

# HOUSE COMMITTEE ON TRANSPORTATION

February 28, 2003 Hearing Room 357  
9:00 AM Tapes 33 - 36

**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:**       LC 1812, 1813, 2481, 2826, 2930 – WORK SESSION  
                                  I-5 TRANSPORTATION AND TRADE PARTNERSHIP – INFORMATIONAL MEETING  
                                  HB 2455 – 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 33, A</b>		
003	Chair Brown	Calls the meeting to order at 9:12 a.m., and opens a work session introducing possible committee measures: LC 1812 ( <b>EXHIBIT A</b> ), LC 1813 ( <b>EXHIBIT B</b> ), LC 2481 ( <b>EXHIBIT C</b> ), LC 2826 ( <b>EXHIBIT D</b> ), and LC 2930 ( <b>EXHIBIT E</b> ).
<b><u>LC DRAFTS - WORK SESSION</u></b>		
005	Rep. Beyer	<b>MOTION: Moves LC's: 1812, 1813, 2481, 2826, 2930 BE INTRODUCED as committee bills.</b>
010		<b>VOTE: 7-0</b>
	Chair Brown	<b>Hearing no objection, declares the motion CARRIED.</b>
015	Chair Brown	Closes the LC Draft work session and opens an informational meeting regarding the I-5 Partnership Task Force.
<b><u>INFORMATIONAL MEETING</u></b>		
020	Henry Hewitt	Co-Chair of the I-5 Partnership Task Force. Offers written informational testimony ( <b>EXHIBIT F</b> ) outlining the I-5 Corridor Strategic Plan: <ul style="list-style-type: none"><li>• Introduction</li><li>• Project Overview/Purpose</li><li>• Status of Project</li><li>• Why Plan for this Corridor?</li><li>• Population Growth</li><li>• Growth in Trade</li><li>• Overview of the Process</li><li>• Involvement of the Community</li></ul>

- I-5 Partnership Public Outreach Activities
- Vision & Values
- Evaluation Factors
- Option Packages Evaluated
- Recommendations
- Next Steps
- Task Force Members

250 Chair Brown Thanks Mr. Hewitt for his leadership and efforts in regards to the I-5 Partnership Task Force.

265 Rep. Greenlick Refers to the importance of I-5 Corridor issues on his district. Asks if the task force specifically dealt with moving freight out of the corridor into the northwest industrial neighborhood.

285 Hewitt Indicates that the issue was brought up in the task force, and discusses.

300 Rep. Greenlick Discusses the importance of high and medium speed rail, ask if there are efforts to increase the speed of rail travel in the corridor.

305 Hewitt Discusses the issue of rail speed increases and the problems regarding increasing speeds.

320 Kate Deane Oregon Department of Transportation, Project Manager. Discusses the issues regarding increased rail speed.

340 Hewitt Explains that the task force recognizes the importance of rail in the I-5 corridor, but mentions the lack of federal or state funding earmarked for rail improvement in the corridor.

365 Rep. Greenlick Asks if their was any thought given to water transport from Vancouver to downtown Portland.

370 Deane Explains that the issue was discussed, but that form of transport had issues with the number of people it could support, and was best left to be addressed by the private sector.

385 Hewitt Explains that there was a lot of discussion on expanding I-5 to four lanes, but that number of lanes would be unfeasible, so the Task Force recommended three lanes.

**TAPE 34, A**

005 Chair Brown Asks if the I-5 bridge would be replaced.

010 Hewitt Explains that the bridge issue requires further study.

015 Chair Brown Asks if the 205 bridge would accommodate light rail.

017 Hewitt Defers to Ms. Deane.

020 Deane Explains that the 205 is not equipped to support light rail.

025 Chair Brown Asks if there was any discussion on how to fund the project.

028 Hewitt Explains that while the numbers are big it is feasible. The project should receive federal funding as well as local funding, and might require tolls along the bridge at least for a short while..

045 Rep. Dingfelder Asks about the light rail connection with Washington, and how realistic it is for Clark County to look at closing the loop, and mentions her concerns regarding the Interstate Max and people from Vancouver driving over the bridge and parking.

060 Hewitt Observes that the perceptions in Clark County have improved towards public transportation.

085 Deane Mentions endorsements of the proposed plan by different counties.

095 Hewitt Points out that the highway improvements and light-rail improvements are inseparable, which is why the Task Force's

105	Rep. Dingfelder	plan receives so much support. Comments on issues of traffic in her district, and the congestion created by traffic diverting off of the I-84 and the 205 onto Sandy Blvd.
115	Hewitt	Comments on the mentioned traffic problem.
135	Deane	Explains that improvements in I-5 would help to alleviate many of the traffic issues caused by avoidance.
145	Rep. Mabrey	Asks about the possibility of improving the I-5 bridges to avoid the water traffic without hindrance.
160	Deane	Discusses the possibility of improving the I-5 bridge across the Columbia River to accommodate water traffic, but discusses the problems presented by this issue.
180	Hewitt	Thanks the committee for their time.
190	Chair Brown	Closes the informational meeting, and opens a public hearing on HB 2455.

