

HOUSE COMMITTEE ON TRANSPORTATION

May 11, 2005 Hearing Room C

1:00 P.M. Tapes 66 - 67

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: Patrick Brennan, Committee Administrator

Mike Reiley, Committee Assistant

MEASURES/ISSUES HEARD:

SB 595-A – Public Hearing and Work Session

HB 3374 – Public Hearing

HB 2608 – Work Session

HB 2655 – Work Session

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 66, A

003 Chair Gilman Calls the meeting to order at 1:10 p.m. Opens a public hearing on SB 595-A.

SB 595-A – PUBLIC HEARING

007 Patrick Brennan Committee Administrator. Introduces SB 595-A.

015 Sen. Betsy Johnson Senate District 16. Explains the intent of SB 595-A. Relates the impact of duty limitations on fire fighting.

037 Mark Gibson General Manager of Aircraft Operations, Timberland Logging. Submits and summarizes written testimony in support of SB 595-A **(EXHIBIT A)**.

085 Rep. Hunt Asks why a 72-hour timeframe is necessary.

089 Gibson Explains the 72 hours allow the Oregon Department of Transportation (ODOT) to make an emergency declaration.

100 Rep. Hunt Requests assurance the 72-hour period is not too long or too short.

105 Gibson Defers to ODOT regarding the timeframe.

110 Gregg Dal Ponte Motor Carrier Division Administrator, ODOT. Relates the need for a 72-hour timeframe.

116 Rep. Burley Requests confirmation that the bill takes the federal exemption and applies it to the state.

124 Dal Ponte Confirms, yes, providing clarification.

133 Rep. Burley Requests confirmation the bill does not seek exemptions beyond those already provided at the federal level. Notes firefighters have been pulled off of fires due to uncertainties regarding exemptions.

139 Dal Ponte Responds. Explains the provisions to allow emergency work to continue.

151 Chair Gilman Closes the public hearing and opens a work session on SB 595-A.

SB 595-A – WORK SESSION

154 Rep. Hunt **MOTION: Moves SB 595-A to the floor with a DO PASS recommendation.**

158 Rep. Boone States support for the bill.

165 **VOTE: 7-0-0**

AYE: In a roll call vote, all members present vote Aye.

Chair Gilman The motion CARRIES.

166 Rep. Burley **MOTION: Moves SB 595-A be placed on the CONSENT CALENDAR.**

169 **VOTE: 7-0-0**

Chair Gilman Hearing no objection, declares the motion CARRIED.

170 Chair Gilman Closes the work session on SB 595-A. Opens a public hearing on HB 3374.

HB 3374 – PUBLIC HEARING

173 Patrick Brennan Committee Administrator. Introduces HB 3374 and references the -2 amendments (**EXHIBIT B**), which are a complete replacement of the bill.

186 Art Schlack Association of Oregon Counties (AOC). Explains the -2 gut-and-stuff amendments related to car registrations.

241 Rep. Thatcher Inquires what the consequences are if vehicles are not titled within 30 days.

242 Schlack Relates that other statutes impose penalties.

246	Robin Freeman	ODOT. Offers to provide the penalties imposed.
250	Schlack	Discusses the fines and sting operation conducted in Washington State on those not registering their vehicles.
261	Freeman	Notes ODOT does not have a problem with the -2 amendments.
267	Chair Gilman	Asks if Ms. Freeman has had the opportunity to review the -2 amendments.
268	Freeman	Confirms, yes, and clarifies the -2 amendments.
277	Rep. Bruun	Inquires about the criteria for obtaining a driver license and whether the two are synchronized.
279	Freeman	Explains the criteria are synchronized. Lists the criteria.
293	Rep. Bruun	Asks if there is a time criteria for the driver license.
297	Freeman	Responds no, adding that it is instead tied in with registration and titling.
299	Chair Gilman	Questions the extent of the problem and whether the bill is necessary.
305	Schlack	Answers ODOT does not collect that data. Comments that the instances are rare.
325	Rep. Burley	Wonders what problem is being addressed and whether the bill will increase enforcement. Asks why the bill is not also addressing the driver license.
341	Schlack	Notes AOC did not examine the driver license issue and reiterates the intent for the bill.
356	Rep. Thatcher	Requests clarification of the problem being addressed.
363	Schlack	Explains the intent is to encourage people to register their vehicles sooner. Provides example, noting present requirements are unclear.

384	Freeman	Notes the department is neutral.
387	Rep. Burley	Inquires about the possibility of including driver license amendments.
390	Freeman	Mentions the possibility of consequences and the need to review any language.
395	Rep. Hunt	Questions the timeframe in neighboring states.
404	Schlack	Responds with times in California and Washington.
410	Rep. Burley	Comments on the value of addressing both issues together.
415	Rep. Thatcher	Reiterates her question of what problem is being solved.
425	Chair Gilman	Closes the public hearing on HB 3374. Opens a work session on HB 2608.

HB 2608 – WORK SESSION

431	Patrick Brennan	Committee Administrator. Introduces HB 2608. Mentions the -2 (EXHIBIT C) and -3 amendments (EXHIBIT D) and the Real ID Act Requirements submitted by Robin Freeman (EXHIBIT E).
444	Chair Gilman	Explains the purpose of the -2 and -3 amendments.
470	Brennan	Further reviews the amendments.

TAPE 67, A

024	Rep. Bruun	Notes the perceived economic hardship on the migrant community and recommends the inclusion of a driving privilege card to address that concern. Notes he supports the -2 amendments.
048	Rep. Boone	Requests Rep. Bruun explain economic hardship.
050	Rep. Bruun	Explains the importance of allowing workers to get to work.

