

HOUSE COMMITTEE ON TRANSPORTATION

March 21, 2005 Hearing Room C

1:00 P.M. Tapes 28 - 29

MEMBERS PRESENT: Rep. George Gilman, Chair

Rep. Terry Beyer, Vice-Chair

Rep. Chuck Burley, Vice-Chair

Rep. Deborah Boone

Rep. Scott Bruun

Rep. Kim Thatcher

MEMBER EXCUSED: Rep. Dave Hunt

STAFF PRESENT: John Houser, Committee Administrator

Mike Reiley, Committee Assistant

MEASURES/ISSUES HEARD:

HB 2411 – Public Hearing

HB 2108 – Public Hearing

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
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TAPE 28, A

003 Chair Gilman Calls the meeting to order at 1:01 p.m. Opens a public hearing on HB 2411.

HB 2411 – PUBLIC HEARING

005 John Houser Committee Administrator. Introduces HB 2411.

015 Rep. Mitch Greenlick House District 33. Testifies in support of HB 2411. Explains the need for directional outdoor lighting.

070 Chair Gilman Offers his personal account of spending the night in a lookout station and being able to see the stars without light pollution from urban areas.

082 Rep. Boone Explains the need for security lights.

086 Rep. Greenlick Explains unidirectional lighting and omni-directional lighting.

098 Rep. Burley Concurs with the considerations of Chair Gilman and Rep. Boone.

110 Jason Tuenge Cascade Lighting Representatives. Submits and summarizes prepared PowerPoint presentation in support of HB 2411 (**EXHIBIT A**).

211 Scott Lazenby Manager, City of Sandy. Testifies in support of HB 2411. Submits and summarizes the Dark Sky Ordinance passed by the City of Sandy and related information (**EXHIBIT B**). Explains the misperceptions of outdoor lighting needs.

280 John Jackley Highway Division, Oregon Department of Transportation (ODOT). Submits and summarizes prepared testimony in regard to HB 2411 (**EXHIBIT C**).

354 Rep. Greenlick States that he will work with stakeholders to address concerns on the issue.

370 Chair Gilman Closes the public hearing on HB 2411. Opens a public hearing on HB 2108.

HB 2108 – PUBLIC HEARING

- 380 John Houser Committee Administrator. Introduces HB 2108.
- 400 Robin Freeman Oregon Department of Transportation (ODOT). Submits and reads prepared testimony in regard to HB 2108 (**EXHIBIT D**).

TAPE 29, A

- 048 Michael Ward Division of Motor Vehicles (DMV). Submits and summarizes “Driver & Motor Vehicle Services Fraudulent Document Identification” (**EXHIBIT E**). Explains the employee training program to address fraudulent documents and fraudulent aspects of documents.
- 103 Rep. Burley Asks if DMV requires a social security number to receive a driver license.
- 106 Ward Answers yes.
- 110 Rep. Burley Asks if the social security numbers are verified.
- 115 Ward Answers that the social security numbers are collected but not verified. Displays for the committee examples of document authentication and fraudulent documents.
- 228 Kevin Campbell Executive Director, Oregon Association Chiefs of Police. Testifies in support of HB 2108 and the -2 amendments (**EXHIBIT F**).
- 288 Rep. Bruun Asks if DMV accepts a foreign passport for driver licenses and asks how foreign documents are treated.
- 304 Ward Answers that DMV does accept foreign documents, but they must be translated and notes that foreign documents are sometimes difficult to verify.
- 330 Rep. Bruun Clarifies that if there are validity concerns, a license may not be issued, but the documents would not be retained.
- 332 Ward Answers yes.

334 Rep. Boone Notes that while traveling in the Soviet Union, her passport was taken at hotels and in trains and points out that she was without her passport most of the time.

354 Chair Gilman States that on a train trip in Russia in 2004, his passport was taken.

357 Rep. Bruun Expresses concern that documents are arbitrarily taken.

368 Rep. Thatcher Explains her identity theft case in which the suspect used a Bi-Mart card as identification and asks if documents of that type would be retained.

376 Ward Explains the high standards for issuing new licenses, but notes that renewal licenses require less secure methods for issuance.

420 Andrea Meyer Legislative Director, ACLU. Submits and reads prepared testimony in opposition to HB 2108 (**EXHIBIT G**).

