

# SENATE COMMITTEE ON TRANSPORTATION

February 14, 2005  
3:10 P.M.

Hearing Room C  
Tapes 17 - 18

Corrected 10/28/05

**MEMBERS PRESENT:** Sen. Joanne Verger, Chair  
Sen. Doug Whitsett, Vice-Chair  
Sen. Rick Metsger  
Sen. Floyd Prozanski  
Sen. Bruce Starr

**STAFF PRESENT:** Judith Callens, Committee Administrator  
Gary Roulier, Committee Assistant

## **MEASURES HEARD & WITNESSES:**

**Introduction of Committee Bills – Work Session**  
**SB 78 – Public Hearing**  
**SB 448 – Public Hearing**  
**SB 178 – Public Hearing**  
**SB 488 – Public Hearing**

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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.

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 17, A</b>		
003	Chair Verger	Opens the meeting at 3:14 p.m. Opens a work session on introduction of committee bills.
<b><u>INTRODUCTION OF COMMITTEE BILLS – WORK SESSION</u></b>		
005	Judith Callens	Committee Administrator. Presents LC 2687, LC 2688, LC 2689, LC 2637 and LC 2797 ( <b>EXHIBITS A, B, C, D and E</b> ).
<b>039</b>	<b>Sen. Whitsett</b>	<b>MOTION: Moves LCs: 2687, 2688, 2689, 2637, 2797 BE INTRODUCED as committee bills.</b>
		<b>VOTE: 5-0-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.</b>
045	Chair Verger	Closes the work session and opens a public hearing on SB 78.
<b><u>SB 78 – PUBLIC HEARING</u></b>		
048	Callens	Explains the provisions of the bill.
066	Robin Freeman	Oregon Department of Transportation (ODOT). Presents written testimony ( <b>EXHIBIT F</b> ) and testifies in support of SB 78, which requires drivers to submit certain accident reports to ODOT.
070	Sen. Metsger	Asks if the intent is that the accident reports would go to the Department of Motor Vehicles (DMV) rather than the police.
082	Freeman	Responds that the bill does not impact police reports.
101	Sen. Metsger	States that if you are involved in an accident, you are required to make a report. Asks if the report to DMV would be the only report required.
109	Freeman	Responds that is correct and reviews reporting under the current law.
114	Sen. Metsger	Comments that the requirement from his insurance carrier is that he report the accident to a law enforcement agency.
121	Sen. Prozanski	Adds that the intent is probably just to remove the “option” of

		taking the report to law enforcement rather than filing the report with the DMV.
138	Freeman	Agrees that this does not preclude a report to law enforcement. Stresses that this would facilitate the requirement that the report get to DMV so that licenses are not unnecessarily suspended.
155	Sen. Metsger	States that there needs to be coordination with the requirement of insurance carriers to report to law enforcement so that coverage is not denied in the event of an accident.
179	Sen. Whitsett	Asks if they have talked with insurance companies to see if they have any concerns.
181	Freeman	Responds that they have not.
183	Chair Verger	Closes the public hearing and opens a public hearing on SB 448.
<b><u>SB 448 – PUBLIC HEARING</u></b>		
184	Sen. Betsy Johnson	State Senator, District 16. Testifies in support of SB 448.
214	Sen. B. Starr	Asks for clarification of what this bill would allow with regard to the use of school buses for transport of individuals.
218	Martin Loring	Administrator, Public Transit Division, ODOT. Presents written testimony ( <b>EXHIBIT G</b> ) and answers that there is a conflict between the motor carrier statutes and the state regulations on use of school buses.
257	Chair Verger	Points out that Greyhound is no longer offering services to certain communities and asks if this bill would alleviate some of those service reductions.
269	Loring	Answers that the motor carrier statutes are “complex” and “old.”
292	Loring	Continues with an explanation of the benefits of the bill and the restrictions of the motor carrier statutes.
335	Sen. Prozanski	Asks what the process would be for a private entity to come in and offer these services.
342	Loring	Summarizes the procedures for filing. Adds that the intent is that private carriers would always have the option to offer these services for a profit, but these particular routes are not profit-producing.
364	Sen. Prozanski	Asks if there are any liability issues with utilizing these resources.
372	Loring	Answers that is outside his expertise but that the applicable statutes would apply.
383	Sen. Johnson	Adds that this bill will solve some rural transportation problems.
394	Sen. Prozanski	Suggests that an emergency clause be added to the bill.
<b>TAPE 18, A</b>		
003	Roger Martin	Executive Director, Oregon Transit Association. Testifies in support of SB 448. Explains the benefits of the services provided by the Tillamook Transit District.
027	Chair Verger	Closes the public hearing on SB 448 and opens a public hearing on SB 178.
<b><u>SB 178 – PUBLIC HEARING</u></b>		
032	Callens	Explains the provisions of the bill.
035	Freeman	Presents written testimony ( <b>EXHIBIT H</b> ) and testifies in support of SB 178.
070	Chair Verger	Closes the public hearing on SB 178 and opens a public hearing on SB 488.
<b><u>SB 488 – PUBLIC HEARING</u></b>		
073	Callens	Explains the provisions of the bill.
111	Chair Verger	Explains the background of previous legislation passed on school zone speed limits.

