

**SENATE COMMITTEE ON**  
**TRANSPORTATION AND ECONOMIC DEVELOPMENT**

March 27, 2003  
8:00 AM

Hearing Room C  
Tapes 72 - 74

**MEMBERS PRESENT:**     **Sen. Rick Metsger, Chair**  
                                  **Sen. Bruce Starr, Vice-Chair**  
                                  **Sen. Ryan Deckert**  
                                  **Sen. David Nelson**

**STAFF PRESENT:**       **Amy Joyce, Committee Administrator**  
                                  **Annastasia Suess, Committee Assistant**

**MEASURE/ISSUES HEARD: SB 795 – Public Hearing and Work Session**  
                                  **SB 289 - Public Hearing**  
                                  **SB 661 – Public Hearing**  
                                  **SB 652 - 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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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 72, A</b>		
002	Chair Metsger	Calls the committee to order at 8:07 a.m. and opens a public hearing on SB 795.
<b><u>SB 795 - PUBLIC HEARING</u></b>		
010	Sen. Bill Morrisette	District 6. Provides summary of the dash one amendments to SB 795 ( <b>EXHIBIT A</b> ).
040	Diane Amundson	Provides written testimony in support of SB 795 ( <b>EXHIBIT B</b> ).
107	Sen. Bev Clarno	District 27. Introduces her grandson, an Oregon seventh grader to testify in support of SB 795.
127	Tyler Henley	Oregon Seventh Grader. Reads written testimony in support of SB 796 ( <b>EXHIBIT C</b> ).
150	Chair Metsger	Asks for an opinion, that if a helmet law is enacted, will children actually obey the law.
155	Henley	States that each child will need to make the choice to obey the law or face the consequences.
165	Dr. Marcie Drury-Brown	Oregon Pediatric Society. Reads written testimony in support of SB 795 ( <b>EXHIBIT D</b> ).
215	Chair Metsger	Asks if the risks to scooter and in line skating users are comparable to the risks of bicycle riders.
220	Drury-Brown	States that both the momentum and the injuries are comparable.
225	Dr. James Lace	Oregon Medical Association, Oregon Red Cross Society and the Safe Kids program. Provides visual demonstration and written testimony in support of SB 795 ( <b>EXHIBIT E</b> ).
280	Jean Lum	Springfield Fire Department. Provides written testimony in support of SB 795 ( <b>EXHIBITS F, G, H</b> ).
330	Joanne Fairchild	Trauma Nurse Coordinator, Legacy Emmanuel Hospital. Begins

402 Bill Olsen discussion and provides written testimony in support of SB 795 **(EXHIBIT I)**.  
Brain Injury Association of Oregon. Provides testimony in support of SB 795.

**TAPE 73, A**

035 Chair Metsger Asks if there has been a notable increase at Emmanuel Hospital of scooter or in-line skating related injuries within the last ten years.

055 Fairchild States there has been an increase. Adds that ten years ago there were no scooters nor in line skates, and that five years ago there were no injuries reported for scooters.

065 Vice Chair B. Starr Asks if other states have similar helmet laws.

070 Fairchild States there are at least three or four. Offers to provide information to the members.

080 Chair Metsger Closes public hearing on SB 795 and opens a work session on SB 795.

The following prepared testimony is submitted for the record without public testimony for SB 795:

Tom Miller

Submits written testimony **(EXHIBIT Q)**.

Lisa Millet

Submits written testimony **(EXHIBIT R)**.

**SB 795 – WORK SESSION**

082 Vice Chair B. Starr **MOTION: Moves to ADOPT SB 795-1 amendments dated 03/20/03.**

**VOTE: 3-0**

**EXCUSED: 1 – Deckert**

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

090 Vice Chair B. Starr **MOTION: Moves SB 795 to the floor with a DO PASS AS AMENDED recommendation.**

**VOTE: 3-0**

**EXCUSED: 1 – Deckert**

092 Chair Metsger **Hearing no objection, declares the motion CARRIED. SEN. CLARNO AND SEN. MORRISSETTE will lead discussion on the floor.**

095 Vice Chair B. Starr Comments on his personal experience with Ms. Fairchild's trauma program.

098 Chair Metsger Closes the work session on SB 795 and opens a public hearing on SB 289.

**SB 289 – PUBLIC HEARING**

105 Sen. Jason Atkinson District 2. Provides summary of the dash four and dash five amendments to SB 289. Provides testimony in support of the dash four amendments to SB 289.

150 Kelly Taylor Oregon Department of Transportation (ODOT). Provides clarification on the differences between the dash four and the dash five amendments to SB 289.

