Did The Oregon Legislature Just Unite a Divided Nation?

By Jamie Wells, M.D. — July 18, 2017

It appears new legislation in Oregon might be the key to bringing opposing political parties together. The state penalizes drivers — bicycle commuters cheered that — but now they have created a special tax on cyclists too, and that has united the left and right in outrage.

Given that Oregon now boasts new or increased taxes [2] on marriage, divorce, cars, and “sin taxes” like cigarettes, e-cigarettes, microbrews, cider and wine, a first in the nation tariff on bikes has stoked frustration — from small business owners, from the cycling community as well as those who feel there is no limit to what the government can tax in support of the so-called “nanny state.”

Originally supposed to be a 5% tax on the purchase of new bicycles, the actual law just passed charges $15 for each bike over $200 with a wheel diameter of 26-inches or greater. The onus is placed on the seller to collect the excise tax, create an invoice and receipt. The administrative cost is suspected to be around $100,000.

**Lawmakers maintain…**

Lawmakers support this recently passed version of legislation and encourage people to view it amidst the larger picture, in the context of the entire transportation package. Touting the estimated $1.2 million in presumptive revenue will be used expressly for bike infrastructure [3], they play up that this modest fee is a balanced, reasonable alternative that won’t generate excitement like more costly and restrictive mandatory helmet or licensing and registration laws.

They believe it to be a tiny measure that will start to quell the battle between drivers and bike enthusiasts by giving the latter a seat at the table with more skin in the game. The former group
has been opposed to ever increasing bike lanes and diversion of public resources to support these endeavors, claiming cyclists don’t pay their fair share for roads and the like, while drivers are taxed repeatedly. This is an argument the biking community disputes, claiming everyone, not just drivers, subsidize costs of policing, emergency medical services, pollution and other infrastructure strains while they add no harm to the environment by their preferred activity. Resentment along with moral authority are routinely clouding the conversation.

Naysayers argue...

Those in a biking advocacy position argue this legislation will turn off potential bicycle buyers, drive them to lower-priced products from big store chains or to purchase used equipment which hurts the local small business owners. And, they claim, by making the activity more expensive the legislation will diminish its popularity. Some go as far to suggest it is just the beginning of what will be regulated and will “normalize” taxing bike riders when we should incentivize them. Their position is that increasing price tags will prompt fewer people to bike and more to drive which will lead to even greater societal expense.

Then, there is the component of the public who thinks government should be less, not more involved in influencing personal choice and that there are no limits to what it will opt to tax.

In conclusion...

I am reminded of the old adage to “watch what you wish for, you may get it.” The cycling community wants to hold significant negotiating power and be deemed a force in the transportation sector. This latest legislation asks them to reflect on what cost they are willing to pay to do so.

With soda taxes, proposed smart phone bans and other “sin” taxes lately driving the legislative sphere to penalize “bad” choices or to compel “good” behaviors, this Oregon endeavor appears to be the first to levy such a burden on a uniformly-deemed healthy and environmentally supportive activity. Maybe there is something progressive about not imposing arbitrary moral authority on legislative acts?

Regardless of where you stand on the decision, recognize— when in Oregon —your shoes or the four paws of your dog might be susceptible to a walking toll in the future. The catch-all of buttressing infrastructure begs the legitimate question of what’s next?

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