

HOUSE COMMITTEE ON TRANSPORTATION

April 02, 2003 Hearing Room 357
8:30 AM Tapes 64 - 65

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 2999 – Public Hearing and Work Session**
 HB 2933 – Public Hearing and Work Session
 HB 2801 – Work Session
 HB 3111 – Work Session
 HB 3240 – 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 64, A		
003	Chair Brown	Calls the meeting to order at 8:35 a.m., and opens a public hearing on HB 2999.
<u>HB 2999 – PUBLIC HEARING</u>		
005	Janet Adkins	Committee Administrator. Offers a description of HB 2999, and the proposed -1 amendment (EXHIBIT A).
030	Paul Romaine	Oregon Petroleum Marketers Association. Offers testimony in support of HB 2999 and the proposed -1 amendment.
070	Chair Brown	Asks about figures presented in testimony.
075	Romaine	Clarifies the figures.
080	Chair Brown	Asks if there is any ability to collect delinquent accounts.
085	Cliff Olson	Explains that there is little ability to collect before the fuel is sold.
090	Chair Brown	Asks whether lost taxes could be reclaimed through a lien process.
095	Olson	Discusses the collection options of the distributors.
100	Romaine	Explains that the distributor is the one with the financial incentive to pursue collection.
105	Rep. Zauner	Asks what the tax rate is for fuel distribution.
110	Romaine	Explains the tax amount is 24 cents per gallon.
115	Chair Brown	Clarifies that they still currently have to collect the federal fuel tax.
120	Rep. Mabrey	Discusses his concerns for the bill, and clarifies that the dealer extends the credit.
125	Olson	Explains that the dealer extends the credit, but points out that the

130 Rep. Mabrey dealer has the invested interest. Points out that the State did not make that credit decision, and discusses accountability for that tax.

145 Romaine Explains that the dealer is the states tax collector, and indicates that the dealer is not attempting to pass liability on to the state, but since fuel is an essential commodity the state should participate.

175 Rep. Mabrey Points out that the tax is apart of the cost of the fuel, and that just because the tax isn't collected does not mean the benefit was not used.

190 Chair Brown Closes the public hearing on HB 2999, and opens a work session on HB 2999.

HB 2999 – WORK SESSION

200 Rep. Zauner **MOTION: Moves to ADOPT HB 2999-1 amendments dated 03/25/03.**

VOTE: 6-0

EXCUSED: 1 - Dingfelder

Hearing no objection, declares the motion CARRIED.

205 Chair Brown **MOTION: Moves HB 2999 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on REVENUE by prior reference.**

Rep. Zauner

210 Rep. Gilman Expresses his concerns for the bill, but intent to vote AYE.

215 Rep. Beyer Asks whether it would be better to move the bill without recommendation.

220 Rep. Greenlick Discusses when the tax is collected, and points out that the driver ends up paying the tax at the pump. Further discusses the collection of these taxes.

250 Rep. Mabrey Expresses his intent to vote NO on the bill.

260 Rep. Zauner Expresses concern for the liability of small dealers and there ability to collect the tax.

270 **VOTE: 5-1**

AYE: 5 - Beyer, Gilman, Greenlick, Zauner, Brown

NAY: 1 - Mabrey

EXCUSED: 1 - Dingfelder

The motion CARRIES.

285 Chair Brown Closes the work session on HB 2933, and opens a public hearing on HB 2933.

HB 2933 – PUBLIC HEARING

290 Rep. Doyle House District 19. Offers testimony in support of HB 2933.

TAPE 65, A

045 Rep. Zauner Clarifies that if the other party does not file a report then you would not need to file a report. Asks in the mentioned example which insurance company paid.

065 Rep. Doyle Points out that it is after the accident when information is exchanged, and further comments on reporting of accidents.

085 Rep. Greenlick Points out that the bill would allow individuals involved in limited collisions to be able to handle accidents independent from the insurance companies.

