Chapter 383

1989 EDITION

Private Toll Bridges

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CROSS REFERENCES

Free use of tollgates, bridges and ferries by state military forces, 399.145

383.310

Construction and operation of toll bridges by:

Cities, 381 290, 381 605

Counties, 381 290

Department of Transportation, 382.105

Ports, 381.290

383.010 [Repealed by 1981 c.153 §79]
383.020 [Repealed by 1981 c.153 §79]
383.030 [Repealed by 1981 c.153 §79]
383.040 [Repealed by 1981 c.153 §79]
383.050 [Repealed by 1981 c.153 §79]
383.060 [Repealed by 1981 c.153 §79]
383.070 [Repealed by 1981 c.153 §79]
383.080 [Repealed by 1981 c.153 §79]
383.090 [Repealed by 1981 c.153 §79]
383.100 [Repealed by 1981 c.153 §79]
383.110 [Repealed by 1981 c.153 §79]
383.120 [Repealed by 1981 c.153 §79]
383.130 [Repealed by 1981 c 153 §79]
383.140 [Repealed by 1981 c 153 §79]
383.210 [Repealed by 1981 c 153 §79]
383.220 [Amended by 1971 c.741 §29, repealed by 1981 c 153 §79]
383.230 [Repealed by 1981 c.153 §79]
383.240 [Repealed by 1981 c.153 §79]
383.250 [Repealed by 1981 c.153 §79]
383.260 [Repealed by 1981 c.153 §79]
383.270 [Repealed by 1981 c.153 §79]
383.280 [Repealed by 1981 c 153 §79]

383.310 Constructing and operating toll bridges. It is lawful to construct, maintain and operate toll bridges upon state highways in the manner set forth in and pursuant to ORS 382.105 to 382.115 and 383.320 to 383.380, and not otherwise.

383.320 Permission of Department of Transportation for toll bridges. Before any toll bridge is constructed or construction commenced over any stream, river, bay, arm of the ocean or other body of water upon any state highway, federal aid highway, any highway constituting a direct or immediate extension thereof, connection between two state highways or federal aid highways or any highway over which travel might be diverted from a state or federal highway, application shall first be made to the Department of Transportation for a permit to construct, operate and maintain the bridge. If, in the judgment of the department, the interest of the public will be served by the construction of the toll bridge, the Department of Transportation may, in its judgment and discretion, grant a permit for the construction, maintenance and operation of the toll bridge upon such terms and conditions and under such regulations as the department deems proper, not inconsistent with ORS 382.105 to 382.115 and 383.310 to 383.380.

383.330 Purchase of toll bridges by Department of Transportation. The permit issued by the Department of Transportation for the construction of the toll bridge shall, among other things, contain a clause and provision to the effect that the state, through the department, may, at any time after three years from date of the construction and operation of the bridge, acquire the bridge, all right, title or interest therein and the approaches thereto, by paying to the owners the reasonable cash value of the bridge and approaches, not to exceed in any event the original construction cost, less reasonable depreciation. In determining the price to be paid for the bridge there shall be taken into account:

(1) The amounts expended in constructing and keeping in repair the bridge.

(2) Other necessary expenses incurred in and about the bridge.

(3) As an offset, the amount or sum of money received by the owners of the bridge as profits or tolls.

383.340 Submitting bridge plans to Department of Transportation. If, in the judgment of the Department of Transportation, such permit should be granted, the department shall, before issuing a permit and before the construction of the bridge has been commenced, require the applicant to submit to the department the location, design, plans and specifications for the construction of the bridge, together with such drawings and maps as may be required for a full understanding of the subject. The construction of the bridge shall not be commenced until such location, design, plans, specifications, drawings and maps have been approved by the department.

383.350 Inspector of bridge construction; compensation. Whenever the Department of Transportation grants a permit for the construction of a toll bridge as provided in ORS 383.320, the department shall maintain on the bridge during construction an inspector, who shall have authority to require the construction of the bridge in harmony with the plans, specifications and design approved by the department. The compensation or wages to be paid the inspector shall be fixed by the Department of Transportation, but such compensation, together with the subsistence of the inspector, shall be paid by the applicant to whom the permit for construction of the bridge has been issued.

383.360 Toll rates determined by Department of Transportation. The Department of Transportation shall fix and determine the rates of toll that may be charged, collected or received for transit over such bridge, and may change such rates at any time circumstances and conditions warrant.

383.370 Keeping and filing records of expense, tolls and profits. (1) The owners of the toll bridge shall keep an accurate statement or account of the moneys expended

in the construction of any such toll bridge and keeping it in repair, including any sums paid for lands appropriated as necessary in connection with the construction of the bridge. Such statement or account shall be verified and a copy filed annually with the Department of Transportation.

(2) The owner of such bridge shall likewise keep an accurate account of the tolls received for transit over the toll bridge or of other profits accruing to the owner. Such owner shall file semiannually with the Department of Transportation a verified copy of such account.

383.380 Status of bridge. When completed and opened for public travel such toll bridge is a part of the state highway system and shall be under the jurisdiction and control of the Department of Transportation.