144	Chair Verger	Continues with an explanation of the intent of previous legislation.
163	Sen. Courtney	State Senator, District 11, and President of the Senate. Presents written testimony ( <b>EXHIBIT I</b> ) and testifies in support of SB 488.
196	Sen. Courtney	Notes that there are some errors in the drafted bill.
239	Sen. Courtney	Talks about the differences in school zones within different areas of the state and problems with driver unfamiliarity as to locations of school zones.
265	Chair Verger	Comments that many parents do not want the law changed. Adds that the fiscal impact is considerable.
313	Chair Verger	Notes that there are children present on weekends at many school functions.
323	Sen. Metsger	Agrees that the issue needs discussion and reviews the fiscal impact.
380	Sen. Prozanski	Suggests that the “old signage” may be available for use.
403	Sen. Courtney	Reviews some of the testimony received when the original bill was passed in the last legislature.
<b>TAPE 17, B</b>		
011	Sen. Courtney	Summarizes the intent of the original legislation.
021	Troy Costales	Manager, Transportation Safety Division, ODOT. Presents written testimony ( <b>EXHIBIT J</b> ) and testifies in support of SB 488.
043	Sen. Starr	Asks if there have been any tickets given to drivers at 2:00 a.m.
046	Costales	Responds that they are not aware of any tickets being issued and believes it is “urban myth.”
050	Sen. Starr	Asks about the most dangerous aspect of the implementation of the law. Wants clarification as to whether it is the requirement to meet the speed limit 24 hours a day, or the lack of consistency between jurisdictions.
060	Costales	Answers that the main media message misinterpreted the bill at the outset. Adds that some signage was not installed in time and this added to the confusion.
087	Costales	States that much of the feedback is positive and drivers appreciate the fact that they know the requirement on their “normal routes.”
093	Sen. Starr	Comments that the lack of readability of the signage may be a problem.
104	Sen. Whitsett	Asks if there is accident data due to changing speeds on an open highway at a school zone.
113	Costales	Notes that the only data they have is for a three-month period and they will be evaluating that and future data.
121	Sen. Whitsett	States that the time when school is “not in session” might be the most hazardous time for drivers.
130	Sen. Metsger	Asks for an opinion on what might be the “best” solution.
133	Costales	Responds with a review of discussions during the last legislative session, to include removing the “double fine” penalty. Recommends that they have times posted for the speed limits and allow double fines.
176	Sen. Metsger	Stresses that we need to work on the issue while preserving the original intent, which was to protect children.
194	Jon Oshel	Association of Oregon Counties. Testifies in support of SB 488. Notes that the fiscal impact is “trivial” relative to the safety of the children.

221	Christy Monson	League of Oregon Cities. Presents written testimony ( <b>EXHIBIT K</b> ) and testifies that their organization is neutral on SB 488.
235	Sen. Prozanski	Asks if they are aware of any counties that saved the old signage.
240	Oshel	Responds that many of the counties did save their signs.
245	Monson	Notes that a lot of the cities either put “stickers” or “riders” on their signs.
257	Sen. Gary George	State Senator, District 12. Testifies on the intent of the original legislation, and outlines some of the problems associated with the requirement to meet the speed limits at all times in school zones.
291	Sen. George	Notes some concerns of truckers about vehicles slowing when not necessary and causing an accident. Emphasizes the importance of proper signage.
	Kelly Scannell Brooks	City of Eugene. Submits written testimony expressing concerns over definitions contained within SB 488.
319	Chair Verger	Closes the public hearing on SB 488. Discusses the next out-of-office trip scheduled for April 1. Closes the meeting at 4:35 p.m.

### **EXHIBIT SUMMARY**

- A. **Introductions, LC 2687, staff, 2 pp**
- B. **Introductions, LC 2688, staff, 11 pp**
- C. **Introductions, LC 2689, staff, 26 pp**
- D. **Introductions, LC 2637, staff, 5 pp**
- E. **Introductions, LC 2797, staff, 3 pp**
- F. **SB 78, written testimony, Robin Freeman, 1 pp**
- G. **SB 448, written testimony, Martin Loring, 1 pp**
- H. **SB 178, written testimony, Robin Freeman, 2 pp**
- I. **SB 488, written testimony, Sen. Peter Courtney, 2 pp**
- J. **SB 488, written testimony, Troy Costales, 1 pp**
- K. **SB 488, written testimony, Christy Monson, 1 pp**
- L. **SB 488, written testimony, Kelly Scannell Brooks, 1 pp**