090 Rep. Doyle Explains that, while true, this was not his intent.

100 Kelly Taylor Oregon Department of Transportation. Offer written testimony **(EXHIBIT B)** regarding HB 2933. Discusses the use of data collected form accident reports.

145 Rep. Gilman Asks if consideration has been given to other indexes than the Consumer Price Index (CPI).

150 Taylor Discusses the use of the CPI in accident reporting.

165 Rep. Greenlick Points out that by increasing the accident reporting amount, it would not necessarily change the sampling statistics.

180 Taylor Explains that minor accidents give a clue as to when major accidents will occur.

185 Rep. Zauner Discusses the issue of non-insured drivers.

195 Rep. Beyer Discusses her personal experience regarding a car accident, and asks what her reporting requirements would be in this situation.

210 Taylor Explains that the bill would require only the person with the damage to report.

215 Rep. Mabrey Points out the high cost of any accident. Asks if every accident should be reported.

225 Taylor Discusses the issue of accident reporting threshold.

245 Rep. Zauner Asks why the insurance company could not be responsible for reporting the information they collect.

250 Taylor Explains that she does not know what burden that would place on the insurance company.

260 Rep. Zauner Discusses his experience in accident reporting.

265 Taylor Further comments on accident reporting, and the information which is collected.

285 Rep. Zauner Points out that the insurance forms already collect the information.

290 Taylor Acknowledges.

295 Chair Brown Asks who provides the estimate to the cost of the accident.

300 Taylor Explains that she does not know the answer, but will get back to the committee.

305 Chair Brown Closes the public hearing on HB 2933, and opens a work session on HB 2933.

HB 2933 – WORK SESSION

310 Rep. Greenlick **MOTION: Moves HB 2933 to the floor with a DO PASS recommendation.**

320 Rep. Beyer Expresses her intention to vote NO on the measure, and discusses her concerns regarding the reporting.

325 **VOTE: 4-2**
AYE: 4 - Greenlick, Mabrey, Zauner, Brown
NAY: 2 - Beyer, Gilman
EXCUSED: 1 - Dingfelder
The motion CARRIES.
GREENLICK will lead discussion on the floor.

345 Chair Brown Closes the work session on HB 2933, and opens a work session on HB 2801.

HB 2801 – WORK SESSION

355 Janet Adkins Committee Administrator. Offers a description of HB 2801, and the proposed -1 amendment (**EXHIBIT C**).

400 Rep. Greenlick Asks where the figure \$958 for the licensing fee came from.

405 Deb Elkins Northwest Automotive Trades Association. Explains that the \$958 figure came from suggestions from ODOT.

415 Rep. Mabrey **MOTION: Moves to ADOPT HB 2801-1 amendments dated 03/31/03.**

420 **VOTE: 7-0**
AYE: In a roll call vote, all members present vote Aye.
Chair Brown The motion CARRIES.

425 Rep. Mabrey **MOTION: Moves HB 2801 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means.**

430 **VOTE: 7-0**

Chair Brown **AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.**

440 Chair Brown Closes the work session on HB 2801, and opens a work session on HB 3111.

HB 3111 – WORK SESSION
TAPE 64, B

025 Janet Adkins Committee Administrator. Offer a description of HB 3111, and Judiciary Committees wish to have the bill.

035 Rep. Mabrey **MOTION: Moves HB 3111 to the floor WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Judiciary.**

040 Rep. Greenlick Expresses his concern for notification of suspension.

060 Rep. Mabrey Explains his motion without recommendation was intended for those concerns to be heard in the Judiciary Committee.

