

Secretary of State
NOTICE OF PROPOSED RULEMAKING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Transportation, Transportation Development Division

731

Agency and Division

Administrative Rules Chapter Number

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Rules Coordinator

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RULE CAPTION

Eligibility and application procedures for grants and loans under the multimodal transportation fund program

Not more than 15 words that reasonably identify the subject matter of the agency's intended action.

RULEMAKING ACTION

ADOPT: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND: 731-035-0010, 731-035-0020, 731-035-0030, 731-035-0040, 731-035-0050, 731-035-0060, 731-035-0070, 731-035-0080

REPEAL:

RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND & RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 184.616, 184.619 and 367.082

Stat. Auth..

None

Other Authority

ORS 367.080 to 367.086

Stats. Implemented

RULE SUMMARY

The proposed amendments are needed to implement Section 10(1) of HB 2001, to allocate at least five percent of the net proceeds of lottery bonds used for the ConnectOregon III program to rural airports.

Text of proposed and recently adopted ODOT rules can be found at web site <http://www.oregon.gov/ODOT/CS/RULES/>.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

October 21, 2009

Last Day for Public Comment

Last day to submit written comments to the Rules Coordinator

Signature

Lauri Kunze

Printed name

Date

* The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Transportation, Transportation Development Division
Agency and Division

731
Administrative Rules Chapter Number

In the Matter of the Amendment of OAR 731-035-0010, 731-035-0020, 731-035-0030, 731-035-0040, 731-035-0050, 731-035-0060, 731-035-0070, 731-035-0080

Rule Caption: Eligibility and application procedures for grants and loans under the multimodal transportation fund program

Statutory Authority: ORS 184.616, 184.619 and 367.082

Other Authority: None

Statutes Implemented: ORS 367.080 to 367.086

Need for the Rule(s): The proposed amendments are needed to implement Section 10(1) of HB 2001, to allocate at least five percent of the net proceeds of lottery bonds used for the ConnectOregon III program to rural airports.

Documents Relied Upon and where they are available:

Fiscal and Economic Impact, including Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): The proposed amendments would allocate at least five percent of the net proceeds of the lottery bonds used for the ConnectOregon III program to rural airports. The exact amount to be distributed can only be determined after the projects are selected.

2. Cost of compliance effect on small business (ORS 183.336): Participation in the ConnectOregon grant/loan program is voluntary. Because businesses are not subject to these rules, there will be no costs for them associated with reporting, recordkeeping and other administrative activities, professional services, equipment, supplies, labor or increased administration required for compliance.

How were small businesses involved in the development of this rule? Fourteen groups representing small business were notified of the proposed amendments and invited to comment. No comments were received.

Administrative Rule Advisory Committee consulted? No

If not, why? The department determined an advisory committee was not necessary for this rulemaking because the new allocation requirements are established by statute.

Authorized Signer

Lauri Kunze
Printed name

Date