



State of Oregon Department of Environmental Quality

RAC Comment Summary: Division 254 Draft Rules Commute Options Rulemaking

Advisory Committee Meeting 5, April 17, 2023

Div. 254 Rule Element	Comments from 11/18/22 RAC #4	DEQ Change from Div. 254 First Draft
Purpose	VMT and trip reduction should also be a goal, not just GHG reduction.	340-254-0090 Added that the program's purpose is to help communities reduce mobile emissions by reducing single occupancy vehicle trips to work sites.
Voluntary participation	Incentives are inadequate, too much paperwork required.	No change. Will address in implementation.
Applicability	Consider a higher employee threshold (e.g. 300).	Considered but not addressed.
	Phased rollout or pilot program – by work sector, size, location.	Considered but not addressed.
	Clarify applicability if employer has multiple worksites.	340-254-0110 Clarify that employer must only register worksites that have more than 100 employees and are within the urban growth boundary.
	Clarify employee count, shift, part-time, non-scheduled work week.	340-254-0100 Simplified employee count. Other definitions in 340-242-0050 and referenced in Div. 254.
	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.

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Auto Trip Rate Reduction Targets	Establish tiers for auto trip rate target by employment sector, location, size.	Considered but not addressed.
	Don't use one-year county drive-alone percentage from American Community Survey – not reliable.	340-254-0090 Use urban growth boundary to determine applicability.
	Targets must not penalize those doing well already.	340-254-0120 Establish an option for setting a worksite target auto trip rate that is “not to exceed” rather than reduction from baseline.
	Make clear that commute options still required after reaching target.	340-254-0110(5) says trip reduction plan must be likely to “achieve and maintain” auto trip rate reduction. Added “maintain strategies” to 340-254-0110(7) .
	Include auto trip rate calculation in rule.	In 340-242-0050 Definitions and referenced in Div. 254.
	Any target must be lower than current auto trip rate.	Partly address: 340-254-0120 allows two options for auto trip rate: 15% less than initial survey or “not to exceed” 75%.
Employer Requirements	Need more quantitative standards for acceptable trip reduction plans.	340-254-0150 Did not change Requirements of Auto Trip Reduction Plan but 340-254-0160(1) says DEQ will automatically approve any trip reduction plan that includes at least one strategy in at least four of the six commute option categories.
	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.

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	Require annual surveys	Considered by not addressed.
	Require a certain percent time for Employee Transportation Coordinator.	Out of scope or authority, but 340-242-0050 Definitions (referenced in Div. 254) say ETC 'primary professional responsibilities" should be to support commute option programming.
	Require employers to work with Transportation Option providers.	Out of scope or authority.
	Rules should state what DEQ provides to employers (e.g. tech assistance, plan review, templates).	Considered but not addressed; will address in implementation.
	Good faith and full implementation need to be better defined; employer should have to demonstrate dedicated FTE and budget.	340-254-0130 Lists criteria of "good faith effort."
	Six years is too long to reach trip reduction target.	340-254-0110(3) requires survey every two years.
	Specify survey requirements in rule.	Addressed in 340-254-0140 .
Definitions	Define nonscheduled workweek, employee transportation coordinator.	In 340-242-0050 Definitions and referenced in Div. 254.
Commute Option Strategies	Order by effectiveness of trip reduction.	340-254-0170 Considered and partly addressed; Categorized options to reflect commute option effectiveness in different land development types.
	Add: bike safety education classes, taking-transit trainings, commute challenges, bike repair stations, bike tune-ups, fleet bikes, real time transit info, preferred shared ride parking, and on-site carshare.	Addressed
	Remove "electric" from micro-mobility definition.	Addressed
Partnerships	-180(1) add 'nonprofit' organizations to Partnerships.	Added to 340-254-0180(1)
	Templates for plans, surveys, reporting.	

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Implementation Suggestions from RAC	Lack of confidence in DEQ resources to implement statewide program.	DEQ will work with local governments, community organizations, ODOT, and Metropolitan Planning Organizations to implement a statewide commute option program effectively and collaboratively.
	Need process to notify employers of new requirements; they should have ability to appeal.	
	Administer technical assistance; plan approval takes place through regional offices (Bend, Medford, Salem, Portland).	
	Design a uniform, automated electronic program for plan creation, employee surveying, reporting, and monitoring.	
	Information sessions for employers, training for ETCs.	
	Have all surveys due same odd or even year.	
	Reference 'Get There' as a resource.	
	Establish a ranking system – Gold, Platinum, Silver	

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