

HOUSE COMMITTEE ON TRANSPORTATION

March 24, 2003 Hearing Room 357
8:30 AM Tapes 56 - 57

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: HB 2501 – Work Session
HB 2518 – Work Session
HB 2455 – Work Session
HB 3032 – Public Hearing

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 56, A		
003	Chair Brown	Calls the meeting to order at 8:37 a.m., and opens a work session on HB 2501.
<u>HB 2501 - WORK SESSION</u>		
005	Janet Adkins	Committee Administrator. Offers a description of HB 2501, an issued fiscal impact (EXHIBIT A) and the proposed -1 amendment (EXHIBIT B).
040	Rep. Zauner	MOTION: Moves to ADOPT HB 2501-1 amendments dated 03/07/03.
045	Rep. Gilman	Asks if the amendment would make the truck speed 60 mph.
050	Chair Brown	Explains the amendment would only change the car speed from 75 mph to 70 mph, and the change would still be at the discretion of Oregon Department of Transportation.
050	Doug Tindal	Oregon Department of Transportation. Offers testimony regarding HB 2501, and the requirements which would be placed on the department with passage of the bill. Includes the process for highway speed study.
070	Chair Brown	Asks who would propose these studies.
075	Tindal	Explains that it could be any number of organizations or individuals.
080	Chair Brown	Asks that Mr. Costales address the costs of these studies.
085	Troy Costales	Oregon Department of Transportation. Offers testimony regarding the costs of the proposed speed studies.
090	Rep. Greenlick	Asks if Oregon Department of Transportation does follow-up studies to speed studies.

095	Tindal	Discusses the situations when follow-up studies are done.
100	Rep. Greenlick	Asks whether average speeds increase when the speed limit is increased.
105	Tindal	Explains that if the speed is set correctly there should be no increase in average speed.
115	Rep. Gilman	Clarifies that with the amendment, automobiles would travel at 70 and trucks would travel at 65. Asks if the department sees 5 mph an adequate difference between cars and trucks.
120	Tindal	Defers to Mr. Costales, but indicates that the answer is debatable, but he thinks speed differential has causation.
125	Costales	Points out that there is some evidence that speed differential is relevant.
135	Rep. Gilman	Expresses his wish to see the speed differential between trucks and cars at ten miles per hour.
140	Chair Brown	Clarifies that ODOT would have the option of keeping the truck speed at its current speed.
145	Costales	Acknowledges.
150	Rep. Zauner	Asks whether the Basic Rule would still be in affect.
155	Costales	Addresses the function of the Basic Rule.
165		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Mabrey The motion CARRIES.
170	Chair Brown Rep. Zauner	MOTION: Moves HB 2501 to the floor with a DO PASS AS AMENDED recommendation.
180	Rep. Dingfelder	Expresses her intention of voting NO on HB 2501 because of the increase in danger, and fuel consumption concerns.
190	Rep. Greenlick	Expresses his intention of voting NO, and discusses his concerns.
200		VOTE: 4-2 AYE: 4 - Beyer, Gilman, Zauner, Brown NAY: 2 - Dingfelder, Greenlick EXCUSED: 1 - Mabrey The motion CARRIES. MILLER will lead discussion on the floor.
205	Rep. Dingfelder	Expresses her concern for the fiscal impact of the bill.
210	Adkins	Explains the options the committee has regarding the fiscal impact.
215	Rep. Dingfelder	Restates her concerns.
220	Chair Brown	Explains that these funds would come from the gas tax and not the general fund.
230	Rep. Beyer	Points out that the bill does not automatically raise speed limits, but gives ODOT the option to raise speed limits.
240	Chair Brown	Closes the work session on HB 2501, and opens a work session on HB 2518.
<u>HB 2518 – WORK SESSION</u>		
245	Janet Adkins	Committee Administrator. Offers a description of HB 2518, and the proposed -1 amendment (EXHIBIT C).
260	Rep. Greenlick	Asks how HB 2518 relates to HB 2501.
265	Adkins	Explains that such conflicts are found when the bills move to the senate side for consideration.
275	Rep. Greenlick	Questions whether a possible conflict negates the intended effect of the bills.
280	Adkins	Further discusses the possibility of a conflict.