**HB 2455 – PUBLIC HEARING**

195	Janet Adkins	Committee Administrator. Offers a description of HB 2455, introducing the -1 amendment ( <b>EXHIBIT G</b> ), the -2 amendment ( <b>EXHIBIT H</b> ), and a Oregon Department of Justice Attorney General decision on the issue ( <b>EXHIBIT I</b> ).
225	Kelly Taylor	Oregon Department of Transportation, Division of Motor Vehicles (DMV). Offers testimony regarding HB 2455 and a description of the -1 and -2 amendments.
320	Rep. Greenlick	Ask if there was any discussion regarding the magnitude of the exemption.
330	Taylor	Explains that the Attorney General did not look at volume, however discusses the issues regarding volume.
355	Rep. Beyer	Asks what happens when repair shops are given automobiles.
360	Taylor	Asks for clarification of the situation.
380	Rep. Beyer	Recalls a constituents experience regarding this issue.
400	Taylor	Observes that this experience is unusual, and discusses those situations where a business could sell vehicles but not be required to be licensed as a dealer.
410	Rep. Beyer	Asks how many people the DMV would need to enforce the proposal.
415	Taylor	Explains that the work load would not necessarily be larger, but the DMV would be more effective in enforcement because of the increased information received.
425	Rep. Beyer	Clarifies that it would be required that someone report the offender, and questions the effectiveness of advertising the required auctions.
440	Taylor	Explains that the tow companies and repair companies would be required to document their failure to sell the vehicle at auction.

**TAPE 33, B**

030	Rep. Zauner	Asks whether the cars which are sold at auction are then lacking proper insurance.
035	Taylor	Explains that these cars which are sold at auction are no different from those sold through other means, and further discusses the means in which insurance is verified.
045	Al Elkins	Oregon Tow Truck Association. Offers written testimony ( <b>EXHIBIT J</b> ) in support of HB 2455.
090	Rep. Greenlick	Clarifies Mr. Elkins' testimony that seventy percent of towed cars are abandoned.
095	A. Elkins	Explains that he did an informal poll of his members which is

265 Gary Coe where the numbers come from. Continues with testimony. Speed's Towing, Portland, Oregon. Offers testimony in support of HB 2455.

300 Mike Wagner Santiam Canyon, Oregon. Offers testimony in support of HB 2455.

315 Rep. Zauner Asks if the problem is with the cost of the license or from the difficulties in obtaining a license.

320 A. Elkins Explains that the problem is the combination of both.

325 Rep. Zauner Asks what information is given to the tower when the police call about an abandoned vehicle.

330 A. Elkins Observes that the police give little to no information.

335 Rep. Zauner Asks if being provided such information would help.

340 A. Elkins Explains that the information is currently supposed to be provided, but is not.

345 Rep. Greenlick Clarifies that one of the towers mentioned sells over ten thousand cars each year.

350 A. Elkins Explains that most likely a majority of those cars go to the junk yard but he is not sure.

360 Rep. Greenlick Observes that not being licensed seems reasonable if it were only a few cars per year, but it does not seem reasonable to not be licensed when the number of cars sold is high.

370 Coe Comments on the tower being discussed, and the condition of the cars being discussed. Explains that to obtain a license from the city is difficult.

**TAPE 34, B**

002 Rep. Greenlick Ask how many cars Mr. Coe sell per year.

005 Coe Observes about 4,000 cars.

007 Rep. Beyer Clarifies that "4000" figure refers to cars which are unable to be sold at auction.

010 Coe Indicates that all 4000 are sold at auction.

012 Rep. Beyer Ask if there is a percentage of those cars which are not sold through auction so therefore to the public.

020 Coe Explains that those not sold are sent to the wrecking yard.

025 A. Elkins Addresses Rep. Greenlick's earlier question, explaining that under the contract with the city of Portland the tower pays the city five dollars for every abandoned car towed.

035 Wagner Addresses Rep. Beyer's question, explaining the issues facing rural towers.

060 Chair Brown Asks if the towers ever have to pick up automobiles which have been used as methamphetamine labs, and if so, how these vehicles are disposed of.

065 A. Elkins Comments on the problem faced by these situations, and the commonality of finding drug paraphernalia in abandoned vehicles.

070 Rep. Mabrey Asks what the average tow fee is.

075 A. Elkins Explains that the rates are set by city, but he does not have that information.

080 Rep. Mabrey Asks about the storage fee.

082 A. Elkins Explains the storage fee is about fifty dollars a day.

095 Deb Elkins Northwest Automotive Trades Association, Director. Offers written testimony (**EXHIBIT K**) in support of HB 2455.

