

# HOUSE COMMITTEE ON TRANSPORTATION

March 3, 2003 Hearing Room 357

8:30 AM Tapes 37 - 40

**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 2514 – PUBLIC HEARING**  
   **HB 2518 – PUBLIC HEARING**  
   **HB 2501 – PUBLIC HEARING**  
   **LC 3392 – WORK SESSION**

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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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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>Tape 37, A</b>		
003	Chair Brown	Calls meeting to order at 8:35 a.m., and opens a public hearing on HB 2514.
<b><u>HB 2514 – PUBLIC HEARING</u></b>		
005	Janet Adkins	Committee Administrator. Offers a description of HB 2514.
010	Chair Brown	Opens a public hearing on HB 2518.
<b><u>HB 2514, HB 2518 – PUBLIC HEARING</u></b>		
015	Rep. Kruse	State Representative, District 7. Offers a brief history of HB 2514 & HB 2518, and testimony in support of HB 2514 & HB 2518. Offers proposed amendment to HB 2514 ( <b>EXHIBIT A</b> ).
100	Rep. Zauner	Refers to a bill from last session which was eventually vetoed for its lack of consideration regarding speed differential between cars and trucks.
105	Rep. Kruse	Recalls that there are several bills this session which may have or could have that provision.
110	Rep. Greenlick	Asks why emergency vehicles were excluded from the bill.
115	Rep. Kruse	Explains the purpose of excluding emergency vehicles from the bill.
120	Rep. Greenlick	Asks if the exclusion is still in the bill after the amendments.
125	Rep. Kruse	Recalls that the exclusion is still in the bill.
140	Kelly Skye	Oregon Criminal Defense Lawyers Association, Legislative Director. Offers written testimony ( <b>EXHIBIT B</b> ) in opposition of HB 2514. Indicates that some of her concerns may be addressed by the amendment proposed by Rep. Kruse.
200	Rep. Zauner	Clarifies that as currently written, if a motorist is driving thirty

		miles per hour over the speed limit, but under control, it is classed as reckless driving.
205	Skye	Addresses the link between high speed and reckless driving.
220	Rep. Zauner	Clarifies that there is an exemption when driving below the seventy mph speed limit.
225	Skye	Explains that the bill does not create a specific exemption.
235	Rep. Zauner	Asks whether passing the bill would decrease the number of jury trials.
240	Skye	Responds that she is unsure as to whether the bill would affect the number of jury trials. Comments on the affects of the bill on the trial process.
270	Janet Adkins	Refers to the proposed amendment, and asks Ms. Skye about specific language in the amendment.
280	Skye	Addresses the language in the bill and the possible changes proposed.
300	Jim Botwinis	Oregon State Police Officers' Association, President. Offers written testimony ( <b>EXHIBIT C</b> ) in opposition to HB 2514 as written. Indicates his group's possible support for the proposed amendment to the bill.
365	Chair Brown	Closes the public hearing on HB 2514.
<b><u>HB 2518 – PUBLIC HEARING</u></b>		
375	Dr. Frederick Hakkinen	Meridian Park Hospital. Offers testimony in opposition to HB 2518, including his personal experience driving the Autobahn in Germany.
<b>TAPE 38, A</b>		
020	Rep. Zauner	Comments on his personal experience driving the Autobahn, indicating speed differential was the primary safety concern.
030	Hakkinen	Explains that the Autobahn has recently been limited in speed, and further comments on the dangers of the Autobahn.
035	Rep. Zauner	Asks whether Mr. Hakkinen thinks there are more accidents now with a speed limit on the Autobahn.
040	Hakkinen	Explains that he thinks there are now fewer accidents.
045	Janet Adkins	Offers a description of HB 2518.
060	Bob Russell	Oregon Trucking Associations, President. Offers written testimony ( <b>EXHIBIT D</b> ) regarding HB 2518.
090	Rep. Dingfelder	Asks what the fuel difference would be for trucks if the speed were increased ten miles per hour.
095	Russell	States that the increase is hard to measure and not substantial.
100	Rep. Beyer	Clarifies that currently there is a ten mph speed differential, and that Mr. Russell's group has not tried to change the current differential.
105	Russell	Explains that due to the prohibitive cost of changing every speed limit sign posted in the state, his group has not pursued changing the current speed differential. However, if the signs were to be changed under HB 2518, his group supports fixing the speed differential problem.
115	Chair Brown	Thanks Mr. Russell for his testimony and opens a public hearing on HB 2501.
<b><u>HB 2518, HB 2501 – PUBLIC HEARING</u></b>		
120	Rep. Randy Miller	House District 37. Offers written testimony ( <b>EXHIBIT E</b> ) in support of HB 2501.
270	Senator Gary George	Senate District 12. Offers testimony in support of HB 2501.
355	Rep. Miller	Comments on the validity of statistics which may be presented in opposition to HB 2501.

