

SENATE COMMITTEE ON TRANSPORTATION

February 07, 2005
3:10 P.M.

Hearing Room C
Tapes 13 - 14

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/ISSUES HEARD & WITNESSES:

SB 56 – Work Session
SB 72 – Work Session
SB 73 – Work Session
SB 74 – Work Session
SB 76 – Public Hearing
Lorna Youngs, Motor Vehicles Division
SB 296 – Public Hearing
Troy Costales – Transportation Safety Division
SB 317 – Public Hearing
Sen. Kurt Schrader, Oregon State Senate
Damiana Merryweather, Oregon Humane Society
Marsha Keith, Oregon Veterinary Medical Association
SB 411 – Public Hearing
Sen. Jason Atkinson, Oregon State Senate
Lorna Youngs, Motor Vehicles Division
Herman McDonald, Oregon Veterans
Alan Hageman, Oregon State Police

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
TAPE 13, A		
003	Chair Verger	Opens the meeting at 3:11 and opens a work session on SB 56.
<u>SB 56 – WORK SESSION</u>		
012	Paul Donheffner	Director, State Marine Board. Reviews the provisions of the bill.
030	Sen. Starr	Asks whether the -1 amendments (EXHIBIT A) were submitted by the Marine Board.
032	Donheffner	Responds that the -1 amendments clarify some definitions within the bill.
047	Chair Verger	Notes that there have been no deaths due to this type of activity in Oregon. Asks if the Marine Board will take steps to raise awareness of the dangers of this type of activity.
051	Donheffner	Answers that the Marine Board will educate the public and reviews laws passed in California and numerous other states.
062	Sen. Whitsett	MOTION: Moves to ADOPT SB 56-1 amendments dated

1/27/05.

VOTE: 5-0-0

**AYE: In a roll call vote, all members present vote Aye.
The motion CARRIES.**

073 Chair Verger
Sen. Whitsett

**MOTION: Moves SB 56A to the floor with a DO PASS AS
AMENDED recommendation.**

VOTE: 5-0-0

**AYE: In a roll call vote, all members present vote Aye.
The motion CARRIES.**

091 Chair Verger

SEN. WHITSETT will lead discussion on the floor.
Closes the work session on SB 56 and opens a work session SB
72.

SB 72 – WORK SESSION

104 Troy Costales

Manager, Transportation Safety Division, Oregon Department of
Transportation (ODOT). Explains the provisions of SB 72.

112 Sen. Whitsett

**MOTION: Moves SB 72 to the floor with a DO PASS
recommendation.**

VOTE: 5-0-0

**AYE: In a roll call vote, all members present vote Aye.
The motion CARRIES.**

Chair Verger

118 Chair Verger

SEN. METSGER will lead discussion on the floor.
Closes the work session on SB 72 and opens a work session on
SB 73.

SB 73 – WORK SESSION

121 Callens

Explains the provisions of the bill.

128 Lorna Young

Administrator, Motor Vehicles Division (DMV), Oregon
Department of Transportation. Explains the provisions of the
bill.

131 Sen. Whitsett

**MOTION: Moves SB 73 to the floor with a DO PASS
recommendation.**

VOTE: 5-0-0

**AYE: In a roll call vote, all members present vote Aye.
The motion CARRIES.**

Chair Verger

149 Chair Verger

SEN. PROZANSKI will lead discussion on the floor.
Closes the work session on SB 73 and opens a work session on
SB 74.

SB 74 – WORK SESSION

154 Callens

Explains the provisions of SB 74.

161 Metsger

Asks about the parameters for the proposed process.

179 Youngs

Responds that the bill is designed so that the requestor is not
required to have a police report to request a new identification
number.

189 Whitsett

Asks what “substantial proof” would entail.

193 Youngs

Answers that documentation would be required that someone
had used their identity, and emphasizes that the requestor would
need to adequately establish identity.

213 Whitsett

Explains that his primary concern is that this does not open an
avenue for people to change their identity.

224 Youngs

Notes that the DMV shares his concern.

234 Sen. Whitsett

**MOTION: Moves SB 74 to the floor with a DO PASS
recommendation.**

VOTE: 5-0-0

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

Chair Verger

241 Chair Verger

The motion CARRIES.

SEN. STARR will lead discussion on the floor.

Closes the work session on SB 74 and opens a public hearing on SB 76.

SB 76 – PUBLIC HEARING

246 Callens

Explains the provisions of the bill.

251 Youngs

Presents **EXHIBIT B** and testifies in support of SB 76, which would allow either parent or a legal guardian to withdraw consent for driving privileges for a teen.

