

HOUSE COMMITTEE ON TRANSPORTATION

February 24, 2003 Hearing Room 357
8:30 a.m. Tapes 28 - 30

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

STAFF PRESENT: Janet Adkins, Administrator
Ryan Sherlock, Assistant

MEASURE/ISSUES HEARD: INFORMATIONAL MEETING – TRIMET OVERVIEW
HB 2579 – PUBLIC HEARING
HB 2428 – PUBLIC HEARING
HB 2542 – PUBLIC HEARING
LC 1812 – 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.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
Tape 28, A		
003	Chair Brown	Calls meeting to order at 8:32 a.m., and opens an informational meeting.
<u>INFORMATIONAL MEETING</u>		
005	Olivia Clark	TriMet Executive Director of Government Relations. Introduces herself and Mr. Hansen.
010	Fred Hansen	TriMet, General Manager. Offers written testimony and presentation (EXHIBIT A) outlining the operation and function of TriMet: <ul style="list-style-type: none">• TriMet Service Area• Lift
060	Rep. Mabrey	Asks whether the \$16 per ride figure is the cost to the state or the cost paid by those that use the Lift service.
065	Hansen	Explains that the \$16 figure is the cost to the State, while the rider pays \$1 to \$1.25 per ride. Continues with presentation: <ul style="list-style-type: none">• Lift• Medical Transportation• Ridership Growth• TriMet Rider Profile• Transit Oriented Development• Transit Tracker• Clean Air

		<ul style="list-style-type: none"> • Congestion • Airport MAX • Interstate MAX • Commuter Rail • Public Perception of Tri-Met • Fully Developed Transit System • Rider Demand and Regional Expectations • Transit Investment Plan ;with reference to (EXHIBIT B). • Federal Funds • Productivity Improvements
370	Hansen	Presents Video: Productivity Improvement Process (Approximately 11 Min.)
TAPE 29, A		
001		Productivity Improvement Process Video Continues.
125	Hansen	Continues with presentation with reference to (EXHIBIT C) : <ul style="list-style-type: none"> • Productivity Improvements • Payroll Tax • Payroll Tax Increase
190	Chair Brown	Asks how many people TriMet employs.
193	Hansen	Explains that TriMet employs about 2,600 people, and operates 24 hours a day, 7 days a week.
197	Chair Brown	Asks if the recession has had any affect on ridership.
200	Hansen	Explains that the current recession has not caused a drop off in TriMet ridership, probably due to the use of TriMet for non-work related transit.
205	Chair Brown	Asks if the price of gasoline affects the ridership for TriMet.
210	Hansen	Observes that gas price has little effect on TriMet ridership, whereas other factors such as price of parking has a more direct affect.
215	Rep. Mabrey	Asks about Federal I.O.U.'s discussed in the presentation.
220	Hansen	Gives an explanation of the Federal I.O.U program.
240	Rep. Mabrey	Remarks on the success of the PIP program as highlighted in the video presentation, asks how suggestions are handled which are not implemented.
250	Hansen	Details employees continued involvement after an improvement idea is suggested, which causes those employees to recognize the value or lack of value of programs.
285	Rep. Greenlick	Asks hypothetically, what it would take to double ridership on the Westside Max.
290	Hansen	Discusses the link between expansion of service and use, highlighting the Airport Max as an example.
340	Rep. Greenlick	Asks Mr. Hansen to address such issues as park-and-ride, and other means to increase ridership.
350	Hansen	Discusses the importance of local services, and partnerships with private sector to decrease the costs associated with park-and-ride.
395	Rep. Greenlick	Expresses concern for those businesses in Washington County which have difficulty moving light freight to the airport. Asks if TriMet has any plans to address this problem.

415	Hansen	Discusses the difficulty in addressing this concern.
TAPE 28, B		
035	Rep. Zauner	Asks how many of the 2,600 employees are management.
040	Hansen	Explains that TriMet is a relatively lean management organization, and indicates he can get the exact staffing figures for the committee in the future.
050	Chair Brown	Asks if the payroll tax has been raised since being introduced in 1969.
055	Hansen	Discusses the payroll tax, and the role of the TriMet Board of Directors in determining the tax.
065	Chair Brown	Clarifies that the revenues received by the payroll tax are used for bonding and operating.
070	Hansen	Concurs that these revenues can be used for either.
075	Chair Brown	Thanks Mr. Hansen for his presentation, closes the informational meeting, and opens a public hearing on HB 2579.

