

HOUSE COMMITTEE ON TRANSPORTATION

March 07, 2005 Hearing Room C

1:00 P.M. Tapes 20 - 22

MEMBERS PRESENT: Rep. George Gilman, Chair

Rep. Terry Beyer, Vice-Chair

Rep. Chuck Burley, Vice-Chair

Rep. Deborah Boone

Rep. Scott Bruun

Rep. Dave Hunt

Rep. Kim Thatcher

STAFF PRESENT: John Houser, Committee Administrator

Mike Reiley, Committee Assistant

MEASURES/ISSUES HEARD:

Introduction of Committee Bill – Work Session

HB 2365 & HB 2481 – 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 20, A

003 Chair Gilman Calls the meeting to order at 1:04 p.m. Discusses the issue of school speed zones and addresses the current and proposed legislation. Opens a work session on introduction of committee bills.

INTRODUCTION OF COMMITTEE BILL – WORK SESSION

035 John Houser Committee Administrator. Introduces LC 2354 **(EXHIBIT A)**.

050 Rep. Bruun MOTION: Moves LC 2354 BE INTRODUCED as a committee bill.

VOTE: 5-0-2

EXCUSED: 2 - Burley, Boone

Chair Gilman Hearing no objection, declares the motion CARRIED.

060 Chair Gilman Closes the work session. Opens a public hearing on HB 2365 and HB 2481.

HB 2365 & HB 2481 – PUBLIC HEARING

064 Rep. Vicki Berger House District 20. Explains the intent of HB 2365 and notes the problems that have arisen from school zone speed limits. Discusses the inconsistency of implementation of the speed limits. Notes that the most common question she receives from constituents is why the speed limit is not 20 miles per hour when amber lights are flashing and explains that many jurisdictions have not invested in them.

118 Charles Crose Monmouth. Testifies in support of HB 2481 and changing the current school speed zone law. Describes the speed zones by Central High School as an example and in Keizer where speed zones are inconsistently enforced.

178 Chair Gilman Asks if anyone has received a ticket for speeding in school zones after midnight.

182 Crose Answers that he does not know.

184 Chair Gilman

Notes that some forthcoming legislation may require refunds for citations issued for speeding in school zones, but he is not aware of any citations that have been issued.

190	Wayne Hiebenthal	Dallas. Testifies in support of HB 2365. Describes the ambiguity of the language, "when children are present."
235	Dan Reid	Salem. Testifies in support of HB 2365. Discusses the problems with the current law. Urges the repeal of the existing law.
292	Rep. Hunt	Asks if specific time provisions for school speed zones are acceptable.
300	Reid	Notes that on some weekdays school is not in session.
305	Rep. Hunt	Asks if drivers are aware which days children are in school.
307	Reid	Answers that drivers may not know which days are school days and explains that "when children are present" should be sufficient.
320	Rick Roberts	Wilsonville. Testifies in support of HB 2481. Describes a school zone in Wilsonville that has a large sign and flashing lights at the beginning of the zone and a small sign at the end and the resulting confusion.

TAPE 21, A

005	Chair Gilman	Explains previous legislation and the reasons it passed, noting that the safety of children was the primary concern.
012	Roberts	Addresses the fines issued for speeding in school zones.
017	Chair Gilman	Asks if Mr. Roberts knows anyone who has received a ticket in a school zone at night.
020	Roberts	Answers no. Emphasizes the importance of obeying the law and educating children to understand the laws.
055	Dick Haglund	Salem. Testifies in support of HB 2481. Thanks Rep. Berger for her efforts to address the school speed zone issue.