290 Whitsett

Asks about a situation where there are divorced parents.

299 Youngs

Answers that either parent would have the right to withdraw privileges.

309 Sen. Prozanski

Asks about conflicts between the parents and whether the “custodial parent” should have more authority.

323 Youngs

Responds that, under current law, that distinction is not being made, and DMV is not in a position of “getting between” the parents on this issue.

344 Chair Verger

Asks if this is a “big problem.”

350 Youngs

Answers that it is not a “large problem,” and doesn’t concern a large number of individuals.

355 Sen. Metsger

Reviews the changed language and asks if the requests to withdraw driving privileges could possibly be denied.

361 Youngs

Responds that is not the department’s intent.

384 Sen. Metsger

Clarifies that the language could put the department into a position of being an “arbiter.”

393 Youngs

Confesses she is not sure why the bill was drafted that way.

401 Chair Verger

Closes the public hearing on SB 76 and opens a public hearing on SB 296.

SB 296 – PUBLIC HEARING

TAPE 14, A

006 Callens

Explains the provisions of the bill.

014 Costales

Presents **EXHIBIT C** and testifies in opposition to SB 296. Stresses that signaling when turning, particularly at night, is crucial in letting others know of your intentions.

041 Costales

Notes that his concern is about educating the public, law enforcement and the courts.

050 Chair Verger

Asks if his concern is whether drivers who are not indicating they are turning, or that they may not be aware they are in a turn lane.

061 Costales

Answers that his concern centers on the fact that other drivers will not be aware of the driver’s intentions.

075 Sen. Prozanski

Explains the reasoning behind the bill, which originated from a constituent who received a citation for not signaling while in a mandatory turn lane.

083 Sen. Prozanski

Asks if there is data available regarding accidents where drivers were in mandatory turn lanes.

086 Costales

Responds that such data is probably not available.

091 Sen. Prozanski

Asks if anyone has brought to his attention specific instances where not signaling in a mandatory turn lane was a hazard, or caused an accident.

098 Costales

Answers that specific complaints have not been brought to his attention, just general concerns about not signaling.

101 Sen. Metsger

Agrees that signals should not be necessary when in a mandatory turn lane. Wonders if there is a compromise available that would

		perhaps reduce the penalty for not signaling when in a mandatory turn lane.
135	Sen. Whitsett	Comments that at night, not indicating a turn at some intersections could create a danger.
155	Costales	Notes that some bike lanes, for example, would need the signal for safe avoidance of conflicts.
171	Sen. Prozanski	States that any moving violation would go against a driver's insurance. Adds that one alternative would be for the officer to issue a warning.
205	Chair Verger	Reviews possible situations where lack of turn indication would cause conflicts. Closes the public hearing on SB 296 and opens a public hearing on SB 317.

SB 317 – PUBLIC HEARING

210	Callens	Explains the provisions of the bill.
265	Sen. Kurt Schrader	State Senator, District 20, and Past President, Oregon Veterinary Medical Association. Presents EXHIBIT D and testifies in support of SB 317.
291	Rep. Schrader	Reviews accident data where animals were injured while riding in the rear of vehicles.
323	Chair Verger	Asks how the size of the communities listed in the bill were determined.
326	Schrader	Explains the reasoning behind the definition.
336	Sen. Whitsett	Remarks that this would not be a popular bill in his district.
355	Damiana Merryweather	Oregon Humane Society. Testifies in support of SB 317.
365	Marsha Keith	Oregon Veterinary Medical Association. Presents some possible clarifications to the proposed bill.
393	Sen. Whitsett	Asks again how the determination was made for the size of the community to be affected by the bill.

TAPE 13, B

002	Keith	Responds that she was not a party to that discussion. Adds that they are willing to talk about the population number.
011	Chair Verger	Notes that she is not clear about why the bill shouldn't apply to all locales.
018	Sen. Whitsett	Notes that most cattlemen have dogs that are trained to ride in the back of the vehicles.
030	Sen. Metsger	Points out that cattlemen are exempted under the bill. Discusses the provisions with Sen. Whitsett
043	Sen. Starr	Asks whether someone from law enforcement could speak to the legal violation of "any object" coming out of the vehicle. Notes that there may already be statutes that protect the animals.
074	Chair Verger	Notes that the intent appears to be to protect animals from thoughtless owners. Closes the public hearing on SB 317 and opens a public hearing on SB 411.