385	Chair Brown	Clarifies that the speed differential between cars and trucks would be ten mph, and asks if it would be reasonable to raise the truck speed to seventy mph, decreasing the speed differential to five mph.
395	Rep. Miller	Defers to the judgment of Oregon Department of Transportation.
<b>TAPE 37, B</b>		
010	Sen. George	Comments that the relating clause could be amended to change the speed differential.
020	Chair Brown	Clarifies that the bill would only apply to the interstate system.
025	Rep. Miller	Explains that he will offer amendments which would apply the bill to other roadways in the state, but reiterates the continued use of the Basic Rule.
040	Rep. Mabrey	Asks for a clarification regarding the statistics of which states have which speed differentials.
055	Rep. Miller	Points out that ODOT would have control over those decisions.
065	Rep. Beyer	Asks if HB 2501 has similar language to bills proposed during previous sessions.
070	Rep. Miller	Explains that the language is consistent.
080	Rep. Beyer	Asks what Rep. Millers feelings would be if the speed was not increased when referred to the Oregon Department of Transportation.
085	Rep. Miller	Comments on what may happen if the authority to increase speed was given to Oregon Department of Transportation.
100	Sen. George	Comments on the modern safety of trucks and automobiles compared to the past.
130	Rep. Greenlick	Comments on the modern lack of common sense in modern drivers, and asks how that behavior would change with an increased speed limit.
150	Rep. Miller	Explains that he does not think the average speed would increase greatly due to higher speed limits.
180	Sen. George	Offers personal experience of driving in other states where the speed limit was greater than that of Oregon.
200	Rep. Dingfelder	Expresses her concerns regarding the ability of the State Police to enforce an increased speed limit, and questions the timing of this particular measure.
220	Rep. Miller	Explains that since HB 2501 just passes authority to the Oregon Department of Transportation, that would be an issue for that department to address.
260	Dr. John Tongue	Oregon Transportation Safety Committee, Chair. Offers written testimony ( <b>EXHIBIT F</b> ) in opposition to HB 2501.
<b>TAPE 38, B</b>		
005	Chair Brown	Asks about Mr. Tongue's involvement on the Oregon Speed Zone Improvement Panel.
010	Tongue	Outlines the mandate of the Oregon Speed Zone Improvement Panel.
015	Rep. Greenlick	Refers to statistics presented by Dr. Tongue, and asks how he would think the behavior of motorists would change if the speed were increased.
017	Tongue	Remarks that he thinks the average speed would increase substantially.
040	Rep. Zauner	Clarifies that the bill only gives authority to increase speed to ODOT, and asks if Dr. Tongue is uneasy with ODOT authority.
045	Tongue	Points out that ODOT is opposed to the bill and the authority that would come with it, and that the majority of the people in the

