



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD OREGON CITY, OR 97045

July 14, 2022

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of IGA Amendment No. 1 for Clackamas County Vehicle Registration Fee agreement between the State of Oregon, acting by and through its Department of Transportation, Driver and Motor Vehicle Division (DMV) and Clackamas County. Total Value is a Reduction of approximately \$300,000 per year. Funding through County Road Funds.
County General Funds are not involved.

Purpose/Outcomes	Execution of IGA Amendment No.1 will revise the amount DMV collects for utility/light trailers, as per section 7.07 of the county code.
Dollar Amount and Fiscal Impact	Reduction of approximately \$300,000 per year (out of \$11 million total) with 50% distributed to the County, 40% distributed to cities located in the County and 10% allocated to a strategic investment fund for road transfers and multi-jurisdictional projects.
Funding Source	N/A
Duration	Indefinite
Previous Board Action	February 21, 2019. Board passed ordinance creating the countywide vehicle registration fee. March 31, 2022. First reading of ordinance reducing registration fee for trailers. April 21, 2022. Adoption of ordinance reducing registration fee for trailers.
Strategic Plan Alignment	Build a strong infrastructure. Build public trust through good government.
Counsel Review	Date of Counsel Review: 06/28/2022, NB
Procurement Review	Was the item processed through Procurement? yes <input type="checkbox"/> no <input checked="" type="checkbox"/> If no, provide brief explanation: This is an IGA amendment.
Contact Person	Mike Bezner– 503-742-4651

BACKGROUND:

The Clackamas County vehicle registration fee (VRF) that went into effect in January 2020 is a consistent source of transportation revenue that allows the County and our cities to complete projects that are important to our residents and businesses. Revenue from the fee supports the Community Road Fund (CRF) program, which funds road transfers, congestion relief, local road paving, and safety projects on county roads. These priorities, which were established by our community, for our community, are being overseen by the 15-member Community Road Fund Advisory Committee (CRFAC).

The fee of \$30/year for most vehicles and trailers (and \$15/year for motorcycles) is paid by Clackamas County residents when they register their vehicle with the state Driver and Motor Vehicle (DMV) Services Division every two years, in conjunction with state registration fees. After receiving input from the public, the Board adopted an ordinance in April 2022 to reduce the registration fee for utility/light trailers to \$5 per year. The next step in the fee reduction process is for the County and ODOT to amend their current intergovernmental agreement that gives DMV direction to collect these fees. The proposed amendment is attached for BCC consideration.

If this amendment is approved, it is anticipated that the reduced fee for utility/light trailers would be implemented by January 2023.

RECOMMENDATION:

Staff respectfully requests the Boards approval of IGA Amendment No. 1 for Clackamas County Vehicle Registration Fee agreement between the State of Oregon, acting by and through its Department of Transportation, Driver and Motor Vehicle Division (DMV) and Clackamas County.

Respectfully submitted,

Dan Johnson

Dan Johnson
Director – Department of Transportation and Development

Attachments:

1. AMENDMENT NUMBER 01 INTERGOVERNMENTAL AGREEMENT Clackamas County Vehicle Registration Fee Collection
2. ORDINANCE NO. 01-2022, An Ordinance Amending Chapter 7.07, Vehicle Registration Fee, of the Clackamas County Code

AMENDMENT NUMBER 01
INTERGOVERNMENTAL AGREEMENT
Clackamas County Vehicle Registration Fee Collection

This is Amendment No. 01 to the Agreement between the **State of Oregon**, acting by and through its Department of Transportation, Driver and Motor Vehicle Division, hereinafter referred to as “DMV,” and **Clackamas County**, acting by and through its elected officials, hereinafter referred to as “County,” entered into on November 7, 2019.

It has now been determined by DMV and County that the Agreement referenced above shall be amended to update DMV’s project liaison contact information and revise the amount DMV collects for light trailers.

1. **Effective Date.** This Amendment shall become effective on the date it is fully executed and approved as required by applicable law.
2. **Amendment to Agreement.**
 - a. DMV Obligations, Paragraph 9, page 4, is revised as follows (additions are shown in *italics and underline*, deletions are shown as ~~strikethrough~~):
 9. DMV’s project liaison for this Agreement is: Tracy Olander, Senior Policy Analyst, DMV Program Services, 1905 Lana Ave. NE, Salem, OR 97314, 503-945-5237, *tracy.g.olander@odot.oregon.gov* ~~tracy.g.olander@odot.state.or.us~~, or assigned designee upon individual’s absence. DMV may change its Project Liaison by providing County’s Project Liaison notice in writing of any contact information changes during the term of this Agreement.
 - b. Exhibit A, Fee Amounts; Subject Vehicles; Exemptions, is revised as shown in Attachment 1 to this Amendment which is incorporated by this reference.
3. **Counterparts.** This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.
4. **Original Agreement.** Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. Agency certifies that the representations, warranties and certifications in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.
5. **Electronic Signatures.** The Parties agree that signatures showing on PDF documents, including but not limited to PDF copies of the Agreement and amendments, submitted or exchanged via email

DMV / Clackamas County
Agreement No. 33258-01

are "Electronic Signatures" under ORS Chapter 84 and bind the signing Party and are intended to be and can be relied upon by the Parties. State reserves the right at any time to require the submission of the hard copy originals of any documents.