066	Rep. Hunt	Asks if a consistent, statewide set time would be appropriate.
070	Haglund	Answers that flashing lights would be ideal, but he would support a time frame such as 7 a.m. to 5 p.m.
085	Paul Norris	Keizer. Submits and summarizes prepared testimony in support of HB 2365 (EXHIBIT B) . Discusses the potential problem of buses being delayed by school zones and passengers consequently missing transfers to other buses.
130	Rep. Thatcher	Reads from the Federal Highway Administration Manual on Uniform Traffic Control Devices, the five basic requirements for traffic control effectiveness: 1. Fulfill a need 2. Command attention 3. Convey a clear, simple meaning 4. Command respect from the road users 5. Give adequate time for proper response. Notes that many are lacking in current traffic control devices.
143	Chair Gilman	Speaks in favor of flashing lights. Notes that there may be federal funds available to help provide them to jurisdictions.
155	Pete Christensen	Dallas. Submits and summarizes prepared testimony in support of HB 2365 and HB 2481 (EXHIBIT C) .
206	Rep. Burley	Asks if Mr. Christensen is referring to crosswalks near schools.
210	Christensen	Responds yes and includes those that a school district has marked as an area “where children are present.”
217	Rep. Beyer	Asks about signs encountered by Mr. Christensen that indicate “when children are present” but nothing else.
222	Christensen	Explains that the signs indicate 20 miles per hour when children are present and notes the resulting confusion.
229	Chair Gilman	Notes the “Slow Down in School Zones” brochures submitted by Troy Costales, Transportation Safety Division, Oregon Department of Transportation (ODOT) (EXHIBIT D) .
235	Donna Barchenger	Salem. Submits and summarizes a letter in support of HB 2481 (EXHIBIT E) . Describes her experiences driving in school zones.

305	Rep. Burley	Asks about the crosswalk on Center Street that is not adjacent to a school and asks who determined that the crosswalk should be equipped with flashing lights.
301	Barchenger	Answers that she does not know and points out that there are no “end of school zone” signs.
328	John Turmon	Former school teacher, Salem. Testifies in support of HB 2365. Expresses concern that funding has not been used to create standard traffic control devices for school zone speed limits.
380	Jon Oshel	County Road Program Manager, Association of Oregon Counties (AOC). Submits and summarizes prepared testimony regarding HB 2365 and HB 2481 (EXHIBIT F). Explains that AOC is neutral on the legislation and expresses concern about a “one size fits all” solution due to the number of different roads and situations throughout the state.

TAPE 20, B

054	Rep. Thatcher	Asks about traffic control devices to give drivers advanced notice about approaching speed changes.
058	Oshel	Explains that it a good idea and expresses importance of warning drivers of changes in the speed limit.
065	Rep. Thatcher	Notes that she is a sign contractor and points out that most of the traffic control signs were made by the jurisdictions, not private contractors.
070	Rep. Beyer	Asks if it would be appropriate to give the cities or counties the ability to set signage.
073	Oshel	Explains that the road authorities (i.e. city or county) make the final determination in setting school zone speed limits and work closely with school districts to set the times the speed limit is in effect.
085	Mark Lear	Traffic Investigations Manager, Office of Transportation, City of Portland. Submits and summarizes prepared testimony and information regarding HB 2365 and HB 2481 (EXHIBIT G).
184	Rep. Thatcher	Explains that consistency is important to reduce drivers’ confusion.

190	Lear	Explains the challenges associated with setting consistent speed limits.
214	Rep. Thatcher	Asks for clarification of the number of children injured in school zones.
220	Lear	Explains that children are most often injured between 3-8 p.m.
228	Rep. Thatcher	Clarifies that it is not necessarily in school zones.
230	Lear	Answers yes. Describes the work being done to encourage paths and safe walking routes to schools.
244	Rep. Thatcher	Notes that the speed limits are still confusing and expresses concern about children and the “sickos and perverts” that spend time in parks and near schools.
250	Lear	Notes that traffic safety is the first concern identified by parents and kids followed by crime.
258	Rep. Bruun	Asks if a reduction in traffic incidents in school zones can be shown since the law changed.
265	Lear	Answers that there is a six-month delay in receiving data from the Division of Motor Vehicles.
270	Rep. Bruun	Asks for anecdotal evidence about traffic incidents in school zones.
280	Lear	Explains that the public has generally been supportive and the system appears to be working.
305	Rep. Burley	Expresses concern about the proposed 6 a.m. to 10 p.m. time frame. Asks how to get local jurisdictions involved in setting the crosswalks and speed in school zones.
330	Lear	States that there is a strong traffic safety community in Oregon around safe routes to schools and notes that there is work being done to address the different issues from around the state.
358	Rep. Burley	Asks if Mr. Lear is referring to his own proposal or that in HB 2365.

