

# Partnerships to Improve Air Quality and Climate Expanding and Enhancing Commute Option Programs

Commute Option Rulemaking Advisory Committee Meeting #5  
April 14, 2023

# Agenda

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- 9 a.m. Welcome - Meeting Logistics
- 9:10 a.m. Public Input – RAC discretion
- 9:20 a.m. Discuss Division 242 draft revisions
- 10:25 a.m. Break
- 10:35 a.m. Discuss Second Draft Division 254 rules
- 11:40 a.m. Wrap up, next steps
- 11:45 a.m. Public Input
- 12 p.m. Adjourn

# New RAC members and alternates today

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- Michael Espinoza, Eric Hesse (alternate) – PBOT
- Hope Estes (for Stephanie Millar) – ODOT
- Brett Dodson (for Michael Harrison) - OHSU

# Remote Meeting Participation Tips

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- Meeting is being recorded
- Join by computer audio or phone, but not both (feedback, echoes)
- Use Raise Hand feature and \*9 if on the phone
- Stay on mute when not speaking
- RAC members unmute with microphone icon or \*6 if on the phone
- State name and affiliation before speaking
- Camera on as you are able – “gallery view” for discussion
- Use “Chat” only for technical issues, sharing information (not discussion, comments)
- Public attending is muted (will be public input period at end)

# Participation Guidelines

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- Please type your affiliation after your name and list your name and title as you wish to be addressed
- Please also state your name and affiliation each time before you speak
- Speak up or use [link](#) to anonymous comment form if meeting space or speech is unwelcome, harmful, inhibits your participation
- Honor agenda and strive to stay on topic (using the “bike rack”)
- Ask clarifying questions often
- Remain aware of speaking time balance
- Listen, seek to learn and understand others’ perspectives
- Focus comments on content, not individuals

# Discussion Focus – Portland-region Employee Commute Option Substantive Rule Revisions

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**Changes to exemptions and requirements**

**Revised alternatives to trip reduction**

**Increased trip reduction targets**

# Revised Exemptions

Rule	Revision	Explanation
<p>340-242-0270 Employee Commute Options Program: Are Exemptions Allowed</p>	<p><b>[delete]</b> Some exemptions: snapshot</p> <ul style="list-style-type: none"> <li>• If not able to find carpool matches</li> <li>• If all work must be in person</li> <li>• If alternative emissions reductions can't be achieved at no net cost.</li> </ul> <p><b>[revise]</b> To be fully exempt from ECO, require that <b>all</b> worksites with more than 100 employees are in areas with distant (more than ½ mile) or infrequent (more than <u>30 minute</u> intervals) transit or <b>all</b> work shift changes occur between 8:30 p.m. and 5:30 a.m.</p> <p><b>[revise]</b> a “partial exemption” means that employers don't have to count certain employees toward their total that requires them to adhere to ECO rules (if more than 100 employees).</p>	<p>To encourage employers to investigate and try as many commute options as possible, even if some – like telecommuting or carpooling – aren't feasible.</p> <p>Criteria of “no net cost” does not support need to strengthen the rules, alternative emission reductions are one option to achieve trip reduction target equivalency.</p> <p>Employers already exempt are not affected because the MOUs codifying their exemptions do not expire.</p>

# Revised Requirements

Rule	Revision	Explanation
<p>340-242-0110 Employee Commute Options Program: What If an Employer Does Not Meet the Target Auto Trip Rate?</p>	<p><b>[add]</b> (1) The initial target auto trip rate compliance date is three years after the closing date of the employer’s baseline survey. Thereafter, the target auto trip rate compliance date is every two years.</p> <p><b>[delete]</b> An employer will not be required to submit further plan revisions to its initial plan.</p> <p><b>[revise/add]</b> If the employer has not achieved the target auto trip rate after two trip reduction plan revisions and implementing all strategies in the revised trip reduction plan, the employer must maintain all strategies identified in its plan <u>and implement at least one of the trip reduction alternatives in 340-242-0240.</u></p>	<p>Put compliance dates in this rule instead of in definitions.</p> <p>Establish requirement for alternative emission reductions or alternative trip <u>reduction</u> if an employer doesn’t meet trip reduction target after two tries.</p>



# Revised Trip Reduction Alternatives

340-242-0240  
Employee  
Commute Options  
Program: Are There  
Alternatives to Trip  
Reduction?

[revise] Increase the minimum amount that employers may contribute to an emission reduction fund from an annual rate of \$100 per employee to \$1,100 per employee at the work site.

[add] A fourth option for alternatives to trip reduction: document contribution at an annual rate of \$1,100 per employee to a nonprofit transportation management agency or a charitable organization focused on non-auto mobility.

