

# **Please Support SJR 16**

## **To Provide Wise Use of Oregon's Motor Vehicle Revenue**

Senate Joint Resolution 16 refers a constitutional amendment to Oregon's voters in November 2016 that would relax constraints on the use of motor vehicle revenue instituted decades ago.

It allows use of this revenue for infrastructure that reduces traffic congestion and pollution from motor vehicles on public roads. *It makes our roads work better!*

If voters support a gas tax increase (which is entirely separate from SJR 16), they must be given the opportunity to spend the money on transportation projects they want.

### **The 2013 Oregon Values and Beliefs Project concluded:**

**“Oregonians find the proposal to shift some funding for road and highway construction towards public transportation such as better bus service and high speed rail projects desirable at a 1.7 to 1.0 ratio ...”**

**So, please support SJR 16.**

**It would allow future legislation to use a portion of motor vehicle taxes and fees for purposes such as the following:**

- Rural bus service.
- Safety and congestion relief projects that include transit.
- Bridge and road tolls could be spent on transit, pedestrian, and bicycle facilities that provide alternatives to highway travel.
- Local match for federal funds for non-highway transportation projects. (Oregon received far less federal stimulus money to improve Amtrak service than did neighboring Washington because our state did not have local match. This should never happen again.)

### **Where is the money to sell this to the voters?**

SJR 16 supporters expect contributions from a broad coalition: transit advocates, engineering and consulting firms, manufacturers, environmental organizations, tourism promoters, community service and health care organizations.

### **What funding advantage comes with SJR 16?**

Oregon's Constitution strictly limits what can be funded with motor vehicle taxes and fees, including carbon or mileage taxes if adopted in the future. These can only be spent on "construction, reconstruction, improvement, repair, maintenance, operation and use" of public highways and rest areas.

The proposed change under SJR 16 allows revenue to be spent on "surface transportation infrastructure" (such as certain bus, rail, bicycle and pedestrian facilities) "that reduces the traffic burden of, or pollution from, motor vehicles on public highways, roads and streets in this state."

This would allow for true "least cost planning" of the Oregon highway system. Where transit, bicycle, or pedestrian alternatives are available, we should be able to choose these modes when they work better than new or expanded highways.

These non-highway alternatives may be cheaper, less polluting, or less damaging to the human or natural environment. These alternatives may also be desirable components of a new highway facility, allowing for a smaller, less-damaging structure that is more likely to win approval of nearby residents.

### **Haven't voters rejected this change already?**

Yes. In 1980, voters approved a constitutional amendment to severely restrict the use of fuel and highway user taxes for only public highways and rest areas. In 1991 the Oregon Senate failed by one vote to refer to the voters an amendment similar to SJR 16.

Since that time the voters have rejected ways to use vehicle taxes for other purposes. In May 1990 they refused to allow local vehicle taxes for transit. In May 1992 they refused to allow future fuel taxes for police and in November 1992 they refused to allow future fuel taxes for parks.

The last of those votes was more than 22 years ago. Attitudes have changed. *Oregonians are now deeply concerned about climate change driven by the effects of fossil fuel consumption.*

### **Can't Oregon fix this by adopting a carbon tax or congestion pricing by statute?**

No. Amending Oregon's Constitution is necessary. The current constitutional limitation restricting gas revenue to roads has a broad sweep. It covers:

*(a) Any tax levied on, with respect to, or measured by the storage, withdrawal, use, sale, distribution, importation or receipt of motor vehicle fuel or any other product used for the propulsion of motor vehicles; and*

*(b) Any tax or excise levied on the ownership, operation or use of motor vehicles.*

This language has been interpreted by the courts and the attorney general to include all taxes, fees, tolls, etc., regardless of how they are described that apply to motor vehicles and the fuels used to power them. This includes taxes on congestion, pollution, or any other harm caused by motor vehicles. There is no way around this limitation. If not removed (which we are not advocating), it must be amended.

### **Isn't SJR 16 simply a raid on the highway fund?**

Not at all. SJR16 is a modest expansion of the allowed use of motor vehicle revenues consistent with the "user fee" concept. It only allows uses that address problems caused by motor vehicles.

It permits motor vehicles to be subject to the "polluter pays" principle. Currently the pollution cost of motor vehicle travel is shifted to innocent nearby residents as well as across entire air sheds.

The additional infrastructure allowed by this change will benefit motorists through diversion of travel from highways.

**Contact:** Jim Howell, policy director, Association of Oregon Rail and Transit Advocates, 503-284-7182, [jimhowell89@hotmail.com](mailto:jimhowell89@hotmail.com)