205 Bob Anderson AJ's Auto Repair, Salem Oregon. Offers testimony in support of HB 2455.

275	Frank Warrens	Portland, Oregon. Offers testimony in support of HB 2455.
345	Rep. Greenlick	Comments on the difference between tow companies, auto repair shops, and auto dealers.
350	Warrens	Comments on the aforementioned difference.
395	Rep. Zauner	Refers to charitable organizations which advertise that they will take unwanted vehicles. Asks why these organizations are not used to collect abandoned vehicles.
400	Warrens	Explains that the vehicles these organizations collect have clean titles and do not go through the lien process.
420	Rep. Zauner	Asks what is done about controlling illegal drug activity and the use of abandoned vehicles.
430	D. Elkins	Addresses indicating the mentioned problem would not be alleviated by requiring the tow companies and auto repair companies become dealers.
<b>TAPE 35, A</b>		
020	Zauner	Clarifies that it is not the cost of, but paperwork involved in being a dealer, and comments that to curb the illegal use of these abandoned vehicles some form of paperwork is required.
025	D. Elkins	Explains that the cost of some of this paperwork is substantial.
040	Monty King	Independent Auto Dealers Association. Offers written testimony <b>(EXHIBIT L)</b> in opposition to HB 2455, with reference to <b>(EXHIBIT M)</b> and <b>(EXHIBIT N)</b> .
185	Eric Page	Independent Auto Dealers Association. Offers testimony in opposition of HB 2455.
270	Gary Sargent	Independent Auto Dealers Association. Offers testimony in opposition to HB 2455.
<b>TAPE 36, A</b>		
030	Rep. Zauner	Asks about a \$45 after hour's gate fee.
035	Page	Explains that the mentioned fee is just one of many the tow companies are able to assess.
040	Rep. Zauner	Asks what classifies as advertisement for public auctions.
045	King	Discusses the requirements for advertising public auctions.
055	Rep. Beyer	Expresses her concern and dismay for the testimony received which vilified entire industries.
065	Page	Apologizes for the generalizations, and explains that HB 2455 would reward the worst individuals in the tow industry.
080	Rep. Beyer	Thanks Mr. Page for the apology.
090	Al Hutchinson	Corvallis, Oregon. Offers testimony in opposition to HB 2455.
160	Bill Egan	Auto Dealer. Offers testimony in opposition to HB 2455.
185	Marlin Mitchell	Albany Auto Sales, Albany Oregon. Offers testimony in opposition to HB 2455.
235	Chair Brown	Clarifies that there are no requirements to have insurance.
240	Mitchell	Concurs that there are no requirements at the dealer level.
250	King	Comments that every auto dealer is a DMV agent, and must follow DMV guidelines.
280	Rep. Mabrey	Questions the number of vehicles which are sold through these lots, and comments that there should be a distinction between those that sell one junk vehicle vs. those that sell numerous vehicles.
305	King	Explains that his group does not feel there should be any distinction when vehicles are sold to the public.
330	Rep. Zauner	Asks whether the involved parties ever sit down and try to discuss their concerns.
335	King	Explains that there have been several work groups, and that they

		have not worked.
345	Rep. Zauner	Asks if a work group would work now.
350	King	Explains that the issue is at the point where the legislature needs to step in.
380	Egan	Recalls a personal experience where he lost business when a mechanic rebuilt and sold a car to one of his customers.
425	Hutchinson	Comments on the ability to charge an administrative fee as an agent on the DMV.
445	Chair Brown	Closes the public hearing on HB 2455, and adjourns the meeting at 11: 55 a.m.

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**EXHIBIT SUMMARY**

- A – LC 1812, committee measure, Staff, 9 pp.**
- B – LC 1813, committee measure, Staff, 2 pp.**
- C – LC 2481, committee measure, Staff, 5 pp.**
- D – LC 2826, committee measure, Staff, 3 pp.**
- E – LC 2930, committee measure, Staff, 1 p.**
- F – Informational meeting, I-5 Corridor Strategic Plan, Henry Hewitt, 13 pp.**
- G – HB 2455, -1 amendment, Staff, 2 pp.**
- H – HB 2455, -2 amendment, Staff, 1 p.**
- I – HB 2455, Department of Justice decision, 5 pp.**
- J – HB 2455, written testimony, Al Elkins, 1 p.**
- K – HB 2455, written testimony, Deb Elkins, 3 pp.**
- L – HB 2455, written testimony, Monty King, 2 pp.**
- M – HB 2455, photo exhibits, Monty King, 6 pp.**
- N – HB 2455, photo exhibits, Monty King, 1 p.**