

HOUSE COMMITTEE ON TRANSPORTATION

March 26, 2003 Hearing Room 357
8:30 AM Tapes 58 - 59

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 2986 – Work Session
HB 3522 – Public Hearing and Work Session
HB 3001 – 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 58, A		
003	Chair Brown	Calls the meeting to order at 8:35 a.m., and opens a public hearing on HB 2986.
<u>HB 2986 – PUBLIC HEARING</u>		
010	Janet Adkins	Committee Administrator. Offers a description of HB 2986, and presents written testimony regarding HB 2986 from the Oregon Academy of Ophthalmology (EXHIBIT A), and from Oregon Optometric Physicians Association (EXHIBIT B).
040	Lorna Youngs	Division of Motor Vehicles (DMV). Offers written document: Oregon's Medically At-Risk Driver Program (EXHIBIT C) regarding HB 2986.
255	Rep. Greenlick	Asks how disorders which are not evident are disclosed or reported.
265	Youngs	Explains that this is an issue which is still being worked out, but discusses the possibilities.
285	Rep. Dingfelder	Asks what the magnitude of the problem is currently.
290	Youngs	Explains that she does not currently have that information, but guesses that thousands would be affected each year. Discusses the attempts to phase in the new rule gradually.
335	Rep. Dingfelder	Asks whether the changes proposed by the bill could be accomplished through rule rather than through legislation.
345	Youngs	Explains that the DMV does not have the authority to enact such rule.
350	Rep. Greenlick	Clarifies that they could not make if voluntary rather than compulsory.
352	Youngs	Explains the DMV could not make the rule either way, and the

355 Rep. Zauner matter is rather a policy decision for the legislature. Clarifies that currently nobody is reporting under previous legislation.

360 Youngs Explains that there is currently no reporting as such.

370 Rep. Zauner Asks whether the original bill is mandatory.

375 Youngs Explains that it is not the intent of the DMV to make compliance voluntary, but to make it mandatory.

380 Rep. Zauner Asks whether making compliance voluntary would cause doctors report.

385 Youngs Indicates that she does not know, but expresses concern if this were the case.

400 Rep. Beyer Expresses constituent concerns that enacting such regulations would cause those in need of medical attention to not seek help for fear of losing driving privileges.

405 Youngs Addresses those concerns of people avoiding medical attention to avoid loss of driving privileges.

TAPE 59, A

015 Chair Brown Refers to a constituents case where the constituent lost driving privileges due to loss of consciousness.

025 Youngs Addresses the specific case and describes how that case was affected by current regulations.

045 Chair Brown Refers to another constituents complaint where an elder gentleman lost driving privileges due to family complaints.

055 Youngs Explains that this case would fall under the voluntary reporting options.

065 Tim Martinez Oregon Medical Association. Offers testimony regarding HB 2986.

115 Grant Higginson State Public Health Officer. Offers testimony regarding HB 2986.

180 Rep. Greenlick Explains that there are two relevant issues: the voluntary reporting issue, and the liability issue. Points out that these issues should not be confused.

200 Martinez Explains that it would be possible to separate the two issues, and discusses the difference between the two issues.

215 Rep. Mabrey Discusses his view that there would be no difference in reporting whether the it was voluntary or mandatory.

240 Higginson Addresses the difference between mandatory and voluntary reporting.

280 Martinez Points out that this law would apply to everyone in the medical community, and there are those in the field who should be afforded some discretion.

300 Rep. Gilman Asks how much paper work would be required if reporting were mandatory, and expresses that the burden placed on the doctors would be great if reporting were mandatory.

320 Higginson Explains that the Oregon Department of Transportation would need to address the amount of paperwork required, but discusses the issues regarding reporting.

370 Rep. Zauner Asks if there are any restrictions as to who can report to the DMV regarding unsafe driving.

375 Youngs Discusses who can report, indicating that the DMV holds all reports confidential.

TAPE 58, B

005 Chair Brown Clarifies that there will be amendments to the bill. Closes the public hearing on HB 2986, and opens a public hearing on HB

3522.

