

House Bill 2908

Sponsored by Representative BARNHART; Senator MORRISETTE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Oregon Transportation Commission to consider specified factors before designating highway as freight route.

A BILL FOR AN ACT

1
2 Relating to highway designations; creating new provisions; and amending ORS 366.215.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in ORS 366.215 and this section:**

5 (a) **"Freight route" means a highway that is designated a freight route in the Oregon**
6 **Highway Plan.**

7 (b) **"Oregon Highway Plan" means the 1999 Oregon Highway Plan with amendments**
8 **adopted by the Oregon Transportation Commission.**

9 (2) **Prior to designating a highway a freight route, the Oregon Transportation Commis-**
10 **sion shall consider the following factors:**

11 (a) **The impact of a freight route designation on:**

12 (A) **The safety of intersections and driveways on the highway;**

13 (B) **Local businesses and current and potential economic activity; and**

14 (C) **Current and potential recreational uses of the areas adjacent to or near the highway;**

15 (b) **Environmental impacts on the areas adjacent to or near the highway; and**

16 (c) **The proximity of municipal water sources and the impact on those sources.**

17 **SECTION 2. ORS 366.215 is amended to read:**

18 366.215. (1) The Oregon Transportation Commission may select, establish, adopt, lay out, locate,
19 alter, relocate, change and realign primary and secondary state highways.

20 (2) Except as provided in subsection (3) of this section, the commission may not permanently
21 reduce the vehicle-carrying capacity of [*an identified*] a freight route when altering, relocating,
22 changing or realigning a state highway unless safety or access considerations require the reduction.

23 (3) A local government, as defined in ORS 174.116, may apply to the commission for an ex-
24 emption from the prohibition in subsection (2) of this section. The commission shall grant the ex-
25 emption if it finds that the exemption is in the best interest of the state and that freight movement
26 is not unreasonably impeded by the exemption.

27 **SECTION 3. Section 1 of this 2005 Act applies to freight route designations adopted by**
28 **the Oregon Transportation Commission on or after the effective date of this 2005 Act.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.