063	Rep. Hunt	Supports the -2 amendments.
087	Rep. Thatcher	Expresses concern about a driving privilege card that expires after eight years. Recommends a one-year renewal.
097	Lorna Youngs	Administrator, Driver and Motor Vehicles Division (DMV), ODOT. Discusses compliance issues.
114	Chair Gilman	Inquires about the one- versus eight-year renewal.
116	Youngs	Mentions Utah has a one-year driving privilege card.
124	Rep. Thatcher	Speaks in favor of the -3 amendment.
135	Rep. Burley	Relates the value of emigrant workers studying to become safe drivers. Asks about the Real ID Act.
145	Youngs	Explains the provisions of the Real ID Act as recently decided upon by the congressional conference committee.
160	Rep. Burley	Requests confirmation no federal funding would be lost.
166	Youngs	Confirms the department's understanding. Notes there is no federal dollar penalty. Relates the driver license compact.
206	Rep. Burley	Comments on the need to coordinate the expiration dates.
216	Youngs	Mentions the silence on expiration dates.
229	Rep. Burley	Questions the expiration date of driver licenses.
234	Youngs	Relates the provision of the act to tie together expiration dates.
239	Rep. Bruun	Inquires regarding the logic behind the one-year renewal of the driving privilege card.
245	Rep. Thatcher	Responds. Explains the importance of consistency.

264	Chair Gilman	Agrees eight years is too long.
269	Rep. Hunt	Asks if the language is what makes the bill comply with federal requirements.
277	Youngs	Relates that is her understanding from the Real ID Act language.
286	Rep. Hunt	Expresses concern about the fiscal impact in charging for one year as opposed to a longer term of licensure.
300	Youngs	Affirms there would be a greater fiscal impact. Notes only 2.6 percent of the population would be affected.
314	Chair Gilman	Requests estimates of the fiscal impact of the -2 and -3 amendments.
315	Youngs	Reports the fiscal impact expectations for the -2 amendments. Explains ODOT's application for a grant. Estimates the need for seven FTE with the driving privilege card.
362	Rep. Thatcher	Asks if the costs would be covered.
371	Youngs	Explains initial up-front and carrying costs.
391	Rep. Thatcher	Requests the fiscal impact from the -3 amendments.
393	Youngs	Estimates \$100,000 or less.
398	Rep. Thatcher	Inquires if there would be the set-up costs of a new card in the -2 amendments.
400	Youngs	Discusses the agreement ODOT has with their supplier.
426	Rep. Jeff Kropf	House District 17. Explains the intent of the Real ID Act. Testifies in opposition to the -2 amendments and in support of the -3 amendments.

TAPE 66, B

002 Rep. Kropf

		Continues testimony. Notes a driving privilege card damages the intent of the Real ID Act.
034	Rep. Bruun	Reiterates his desire to pass a clean bill and discusses the political realities of getting a bill passed. Asks about the economic hardship on migrant workers.
051	Rep. Kropf	Acknowledges that economic hardship is a valid point. Relates his experiences riding with a state trooper in his district. Argues the driving privilege card is a disincentive to those wishing to stay hidden.
082	Rep. Thatcher	Concurs with Rep. Kropf. Discusses drivers with suspended licenses.
092	Rep. Hunt	Relates the -2 amendments appear to be in accord with the intent of the congressional conference committee action.
121	Chair Gilman	Asks if allowing the legislation to die would be worse than passing the -2 amendments.
128	Rep. Kropf	Relates he is unsure about the potential response on the Senate side to the -3 amendments. Explains the importance of addressing illegal immigration in Oregon. Discusses necessary consequences to behaviors.
191	Rep. Burley	Concurs with Rep. Kropf. Expresses concern about burdening DMV with enforcing federal immigration rules.
211	Rep. Kropf	Notes that the driver license has become a <i>de facto</i> national identification card. States support for the DMV.
241	Rep. Thatcher	Reports she does not see the issue as putting immigration issues on the DMV.
255	Rep. Kropf	Concludes testimony.
275	Rep. Beyer	States she prefers the -2 amendments. Comments on the dependence of the Oregon economy on migrant workers.
298	Chair Gilman	Closes the work session on HB 2608. Opens a work session on HB 2655.

HB 2655 – WORK SESSION

- 306 Patrick Brennan Committee Administrator. Introduces HB 2655 and the -1 amendments (**EXHIBIT F**). References written information regarding Smokey Bear (**EXHIBIT G**).
- 342 Rep. Bruun **MOTION: Moves to ADOPT HB 2655-1 amendments dated 04/06/05.**
- 348 **VOTE: 7-0-0**
- Chair Gilman **Hearing no objection, declares the motion CARRIED.**
- 355 Rep. Bruun **MOTION: Moves HB 2655 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the Committee on Ways and Means BE RESCINDED and BE REFERRED to the Committee on Budget.**
- 368 Rep. Beyer Relates she supports the intent of the bill, but will be voting against it.
- 389 **VOTE: 6-1-0**
- AYE: 6 - Boone, Bruun, Burley, Hunt, Thatcher, Gilman**
- NAY: 1 - Beyer**
- Chair Gilman **The motion CARRIES.**
- 411 Chair Gilman Closes the work session on HB 2655. Notes HB 2608 will be heard Monday, May 16, 2005. Adjourns the meeting at 2:30 p.m.

EXHIBIT SUMMARY

- A. SB 595-A, written testimony, Mark Gibson, 3 pp
- B. HB 3374, -2 amendments, staff, 8 pp
- C. HB 2608, -2 amendments, staff, 17 pp
- D. HB 2608, -3 amendments, staff, 15 pp

- E. **HB 2608, Real ID Act Requirements, Robin Freeman, 2 pp**
- F. **HB 2655, -1 amendments, staff, 4 pp**
- G. **HB 2655, Smokey Bear story and song, Robin Freeman, 2 pp**