HB 3522 – PUBLIC HEARING

010	Janet Adkins	Committee Administrator. Offers a description of HB 3522.
020	Rep. Johnson	House District 31. Offers testimony in support of HB 5322, and defers to Mr. Loring.
040	Martin Loring	Oregon Department of Transportation, Public Transit Division. Offers written testimony (EXHIBIT D) in support of HB 3522.
090	Rep. Johnson	Concurs with Mr. Loring's take on the bill, and points out that the bill would create a tool for the Oregon Department of Transportation to work with local governments regarding elder transportation.
100	Chair Brown	Clarifies that once the money gets to the county there is opportunity to use it for another purpose.
105	Rep. Johnson	Refers to a situation in Columbia County where this seemed to be an issue.
125	Rep. Zauner	Asks whether anyone would be opposed to the bill.
130	Rep. Johnson	Explains that she is unaware of any opposition to the bill, but she is willing to work with any of those groups which may have concerns.
135	Mary Lou Ritter	Area Agency on Aging and Disability in Washington County. Offers testimony regarding HB 3522.
185	Chair Brown	Closes the public hearing on HB 3522, and opens a work session on HB 3522.

HB 3522 – WORK SESSION

190	Rep. Beyer	MOTION: Moves HB 3522 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.
195		VOTE: 7-0
	Chair Brown	AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
200	Chair Brown	Closes the work session on HB 3522, and opens a work session on HB 3001.

HB 3001 – WORK SESSION

215	Janet Adkins	Committee Administrator. Offers a description of HB 3001, the proposed -1 amendment (EXHIBIT E), and the proposed -3 amendment (EXHIBIT F).
350	Rep. Greenlick	Clarifies specific wording in the bill and in the amendments.
355	Adkins	Discusses the reason for that language.
270	Chair Brown	Clarifies that ODOT would have authority over any and all of the corridors.
275	Troy Costales	Oregon Department of Transportation. Offers testimony explaining the proposed -3 amendments.
285	Chair Brown	Asks how ODOT would decide which corridors to double fine.
290	Costales	Explains the process for deciding such corridors.
300	Chair Brown	Asks whether the bill with the amendments would allow ODOT to alter the existing double fine corridors.
305	Costales	Explains it is his perception of the amendments that it would not require the department to change those already designated corridors.
310	Rep. Beyer	Asks whether by allowing ODOT this option, a revenue impact would occur.
315	Costales	Explains that there would be little potential fiscal impact and

		explains that the cost of signage would run around \$15,000, but there would be no fiscal impact statement issued because the bill would not mandate action to ODOT but allow ODOT to have the option.
340	Chair Brown	Asks if Mr. Costales has an idea of which corridors the ODOT would alter under this bill.
345	Costales	Points out that he will leave a report (EXHIBIT G) with committee staff regarding the state of current safety corridors.
450	Rep. Greenlick	MOTION: Moves to ADOPT HB 3001-3 amendments dated 03/25/03.
455		VOTE: 7-0
	Chair Brown	Hearing no objection, declares the motion CARRIED.
460	Rep. Dingfelder	MOTION: Moves HB 3001 to the floor with a DO PASS AS AMENDED recommendation.
470		VOTE: 7-0
	Chair Brown	AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.
		GREENLICK will lead discussion on the floor.
480	Chair Brown	Closes the work session on HB 3001.
485	Committee	Discusses the upcoming schedule for the committee.
490	Chair Brown	Adjourns the meeting at 10:01 a.m.
	The following prepared testimony is submitted for the record without public testimony for HB 3001.	
	Larry Christianson	Submits written testimony (EXHIBIT H).

EXHIBIT SUMMARY

- A – HB 2986, written testimony, Staff, 1 p.**
- B – HB 2986, written testimony, Staff, 1 p.**
- C – HB 2986, Oregon’s medically At-Risk Driver Program, Lorna Youngs, 9 pp.**
- D – HB 3522, written testimony, Martin Loring, 2 pp.**
- E – HB 3001, -1 amendment, Staff, 1 p.**
- F – HB 3001, -3 amendment, Staff, 2pp.**
- G – HB 3001, Salem to Woodburn Safety Corridor, Troy Costales, 1 p.**
- H – HB 3001, written testimony, Larry Christianson, 17 pp.**