

HOUSE COMMITTEE ON TRANSPORTATION

March 09, 2001
9:00 A.M.

Hearing Room D
Tapes 50-52

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

MEMBER EXCUSED: Rep. Jeff Kropf
Rep. Donna Nelson

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

MEASURE/ISSUES HEARD: SB 201 – PUBLIC HEARING AND WORK SESSION
HB 2808 – PUBLIC HEARING AND WORK SESSION
HB 2407 – 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 50, A | | |
| 003 | Chair Starr | Calls meeting to order at 9:04 a.m. Opens a public hearing on SB 201. |
| <u>SB 201 – PUBLIC HEARING</u> | | |
| 010 | John Leon | Committee Administrator. Reads synopsis of SB 201 which requires Department of Transportation to issue only one registration plate to certain vehicles. |
| 020 | Rep. Schrader | State Representative, District 23, Canby. Testifies in favor of SB 201. |
| 028 | Senator Metsger | State Senator, District 14, Welches. States that SB 201 is consistent with many states, including Washington and Idaho. |
| 035 | Jack Kenny | Member of numerous car clubs. Testifies in favor of SB 201. |
| 060 | Larry Hill | Testifies in favor of SB 201. |
| 070 | Gail Meyer | Testifies in favor of SB 201. |
| 080 | Kelly Taylor | Legislative Liaison, Oregon Department of Transportation. Speaks in favor of SB 201 and submits written testimony (EXHIBIT A) . |
| 090 | Chair Starr | Closes public hearing and opens a work session on SB 201. |
| <u>SB 201 – WORK SESSION</u> | | |
| 100 | Rep. Merkley | MOTION: Moves SB 201 to the floor with a DO PASS recommendation. VOTE: 7-0-0 Excused: 2 - Kropf, Nelson |
| | Chair Starr | Hearing no objection declares the motion CARRIED. REP. Schrader will lead discussion to the floor. Closes work |

HB 2808 – PUBLIC HEARING

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| 150 | John Leon | session and opens a public hearing on HB 2808. |
| 170 | Brian Stovall | Committee Administrator. Reads synopsis of this bill, which requires only persons under 21 years of age to wear motorcycle helmets. |
| 200 | Mel Yeager | BikePAC of Oregon. Submits written testimony (EXHIBIT B) . Testifies in favor of HB 2808 and submits written testimony (EXHIBIT C) . |
| 270 | Ken Ray | Executive Director, BikePAC of Oregon. Testifies in favor of HB 2808 and submits written testimony (EXHIBIT D) . |
| TAPE 51, A | | |
| 003 | Rep. Wilson | State Representative, District 49, Grants Pass. Testifies in favor of HB 2808. Concurs with prior testimony from Mr. Stovall, Mr. Yeager and Mr. Ray, that motorcyclists are extremely responsible people. Discusses the right to choose on the part of responsible citizens who carry insurance and drive responsibly. States that most deaths or severe injuries on motorcycles are not due to head trauma. |
| 100 | Ray | Continues with testimony. |
| 230 | Rep. Verger | States that she is not a strong opponent of this bill. States concern of language used which she characterizes as offensive. |
| 300 | Yeager | Discusses his views of a government over-regulating its citizens. |
| 340 | Rep. Verger | Expresses support for Mr. Yeager's views. |
| 360 | Rep. Rosenbaum | Asks if this law were changed, a small minority of people would choose not to wear helmets - which is inconsistent with statement that helmets are not beneficial. |
| 400 | Ray | States that BikePAC of Oregon is not against using helmets, but that it should not be a law. |
| 420 | Rep. Rosenbaum | States that in motorcycle training helmet use is encouraged so why is this law not a good thing. |
| 430 | Yaeger | Answers with brief assessment of the quality of helmets available to consumers and economic reasons why consumers choose certain helmets, motorcycle rider education and preventative measures to prevent accidents. |
| 475 | Troy Costales | Transportation Safety Division Manger, Oregon Department of Transportation. Testifies in opposition of this bill and submits written testimony (EXHIBIT E) . |
| TAPE 50, B | | |
| 050 | Costales | Continues with testimony. Discusses statistics that show fatalities have dropped 20-40 percent since the enactment of the helmet law in 1988. States that ODOT is opposed to this bill. Reinforces the impact of public education, improved licensing programs at DMV and the requirement of young riders to complete motorcycle safety programs as well as the helmet law in reducing rider fatalities and motorcycle accidents. |
| 200 | Jerry Palmer | Department of State Police. Testifies in opposition to this bill and submits written testimony (EXHIBIT F) . States that he has witnessed many motorcycle accidents. |
| 220 | Rep. Brown | Asks if off-road use requires helmet usage. |
| 230 | Palmer | Answers that if bike riders are on public roads, then helmets are required. |
| 240 | Rep. Brown | Asks if statistics reflect injuries on public highways. |
| 260 | Costales | Answers that county roads, streets, highways are all included in |

270 Rep. Rosenbaum these statistics.
Asks how this bill would be enforced, considering how difficult it is to determine age of riders.