HB 2579 – PUBLIC HEARING

080	Janet Adkins	Offers an explanation of HB 2579 with refers to exhibits and testimony presented during the previous committee meeting on Wednesday, February 17 th , 2003.
	Bob Avery	BikePac of Oregon. Offers written testimony (EXHIBIT D) in support of HB 2579.
155	Geoffrey White	Portland, Oregon. Offers written testimony (EXHIBIT E) in support of HB 2579.
225	Randy Phipps	BikePac of Oregon. Offers written testimony (EXHIBIT F) in support of HB 2579.
270	Adkins	Clarifies that the law suggested by HB2579 would also allow lane splitting in regular traffic when cars are stopped at traffic lights, and asks if this was the original intention of the bill.
285	White	Discusses the original intent of the measure to allow lane splitting on “limited access” roadways such as highways and freeways.
290	Phipps	Discusses the original intent of the measure was to allow lane splitting on major roads with at least two lanes of traffic when traffic is brought to a halt.
335	Rep. Gilman	Asks how the witnesses felt about the proposed amendments which would require that traffic be completely halted and impose a speed limit of 10 mph.
340	Phipps	Suggest that he does not have a problem with either of the amendments.
345	Rep. Greenlick	Asks if there will be testimony from the Oregon Department of Transportation or the State Police. Asks what happens when traffic begins to move after a stoppage, and a motorcycle is not in a lane.
355	Avery	Explains that, due to the ability for motorcycles to move in traffic, they would remerge with traffic when the opportunity for lane splitting ended.
360	Rep. Greenlick	Asks whether any thought has been given to the possibility that those other motorists stuck in traffic would not appreciate this concept.
365	Avery	Points to the effect lane splitting has on reducing traffic and the recognition this would receive.
370	White	Addresses the concerns expressed by Rep. Greenlick in context to his experience in drivers education.
390	Rep. Greenlick	Comments on the possibility of hostility between motorists and

		motorcyclists.
TAPE 29, B		
003	White	Observes his efforts to educate both sides on the issue.
010	Avery	Points out the use of lane-splitting in California and its general acceptance in that state.
015	Phipps	Explains the measures' intent to bring the concept of lane-splitting to Oregon without the extra costs usually associated with lane splitting.
030	Rep. Mabrey	Discusses his personal concerns of riding a motorbike between cars, asks if there was any thought given to allowing lane splitting in a limited number of lanes.
040	White	Indicates the intention of the amendments is to help limit those unsafe aspects of lane splitting.
050	Avery	Points out the efforts to keep the law uniform, and simple to avoid confusion.
055	Chair Brown	Asks whether lane splitting also allows motorcyclists to use the shoulder of the road.
060	White	Points out that no emergency lane (i.e. shoulder) is included in this bill.
070	Lyle Irons	BikePac of Oregon, Lobbyist. Indicates his groups support for the proposed amendments to HB 2579.
075	Curtis	Oregon State Police, Sergeant. Offers written testimony (EXHIBIT G) regarding HB 2579.
090	Rep. Zauner	Questions the possible restriction of emergency vehicles in practicing lane splitting.
095	Curtis	Discusses his groups concern with the possible restriction, and his groups wish to have HB 2579 apply to law enforcement motorcycles if passed.
105	Chair Brown	Clarifies Mr. Curtis's request.
110	Curtis	Agrees and explains further concerns regarding the bill.
165	Stan Porter	Oregon Department of Transportation, Motorcycle Safety Division. Offers written testimony (EXHIBIT H) regarding 2579.
185	Curtis	Points out the changes proposed by HB 2579 would require education for both motorists and motorcyclists.
190	Irons	Identifies the efforts of Team Oregon; a group which educates motorcycle riders.
195	Rep. Greenlick	Asks if BikePac would support an amendment which would limit lane splitting to non-city areas or limited access highways, or support an amendment which would create a sunset in the law. Finally, asks the witnesses from the Oregon Department of Transportation and State Police if they support the bill as amended.
210	Rep. Mabrey	Asks how lane splitting would apply to situations of stop-and-go traffic, and what the definition of "stopped" traffic is, in regards to the bill.
220	Curtis	Explains that it would be the responsibility of the motorcyclist to remerge with the traffic lane when that lane began to move again.
260	Rep. Beyer	Asks Mr. Curtis and Mr. Porter if their organizations would have proposed this bill.
265	Curtis	Explains his organizations opposition to the bill as originally written, and expresses his group's concerned support for the bill with the amendments.
295	Porter	Agrees with Sergeant Curtis.
300	Rep. Beyer	Clarifies that the witnesses would prefer to have an amendment

305	Curtis	limiting the usage of lane splitting to limited access highways. Explains the concerns regarding lane splitting on city streets, and his groups support for an amendment on this issue.
315	Chair Brown	Thanks the witnesses and closes the public hearing on HB 2579.
320	Rep. Greenlick	Asks if the committee could get an amendment creating a sunset clause.
325	Chair Brown	Invites Rep. Greenlick to have the amendment drafted, and opens a public hearing on HB 2428.

