

IN THE BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

A-ENGROSSED ORDINANCE NO. 778

An Ordinance Adopting Chapter 3.14 of the
Washington County Code Imposing a Vehicle
Registration Fee

The Board of County Commissioners of Washington County, Oregon (Board) hereby refers this Ordinance to the people of Washington County at the next general election.

This Ordinance shall be enacted and take effect immediately upon certification by the county clerk if the referral of the ordinance is approved by the voters. If the referral of the ordinance is not approved by the voters, then it is deemed rejected.

The People of Washington County, Oregon, ordain as follows:

SECTION 1 (Findings)

A. An ordinance establishing the imposition of vehicle registration fees is authorized by Oregon Revised Statutes 801.040, 801.041, 801.445.

B. 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.

C. Current county road fund revenues derived primarily from gas taxes are insufficient to meet current and future road maintenance and operation needs due to rapid maintenance cost increases and vehicle fuel efficiency increases.

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1 D. The county's Department of Land Use and Transportation commissioned
2 an independent third-party assessment that found that additional revenues are needed to
3 adequately maintain the county road system.

4 E. The county road network has experienced degradation due to insufficient
5 maintenance funding, and additional degradation is expected without additional
6 maintenance funding.

7 F. Cities within Washington County have also expressed the need for
8 additional revenues for road maintenance, operation, and improvement of roads under
9 their jurisdiction.

10 G. A vehicle registration fee is a stable form of revenue that is generated by
11 users of roads within the county.

12 H. Revenues from a vehicle registration fee can be used for road-related
13 purposes as defined in Section 3a of Article IX of the Oregon Constitution. Such uses
14 include maintenance and operation of existing county roads.

15 I. Revenues from such a fee must be shared with cities within the county.

16 J. It is in the public interest to implement a vehicle registration fee to provide
17 additional revenue for the purposes described herein.

18 K. This Ordinance complies with the requirements set forth in the
19 Washington County Charter and the Washington County Code.

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1 SECTION 2

2 The following exhibit, which is marked as Exhibit 1 (3 pages) is hereby adopted
3 and incorporated herein at Chapter 3.14, Title 3, Revenue and Finance, of the Washington
4 County Code.

5 SECTION 3

6 Nothing herein is intended, nor shall it be construed, as amending, replacing, or
7 otherwise being in conflict with any other ordinances of Washington County, the
8 Community Development Code, or any other Code or statutory provisions unless
9 expressly so stated.

10 SECTION 4

11 If any portion of this Ordinance, including the exhibit, shall for any reason be held
12 invalid, unconstitutional, or unenforceable by a body of competent jurisdiction, the
13 remainder of this Ordinance shall not be affected thereby and shall remain in full force and
14 effect.

15 SECTION 5

16 The Office of County Counsel of Washington County, Oregon is authorized to
17 codify this Ordinance and to make any technical changes, not affecting its substance, as
18 are reasonably necessary to accomplish codification.

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1 SECTION 6

2 The Department of Land Use and Transportation is directed to file a copy of this
3 Ordinance with the Oregon Department of Transportation.

4 ENACTED this _____ day of _____, 2014, being the _____
5 reading and _____ public hearing before the Board of County Commissioners of
6 Washington County, Oregon.

7 BOARD OF COUNTY COMMISSIONERS
8 FOR WASHINGTON COUNTY, OREGON

9 _____
10 CHAIRMAN

11 _____
12 RECORDING SECRETARY

12 READING

12 PUBLIC HEARING

13 First _____
14 Second _____
15 Third _____
16 Fourth _____
17 Fifth _____

13 First _____
14 Second _____
15 Third _____
16 Fourth _____
17 Fifth _____

18 VOTE: Aye: _____
19 Recording Secretary: _____

18 Nay: _____
19 Date: _____

CHAPTER 3.14
VEHICLE REGISTRATION FEE

Sections:

- 3.14.010 Short Title.
- 3.14.020 Authority.
- 3.14.030 Definitions.
- 3.14.040 Fee Imposed; Exemptions.
- 3.14.050 Amount and Payment of Fee; Effective Date.
- 3.14.060 Distribution to Cities.
- 3.14.070 Agreement with Oregon Department of Transportation.
- 3.14.080 Use of Revenue.

