



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 6/9/2014)

APPROVED: MULTNOMAH COUNTY
BOARD OF COMMISSIONERS

AGENDA # C-3 DATE 12/10/15
MARINA BAKER, ASST BOARD CLERK

Board Clerk Use Only

Meeting Date: 12/10/15
Agenda Item #: C.3
Est. Start Time: 9:30 am
Date Submitted: 12/3/15

Agenda Title: Requesting Approval of Amendment to an Intergovernmental Agreement with the Oregon Department of Transportation due to Legislative Changes

Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.

Requested

Meeting Date: December 10, 2015 Time Needed: Consent Agenda

Department: Community Services Division: Transportation

Contact(s): Tom Hansell

Phone: 503-988-0223 Ext. 80223 I/O Address: 425/2

Presenter

Name(s) &

Title(s): N/A

General Information

1. What action are you requesting from the Board?

The Department of Community Services is asking the Board to approve an amendment to an Intergovernmental Agreement (IGA) with the Oregon Department of Transportation, Driver and Motor Vehicle Services (DMV) Division for collection of county vehicle registration fees on behalf of the County.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The amendment performs some housekeeping on points-of-contact between the State and County, adjusts the administrative processing fee and responds to changes from the passage of Senate Bill 943 during the 2015 Legislative Session; as further identified in Chapter 404, Oregon Laws 2015.

Senate Bill 943 added an exemption from the county-levied vehicle registration fee for the replacement of the Sellwood Bridge. ORS 801.041, the statute that authorizes the county registration fee prior to the amendment identified 12 exemptions; there will now be 13 exemptions under the statute amended by the adoption of Senate Bill 943.

DMV administers a program that allows law enforcement officers and many other public officials to use their work addresses on their DMV record instead of their residence addresses. In some instances, these public officials work in a different county than the one

in which they live. Because the local registration fee is assessed based on the DMV record, such an official could be required to pay the local registration fee despite not living in that county. Senate Bill 943 adds an exemption for those public officials who work in a county that levies a county registration fee but do not live in that county. The anticipated reduction in revenue from this legislative update will be minimal and will not impact the debt repayment of the Sellwood Bridge project. Only Multnomah County has a county vehicle registration fee.

Under the IGA, DMV is authorized to charge a transaction fee to cover the costs incurred by DMV for collection processing. DMV's original calculation of eight (8) cents per transaction is proving to be insufficient. This amendment increases the per transaction processing fee under the IGA to ten (10) cents. The additional two (2) cent charge will amount to approximately an increase of \$5,750 per year.

3. Explain the fiscal impact (current year and ongoing).

The fiscal impacts from this IGA amendment change are minimal. The County anticipates based on discussions with DMV that less than 100 vehicle registrations per year will be affected by this new fee exemption. The loss in revenue to the Sellwood Project is negligible and will not harm the County's ability to fulfill repayment of the bond financing.

4. Explain any legal and/or policy issues involved.

The effective date of the legislative amendment brought about by Senate Bill 943 is January 1, 2016.

5. Explain any citizen and/or other government participation that has or will take place.

See discussion in Sections 2 and 3 above.

Required Signature

Elected
Official or
Department
Director:

Kim Peoples /s/

Date:

November 30, 2015

Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.

AMENDMENT NUMBER 01
INTERGOVERNMENTAL AGREEMENT
MULTNOMAH COUNTY VEHICLE REGISTRATION FEE COLLECTION

1. Parties

This is Amendment No. 1 to Intergovernmental Agreement No. 26468 ("Agreement"), dated July 1, 2010, between the Department of Transportation, Driver and Motor Vehicle Services Division, and Multnomah County, collectively "the parties." This amendment is effective on January 1, 2016.

2. Recitals

2.1. The parties desire to amend the Agreement to include provisions necessary to implement:

2.1.a. ORS 801.041, as amended by Chapter 404, Oregon Laws 2015.

2.1.b. County Project Liaison and DMV Project Liaison contact information changes.

2.1.c. Adjustment to the per transaction administrative fee amount.