Note: The Oregon Department of Transportation is committed to complying with all statutory requirements to ensure that it is providing information that is more accessible to people with disabilities, as required by Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d), and 36 C.F.R. 1194 Appendix A. To request reasonable accommodation for access, due to a disability, to information related to this document, please contact the Oregon Department of Transportation's Procurement Office at phone #503-986-2710 or OPOAdmin@odot.oregon.gov

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

Clackamas County, by and through its
elected officials

By _____
Tootie Smith, County Chair
or designated county commissioner
Board of County Commissioners
For Clackamas County, Oregon

Date _____

**LEGAL REVIEW APPROVAL (If required in
County's process)**

By _____
County Counsel

Date _____

County Contact:

Diedre Landon, Administrative Services
Manager
Clackamas County- Department of
Transportation and Development
150 Beaver Creek Road
Oregon City, OR 97045
Phone: 503-742-4411
Email: dlandon@clackamas.us

STATE OF OREGON, by and through
its Department of Transportation

By _____
Amy Joyce, Division Administrator, Driver and
Motor Vehicle Service Division

Date _____

DMV Contact:

Tracy Olander, Senior Policy Analyst
ODOT-DMV Program Services
Vehicle Policy Unit
1905 Lana Ave NE
Salem, OR 97314
Phone: 503-945-5237
Email: tracy.g.olander@odot.oregon.gov

Attachment 1
Revised Exhibit A
Clackamas County Vehicle Registration
Fee Amounts; Subject Vehicles; Exemptions

Exhibit A, Fee Amounts; Subject Vehicles; Exemptions, is revised as follows (additions are shown in *italics and underline*, deletions are shown as ~~strikethrough~~):

Vehicle Classification	Registration Period	Registration Fee Amounts
Passenger	Biennial or 4-year	\$60 or \$120
Motorcycles	Biennial or 4-year	\$30 or \$60
Mopeds	Biennial or 4-year	\$30 or \$60
Low-speed	Biennial	\$60
Medium-speed	Biennial	\$60
Trucks (10,000 - 26,000 lbs.)	Annual or Quarterly	\$30 or \$7.50
Light Trailers Utility / Light Trailers	Biennial	<u>\$10</u> \$60
For Rent Trailers	Annual or 5-year	\$30 or \$150
Buses	Annual	\$30
Tow Trucks	Annual	\$30
Charitable/Non-Profit (Passenger)	Biennial	\$60
Charitable/Non-Profit (Truck or Bus)	Annual or Quarterly	\$30 or \$7.50
Special Use Trailers	Biennial	\$60
Permanent Fleet (Passenger)	Biennial	\$60
Permanent Fleet (Truck or Bus)	Annual	\$30
Exempt Vehicles		
Snowmobiles and Class I all-terrain vehicles	N/A	Exempt
Fixed load vehicles	N/A	Exempt
Vehicles registered to disabled veterans	N/A	Exempt
Vehicles registered to ex-POWs	N/A	Exempt
Antique vehicles	N/A	Exempt
Special interest vehicles	N/A	Exempt
Government-owned or operated vehicles	N/A	Exempt
School buses or school activity vehicles	N/A	Exempt
Law enforcement undercover vehicles	N/A	Exempt
Vehicles registered proportionally for interstate operation	N/A	Exempt
Vehicles with a registration weight of 26,001 pounds or more	N/A	Exempt
Farm vehicles	N/A	Exempt
Heavy trailers	N/A	Exempt

DMV / Clackamas County
Agreement No. 33258-01

Travel trailers, campers and motor homes	N/A	Exempt
Vehicles registered to an employment address as provided in ORS 802.250 when residence address is not within county of employment address	N/A	Exempt
Vehicles registered under ORS 805.110 to former prisoners of war	N/A	Exempt

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

ORDINANCE NO. 01-2022

**An Ordinance Amending Clackamas County Code Chapter 7.07, Vehicle
Registration Fee**

WHEREAS, an ordinance establishing the imposition of a County vehicle registration fee is authorized by ORS 801.040, 801.041 and 803.445; and

WHEREAS, on February 21, 2019, the Clackamas County Board of County Commissioners adopted Ordinance 01-2019 adding Chapter 7.07, Vehicle Registration Fee, to the Clackamas County Code; and

WHEREAS, as required by state law, the vehicle registration fee applies to some trailers whose owners also register vehicles; and

WHEREAS, state law does not prohibit differing Vehicle Registration Fee rates between different classes of vehicles; and