3.14.010 Short Title.

This chapter shall be known, and may be pleaded, as the "Vehicle Registration Fee of Washington County."

3.14.020 Authority.

This ordinance is adopted pursuant to the authority granted by Oregon Revised Statutes (ORS) 801.040, 801.041, and 803.445.

3.14.030 Definitions.

For the purpose of this chapter, words in the present tense include the future, the singular includes the plural, and the plural includes the singular, the word "shall" is mandatory and not directory, and the term "chapter" shall be deemed to include all amendments hereinafter made to this chapter. As used in this chapter, unless the context requires otherwise, the following words and their deviations shall mean:

- A. "Vehicle" shall have the meaning given in ORS 801.590.
- B. "Registration" or "register" shall have the meaning given in ORS 801.410.
- C. "Motorcycle" shall have the meaning given in ORS 801.365.
- D. "Moped" shall have the meaning given in ORS 801.345.

3.14.040 Fee Imposed; Exemptions.

A. Except as provided in this chapter, 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 Washington County.

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B. Pursuant to ORS 801.041(3), a Vehicle Registration Fee will not be imposed on the following:

1. Snowmobiles and Class I all-terrain vehicles;
2. Fixed load vehicles;
3. Vehicles registered under ORS 805.100 to disabled veterans;
4. Vehicles registered as antique vehicles under ORS 805.010;
5. Vehicles registered as vehicles of special interest under ORS 805.020;
6. Government-owned or operated vehicles registered under ORS 805.040 or 805.045;
7. School buses or school activity vehicles registered under ORS 805.050;
8. Law enforcement undercover vehicles registered under ORS 805.060;
9. Vehicles registered on a proportional basis for interstate operation;
10. Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10) or(11);
11. Vehicles registered as farm vehicles under the provisions of ORS 805.300;
12. Travel trailers, campers and motor homes;
13. Vehicles registered as racing activity vehicles under ORS 805.035.

3.14.050 Amount and Payment of Fee; Effective Date.

A. Except as provided in this chapter, at the time a vehicle is first registered or at the time of registration renewal, the applicant shall pay a county Vehicle Registration Fee of \$30.00 for each year of the registration period.

B. 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 \$17.00 for each year of the registration period.

C. At the time a trailer issued permanent registration, as described in ORS 803.415(1)(c), is first issued, the applicant shall pay a county Vehicle Registration Fee of \$10.00.

D. The county Vehicle Registration Fee is in addition to other fees required to be paid to that State of Oregon under ORS 803.420. The fee shall be collected by the Oregon Department of Transportation on behalf of Washington County at initial registrations occurring on or after January 1, 2016 and at renewal for registrations expiring on or after January 1, 2016.

3.14.060 Distribution to Cities.

A. The County will pay and distribute 40% of the moneys collected to those incorporated cities having a population of more than three hundred persons residing within the county. The distribution shall be based on each city's proportional share of the total number of Washington County residents residing within incorporated cities, as

determined by the most recent reports of the Portland State University Population Research Center.

B. All distributions under this provision will be made after administrative fees are collected by the Oregon Department of Transportation and the County.

3.14.070 Agreement with Oregon Department of Transportation.

Pursuant to ORS 801.041, the County shall enter into an intergovernmental agreement with the Oregon Department of Transportation for collection of the Vehicle Registration Fee on behalf of Washington County.

3.14.080 Use of Revenue.

- A. The County Finance Division or designee shall be responsible for the disposition of the revenue from the fee imposed by this chapter in the manner provided by this section.
- B. For the purposes of this section, "net revenue" means the revenue from the fee imposed by this chapter remaining after providing for the cost of collection, transfer, and administration by the Oregon Department of Transportation and the County.
- C. The net revenue of the fees collected under this chapter shall be used only for purposes for which moneys from registration fees may be used pursuant to state law. The net revenue received by the County shall be credited to the county road fund and shall be used only for the maintenance and operation of county roads. The net revenue received by the cities shall be used only for road purposes as outlined in applicable state law regarding expenditure of road user fees and taxes.