HB 2428 – PUBLIC HEARING

330	Janet Adkins	Offers a description of HB 2428.
370	Monty King	Offers written testimony (EXHIBIT I) in support of HB 2428, pointing out his intention to get an amendment removing section one of the bill.
470	Chair Brown	Clarifies that Mr. King is going to obtain amendments to address the concerns he mentioned.
475	King	Answers affirmatively.

TAPE 30, A

030	Kelly Taylor	Oregon Department of Transportation. Offers written testimony (EXHIBIT J) regarding HB 2428.
045	Rep. Greenlick	Asks what is the question regarding the fee.
050	King	Explains the change in the fee.
055	Rep. Greenlick	Clarifies what would be deleted with a proposed amendment.
060	King	Explains that the proposed amendment would delete section one of the bill, not the law.
070	Chair Brown	Closes the public hearing on HB 2428, and opens a public hearing on HB 2542.

HB 2542 – PUBLIC HEARING

075	Janet Adkins	Offers a description of HB 2542.
	Monty King	Offers written testimony (EXHIBIT K) in support of HB 2542.
120	Kelly Taylor	Offers written testimony (EXHIBIT L) regarding HB 2542.
145	Rep. Greenlick	Questions whether an auto dealer would forget to fill out the correct paper work in the right amount of time.
160	King	Points out that there is no requirement to submit the form.
161	Rep. Greenlick	Inquires why, if there is no requirement to submit the form, there is a requirement to submit the forms within ten days.
163	King	Outlines why there is no reason to submit the form, but a time limit for submitting the form.
175	Rep. Greenlick	Asks Mr. King to clarify lines five through seven of the bill.
180	King	Explains that there is no penalty for not submitting the form, but a time limit for submitting the form.
190	Taylor	Explains the law does require the form be submitted, but the dealer is exempt from the requirement if the dealer is transferring to another dealer or if the dealer is submitting the application on behalf of the buyer.
210	Adkins	Explains that when the original law was passed there was no added penalty, but rather the incentive of non-liability when the form was submitted.
220	Rep. Beyer	Clarifies that individuals who sell cars are not liable for the same things as the dealers.
225	King	Explains that in small claims courts cases regarding this issue; seven percent involve dealers, and ninety three percent involve individuals.
233	Rep. Beyer	Asks if the original owner usually ends up footing the bill when

		these issues go to court.
236	King	Indicates that there is about a hundred percent success rate.
240	Rep. Beyer	Clarifies that the original owner is the one who pays.
243	King	Explains that the owner who is still on the record is the one who pays.
250	Taylor	Explains that in 1995 the legislature looked at this issue, and decided to add the incentive rather than a penalty.
255	Rep. Zauner	Expresses his concern for the lack of insurance on these cars.
260	Taylor	Agrees, and further discusses the issue of insurance.
285	Chair Brown	Asks why police officers ask for insurance during a traffic stop, while they can get the information from a database.
288	Taylor	Explains why the police ask for insurance.
293	Daryl Fuller	Oregon Automobile Dealers Association. Further discusses the issues regarding the ten day timeframe.
335	Chair Brown	Closes the public hearing on HB 2542, introduces LC 1812 (EXHIBIT M), and adjourns the meeting at 10:24 AM.

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EXHIBIT SUMMARY

- A – Informational Meeting, TriMet Overview, Fred Hansen, 22 pp.**
- B – Informational Meeting, TriMet’s Transit Investment Plan, Fred Hansen, Oversized.**
- C – Informational Meeting, TriMet’s PIP, Fred Hansen, 2 pp.**
- D – HB 2579, written testimony, Bob Avery, 3 pp.**
- E – HB 2579, written testimony, Geoffrey White, 2 pp.**
- F – HB 2579, written testimony, R.M. Phipps, 5 pp.**
- G – HB 2579, written testimony, Curt Curtis, 3 pp.**
- H – HB 2579, written testimony, Troy Costales, 5 pp.**
- I – HB 2428, written testimony, Monty King, 2 pp.**
- J – HB 2428, written testimony, Kelly Taylor, 1 p.**
- K – HB 2542, written testimony, Monty King, 4 pp.**
- L – HB 2542, written testimony, Kelly Taylor, 1 p.**
- M – LC 1812, draft, staff, 9 pp.**