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STATUTORY MINOR CORRECTION

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ARCHIVES DIVISION
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& LEGISLATIVE COUNSEL

RD 5-2025
CHAPTER 741
DEPARTMENT OF TRANSPORTATION
RAIL DIVISION

FILING CAPTION: Updating statutory reference

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 741-015-0040

RULE TITLE: Application Review and Approval

RULE SUMMARY: These Chapter 741, Division 15, administrative rules establish the State Rail Rehabilitation Program for the distribution of the funds and the procedures, standards and criteria for the program's operation.

RULE TEXT:
(1) If the proposed project is not already on the Rail Needs Inventory (RNI), the applicant must complete and submit the RNI Intake Form (insert hyperlink to the Intake Form). The Department shall review the Project to determine if the Project will be added to the RNI.
(2) Upon receipt of an application, the Department shall determine whether the Project is eligible for Program Funds. To be eligible, the Applicant and Project must meet the following criteria:
(a) The Project applicant is a railroad doing business within the state of Oregon; a public jurisdiction within the state of Oregon; or a company, foreign or domestic, incorporated or registered with the Oregon Secretary of State to do business within the state of Oregon.
(b) The Project will assist in developing or rehabilitating railroad infrastructure that:
(A) Supports state and local government efforts to attract new industries to Oregon, or
(B) Keeps and encourages expansion of existing industries or improves the functional utility of the state's railroad network by increasing capacity, enhancing safety, or reducing greenhouse gases.
(c) The Project will serve the public good and would benefit from the provision of public assistance.
(d) The Project will not require or rely upon continuing subsidies from the Department.
(e) The Project is consistent with the goals of the Oregon State Rail Plan. and
(f) The applicant is current on all state and local taxes, fees, and assessments.
(3) If the Project is not eligible, the Department shall, within 60 days:
(a) Reject the application; or
(b) Request additional information the applicant must provide to establish eligibility.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 824.016

STATUTES/OTHER IMPLEMENTED: ORS 824.016