

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**ORDINANCE NO. 1132**

Amending MCC §§ 11.300, 11.301 and 11.304 Relating to Motor Vehicle Rental Tax

(Language ~~stricken~~ is deleted; double underlined language is new.)

**Multnomah County Ordains as follows:**

**Section 1.** MCC §§ 11.300, 11.301 and 11.304 are amended as follows:

**11.300\* MOTOR VEHICLE RENTAL TAX**

**11.300- Definitions.**

For the purpose of this subchapter, the following definitions apply unless the context requires a different meaning.

***CAR SHARING ORGANIZATION.*** A profit or non-profit organization with membership requirements that provides the use of motor vehicles exclusively to its members for a fee.

***COMMERCIAL ESTABLISHMENT.*** Any person or other entity, any part of whose business consists of providing the use of motor vehicles for a rental fee.

***DIRECTOR.*** The Chief Financial Officer of the county.

***DOING BUSINESS IN THE COUNTY.*** Any of the following conduct by a commercial establishment whose business address is within or outside the county:

- (1) Delivery of a rented vehicle to a location within the county for use by a person within the county; or
- (2) Presenting for execution within the county by any person a car rental agreement.

***EXEMPTION AREA.*** Multnomah, Washington and Clackamas Counties.

***MOTOR VEHICLE.*** Without limitation, automobiles, trucks having a manufacturer's gross vehicle weight not exceeding 24,000 pounds, motor homes, motorcycles, pickup campers and any motorized passenger vehicles designed to carry fewer than ten persons, which are capable of being used on the highways of the state.

***REGIONAL CHILDREN'S CAMPUS (RCC) BONDS AND PARITY OBLIGATIONS.*** (a) ~~County Revenue Bonds, Series 1998 (Regional Children's Campus, Inc.) that are dated October 1, 1998,~~ (b) Motor Vehicle Rental Tax Revenue Bonds, Series 2000A and 2000B dated November 1, 2000, ~~(e)~~ any obligations issued to refund obligations described in clause (a) ~~or (b)~~ of this definition.

***RENTAL FEE.*** The gross fee and charges, whatever the basis of their calculation, paid to a commercial establishment by any person for the rental of a motor vehicle.

***RENTAL or RENTING.*** Obtaining in the county the use of a motor vehicle from a commercial establishment in the county for a rental fee, and includes all services, supplies and commodities furnished by the commercial establishment in connection with providing the use of the vehicle, but does not include leasing or other transactions where title of a motor vehicle is permanently or temporarily transferred from the commercial establishment to any other person or entity.

***YEAR ONE.*** Fiscal Year 2000-2001.

**11.301 Imposition Of Tax.**

(A) A tax is imposed on every person renting a motor vehicle from a commercial establishment doing business in the county, if the rental is for a period of 30 days or less. A rental must have a duration of 30 days or less if the actual possession or use by the person renting the vehicle terminates not later than the end of a 30-day period or if any contract governing the rental has a duration of 30 days or less.

(B) The base rate of the tax imposed by subsection (A) is equal to ~~10~~14.5% of the rental fee charged by the commercial establishment for the rental.

(C) The surcharge rate of the tax imposed by subsection (A) is equal to 2.5% of the rental fee charged by the commercial establishment for the rental. This 2.5% surcharge will terminate if the 2.5% transient lodging tax imposed by § 11.401(E) is terminated before the issuance of the bonds defined in § 11.400.

(D) If, with respect to any rental fee, the tax imposed under this section does not equal an amount calculable to a whole cent, the commercial establishment must charge a tax equal to the next highest whole cent. However, the amount remitted to the Director by the commercial establishment for each quarter must equal ~~12.5~~17% of the total rental fees collected by the commercial establishment during the quarter. Penalty, see § 11.399

**11.304 Use Of Taxes.**

(A) The ~~10~~14.5% base taxes collected under this subchapter are general fund revenues of the county, except that the portion of taxes attributable to gasoline sales are subject to the limitations on use prescribed by the constitution and laws of the state.

(B) ~~The base taxes, and to the extent necessary also surcharge taxes, will be used by the County to pay any debt service on the RCC Bonds and Parity Obligations. All 2.5% surcharge taxes collected under this subchapter not needed for that purpose will be deposited in the Visitors Facilities Trust Account (VFTA) created by 11.401(E) and allocated as provided by 11.401(E)(4). The Board is authorized under Home Rule authority to enter an intergovernmental agreement with the City of Portland to pledge the County to maintain this surcharge to pay the bonds and other obligations identified in 11.401(E). Such pledge is binding under ORS 288.594 from April 1, 2000 as long as the 11.401(E) bonds are outstanding.~~

**Section 2.** This ordinance is effective on June 15, 2009.

FIRST READING:

May 7, 2009

SECOND READING AND ADOPTION:

May 14, 2009



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Agnes Sowle, County Attorney

SUBMITTED BY:  
Commissioner Jeff Cogen