SB 411 – PUBLIC HEARING

091	Callens	Explains the provisions of the bill.
099	Sen. Jason Atkinson	State Senator, District 2. Testifies in support of the bill, which would allow an owner of a motorcycle to use group or special registration plates.
128	Chair Verger	Notes the numbers of motorcycle riders in her district.
135	Sen. Atkinson	Points out that people spend a great deal of money on their motorcycles, and could like to opportunity to utilize special registration plates.
141	Youngs	Presents EXHIBIT E and testifies that the bill would require the

department to do some “special programming.” Adds that there are law enforcement concerns about the readability of the motorcycle plates because of their small size.

161 Chair Verger Asks if the department would like to sell more of the specialty plates.

166 Youngs Answers that all of the revenue goes to the group that establishes the license plate.

171 Sen. Starr Asks if the major concern is the small size of the plate, and if “flat plate technology” would solve the problem.

184 Youngs Notes that the size of the plate has been a “long standing concern,” and the plates become more difficult to read as the graphics get more elaborate.

194 Sen. Starr Asks whether the department supports the bill and whether there are alternatives to make the plate more readable.

204 Youngs Expresses concern about whether they could maintain the integrity of the design and still the plate be “legible.”

206 Sen. Metsger Agrees that the plates are small and asks whether any group would have to meet a particular number of requests for plates.

224 Youngs Answers that they would probably not require the groups to sell 500 motorcycle plates.

241 Chair Verger Asks her to “walk the committee through the process.”

247 Youngs Reviews how the plates are purchased. Notes how an organization has a plate established as a “group plate.” Explains cost would be handled by the requestor.

284 Chair Verger Asks for clarification on how the different sizes affect their operation.

296 Youngs Notes that the passenger vehicle and motorcycle plates are not the same proportion and would therefore have to be redesigned.

316 Herman McDonald Oregon Veterans. Presents **EXHIBIT F** and testifies on some clarifications to definitions within SB 411.

351 McDonald Reviews the numbers of “veteran’s plates” sold for veteran’s groups in 2003 and 2004 in Oregon.

392 Alan Hageman Oregon State Police. Presents **EXHIBIT G** and testifies in opposition to SB 411 as it will diminish law enforcement’s ability to read the plate.

TAPE 14, B

011 Chair Verger Asks her if they have “serious doubts” if the numbers will be visible.

018 Youngs Answers that “she simply does not know.” Adds that they wanted to raise the concern as they may have problems with some of the graphics.

049 Chair Verger Restates witness McDonald’s concern about the availability of the plates for returning veterans.

051 Youngs Notes that McDonald’s testimony dealt with the creation of groups while this bill deals only with the creation of the plate.

060 Chair Verger Comments that McDonald’s intent was to maintain the ability of a veteran to obtain a specialty plate.

074 Youngs Reviews the criteria for availability of veteran’s plate.

083 Sen. Metsger Asks what the cost would be for a “special” motorcycle plate.

090 Youngs Answers that the estimates have been approximately \$20,000, which would be borne by the group.

103 Sen. Metsger Notes that the committee should hear from a group that would want these plates. Adds that he would like to see a “mock-up” of the plate.

113	Sen. Prozanski	Points out the broad relating clause and reviews the intent of witness McDonald's testimony.
128	Youngs	Adds that the department maintains a small supply of the group plates even when the 500 sales per year minimum is not met.
136	Sen. Prozanski	Reviews a case involving stolen "specialty" plates.
153	Sen. Starr	Comments that technology today should allow us to maintain the ability to produce these group plates.
164	Young	Responds that "flat plate" technology is more expensive, but it is possible to maintain the ability - it is simply a matter of economics.
171	Chair Verger	Asks if all the plates are manufactured in Oregon.
173	Youngs	Responds that some of the plates are manufactured here.
178	Chair Verger	Closes the public hearing on SB 411.
181	Chair Verger	Discusses the out-of-office meeting on Friday, February 11, 2005.
194	Callens	Reviews the arrangements.
203	Chair Verger	Closes the meeting at 4:47 p.m.

EXHIBIT SUMMARY

- A. **SB 56, -1 amendments, staff, 1 pp**
- B. **SB 76, written testimony, Lorna Youngs, 2 pp**
- C. **SB 296, written testimony, Troy Costales, 1 pp**
- D. **SB 317, written testimony, Kurt Schrader, 18 pp**
- E. **SB 411, written testimony, Lorna Youngs, 1 pp**
- F. **SB 411, written testimony, Herman McDonald, 3 pp**
- G. **SB 411, written testimony, Alan Hageman, 1 pp**