TAPE 28, B

061 Edwardo Angulo Chairman, Salem-Keizer Coalition for Equality. Testifies in opposition to HB 2108. Expresses concern about documents being confiscated and the process to return them.

135 Rep. Boone Asks what would be considered adequate training for examining documents.

138 Angulo Answers that he would defer to document experts.

142 Meyer Discusses current and potential training document examination requirements. Notes that documents will be taken mistakenly.

156 Rep. Boone Asks how often documents are confiscated.

161 Ward Cites a survey that indicates that documents are confiscated “a couple times a week”, but when it is limited to U.S. issued documents the number decreases dramatically. Hopes that publicity surrounding the bill will discourage people from attempting to use fraudulent documents. Explains the DMV training for recognizing false

documents is the best available. Explains the procedure for identifying false documents.

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| 196 | Rep. Burley | Asks for an explanation of why the training standards are not adequate. |
| 200 | Meyer | Explains that she did not focus on the adequacy of the training and notes the problems that arise when legitimate documents are confiscated. |
| 218 | Rep. Burley | Asks about a chain of custody for confiscated documents. |
| 226 | Ward | Explains that the proposed process would be to issue a form to the document holder indicating where the documents are and a timeframe for potentially returning the document. |
| 248 | Rep. Beyer | Asks how DMV would notify the public of changes in the procedures for handling fraudulent documents. |
| 256 | Ward | Explains how DMV informs the public when changes in policy are implemented. |
| 264 | Rep. Bruun | Asks about the procedure for examining documents to prevent undue embarrassment of people. |
| 278 | Ward | Explains that their customer service procedures address issues sensitively and attempt to avoid embarrassment while still performing their duties. |
| 313 | Rep. Burley | Asks how to improve the chain of custody and time considerations for individuals who have their documents retained. |
| 336 | Ward | Explains that when DMV takes a document, it is likely that the document is fraudulent and DMV works to ensure that the process is as quick and thorough as possible. |
| 352 | Rep. Boone | Asks how often DMV has incorrectly confiscating documents. |
| 358 | Ward | Answers that he is unsure because there is no process in place since DMV cannot confiscate documents. |

368	Rep. Beyer	States that she still has concerns about the bill.
385	Chair Gilman	States that the committee will wait to take action on the bill based on possible amendments.
394	Meyer	Notes that the committee is beginning to address the problems with the process.

TAPE 29, B

009	Rep. Boone	Asks how the process should be expedited.
019	Meyer	Explains that a clear timeframe should be in statute.
038	Rep. Boone	Asks about the one or two incidents per week of individuals attempting to use fraudulent documents.
042	Meyer	Asks for a clarification of the number of times fraudulent documents are identified.
048	Ward	Explains that the one or two fraudulent documents per week is the state average.
050	Rep. Boone	Asks if there is one particular document that is a consistent problem.
055	Ward	Answers that there are many different documents that are used fraudulently.
063	Rep. Beyer	Asks if the one or two fraudulent documents per week are per office or statewide.
065	Ward	Answers that it is statewide.
067	Rep. Burley	Notes that the intent of the bill is to prevent identity theft but there needs to be work on improving the process. Expresses concern about a statewide standard that does not work for all jurisdictions.
078	Freeman	Explains the law enforcement processes for false applicants.

100	Ramon Ramirez	President, Oregon Farm Workers Union (PCUN). Testifies in opposition to HB 2108. Gives examples of the confiscation of legal documents and the associated problems. Stresses that confiscated documents must not be destroyed and returned to owners when appropriate.
180	Rep. Beyer	Asks how long the Latino Task Force set forth by DMV has been in effect.
192	Ramirez	Answers that it was started in December 2004 and they have met three times. Commends DMV for working with the community.
203	Chair Gilman	Closes the public hearing on HB 2108. Adjourns the meeting at 2:39 p.m.

EXHIBIT SUMMARY

- A. HB 2411, PowerPoint presentation, Jason Tuenge, 3 pp**
- B. HB 2411, City of Sandy Dark Sky Ordinance and information, Scott Lazenby, 9 pp**
- C. HB 2411, prepared testimony, John Jackley, 2 pp**
- D. HB 2108, prepared testimony and information, Robin Freeman, 11 pp**
- E. HB 2108, prepared information, Michael Ward, 3 pp**
- F. HB 2108, -2 amendments, staff, 1 p**
- G. HB 2108, prepared testimony, Andrea Meyer, 2 pp**