065 **VOTE: 7-0**

Chair Brown **AYE: In a roll call vote, all members present vote Aye. The motion CARRIES.**

070 Chair Brown Closes the work session on HB 3111, and opens a public hearing on HB 3240.

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HB 3240 – PUBLIC HEARING

075 Janet Adkins Committee Administrator. Offers a description of HB 3240.

085 Scott Bricker Oregon Traffic Safety Coalition. Offers written testimony **(EXHIBIT D)** in support of HB 3240.

100 Mark Lear City of Portland. Offers written testimony **(EXHIBIT E)** in support of HB 3240.

190 Catherine Ciarlo Bicycle Transportation Alliance. Offers written testimony **(EXHIBIT F)** in support of HB 3240.

285 Joanne Fairchild Trauma Nurse Coordinator/Injury Prevention. Offer written testimony **(EXHIBIT G)** in support of HB 3240.

400 Susan Schneider City of Portland. Offers testimony in support of HB 3240.

430 Rep. Mabrey Points out that the issue is a serious safety issue, and asks why Ms. Schneider would be requesting amendments to make compliance optional.

445 Schneider Explains that due to jurisdictional variation, the amendment would help alleviate conflict.

450 Rep. Zauner Discusses his personal experience with the safety issue regarding walking, or riding bikes to school.

TAPE 65, B

040 Fairchild Discusses a program her organization supports called “Walking School Bus.”

050 Lear Discusses the issue of safety and walking to school.

065 Ciarlo Explains that she does not believe this bill and the money it would bring would fix the entire problem, but would help.

075 Rep. Zauner Points out the states current budget problems.

080 Rep. Greenlick Points out his constituent support for the bill.

085 Rep. Dingfelder Addresses Rep. Zauner’s concern, and discusses her involvement

		in the “Walking School Bus” program.
105	Rep. Gilman	Asks how much funding would be raised from this program.
110	Lear	Discusses the possible funding raised.
115	Adkins	Addresses concern for the naming of the fund.
120	Schneider	Acknowledges the concern and explains this will be worked out with ODOT.
125	Rex Burkholder	Metro Councilor. Offers written testimony (EXHIBIT H) in support of HB 3240.
185	Jacob Brostoff	1000 Friends of Oregon. Offers written testimony (EXHIBIT I) in support of HB 3240.
215	Rep. Dingfelder	Points out that beyond helping children, this bill would help all pedestrians. Discusses personal experience regarding pedestrian safety.
260	Andrea Fogue	League of Oregon Cities. Offers testimony in support of HB 3240.
275	Troy Costales	Oregon Department of Transportation, Traffic Safety Division. Offers written testimony (EXHIBIT J) regarding HB 3240.
385	Rep. Dingfelder	Asks about the funding of the Safety Education Fund.
395	Costales	Discusses the funding provided to the Safety Education Fund.
425	Rep. Dingfelder	Clarifies that the fund does not currently have a dedicated revenue source.
430	Costales	Concurs, and further discusses the fund.
440	Rep. Zauner	Comments on the collection of the fee.
450	Janet Adkins	Introduces written testimony from Dave Tyler of ODOT regarding HB 2999 (EXHIBIT L).
450	Chair Brown	Closes the public hearing on HB 3240, and adjourns the meeting at 10: 27 a.m.

The following prepared testimony is submitted for the record without public testimony for HB 3240:
 Staff Submits written testimonies (**EXHIBIT K**).

EXHIBIT SUMMARY

- A – HB 2999, -1 amendment, Staff, 2 pp.**
- B – HB 2933, written testimony, Kelly Taylor, 1 p.**
- C – HB 2801, -1 amendment, Staff, 2 pp.**
- D – HB 3240, written testimony, Scott Bricker, 3 pp.**
- E – HB 3240, written testimony, Mark Lear, 3 pp.**
- F – HB 3240, written testimony, Catherine Ciarlo, 2 pp.**
- G – HB 3240, written testimony, Joanne Fairchild, 2 pp.**
- H – HB 3240, written testimony, Rex Burkholder, 1 p.**
- I – HB 3240, written testimony, Jacob Brostoff, 1 p.**
- J – HB 3240, written testimony, Troy Costales, 1 p.**
- K – HB 3240, written testimonies, Staff, 8 pp.**
- L – HB 2999, written testimony, Dave Tyler, 1 p.**