

HOUSE COMMITTEE ON TRANSPORTATION

January 29, 2003 Hearing Room 357
8:30 am Tapes 11 - 12

MEMBERS PRESENT: Rep. Alan Brown, Chair
Rep. Terry Beyer, Vice-Chair
Rep. Jackie Dingfelder
Rep. George Gilman
Rep. Mitch Greenlick
Rep. Cliff Zauner

MEMBER EXCUSED: Rep. John Mabrey, Vice-Chair

STAFF PRESENT: Janet Adkins, Committee Administrator
Ryan Sherlock, Committee Assistant

MEASURE/ISSUES HEARD: LC DRAFTS – Work Session
INFORMATIONAL MEETING – City Street System Overview
County Road System Overview
HB 2176 – Public Hearing
HB 2216 – 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
Tape 11, A		
003	Chair Alan Brown	Calls the meeting to order at 8:33 a.m., and opens work session for possible introduction of committee measures.
<u>LC DRAFTS – WORK SESSION</u>		
005	Rep. Beyer	MOTION: Moves LC 1527, LC 1529, LC 1531 BE INTRODUCED as committee bills.
015	Monty King	Oregon Independent Auto Dealers Association, Executive Director. Offers testimony explaining proposed committee measures: <ul style="list-style-type: none">• LC 1527 (EXHIBIT A) overview• LC 1529 (EXHIBIT B) overview• LC 1531 (EXHIBIT C) overview
075	Rep. Cliff Zauner	In reference to LC 1531 asks how many transfer fees are missed due to lack of accountability.
080	King	States that he is not sure if there are any state wide figures, but indicates that members of his organization sometimes see 4-6 missed fees on some titles.
085	Rep. Mitch Greenlick	Asks what the process is for LC drafts that come to the committee to be introduced as committee bills.
090	Chair Brown	Gives explanation as to the process of introducing committee bills.

092

VOTE: 6-0

EXCUSED: 1 - Mabrey

Chair Brown

Hearing no objection, declares the motion CARRIED.

095

Chair Brown

Closes the work session and opens an informational meeting.

INFORMATIONAL MEETING

100

Jim Torrey

League of Oregon Cities (LOC), Chair Transportation Committee; and; City of Eugene, Mayor. Offers written testimony and presentation **(EXHIBIT D)** outlining the LOC's goals and activities:

- Mission
- Strong Cities Make a Strong State
- Owners of the Transportation System
- City Roads and Bridges
- Increased Population
- Increased Complexity

250

Jim Torrey

- City Road Fund Revenues
- City Road Fund Local Revenues
- City Road Fund Expenditures
- The Cost of Delayed Preservation
- Impact of Maintenance Shortfall
- Efficiency Efforts

345

Chair Brown

Describes personal knowledge of traffic problems associated with a specific section of Beltline Road in Eugene.

360

Torrey

Discusses the problems of congestion on Beltline Highway in regards to public safety and emergency response time.

380

Chair Brown

Asks about possible improvements to West 11th in Eugene.

385

Torrey

Responds regarding the proposed West Eugene Parkway and the difficulties in initiating the project.

450

Rep. Zauner

Asks about specific testimony regarding federal money for cities; how much the three percent represents, and if the state is required to match those monies.

460

Torrey

Defers to Andrea Fogue.

470

Andrea Fogue

League of Oregon Cities Senior Staff Associate. Recommends that she come back to the committee with more detail on those numbers when she has it.

TAPE 12, A

035

Laura Pryor

Association of Oregon Counties, County Judge. Offers written testimony **(EXHIBIT E)** and presentation regarding Oregon County Road System:

- Oregon's Highway and Road System: Road Miles
- Oregon Counties
- Population
- Square Miles
- Population: High Growth and Low Growth
- Square Miles: High Growth and Low Growth
- Oregon's Highway and Road System: Bridges and Culverts

Defers to Bill Penhollow.