WHEREAS, the Board of County Commissioners now wishes to adopt a reduced fee for the registration associated with utility trailers and light trailers, which are collectively defined in Oregon Administrative Rule (OAR) 735-030-0015 to be "... any trailer having a loaded weight of 8,000 pounds or less, except trailers for hire or rent, travel trailers, special use trailers and fixed loads"; now, therefore;

The Board of Commissioners of Clackamas County ordains as follows:

- Section 1:** Chapter 7.07 of the Clackamas County Code, Vehicle Registration Fee, is hereby amended as set forth in the attached Exhibit A.
- Section 2:** Appendix A of the Clackamas County Code is hereby amended to add the Vehicle Registration Fee amount, as set forth in the attached Exhibit B.
- Section 3:** This Ordinance shall take effect ninety (90) days after adoption.

ADOPTED this 21ST day of April, 2022.

BOARD OF COUNTY COMMISSIONERS



Chair



Recording Secretary

Chapter 7.07 - VEHICLE REGISTRATION FEE

7.07.010 Authority

This chapter is adopted pursuant to the authority granted by ORS 801.040, 801.041 and 803.445.

7.07.020 Definitions

- A. MOPED shall have the meaning given in ORS 801.345.
- B. MOTORCYCLE shall have the meaning given in ORS 801.365.
- C. REGISTRATION or REGISTER shall have the meaning given in ORS 801.410.
- D. UTILITY or LIGHT TRAILER shall have the meaning given in OAR 735-030-0015.
- E. VEHICLE shall have the meaning given in ORS 801.590.

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7.07.030 Fee Imposed; Exemptions

- A. Except as provided in this chapter, Clackamas County hereby imposes a vehicle registration fee on all vehicles registered with the State of Oregon Department of Transportation where the residential or business address on the application for registration or the renewal of registration is located in Clackamas County.
- B. Clackamas County shall not impose a vehicle registration fee on those vehicles identified in ORS 801.041(3) as being exempt from the registration fee. Vehicles exempt from the vehicle registration fee include 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(14) (a) or (b);
11. Vehicles registered as farm vehicles under the provisions of ORS 805.300;
12. Travel trailers, campers and motor homes, as those terms are defined in ORS 801.565, ORS 801.180, and ORS 801.350 respectively;
13. Vehicles registered under ORS 805.110 to former prisoners of war.

7.07.040 Amount and Payment of Fee

- 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 the county vehicle registration fee 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 the county vehicle registration fee for each year of the registration period.

C. At the time a utility or light trailer is first registered or at the time of registration renewal, the applicant shall pay the county vehicle registration fee for each year of the registration period.

C.D. The county vehicle registration fee is in addition to other fees required to be paid to the State of Oregon under ORS 803.420.

D.E. The fee shall be collected by the Oregon Department of Transportation on behalf of Clackamas County.

7.07.050 Distribution of Revenue

- A. The County will pay and distribute 40% of the moneys collected to those incorporated cities within the County. The distribution shall be based on each city's proportional share of the total number of Clackamas County residents residing within incorporated cities, as determined by the most recent reports of the Portland State University Population Research Center.
- B. The County will allocate 10% of the moneys collected to a strategic investment fund for purposes of funding jurisdictional road transfers or other multi-jurisdictional projects.

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

7.07.060 Use of Revenue

- A. The County Department of Finance, or its designee, shall be responsible for the disposition of the revenue from the vehicle registration fee.
- 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 allowed by state law. Except for the portion of the net revenue described in 7.07.050(B), the net revenue received by the department shall be credited to the County road fund under a different account to ensure these funds shall be used only for the maintenance of local roadways, safety related projects and capital construction focused on the reduction of congestion on 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. The net revenue described in 7.07.050(B), which is allocated to the strategic investment fund, shall be used only for payments to transfer roads between jurisdictions or for multi-jurisdictional projects which affect new or existing roads or streets within the limits of a city, or on county roads or local access roads, as those terms are defined in ORS 368, that are located within or adjacent to the limits of an incorporated city.

Exhibit A

Chapter 7.07 - VEHICLE REGISTRATION FEE

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 - 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;
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- C. At the time a utility or light trailer is first registered or at the time of registration renewal, the applicant shall pay the county vehicle registration fee for each year of the registration period.
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- E. The fee shall be collected by the Oregon Department of Transportation on behalf of Clackamas County.

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Exhibit B

DEPARTMENT / DIVISION FEE DESCRIPTION	AUTH. LEGISLATION	FEE SET BY ORS	ORS AUTH. FEE	CODE AUTH. FEE	CURRENT FEE AMOUNT	PROPOSED FEE
DTD - ADMINISTRATION						
Vehicle registration fee	Code §7.07.040			x		
- Motorcycles/mopeds				x	\$15 per year	
- Utility/Light Trailer				x	\$30 per year	\$5 per year
- All other vehicles not otherwise exempt				x	\$30 per year	