

**SENATE COMMITTEE ON
TRANSPORTATION AND ECONOMIC DEVELOPMENT**

April 8, 2003
8:00 AM

Hearing Room C
Tapes 81 - 82

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 661 – Public Hearing
 SB 387 - Public Hearing and Work Session
 SB 663 – Public Hearing
 SB 596 - Public Hearing
 SB 823 – 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.

TAPE/#	Speaker	Comments
TAPE 81, A		
002	Chair Metsger	Calls the committee to order at 8:04 a.m. and opens a public hearing on SB 661.
<u>SB 661 - PUBLIC HEARING</u>		
010	Curt Curtis	Sergeant Oregon State Police (OSP). Begins discussion on the concerns with the dash two amendments to SB 661. States that the amendments place too much restriction on farm vehicles which were not the intent of the bill.
045	Chair Metsger	Closes the public hearing on SB 661 and opens a public hearing on SB 387.
<u>SB 387 – PUBLIC HEARING</u>		
050	Jim Main	Sheriff, Douglas County. Provides discussion and written testimony in support of SB 387 (EXHIBIT A).
090	Sen. Nelson	Asks if there is a concern with the re-education of training the public to yield to the right.
101	Main	States that the public is more in tune with yielding to the right as it is. States this bill would simply outline who is a fault in the event of a collision.
105	Chair Metsger	Closes the public hearing on SB 387 and opens a work session on SB 387.
<u>SB 387 – WORK SESSION</u>		
107	Sen. Nelson	MOTION: Moves SB 387 to the floor with a DO PASS recommendation. VOTE: 3-0 EXCUSED: 1 - B. Starr
110	Chair Metsger	Hearing no objection, declares the motion CARRIED.

SEN. FISHER will lead discussion on the floor.

120 Chair Metsger Closes the work session on SB 387 and opens a public hearing on SB 663.

SB 663 – PUBLIC HEARING

125 Andrea Fogue League of Oregon Cities. Provides testimony on concerns of SB 663. States that a possible increase in fiscal, as well as safety concerns cause the League to not support the bill as currently written.

135 Curt Curtis OSP. Begins discussion on SB 663 and states that the concerns are related to the u-turn forward motions and intersections controlled with turn signals. Provides written testimony **(EXHIBIT B)**.

188 Sen. Deckert States the need to re-word the bill to protect the cities.

200 Chair Metsger Agrees, states the cities should be allowed to make the decisions.

205 Chair Metsger Closes the public hearing on SB 663 and opens a public hearing on SB 596.

SB 596 – PUBLIC HEARING

215 John Raichl Sheriff, Clatsop County and President, Oregon State Sheriff's Association. Provides summary of the purpose of SB 596.

270 Chair Metsger Asks for clarification on the authority of police to bring a wrecker out to remove a damaged vehicle.

280 Raichl States the bill will allow Oregon Department of Transportation, (ODOT) to remove vehicles and also allow police vehicles to push a vehicle to the side of the road to prevent or reduce gridlock.

290 Chair Metsger Asks if there is an assurance that law enforcement to not further damage a vehicle in an accident.

299 Raichl States there can be no assurance, and the intent of the bill was to protect the safety of the highways.

303 Doug Tindall State Engineer, ODOT. Provides written testimony in support of SB 663 **(EXHIBIT C)**. States that ODOT currently has the authority to remove damaged vehicles from the roads.

350 Sen. Nelson Asks if ODOT has the current authority to move vehicles would it be reasonable for the Sheriff's Association to write it into their rules.

355 Tindall Responds and comments on the issue of liability.

370 Bob Russell President, Oregon Trucking Association. Begins testimony in opposition to SB 596. States the Association has a concern with Section C of the bill and the lack of liability the bill proposes.

392 Sen. Deckert Asks if there is a middle ground on Section C of SB 596.

400 Russell States there are a number of ways to amend the bill that would ease the concern. Offers to meet again with the proponent of the bill.

TAPE 82, A

016 Chair Metsger Closes the public hearing on SB 596 and opens the public hearing on SB 823.

SB 823 – PUBLIC HEARING

040 Kirsten Jensen Asthma Policy Coordinator, American Lung Association. Provides discussion and written testimony in support of SB 823

(EXHIBIT D).

105 Sarah Doll Program Director, Oregon Environmental Council, OEC. Provides discussion and written testimony in support of SB 823 **(EXHIBIT E)**.

180 Russell OTA. Begins discussion on the concerns with SB 823. Comments on the current incentive for drivers and operators to reduce idling as well as the reasons it is necessary for drivers to idle their trucks.

260 Chair Metsger Asks about the emission testing program and how it would be problematic in Oregon.

268 Russell Comments and elaborates.

300 Chair Metsger Comments on the provision of SB 823 that requires public bodies to purchase special devices.

310 Russell Answers and elaborates.

330 Sen. Nelson Comments on the difficulty of starting a diesel engine in cold inclement weather, and could pose a safety hazard on gridlocked highways.

360 Russell Comments.

375 Chair Metsger Closes the public hearing on SB 823 and adjourns the meeting at 9:00 a.m.

The following prepared testimony is submitted for the record without public testimony for SB 823:
Dianne Lancaster Submits written testimony **(EXHIBIT F)**.

EXHIBIT SUMMARY

- A – SB 387, written testimony, Jim Main, 1 p**
- B – SB 663, written testimony, Curt Curtis, 1 p**
- C – SB 596, written testimony, Doug Tindall, 1 p**
- D – SB 823, written testimony, Kirsten Jensen, 1 p**
- E – SB 823, written testimony, Sarah Doll, 3 pp**
- F – SB 823, written testimony, Dianne Lancaster, 1 p**