290 Palmer Answers that there would be difficulties enforcing this law.

300 Rep. Rosenbaum Asks about how this law would be implemented.

310 Palmer Answers that it would prompt changes in parole techniques.

340 Rep. Merkley Asks about distinction between helmet law and seatbelt law.

350 Palmer Answers that motorcycle enthusiasts are unique participants in a very special past time, which represents a life style choice.

400 Rep. Merkley Asks if mountain climbing should be made off limits to climbers because it is potentially dangerous.

440 Palmer States that most mountain climbers use a great deal of safety equipment.

447 Lisa Millet Manager, Injury Prevention, Oregon Health Division. Testifies in opposition to this bill and submits written testimony **(EXHIBIT G)**. Discusses public responsibility to reduce injuries and save public funds. Details the reasons helmets reduce health trauma. States that public funds are used to pay for potential injuries.

500 Susan King Oregon Nurses Association. Testifies in opposition to this bill and brings perspective of hospital bedside. States that helmets do prevent life devastating injuries.

TAPE 51, B

003 King Continues with testimony

005 David Hickerson Testifies in favor of HB 2808. Expresses his views on the nature of “risk” and the taxpayer dollar being used to legislate laws such as HB 2808.

015 Ray States that seat belt studies show that seat belts do work and that there is no such evidence on the part of helmet usage.

030 Yeager Refutes ODOT’s statistics.

060 Chair Starr Closes public hearing on 2808. Opens public hearing on HB 2407.

HB 2407 – PUBLIC HEARING

080 Leon Committee Administrator. Reads synopsis of bill. States that there is a –1 amendment, which gives new definition of split lanes. States that there is no revenue impact, and that there may be a fiscal impact.

100 Ken Strobeck Former State Representative. Testifies in favor of this bill. Details merits of the bill.

150 Mel Yaeger Testifies on behalf of HB 2407. Submits written testimony **(EXHIBIT H)**. Recommends that the bill be worked on.

180 Ken Ray Testifies favorably on this bill with reservations. Submits written testimony **(EXHIBIT I)**. Concurs with prior witness that the bill needs some work.

Keith Underdahl Former motorcycle safety instructor. Speaks in favor of this bill and submits written testimony **(EXHIBIT J)**

240 Underdahl Continues with testimony.

280 Costales Safety Manager, ODOT. Testifies in opposition of this bill and submits written testimony **(EXHIBIT K)**.

300 Palmer Oregon State Police. Testifies in opposition to this bill and submits written testimony **(EXHIBIT L)**.

320 Millet Manager, Injury Prevention, Oregon Health Division. Testifies in opposition to this bill and submits written testimony **(EXHIBIT M)**. States that although data does not exist about

350 Chair Starr potential dangers of the practice of lane splitting, there is potential for dangerous driving conditions.
Closes public hearing on 2407. Opens work session on HB 2808.

HB 2808 – WORK SESSION

380 Rep. Merkley MOTION: Moves HB 2808 to the floor with a DO PASS recommendation.

400 Rep. Rosenbaum States opposition to the bill and notifies Chair Starr of the possibility of serving a Minority Report.

TAPE 52, A

004 Rep. Merkley Expresses his views in favor of this bill.

010 Rep. Devlin States concurrence with Rep. Rosenbaums comments and states possibility of serving a Minority Report.

004 Rep. Verger States that she will vote for this bill, but that individuals must take responsibility for their actions.

010 **VOTE: 5-2**

NAY: 2 – Devlin, Rosenbaum

EXCUSED: 2 – Kropf, Merkley

Hearing no objection declares the motion CARRIED.

REP. WILSON will lead discussion to the floor.

030 Chair Starr Adjourns the meeting at 10:32 a.m.

Submitted By,

Reviewed By,

Kate Campeau,
Committee Assistant

John Leon,
Committee Administrator

EXHIBIT SUMMARY

A – SB 201, Oregon Department of Transportation, written testimony, Kelly Taylor, 1 p.

B – HB 2808, BikePAC of Oregon, written testimony, Brian Stovall, 6 pp.

C – HB 2808, written testimony, Mel Yeager, 2 pp.

D – HB 2808, written testimony, Ken Ray, 1p.

E – HB 2808, Oregon Department of Transportation, written testimony, Troy Costales, 6 pp.

F – HB 2808, Oregon Department of State Police, written testimony, Jerry Palmer, 3 pp.

G – HB 2808, Oregon Department of Human Services, written testimony, Lisa Millet, 6 pp.

H – HB 2407, written testimony, Mel Yeager, 1 p.

I – HB 2407, written testimony, Ken Ray, 1 p.

J – HB 2407, written testimony, Keith Underdahl, 1 p.

K – HB 2407, Oregon Department of Transportation, written testimony, Troy Costales, 3 pp.

L – HB 2407, Oregon State Police, written testimony, Jerry Palmer, 2 pp.

M – HB 2407, Oregon Dept. of Human Services, written testimony, Lisa Millet, 2pp.

N – HB 2407, Oregon Governor’s Advisory Committee on Motorcycle Safety, written testimony submitted by staff, 1 p.

O – HB 2407, City of Portland, Government Relations, written testimony submitted by staff, 2 pp.

P – HB 2808, Oregon Governor’s Advisory Committee on Motorcycle Safety, written testimony submitted by staff, 1 p.

Q – HB 2407, written testimony, Debra Buchanan, submitted by staff, 1 p.