192 Wayne Schumacher Provides written testimony in support of the dash four amendments to SB 289 **(EXHIBIT J)**.

210 Chair Metsger Asks for confirmation that the organization feels the dash four amendments will not jeopardize the safety of the individuals operating vehicles on highways.

215 Schumacher Confirms.

220 Taylor States ODOT supports the dash five amendments, not the dash four amendments due to the visual requirement levels.

230 Chair Metsger Asks if it is known whether other states allow usage of the bioptic lenses during their drive test.

240 Taylor States that twenty states that will allow the use of the bioptic during the vision portion of the drive test. States that only eight states allow the higher vision level.

250 Chair Metsger Asks how many people will qualify under each of the two amendments. Wants to know if there will be a large difference.

260 Sen. Atkinson States that the dash four amendments will qualify a very small number of people.

270 Schumacher States that the difference between the dash four and five amendments will eliminate approximately 10 to 20 people in Oregon.

290 Sen. Nelson Asks if there is potential for liability for eye doctors and is that a concern for Oregon eye doctors.

300 Schumacher States that there was initially a concern from eye doctors, however the amendments clarified that doctors are not making the determination of an individual to drive, only measuring the individual's visual acuity.

320 Chair Metsger Closes the public hearing on SB 289 and opens a public hearing on SB 661.

**SB 661 – PUBLIC HEARING**

330 Troy Costales Safety Manager, ODOT. Provides written testimony in support of SB 661 with the dash one amendments (**EXHIBIT K**).

380 Chair Metsger Asks for clarification of the dash one amendments.

390 Costales States that the dash one amendments address ODOT's concerns.

400 Curt Curtis Sergeant of the Oregon State Police. Provides written testimony in support of the dash one amendments to SB 661 (**EXHIBIT L**).

**TAPE 72, B**

015 Ken McDermott Legislative Assistant to Sen. Charles Starr. Provides written testimony in support of SB 661 with the dash one amendments, however expresses concerns regarding the type of vehicle outlined in the SB 661 (**EXHIBIT M**).

060 Chair Metsger Asks for a work group to clarify the issues of the amber light vehicles and create dash two amendments to SB 661.

075 Chair Metsger Closes the public hearing on SB 661 and opens a public hearing on SB 652.

**SB 652 – PUBLIC HEARING**

080 Sen. Morrisette Provides written testimony in support of SB 652 (**EXHIBIT N**).

100 Karey Wollam Provides written testimony in support of SB 652 (**EXHIBIT O**).

135 Costales ODOT. Provides clarification on SB 652 and notes several concerns ODOT has with the bill. Provides written testimony (**EXHIBIT P**).

178 Chair Metsger Comments on the vehicle industry currently manufacturing vehicles with features automatically engaging lights upon ignition or when windshield wipers are engaged.

190 Vice Chair B. Starr Asks if the bill were to pass, what will be the consequence for drivers failing to turn on their lights when engaging the

195	Costales	windshield wipers.
208	Chair Metsger	States that most of the similar violations are seventy five dollars. Clarifies the violation is a Class B violation and as such is subject to up to a 300 dollar fine.
220	Chair Metsger	Closes the informational hearing and adjourns the committee at 9:17 a.m.

### **EXHIBIT SUMMARY**

- A – SB 795, written testimony, Sen. Bill Morrisette, 2 pp**
- B – SB 795, written testimony, Diane Amundson, 3 pp**
- C – SB 795, written testimony, Tyler Henry, 2 pp**
- D – SB 795, written testimony, Marcy Drury Brown, 1 p**
- E – SB 795, written testimony, James Lace, 2 pp**
- F – SB 795, written testimony, Jean Lum, 2 pp**
- G – SB 795, written testimony, Jean Lum, 1 p**
- H – SB 795, written testimony, Jean Lum, 1 p**
- I – SB 795, written testimony, Joanne Fairchild, 1 p**
- J – SB 289, written testimony, Wayne Schumacher, 2 pp**
- K – SB 661, written testimony, Troy Costales, 1 p**
- L – SB 661, written testimony, Curt Curtis, 2 pp**
- M – SB 661, written testimony, Ken McDermott, 1 p**
- N – SB 662, written testimony, Sen. Bill Morrisette, 1 p**
- O – SB, 662, written testimony, Karey Wollam, 1 p**
- P – SB 652, written testimony, Troy Costales, 2 pp**

**The following exhibits are listed out of order in the body of the tape log:**

- Q – SB 795, written testimony, Tom Miller, 1 p (not present in meeting)**
- R – SB 795, written testimony, Lisa Millet, 2 pp (submitted following meeting)**