Update the minimum amount of an employer's financial commitment made in lieu of auto trip reductions at the worksite. \$1,100 is equivalent to the cost of an annual TriMet pass.

# Increased Trip Reduction Targets

Rule	Revision	Explanation
<p>340-242-0010 Employee Commute Options Program: What is the Employee Commute Options Program?</p>	<p>[add] (3) ECO is one of several strategies DEQ implements to help communities reduce mobile source emissions, such as greenhouse gas and toxic air contaminants, by reducing single occupancy vehicle trips to work sites.</p> <p>Cite ORS 468A.205(1)(c) as statute implemented.</p>	<p>Acknowledges that ECO's purpose is also to reduce GHGs and air toxics.</p> <p>Statutory target: By 2050, achieve greenhouse gas levels that are at least 75 percent below 1990 levels.</p>
<p>340-242-0030 Employee Commute Options Program: What Does ECO Require?</p>	<p>[revise] Introduce two options for auto trip reduction targets.</p> <ul style="list-style-type: none"> <li>• Auto trip reduction target 20% from baseline (increase from current 10%)</li> <li>• Establish new auto trip target not-to-exceed 65%.</li> </ul>	<p>Recognize need for more reduction in auto trips and VMT in order to achieve GHG targets.</p> <p>Recognize prevalence of remote work and establish appropriate not to exceed auto trip rate target consistent with need to reduce VMT and GHGs.</p>

# Time for Discussion and Comments

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- Revised exemptions and requirements
- Revised alternatives to trip reduction and equivalent emissions now required
- Increased targets

What do you support?

What needs some changes?

Where are the deal-breakers?

# Comments about other rule revisions proposed

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What comments do you have on other proposed revisions to Division 242 ECO rules?

# Commute Option Rulemaking Advisory Committee

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Break – we'll be right back

# Discussion Focus – Second Draft Statewide Commute Option Rules

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**Geographic boundaries – UGBs or MPOs**

**Flexible compliance or exemptions**

**Employers with worksites in and outside Portland**

# Geographic Boundaries: UGBs vs MPOs?

Use urbanized area instead of MPO for geographic boundary.

**340-254-0090**

Urban growth boundary of an Oregon incorporated city with a population exceeding 50,000.

UGBs of 50,000 will leave out Grants Pass.

Consider MPO as of a certain date?

Urban Growth Boundary	Number worksites > 100 employees
Albany	30
Bend	55
Corvallis	27
Eugene-Springfield	168
Grants Pass	24
Medford	63
Salem-Keizer	162
Potential Total newly regulated worksites	529

# Compliance flexibility

Allow other ways to reduce GHG, e.g. EVs

**340-254-0110(7)** allows for alternative emission reductions. Added requirement for equivalent emission reduction if trip rate reduction target missed after two plan revisions.

Contribution to T.O. provider or nonprofit organization at annual rate of \$250 per employee

Transit Provider	Monthly Fare	Annual pass equivalent with employer discount	Notes
Albany Transit System	\$30	\$360	Fareless since March 2020
Corvallis Transit System	0	0	Fareless since 2011: Funded by transit fee on residential utility accounts and other sources
Cascades East Transit	0	0	Fareless since April 2022
Josephine County	\$50	\$600	Monthly commuter pass
Rogue Valley Transit District	\$56	\$46	Monthly full fare
Cherriots	\$85	\$67	\$45/month for local service only; \$540 annual pass is only local service
Lane Transit District	\$50	\$75	
	<b>\$39</b>	<b>\$164</b>	



# Employers with worksite in and out of Portland

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## Requirements are similar

- Worksites with more than 100 employees
- Baseline survey
- Trip reduction target reductions or not-to-exceed auto trip rate
- Survey every two years
- Alternative trip reductions if targets not reached

# Time for Discussion and Comments

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- Geographic boundaries
- Flexible compliance
- Employers in and out of Portland

What do you support?

What needs some changes?

Where are the deal-breakers?

# Comments about other areas in proposed statewide rules

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What comments do you have on other proposed statewide commute option rules?

# Commute Option Rulemaking Next Steps

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- Please send comments on RAC5 by: Friday, 05/05/23 to: [TripReduction2021@deq.Oregon.gov](mailto:TripReduction2021@deq.Oregon.gov)
- Sixth and final meeting – May/June 2023
  - Review fiscal impacts

# Commute Option Rulemaking Advisory Committee

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Time for Public Input

# Commute Option Rulemaking Advisory Committee

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Thank you! See you at the next meeting.

# Title VI and alternative formats

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