONS**

none

**INSERT THESE SECTIONS**

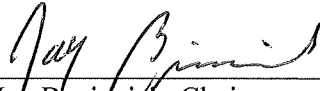
15.670 – 15.682

The above code sections are attached to this Ordinance and incorporated by this reference.

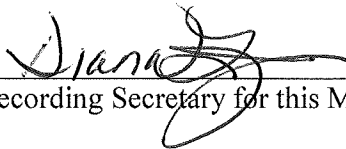
5. Nothing herein is intended to, nor acts to amend, replace, or otherwise conflict with any other ordinances of Lane County or any other Code or statutory provisions unless expressly so stated.
6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance, including the exhibit, is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion is deemed a separate, distinct, and independent provision, and such holding does not affect the validity of the remaining portions.
7. The office of Lane County Legal Counsel is authorized to codify this Ordinance and to make any technical changes, not affecting its substance, as are reasonably necessary to accomplish codification.

8. The Department of Public Works is directed to file a copy of this Ordinance with the Oregon Department of Transportation.

ENACTED this 10<sup>th</sup> day of February, 2015.



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Jay Bozicvich, Chair  
Lane County Board of Commissioners



\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date

2-10-15

\_\_\_\_\_  
LANE COUNTY OFFICE OF LEGAL COUNSEL

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**Bold** indicates material being added  
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**LEGISLATIVE  
FORMAT**

15.670

Lane Code

15.678

**VEHICLE REGISTRATION FEE**

**15.670 Definitions.**

As used in sections 15.670 to 15.682, unless the context requires otherwise, the following words and their deviations have the meanings provided by the referenced statute:

- (1) Vehicle. As defined by ORS 801.590.
- (2) Registration. As defined by ORS 801.410.
- (3) Motorcycle. As defined by ORS 801.365.
- (4) Moped. As defined by ORS 801.345.

**15.672 County Vehicle Registration.**

Oregon Revised Statutes 801.041 provides that counties may establish a local vehicle registration fee. It further establishes that revenues resulting from such a fee provide for payment of at least 40% of the moneys to cities within the county. Use of the funds is limited to those purposes for which registration fees may be used under Article IX, Section 3A of the Oregon Constitution. Any revenue generated from local vehicle registration fees is not eligible to be expended for patrolling Lane County's roads by County law enforcement officials under Chapter 75, Oregon Laws 2012.

**15.674 Distribution to Cities.**

(1) The County will distribute forty percent of the money received from the Oregon Department of Transportation to those incorporated cities residing within the County. Each city's proportional share of the city distribution will be based on the total number of Lane County residents residing within the city, as determined by the most recent reports of the Portland State University Population Research Center.

(2) All calculations and distributions under this provision will be made after administrative fees are collected by the Oregon Department of Transportation.

**15.676 Agreement with Oregon Department of Transportation.**

The County will enter into an intergovernmental agreement with the Oregon Department of Transportation for collection of the vehicle registration fee on behalf of the County as required by ORS 801.041(1).

**15.678 Use of Revenue.**

(1) The County treasurer or designee is responsible for the disposition of the revenue from the fee imposed by sections 15.670 to 15.682 in the manner provided by this section.

(2) For the purposes of this section, "net revenue" means the revenue from the fee imposed by sections 15.670 to 15.682 remaining after providing for the cost of collection, transfer, and administration by the Oregon Department of Transportation.

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**LEGISLATIVE  
FORMAT**

15.680

Lane Code

15.682

(3) Lane County shall absorb the cost to administer the program from County's 60 percent. Cities shall receive 40 percent of the total vehicle registration fees collected.

(4) Use of the net revenue of the fees collected under sections 15.670 to 15.682 by the County and cities receiving distributions is subject to the limits and requirements provided by state law.

(5) The net revenue received by the County from the fees collected under sections 15.670 to 15.682 of this Code must be dedicated to the County Road Fund and is permitted to be used only for the repair, maintenance and operation of roadways and bridges within Lane County.

**15.680 Fee Imposed; Exemptions.**

(1) Except as provided in sections 15.670 to 15.682, a vehicle registration fee is imposed on all vehicles registered with the State of Oregon Department of Transportation and where the residential or business address on the application for registration or renewal of registration is located in Lane County.

(2) Pursuant to ORS 801.041(3), a vehicle registration fee will not be imposed on the following:

- (a) Snowmobiles and Class I all-terrain vehicles;
- (b) Fixed load vehicles;
- (c) Vehicles registered under ORS 805.100 to disabled veterans;
- (d) Vehicles registered as antique vehicles under ORS 805.010;
- (e) Vehicles registered as vehicles of special interest under ORS 805.020;
- (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045;
- (g) School buses or school activity vehicles registered under ORS 805.050;
- (h) Law enforcement undercover vehicles registered under ORS 805.060;
- (i) Vehicles registered on a proportional basis for interstate operation;
- (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10) or (11);
- (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300;
- (l) Travel trailers, campers and motor homes;
- (m) Vehicles registered as racing activity vehicles under ORS 805.035.

**15.682 Amount and Payment of Fee; Effective Date.**

(1) Except as provided in sections 15.670 to 15.682, at the time a passenger vehicle, light trailer, and truck less than 26,001 pounds is first registered or at the time of registration renewal, the applicant shall pay a County vehicle registration fee of \$35 for each year of the registration period.

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**LEGISLATIVE  
FORMAT**

15.682

Lane Code

15.682

(2) At the time a motorcycle or moped is first registered or at the time of registration renewal, the applicant shall pay a County vehicle registration fee of \$20 for each year of the registration period.

(3) At the time a permanent registration for a trailer, as described in ORS 803.415(1)(c), is first issued, the applicant shall pay a County vehicle registration fee of \$10.

(4) The County vehicle registration fee is in addition to other fees required to be paid to the State of Oregon under ORS 803.420. The Oregon Department of Transportation will collect the specified fees at initial registrations occurring on or after January 1, 2016, and at renewal for registrations expiring on or after January 1, 2016.

## VEHICLE REGISTRATION FEE

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