140	Bill Penhollow	Association of Oregon Counties, Representative. Offers testimony in reference to Exhibit E. <ul style="list-style-type: none"> • Funding the County Portion of the System • County Road Funds: Revenues • County Road Funds: Expenditures • County Road Needs
190	Chair Brown	Asks whether the county road needs is for new construction or maintenance.
195	Penhollow	Responds that the county road needs is for all costs including new construction and maintenance. Continues with presentation: <ul style="list-style-type: none"> • County Road Needs: Maintenance Concludes and defers to Laura Pryor.
230	Pryor	Illustrates how the economic needs of the state ride on the road system: <ul style="list-style-type: none"> • System Illustration
350	Pryor	Discusses the problems caused by the lack of railroad system in the state, the need for maintenance and preservation, and concludes.
380	Chair Brown	Asks whether the counties are experiencing a bridge problem similar to that of the state highway system.
390	Penhollow	Indicates that the problem is similar, and discusses the counties bridge problem.
400	Chair Brown	Asks if the county is placing weight restrictions on any of its bridges.
405	Penhollow	Responds affirmatively.
410	Rep. Zauner	Recalls Judge Pryor's earlier reference to the counties use of gravel, and asks Judge Pryor if the counties could use any state help.
415	Pryor	Explains that the counties are not lacking in amount of rock to crush, but rather need the money required to crush and transport this rock.
430	Rep. Greenlick	Expresses concerns regarding the LC draft 1529, and whether it would be appropriate to address those concerns before the LC was adopted by the committee as a committee measure.
435	Janet Adkins	Explains that it would be appropriate to address those concerns.

TAPE 11, B

030	Rep. Greenlick	Asks if the committee could hold LC 1529 and readdress before sending over to legislative counsel.
033	Chair Brown	Responds that the committee would have to reconsider the vote, and suspend the rules.
040	Rep. Greenlick	Makes a motion to suspend the rules for reconsider of previous vote.
	Committee	Discusses the process for committee measure introduction.
050	Rep. Greenlick	Withdraws the motion to suspend the rules.
055	Chair Brown	Closes the informational meeting, and opens public hearing on HB 2176.

HB 2176 – PUBLIC HEARING

060	Adkins	Offers description of HB 2176.
090	Adkins	Provides the committee with written testimony (EXHIBIT F) in favor of HB 2176 from Jason Heuser, Intergovernmental Relations Manager

for the City of Eugene.

100 Curt Curtis Oregon State Police, Sergeant. Offers written testimony (**EXHIBIT G**) in support of HB 2176.

200 Rep. Beyer Asks how enforcement would occur for the situations as described in HB 2176.

215 Curtis Acknowledges that enforcement would be difficult, and discusses how the law would be enforced.

220 Rep. Zauner Asks whether the Basic Rule would already apply to the situations which HB 2176 addresses.

225 Curtis Explains the difficulties with using the Basic Rule to address this situation, and states that the Basic Rule would not offer the public an indication for what they should do.

240 Rep. Zauner Asks about public education regarding the law and enforcement.

245 Curtis Discusses the efforts that would be taken to educate the public in regards to the new law.

265 Chair Brown Clarifies the need for an amendment to make HB 2176 effect single lane, two way streets.

270 Curtis Concurs with the need for an amendment to address this problem.

275 Bill Laird Canby Fire/Rescue Clackamas County, offers written testimony (**EXHIBIT H**) with reference to offered report; Response and Operations Safety at Roadside Incidents: An Approach to Mitigate Unnecessary Firefighter Casualties (**EXHIBIT I**).

TAPE 12, B

010 Rep. Zauner Expresses concern for the penalties proposed in HB 2176.

015 Curtis Discusses the penalties as proposed in the measure.

030 Rep. Zauner Recognizes Mr. Curtis's comments, but reiterates his concerns.

035 Laird Points out that the penalties as proposed are light when compared with those of other states.

045 Rep. Gilman Asks why current reckless driving restrictions wouldn't address this problem, and whether there has been consideration for educating the public without a change in the law.

050 Laird Responds, discussing how reckless driving would in some cases not address the situation.

065 Curtis Discusses the difficulty in using reckless driving as a deterrent currently.

075 Rep. Gilman Asks about the advertising regarding enforcement of the proposed law.

080 Curtis Indicates that he is unsure whether there has been any effort to educate the public thus far, but observes the difficulties with these efforts.

090 Jim Botwinis Oregon State Police Officers' Association, Executive Director. Offers written testimony (**EXHIBIT J**) in support of HB 2176.

