

HOUSE COMMITTEE ON TRANSPORTATION

May 9, 2005 Hearing Room C

1:00 P.M. Tapes 64 - 65

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 70 – Public Hearing and Work Session

SB 72 – Public Hearing and Work Session

SB 73 – Public Hearing and Work Session

SB 74 – Public Hearing

SB 75 – Public Hearing and 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 64, A

003 Chair Gilman Calls the meeting to order at 2:30 p.m. Opens a public hearing on SB 70.

SB 70 – PUBLIC HEARING

007 Patrick Brennan Committee Administrator. Introduces SB 70.

016 Robin Freeman Oregon Department of Transportation (ODOT). Submits and reviews written testimony and a Driver License/Identification Card application (**EXHIBIT A**) in support of SB 70. Discusses inconsistencies within statute that are being remedied. Explains the Driver License/ Identification Card Application.

081 Rep. Thatcher Inquires if the ODOT application requires self-reporting.

084 Freeman Explains the process of assessment.

093 Rep. Hunt Questions if physicians are mandated to report impaired persons to ODOT.

098 Freeman Confirms, yes.

099 Rep. Boone Asks what would happen if a physician failed to report a patient's status.

103 Freeman Reports she is unsure of the consequences, but will secure and provide that information.

106 Rep. Boone Inquires about the acceptability of certain vision tests.

109 Freeman Discusses vision testing requirements for those over age 50 and the required physician's report.

121 Chair Gilman Closes the public hearing and opens a work session on SB 70.

SB 70 – WORK SESSION

123	Rep. Bruun	MOTION: Moves SB 70 to the floor with a DO PASS recommendation.
129	Rep. Bruun	Discusses the impact of insulin-dependent diabetes on receiving his driver license at age 16.
152	Chair Gilman	Notes the importance of a driver license.
165		VOTE: 7-0-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Gilman	The motion CARRIES.
		REP. BRUUN will lead discussion on the floor.
166	Chair Gilman	Closes the work session on SB 70. Opens a public hearing on SB 72.
 <u>SB 72 – PUBLIC HEARING</u>		
167	Patrick Brennan	Committee Administrator. Introduces SB 72.
176	Troy Costales	Manager, Transportation Safety Division, Oregon Department of Transportation (ODOT). Submits and summarizes written testimony in support of SB 72 (EXHIBIT B). Discusses differences between helmet types and uses.
203	Rep. Thatcher	Inquires if any helmets are being manufactured that do not meet the standards.
205	Costales	Reports there are toy helmets that are untested, and do not meet certification standards.
211	Rep. Thatcher	Questions whether the helmets look like toys.
215	Costales	States some toy helmets appear real while others appear to be toys. Explains legal complications.
230	Rep. Burley	Inquires regarding the dissenting votes in the Senate.

SB 73 – PUBLIC HEARING

- 306 Patrick Brennan Committee Administrator. Introduces SB 73.
- 316 Robin Freeman Oregon Department of Transportation (ODOT). Submits and reads written testimony in support of SB 73 (**EXHIBIT C**).
- 356 Chair Gilman Closes the public hearing and opens a work session on SB 73.

SB 73 – WORK SESSION

- 361 Rep. Hunt **MOTION: Moves SB 73 to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.**
- 373 **VOTE: 7-0-0**
- Chair Gilman **Hearing no objection, declares the motion CARRIED.**
- 375 Chair Gilman Closes the work session on SB 73. Opens a public hearing on SB 74.

SB 74 – PUBLIC HEARING

- 377 Patrick Brennan Committee Administrator. Introduces SB 74 and notes the conflict with HB 2106, already passed through both chambers. Notes Legislative Counsel will draft conflict amendments should the committee wish to pursue the bill.
- 396 Robin Freeman Oregon Department of Transportation (ODOT). Submits and reads written testimony in support of SB 74 (**EXHIBIT D**).

TAPE 65, A

- 008 Rep. Boone Inquires regarding the conflict with HB 2106.
- 010 Freeman Relates the two bills address the same chapter of statute.
- 017 Brennan Explains how conflict amendments work.

029	Rep. Burley	Notes the intent of HB 2106.
034	Rep. Hunt	Requests an explanation of “proof satisfactory” to ODOT.
039	Freeman	Explains the procedures and evidentiary requirements.
052	Chair Gilman	Closes the public hearing on SB 74. Opens a public hearing on SB 75.

SB 75 – PUBLIC HEARING

055	Patrick Brennan	Committee Administrator. Introduces SB 75.
064	Robin Freeman	Oregon Department of Transportation (ODOT). Submits and reads written testimony in support of SB 75 (EXHIBIT E).
104	Rep. Thatcher	Questions the process for vehicles uninsured and garaged for non-use.
113	Freeman	Relates the process and the ability to explain non-use of vehicles.
122	Rep. Thatcher	Inquires regarding the penalty for business vehicles.
127	Freeman	Answers she is unsure, but will verify.
131	Rep. Burley	Clarifies the vehicle must be insured, not necessarily the driver.
126	Freeman	Confirms the vehicle owner would be responsible.
143	Rep. Burley	Wonders whether it would it be possible for an Oregonian to drive without insurance if they had a license, but did not own a vehicle.
149	Freeman	Notes the driver is not responsible for the insurance on the vehicle, and that it is possible they could drive an uninsured vehicle.
152	Rep. Burley	Explains his understanding a person’s insurance follows them.
160	Freeman	Offers to research the issue.

163	Rep. Burley	Relates his hunting accident experience.
177	Freeman	Reiterates the vehicle owner is responsible for the vehicle
180	Chair Gilman	Offers a hypothetical scenario involving a rental car.
186	Rep. Hunt	Questions why the current, above ten percent statutory provision was removed.
196	Freeman	Answers ODOT will be sending out more letters than the present ten percent with the new provisions.
213	Rep. Burley	Relates an automated system is now used that addresses a more targeted population.
222	Chair Gilman	Closes the public hearing and opens a work session on SB 75.

SB 75 – WORK SESSION

224	Rep. Thatcher	MOTION: Moves SB 75 to the floor with a DO PASS recommendation.
237		VOTE: 7-0-0
		AYE: In a roll call vote, all members present vote Aye.
	Chair Gilman	The motion CARRIES.
		REP. THATCHER will lead discussion on the floor.
267	Chair Gilman	Closes the work session on SB 75. Adjourns the meeting at 3:15 p.m.

EXHIBIT SUMMARY

- A. SB 70, written testimony and Driver License/ID Card application, Robin Freeman, 4 pp
- B. SB 72, written testimony, Troy Costales, 1 p
- C. SB 73, written testimony, Robin Freeman, 1 p
- D. SB 74, written testimony, Robin Freeman, 2 pp

E. **SB 75, written testimony, Robin Freeman, 2 pp**