

HOUSE COMMITTEE ON TRANSPORTATION

February 12, 2001
9:00 AM

Hearing Room D
Tapes 30 – 31

MEMBERS PRESENT: **Rep. Bruce Starr, Chair**
 Rep. Alan Brown, Vice-Chair
 Rep. Jeff Merkley, Vice-Chair
 Rep. Richard Devlin
 Rep. Jeff Kropf
 Rep. Donna Nelson
 Rep. Diane Rosenbaum
 Rep. Joanne Verger
 Rep. Cliff Zauner

STAFF PRESENT: **John Leon, Committee Administrator**
 Kate Campeau, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2562 Public Hearing**
 HB 2306 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 30, A		
004	Chair Starr	Calls the committee to order at 9:04 a.m. and opens a public hearing on HB 2562.
<u>HB 2562 PUBLIC HEARING</u>		
008	Doug Riggs	PacWest Communications, and representing Metro. Comments on the experience he brings to the meeting.
020	Carl Hosticka	Metro Counselor, representing parts of Washington and Clackamas County. Submits written material (EXHIBIT A and B) and reviews study done on peak period pricing as a method of managing demand and financing transportation improvements.
092	Hosticka	Continues testimony by discussing the criteria used to evaluate the validity of tolling for the Portland metro area.
180	Hosticka	Gives personal perspective on tolling.
211	Chair Starr	Asks if peak pricing as modeled would be more effective than the current method.
217	Hosticka	Responds that it would if it is done in conjunction with new construction
225	Rep. Verger	Asks if there was any discussion on having a sunset clause.
229	Hosticka	Responds that there was discussion on removing the toll after the facility was paid for, but that usage would go up and create a demand for a new facility. Suggests keeping the toll on and using the funds for maintenance of the facility or for construction of comparable transportation facilities.
242	Rep. Nelson	Asks how to become part of a pilot project. Suggests Yamhill County and Highway 99W.
255	Bridgett Wiehard	Chief staff person for the study committee. Comments they are looking at expansion of highway capacities such as the facility

		that Rep. Nelson is suggesting. Notes that the key is the congestion factor of the facility and the urban edge may not have enough demand to make it worthwhile.
277	Rep. Nelson	Comments on congestion of areas in Yamhill County. Expresses concern on how low income individuals pay for this service.
307	Hosticka	Responds that this could be done by equipping the individual's vehicle with a transponder that would let them automatically go through depending on whether they meet the criteria or not.
330	Wiehard	States that the committee looked at operating and construction costs involved.
343	Rep. Devlin	Comments that California is profiting from this type of venture by selling the transponders to commuters.
351	Wiehard	Discusses pricing in detail.
362	Rep. Devlin	Gives example of Highway 217 and asks how the pricing would affect it.
370	Riggs	Responds that the number would depend on amount of congestion, but the original base level would be \$.15 per mile to start.
TAPE 31, A		
006	Rep. Devlin	States that California is currently at \$3.50, which is still congested, and notes that they use price increases to deter congestion.
009	Wiehard	Acknowledges that people are not willing to pay \$8.00 for a 10-mile stretch, but over time as congestion becomes heavier the increase of fees will be used to deter congestion.
020	Rep. Rosenbaum	Asks how projects like this fit into finding a long-term working solution for funding of transportation in Oregon.
030	Hosticka	Responds that the division between the Portland metropolitan area and the rest of the state has been "the rock that sunk the ship" in many transportation proposals. Comments that once common ground can be found the process would go much smoother.
061	Rep. Merkley	Asks if the water and sewer surcharge would be going directly against the direction of this model.
069	Hosticka	Responds that theoretically it does disconnect usage from paying.
074	Rep. Devlin	Comments that he comes from a jurisdiction that has imposed a fee on sewer and water since the 1980's. Notes that as a result of this fee, the roads are well maintained. Comments that it is a misnomer that automobile drivers are the only users of roadways.
086	Hosticka	Asserts that he hopes that all will be allowed to choose for themselves.
093	Chair Starr	Comments on some difficulties with this bill.
106	Jean Underhill-Wilkinson	Associate Director for Governmental Affairs, Oregon Farm Bureau. Submits written testimony (EXHIBIT C) and testifies in support of HB 2562.
206	Underhill-Wilkinson	Continues testimony by detailing possible solutions.
241	Doug Kraemer	President, Marion County Farm Bureau. Testifies in support of HB 2562.
269	Chair Starr	Agrees that the issue needs to be addressed. Suggests that the Governor's office be contacted as well on this issue.
279	Rep. Nelson	Asks Mr. Kraemer if he feels a need to restrict the types of vehicles in this bill.