3. Agreement

3.1. The Agreement is hereby amended as follows: **New language is indicated by bolding and underlining** and **deleted language is indicated by bolding and strikethrough**:

3.1.a. Amend the Agreement document, paragraph 4.3., entitled "COUNTY OBLIGATIONS," to read as follows:

4.3. County's Project Liaison for this Agreement is: **Tom Hansell, Gerald Elliott**, Multnomah County, Department of Community Services, 1600 SE 190th Ave., Portland, OR 97233-5910, 503-988-0223, **tom.j.hansell@multco.us, gerald.t.elliott@co.multnomah.or.us**, or assigned designee upon individual's absence. DMV's Project Liaison shall be notified in writing of any contact information changes during the term of this Agreement.

3.1.b. Amend the Agreement document, paragraphs 5.4.1. and 5.5., entitled "DMV OBLIGATIONS," to read as follows:

5.4.1. Prior to the transfer of County Registration Fees to County, DMV will deduct a per transaction administrative fee to cover costs incurred by DMV for the collection, processing, deposit and transfer of County Registration Fees in accordance with the terms and conditions of this Agreement. The administrative fee amount for this Agreement is **ten (10) cents** per transaction. This amount does not include costs incurred by DMV for Merchant Fees, the amount of any refunds made pursuant to paragraph 5.3. or uncollectible debt. If there is a change in the administrative costs incurred by DMV, as described in this paragraph, this Agreement will be amended to adjust the fee amount to an amount agreed upon by DMV and County.

5.5. DMV's Project Liaison for this Agreement is: **Stephanie Zellner, Lori Bowman**, Vehicle Programs Manager, DMV Program Services, 1905 Lana Ave. NE, Salem, OR 97314, 503-945-5257, stephanie.s.zellner@odot.state.or.us, lori.j.bowman@state.or.us, or assigned designee upon individual's absence. County's Project Liaison shall be notified in writing of any contact information changes during the term of this Agreement.

3.1.c. Amend the Agreement document, Exhibit A, entitled "Multnomah County Vehicle Registration Fee Amounts; Subject Vehicles; Exemptions," to delete the entire Exhibit A and replace it with the following Exhibit A-1:

EXHIBIT A-1
Multnomah County Vehicle Registration
Fee Amounts; Subject Vehicles; Exemptions

Vehicle Classification	Registration Period	Registration Fee Amounts
Passenger	Biennial or 4-year	\$38 or \$76
Motorcycles	Biennial or 4-year	\$38 or \$76
Mopeds	Biennial or 4-year	\$38 or \$76
Low-speed	Biennial	\$38
Medium-speed	Biennial	\$38
Trucks (10,000 - 26,000 lbs.)	Annual or Quarterly	\$19 or \$4.75
Light Trailers	Biennial	\$38.00
For Rent Trailers	Annual or 5-year	\$19 or \$95
Heavy Trailers	Permanent	\$10**
Buses	Annual	\$19
Tow Trucks	Annual	\$19
Charitable/Non-Profit (Passenger)	Biennial	\$38
Charitable/Non-Profit (Truck or Bus)	Annual or Quarterly	\$19 or \$4.75
Special Use Trailers	Biennial	\$38
Permanent Fleet (Passenger)	Biennial	\$38
Permanent Fleet (Truck or Bus)	Annual	\$19
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
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
Travel trailers, campers and motor homes	N/A	Exempt
<u>Vehicles registered to an employment address as provided in ORS 802.250 when residence address is not within county of employment address</u>	<u>N/A</u>	<u>Exempt</u>

**Permanent Registration (one-time fee)

3.2. Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect.

--SIGNATURE PAGE TO FOLLOW--

This Amendment may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.

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.

Multnomah County, by and through its elected officials

By _____
Deborah Kafoury Chair
Board of County Commissioners
For Multnomah County, Oregon

Date _____

REVIEWED

Jenny M. Madkour, County Attorney
For Multnomah County, Oregon

By _____
Deputy County Attorney

Date _____

County Contact:

Tom Hansell
Multnomah County
Department of Community Services
1600 SE 190th Ave.
Portland, OR 97233-5910
503-988-0223
tom.i.hansell@multco.us.

STATE OF OREGON, by and through its Department of Transportation Driver and Motor Vehicle Services Division

By _____
Tom McClellan, Division Administrator,
Driver and Motor Vehicle Services Division

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

Via Email November 18, 2015
Serena Hewitt, Assistant Attorney General,
Oregon Department of Justice

DMV Contact:

Stephanie Zellner, Vehicle Programs
Manager,
DMV Program Services
1905 Lana Ave. NE
Salem, OR 97314 -0100
503-945-5257
stephanie.s.zellner@odot.state.or.us