085	Dr. Frederick Hakkinen	state are opposed to increasing speed in the state. Meridian Park Hospital. Comments on the durability of the Autobahn roadway in Germany, and the average speed of automobiles on I-5.
115	Chair Brown	Expresses his concerns for the costs of building the Autobahn, and comments on the history of I-5.
130	Adkins	Submits written testimony ( <b>EXHIBIT G</b> ) from the Oregon Environmental Council in opposition to HB 2501.
140	Troy Costales	Oregon Department of Transportation, Safety Division. Offers written testimony ( <b>EXHIBIT H</b> ) regarding HB 2518.
210	Costales	Offers written testimony ( <b>EXHIBIT I</b> ) regarding HB 2501, including which roadways would be affected and which would not.
250	Chair Brown	Asks whether inferior equipment could account for some of the data indicating high accident statistics in the past.
255	Costales	Acknowledges that equipment improvements have lessened the number of accidents, and points out the number of automobiles on the road has tripled since 1961 to today. Continues with presentation.
375	Rep. Beyer	Clarifies that Mr. Costales' believes that Oregon Department of Transportation would be required to review all speed limits.
385	Costales	Explains that speed limit reviews would be done at the request of a citizen or local government.
395	Rep. Beyer	Asks whether the speed limit reviews would be conducted by the Speed Zone Review Panel, or the Oregon Department of Transportation.
400	Costales	Explains that the task would have to be designated to that group through rule.
<b>TAPE 39, A</b>		
005	Rep. Zauner	Asks whether those respondents who oppose the increase in speed limit were asked how fast they drive.
010	Costales	Indicates that the question was not asked, but that there are speed monitoring devices in the pavement which indicate the average speed.
020	Rep. Zauner	Asks whether the respondents would be willing to pay the fines for speeding.
025	Chair Brown	Asks if Mr. Costales would support the change in speed differential from ten mph to five mph.
027	Costales	Discusses the increase in safety between speed differentials, but points out the impact on the infrastructure caused by the increased speed coupled with the large weight of trucks.
035	Gail Shibley	Oregon Department of Human Services. Offers written testimony ( <b>EXHIBIT J</b> ) in opposition to HB 2501.
135	Rep. Zauner	Asks if the speed limits increased, yet the behavior and speed of the drivers remained the same, would the number and severity of accidents increase.
140	Shibley	Expresses concern for engaging in hypothetical questions, and reiterates concerns regarding the cost accidents have on the healthcare system.
145	Rep. Zauner	Refers to his personal experience and restates his question.
150	Shibley	Reiterates concerns based on healthcare costs.
155	Eugene Lubinsky	Portland, Oregon. Offers testimony in support of HB 2501.
360	Jeff Boly	National Motorists Association. Offers written testimony ( <b>EXHIBIT K</b> ) in support of HB 2501.

**TAPE 40, A**

001 Boly Continues with testimony in support of HB 2501.  
120 Ken Ray Clackamas, Oregon. Offers written testimony (**EXHIBIT L**) in support of HB 2501.  
150 Chair Brown Closes the public hearing on HB 2501, and opens a work session to consider committee bills: LC 3392 (**EXHIBIT M**).

**LC 3392 – WORK SESSION**

160 Chair Brown **MOTION: Moves LC 3392 BE INTRODUCED as a committee bill.**

**VOTE: 5-0**

**EXCUSED: 2 - Dingfelder, Greenlick**

**Hearing no objection, declares the motion CARRIED.**

Chair Brown  
165 Chair Brown Closes the work session to consider committee bills, and adjourns the meeting at 10:52 a.m.

The following exhibits are submitted for the record without public testimony:

Staff Submits State Maximum Speed Limits for Passenger Vehicles (**EXHIBIT N**) regarding HB 2501.

Submits proposed statute repeal (**EXHIBIT O**) regarding HB 2501.

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**EXHIBIT SUMMARY**

**A – HB 2514, conceptual amendment, Rep. Kruse, 1 p.**

**B – HB 2514, written testimony, Kelly Skye, 1 p.**

**C – HB 2514, written testimony, Jim Botwinis, 1 p.**

**D – HB 2501, written testimony, Bob Russell, 1 p.**

**E – HB 2501, written testimony, Rep. Miller, 5 pp.**

**F – HB 2501, written testimony, John Tongue, 15 pp.**

**G – HB 2501, written testimony, Staff, 1p.**

**H – HB 2518, written testimony, Troy Costales, 2 pp.**

**I – HB 2501, written testimony, Troy Costales, 16 pp.**

**J – HB 2501, written testimony, Gail Shibley, 3 pp.**

**K – HB 2501, written testimony, Jeff Boly, 2 pp.**

**L – HB 2501, written testimony, Ken Ray, 4 pp.**

**M – LC 3392, committee measure, Staff, 2 p.**

**EXHIBITS RECEIVED OUTSIDE MEETING**

**N – HB 2501, State Maximum Speed Limits for Passenger Vehicles, Staff, 2 pp.**

**O – HB 2501, Repeal, Staff, 1 p.**