283	Krahmer	Asks for clarification of restrictions.
289	Rep. Nelson	States that some equipment requires special training to operate and expresses concern about offering a blanket motor vehicle operational permit which allows them to operate a piece of equipment for which they have no training for.
301	Krahmer	States that when workers are trained when they first come to the farm and don't show ability to handle the more expensive farm equipment then they are not allowed in it.
324	Rep. Devlin	Notes that he was a sponsor of the original bill and acknowledges the need to make some exceptions. States the he would like to see the bill more clear in regards to passengers and to more clearly define the term "in the course of employment".
351	Underhill-Wilkinson	States that she would like to discuss further ideas and suggestions prior to the next meeting.
360	Rep. Zauner	Asks if any additional costs for DMV would result by implementing these changes.
367	Underhill-Wilkinson	Conveys that ODOT supports and respects the new law.
385	Rep. Kropf	Supports this idea as a farmer. Notes that these issues were discussed in the interim session and the results have proven clearly that the numbers of accidents have been reduced.
420	Rep. Nelson	Suggests a change to the language in the bill.
428	Underhill-Wilkinson	States she will look at this and other options, and report back to the committee.

TAPE 30, B

006	Rep. Rosenbaum	Asks Mr. Krahmer if he requires employees to have driver's licenses.
009	Krahmer	Responds that it depends on what they are being hired to do.
018	Rep. Rosenbaum	Asks if there is a possibility to work with the system this way, without exceptions, as an incentive to get through the provisional period and to the point where they're not restricted.
022	Krahmer	Responds that the problem arises when there are 3 or 4 with provisional licenses and no one to drive with them or to organize the work to accommodate them.
038	Troy Costales	Transportation and Safety Division Manager, Oregon Department of Transportation (ODOT). Submits and reads written testimony (EXHIBIT C).
070	Chair Starr	Asks that ODOT and the crafters of this bill work together to come up with a limited exemption that is acceptable. Appoints Rep. Devlin to mitigate an exemption.
076	Rep. Merkley	Asks how many of the fatalities from 1997-1998 involved farm labor of the sort being considered in this bill.
080	Costales	Responds that he will provide this information to the committee.
091	Chair Starr	Closes the public hearing on HB 2562 and opens a public hearing on HB 2306.

HB 2306 PUBLIC HEARING

097	John Leon	Committee Administrator. Explains the provisions of HB 2306.
103	Chair Starr	Asks if HB 2306 brings the state into compliance with federal law.
107	Leon	Responds that it does, and applies to passengers in commercial vehicles only.
121	Costales	Submits written testimony (EXHIBIT D) and testifies in favor of HB 2306.

147	Rep. Merkley	Asks if passengers on a public bus are allowed to consume alcohol.
151	Costales	Responds that he cannot answer this because some of the owners and operators of these transit systems have their own individual operating rules. Notes that statute does not say that alcohol cannot be consumed on the vehicle.
158	Rep. Merkley	Asks if the passage of this law would change any local rules that affect the consumption of alcohol by passengers on a public bus.
162	Costales	Responds that the bill is aimed at drivers and that passengers are exempted.
170	Cindy Robert	Oregon Transit Association. States that her organization would like to see the bill amended to eliminate drinking by drivers or passengers on public transit.
192	Rep. Devlin	Asks if they are seeking to cite a passenger in a transit vehicle for a violation of open container law.
208	Robert	Comments that some transit agencies have to work a lot harder to get any kind of transit agency rule. Responds that their goal is to simply make sure that those agencies should not have to deal with this kind of problem.
217	Rep. Zauner	Asks for clarification on transit.
220	Robert	States that RAZ is a common carrier, but a fixed route or public agency, such as Dial-A-Ride buses, would be the transit affected.
227	Rep. Nelson	Asks if this would include rail.
239	Costales	Responds that it does not.
242	Rep. Devlin	Suggests that committee staff talk with Legislative Counsel and ODOT to find out if they can still comply with the federal requirements by removing that language.
250	Chair Starr	Closes the public hearing on HB 2306 and adjourns the committee at 10:45 a.m.

Transcribed By,

Reviewed By,

Pamela Johansen,
Committee Assistant

John Leon,
Committee Administrator

EXHIBIT SUMMARY

- A – HB 2562, written material, Carl Hosticka, 6 pp.**
- B – HB 2562, written material, Carl Hosticka, 34 pp.**
- C – HB 2562, written testimony, Jean Underhill-Wilkinson, 2 pp.**
- D – HB 2562, written testimony, Troy Costales, 2 pp.**
- E – HB 2306, written testimony, Troy Costales, 2 pp.**