305	Rep. Dingfelder	MOTION: Moves to ADOPT HB 2518-1 amendments dated 03/17/03.
310	Chair Brown	VOTE: 6-0 EXCUSED: 1 - Mabrey Hearing no objection, declares the motion CARRIED. MOTION: Moves WITH AMENDMENTS, WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Judiciary.
320	Chair Brown	VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Mabrey The motion CARRIES.
325	Chair Brown	Closes the work session on HB 2518, and opens a work session on HB 2455.
<u>HB 2455 – WORK SESSION</u>		
345	Janet Adkins	Committee Administrator. Offers a description of HB 2455, and the proposed -3 amendment (EXHIBIT D).
365	Chair Brown	Asks Ms. Taylor to address the intent of the proposed -3 amendment.
375	Kelly Taylor	Oregon Department of Transportation, Division of Motor Vehicles. Offers a description for the intent of the -3 amendment. Including interpretation of specific language in the amendment.
TAPE 57, A		
025	Rep. Dingfelder	Expresses her concern for protecting the consumer, and clarifies issues regarding automobile resale.
035	Taylor	Explains that after the mandatory auction, towers may sell to consumers or to scrap yards, etc.
045	Rep. Dingfelder	Asks Ms. Taylor to further address the record keeping as mandated by the -3 amendment.
050	Taylor	Addresses the record keeping provisions outlined in the amendment.
080	Rep. Greenlick	Asks if the department has rule authority to define what a public auction is.
083	Taylor	Explains that the Department of Justice has the rule authority.
085	Rep. Zauner	Asks if the amendment is more or less restrictive.
090	Taylor	Expresses the difference between the requirements.
095	Rep. Zauner	Refers to previous testimony which indicated one of the big problems is the inability of towers to follow the auction notification requirements.
100	Taylor	Addresses the issues regarding tower notification.
105	Chair Brown	Asks Ms. Taylor to clarify the minimal fiscal impact.
110	Taylor	Address the concerns of the Chair, and explains that the department does not receive many complaints about towers.
120	Chair Brown	Clarifies that the towers have to consider the auction route first.
121	Taylor	Acknowledges.
125	Chair Brown	Asks what the impact has been on the education requirement of the dealers.
130	Taylor	Explains that before and after the adoption of dealer education, dealers were the majority of complaints.
140	Rep. Greenlick	MOTION: Moves to ADOPT HB 2455-3 amendments dated 03/19/03. VOTE: 6-0 EXCUSED: 1 - Mabrey

150	Chair Brown Rep. Gilman	Hearing no objection, declares the motion CARRIED. MOTION: Moves HB 2455 to the floor with a DO PASS AS AMENDED recommendation.
160	Rep. Zauner	Expresses his concern for and intent to vote NO on the bill.
165	Rep. Beyer	Expresses her concerns with the bill, referencing constituent input on both sides. But points out that the bill seems to be a good compromise.
180	Rep. Dingfelder	Expresses her mutual concerns to those expressed by Rep. Zauner and Rep. Beyer, and asks that ODOT come back before the committee next session and report on the outcome of the program.
190		VOTE: 5-1 AYE: 5 - Beyer, Dingfelder, Gilman, Greenlick, Brown NAY: 1 - Zauner EXCUSED: 1 - Mabrey The motion CARRIES.
200	Chair Brown Chair Brown	Closes the work session on HB 2455, and opens a public hearing on HB 3032.
<u>HB 3032 – PUBLIC HEARING</u>		
205	Janet Adkins	Committee Administrator. Offers a description of HB 3032.
220	Rep. March	House District 46. Offers written testimony (EXHIBIT E) in support of HB 3032.
250	Rep. Dingfelder	Ask whether the bill could apply to bicycles.
255	Rep. March	Explains that an amendment could be drafted to address those concerns.
365	Clark Brooker	Portland, Oregon. Offers written testimony (EXHIBIT F) in support of HB 3032.
300	Chair Brown	Asks Mr. Tindal to address the concerns regarding the bill.
310	Doug Tindal	Oregon Department of Transportation. Offers testimony regarding HB 3032, including an explanation of the technology used.
340	Rep. Dingfelder	Asks what percentage of signal switches are weight actuated.
345	Tindal	Explains that on the highway system there are no weight actuated switches.
360	Rep. Greenlick	Asks whether passage of the bill would affect the Portland traffic laws.
365	Tindal	Explains that state statute is dominant.
375	Sam Hochberg	Portland, Oregon. Offers written testimony (EXHIBIT G) in support of HB 3032.
480	Chair Brown	Closes the public hearing on HB 3032, and adjourns the meeting at 9:28 a.m.

EXHIBIT SUMMARY

- A – HB 2501, fiscal statement, Staff, 1 p.**
- B – HB 2501, -1 amendment, Staff, 1 p.**
- C – HB 2518, -1 amendment, Staff, 2 pp.**
- D – HB 2455, -3 amendment, Staff, 2 pp.**
- E – HB 3032, written testimony, Rep. March, 1 p.**
- F – HB 3032, written testimony, Clark Brooker, 1 p.**

G – HB 3032, written testimony, Sam Hockberg, 1 p.