360	Lear	Answers that he is referring to his proposal.
370	Roger Trygstad	Retired ODOT Traffic Engineer. Notes that the current school speed zone law is the most confusing he has seen in 32 years with ODOT. Expresses concern that a disrespect for the signs is resulting from the confusion among drivers. Proposes a return to the sign “when children are present.”

TAPE 21, B

005	Scott Bricker	Policy Director, Bicycle Transportation Alliance. Submits and summarizes prepared testimony regarding HB 2365 (EXHIBIT H) .
040	Vinita Howard	Salem. Submits and summarizes prepared testimony in support of HB 2365 and HB 2481 (EXHIBIT I) .
140	Jack Straton	Portland. Submits and summarizes prepared testimony in support of HB 2365 and HB 2481 (EXHIBIT J) . Notes that it is not good policy to have a law that triggers resentment when it is followed.
179	Rep. Beyer	Asks what about the school speed zone law angers people.
184	Straton	Answers that there is resentment about “having to obey a law when there is no need for it.”
191	Chair Gilman	Asks about changing other traffic laws such as not having to stop at stop signs from 1-3 a.m.
195	Straton	Explains that there is no need to change what people are used to.
206	Shelly Moore	Crossing guard, Highland Elementary, Salem. Explains the abuse she receives from drivers upset at being stopped. Points out that if drivers do not stop for her, they will not stop for children. Argues that the “when children are present” language is too broad.
247	Rep. Hunt	Asks about the potential solutions that have been raised.
253	Moore	Explains the danger in having to slow down from 55 to 20 miles per hour in a school zone. Argues that school zones should be 20 miles per hour at all times.

295	Karen Randall	Salem. Explains the dangers for children in school zones and at crosswalks. Describes incidents in which she and her daughter and crossing guards were nearly struck in school zones by speeding drivers.
388	Rep. Thatcher	Asks if Ms. Randall would like to see the law left as it is.
393	Randall	Answers that she would like to see the current laws enforced to protect pedestrians.
405	Rep. Thatcher	Concurs with Ms. Randall regarding dangers to flaggers from speeding drivers.

TAPE 22, A

010	Troy Costales	Transportation Safety Division, ODOT. Submits and summarizes prepared testimony regarding HB 2365 (EXHIBIT K) and HB 2481 (EXHIBIT L) .
055	Kent Smith	Salem. Testifies in support of HB 2365 and HB 2481.

The following material is submitted for the record without public testimony:

	Christy Monson	League of Oregon Cities. Submits prepared testimony regarding HB 2365 and HB 2481 (EXHIBIT M) .
090	Chair Gilman	Closes the public hearing on HB 2365 and HB 2481. Adjourns the meeting at 3:00 p.m.

EXHIBIT SUMMARY

- A. Introductions, LC 2354, staff, 8 pp
- B. HB 2365, prepared testimony and information, Paul Norris, 2 pp
- C. HB 2365 & HB 2481, prepared testimony, Pete Christensen, 1 p
- D. HB 2365 & HB 2481, "Slow Down in School Zones" pamphlet, Troy Costales, 4 pp
- E. HB 2365, prepared testimony, Donna Barchenger, 1 p

- F. HB 2365 & HB 2481, prepared testimony, Jon Oshel, 2 pp**
- G. HB 2365 & HB 2481, prepared testimony, Mark Lear, 6 pp**
- H. HB 2365 & HB 2481, prepared testimony, Scott Bricker, 1 p**
- I. HB 2365 & HB 2481, prepared testimony, Vinita Howard, 4 pp**
- J. HB 2365 & HB 2481, prepared testimony, Jack Straton, 1 pp**
- K. HB 2365, prepared testimony, Troy Costales, 1 p**
- L. HB 2481, prepared testimony, Troy Costales, 1 p**
- M. HB 2365 & HB 2481, prepared testimony, Christy Monson, 1 p**