120 Rep. Dingfelder Questions whether the concerns expressed could be added to DMV training for new drivers, and expresses her concern for the lack of state police on the road due to recent budget cuts.

135 Rep. Beyer Mentions the earlier suggestion that the committee could amend the measure to include two lane roads, and asks Mr. Botwinis if he would

support such an amendment.

140 Botwinis Responds affirmatively with discussion as to the lack of safety on two lane roads.

145 Rep. Dingfelder Concurs with Representative Beyer in her support for such an amendment.

150 Chair Brown Indicates that he intends to ask for such an amendment.

155 Rep. Zauner Remarks that this issue needs to be addressed in the drivers education manuals produced by the Division of Motor Vehicles.

160 Chair Brown Clarifies that in the current bill there is no mention to a specific speed.

165 Botwinis Confirms that there is no mention to a specific speed, due to the difficulty of determining a passing motorist's speed in the given situation.

170 Chair Brown Thanks the witnesses, and indicates his desire to have legislative counsel draft an amendment addressing the need to expand the measure to two lane roads.

175 Rep. Greenlick Concurs with Chair Brown about the need to expand the measure with an amendment, and discusses the courage of the officers involved.

200 Rep. Dingfelder Asks for clarification of the amendment.

210 Chair Brown Asks Mr. Botwinis to step back up to the witness table and address the amendment.

215 Botwinis Discusses the proposed amendment.

225 Chair Brown Closes the public hearing on HB 2167, and opens a public hearing on HB 2216.

HB 2216 – PUBLIC HEARING

240 Janet Adkins Offers an explanation of HB 2216.

260 Kelly Taylor Oregon Department of Transportation Representative. Offers written testimony (**EXHIBIT K**) in support of HB 2216.

290 Rep. Dingfelder Asks how often "title washing" happens in Oregon.

295 Taylor Gives explanation for "title washing" and discusses the proposed measures role in stopping the practice.

300 Rep. Greenlick Asks how car titles become "junk titles."

305 Taylor Gives explanation of "junk titles," and points out that Oregon does not issue junk titles.

325 Rep. Greenlick Asks whether someone from another state who is in a bad enough accident, holds the original title.

330 Taylor Explains that someone in this example does not keep the original title, but rather is issued a junk title.

335 Rep. Greenlick Clarifies the process for receiving a junk title.

337 Taylor Clarifies the processes.

340 Adkins Asks whether there would be a similar process for junk titles as there is for a salvage title, where the salvage can be restored into a rebuilt or reconstructed title.

350 Taylor Responds that there is no program such as this in Oregon, and anyone wanting to restore a vehicle would need to return to the original state in which the junk title was issued.

355 Chair Brown Clarifies that a vehicle with a junk title is usually not safe for the streets even if rebuilt.
360 Taylor Concur with Chair Brown.
370 Chair Brown Closes the public hearing on HB 2216, and opens a work session on HB 2216.

HB 2216 – WORK SESSION

395 Rep. Beyer **MOTION: Moves HB 2216 to the floor with a DO PASS recommendation.**
400 **VOTE: 6-0**
AYE: In a roll call vote, all members present vote Aye.
EXCUSED: 1 - Mabrey
Chair Brown **The motion CARRIES.**
ZAUNER will lead discussion on the floor.
405 Adkins Discusses the upcoming field trip scheduled for the committee.
455 Chair Brown Closes the work session on HB 2216, and adjourns the meeting at 10:22 a.m.

EXHIBIT SUMMARY

A – LC 1527, draft, Staff, 2 pp.
B – LC 1529, draft, Staff, 2 pp.
C – LC 1531, draft, Staff, 1 p.
D – Informational testimony, Jim Torrey, 9 pp.
E – Informational testimony, Laura Pryor, 10 pp.
F – HB 2176, written testimony, Jason Heuser, 1 p.
G – HB 2176, written testimony, Curt Curtis, 3 pp.
H – HB 2176, written testimony, Bill Laird, 4 pp.
I – HB 2176, Response and Operations Safety at Roadside Incidents: An Approach to Mitigate Unnecessary firefighter Casualties, Bill Laird, 63 pp.
J – HB 2176, written testimony, Jim Botwinis, 1 p.
K – HB 2216, written testimony, Kelly Taylor, 1 p.