

# HOUSE COMMITTEE ON TRANSPORTATION

May 14, 2001  
8:00 a.m.

Hearing Room D  
Tapes 120 - 121

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

**MEMBER EXCUSED:** Rep. Jeff Kropf

**STAFF PRESENT:** John Leon, Committee Administrator  
Jennifer Simmons, Committee Assistant

**MEASURE/ISSUES HEARD:** HB 3410 – Public Hearing and Work Session  
HB 3840 – Public Hearing  
HB 3336 – Public  
Hearing HB 3946 – Work Session

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 120, A</b>		
002	Chair Starr	Begins meeting at 8:10 a.m. Opens public hearing on HB 3410.
<b><u>PUBLIC HEARING - HB 3410</u></b>		
019	John Leon	Administrator. Speaks about the bill. Says that we have not yet received a fiscal impact statement on the bill.
035	Troy Costales	Transportation Safety Division, Oregon Department of Transportation. Reads from written testimony ( <b>EXHIBIT A</b> ).
055	Rep. Rosenbaum	Asks why we need this bill.
056	Costales	Answers that there are three entities that teach driver education. Says that this bill clarifies the standards required for the classes.
065	Rep. Nelson	Asks if senior driving classes are included in this bill.
070	Costales	Answers that this bill applies only to the teenage drivers.
072	Chair Starr	Closes the public hearing and opens a work session on HB 3410.
<b><u>WORK SESSION – HB 3410</u></b>		
075	Rep. Merkley	<b>MOTION: Moves HB 3410 to the floor with a DO PASS recommendation.</b>
078		<b>VOTE: 8-0</b> <b>EXCUSED: 1 - Kropf</b> <b>Hearing no objection, declares the motion CARRIED.</b>
087	Chair Starr Rep. Merkley	<b>MOTION: Moves HB 3410 be placed on the CONSENT CALENDAR.</b>
089		<b>VOTE: 8-0</b> <b>EXCUSED: 1 - Kropf</b> <b>Hearing no objection, declares the motion CARRIED. Closes</b>

the work session and opens a public hearing on HB 3840.

**PUBLIC HEARING – HB 3840**

093	Leon	Explains the bill.
119	Jim Botwinis	Oregon State Police Officer Association. Testifies in support of the bill. Speaks about the sections that they asked to be included.
148	Capt. Peter Spirup	State Police Officer. Says that he supports the –1 amendments.
178	Sgt. Glen Chastain	Testifies in favor of the –1 amendments to the bill. Says that this will make Oregon speed laws much easier to understand.
202	Rep. Nelson	Asks how many more troopers are needed for this bill to be implemented.
206	Spirup	Answers that would have to be worked out with the budget.
218	Rep. Nelson	Asks if the bill can be implemented with current staff limits.
224	Spirup	Answers that it probably could.
241	Rep. Rosenbaum	Says that people go over the posted speed limit no matter what the limit is.
251	Chastain	Responds that this bill would place a limit on all posted speeds. Explains the difference between driving over the speed limit and violating the basic rule.
269	Rep. Rosenbaum	Asks if people drive even faster if the speed limit is raised.
274	Botwinis	Says that this is a possibility.
296	Rep. Merkley	Asks if trucks will be required to go 55 mph.
302	Chastain	Answers that the current speed limit for trucks is 55 mph. Says that this bill would allow trucks to drive 60 mph.
309	Rep. Merkley	Asks if it is dangerous to have the speed differential between trucks and cars.
319	Spirup	Answers that they do not have data to indicate that the differential is dangerous.
330	Rep. Devlin	Asks if trucks have longer stopping distances than passenger vehicles.
335	Spirup	Answers that there are several reasons for the speed differential.
342	Rep. Devlin	Asks if this bill is approved, would the basic rule still apply.
348	Spirup	Answers yes.
353	Rep. Devlin	Asks if someone that is driving too slow is violating the basic rule.
363	Spirup	Answers that the officer would have to make a judgement call.
384	Rep. Devlin	Asks how this bill is different than others that would raise the limit.
387	Spirup	Answers that he does not know exactly, but he fully supports this bill.
403	Rep. Verger	Says that trucks are dangerous. Speaks about the cars that drive too slow and impede traffic.

**TAPE 121, A**

012	Chastain	Responds that there is a current law regarding impeding traffic.
017	Rep. Verger	Says that there are not many pull out areas along highways.
034	Bob Russell	Oregon Trucking Associations, Inc. Reads from written testimony ( <b>EXHIBIT B</b> ).
104	Rep. Zauner	Asks why they would not want the trucks to go seventy miles per hour.
106	Russell	Answers that there are several reasons such as the weight of the trucks, the slower stopping time, etc. Says that they believe 65 mph to be a safe speed limit for trucks.
113	Rep. Zauner	Says that he has seen statistics showing that we would be much safer if everyone drove the same speed.
116	Russell	Says that the studies he has seen show problems occur once the

128	Rep. Merkley	differential is ten miles an hour or more.
130	Rep. Devlin	Asks for a copy of these studies.
		Asks if the limit was seventy or higher, can a slower car create problems.
142	Russell	Reiterates that trucks are not safe at seventy miles an hour. Says that they do not have a problem with the five mile differential. States that the accidents are usually from the car hitting the truck.
162	Rep. Devlin	Asks if fuel efficiency is a reason for trucks not wanting to raise the limits.
168	Russell	Says that there is not a significant difference in fuel efficiency.
178	Chair Starr	Closes the public hearing and opens a public hearing on HB 3336.

**PUBLIC HEARING – HB 3336**

192	Leon	Speaks about the bill and the –2 amendments.
210	Mike Dewey	Waste Management Incorporated. Submits written materials <b>(EXHIBIT C)</b> . Says that the smaller tires are safer. Says that the new tires are more rigid, causing less ballooning.
285	Nate Graham	Waste Management Incorporated. Speaks about the engineering issues. Says that there is less wear and tear on the road from these tires.
356	Rep. Nelson	Asks if we would be changing tires on all trucks.
361	Dewey	Answers that this is specifically for waste management. Reiterates the benefits of the tire.
379	Rep. Nelson	Asks if all companies must change their tires.
386	Dewey	Answers no.
394	Chair Starr	Clarifies that the legislature simply needs to approve the use of these tires on the road
418	Rep. Nelson	Asks for the difference in cost between the tires.
420	Graham	Answers about 80 dollars per tire.

**TAPE 120, B**

013	Jon Oshel	Association of Oregon Counties. Reads from written testimony <b>(EXHIBIT D)</b> .
051	Dave Barrenberg	League of Oregon Cities. Says that they have many of the same concerns as Mr. Oshel. Suggests amending the bill.
063	Kristen Mitchell	Oregon Refuse and Recycling Association. Says that at least 21 other states allow these tires on their roads.
083	Chair Starr	Closes the public hearing and opens a work session on HB 3946.

**WORK SESSION – HB 3946**

081	Leon	Speaks about the bill and the amendments.
120	<b>Rep. Rosenbaum</b>	<b>MOTION: Moves to ADOPT HB 3946-5 amendments dated 05/11/01.</b>
128		<b>VOTE: 7-0</b>
		<b>EXCUSED: 2 - Brown, Kropf</b>
	<b>Chair Starr</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
145	<b>Rep. Rosenbaum</b>	<b>MOTION: Moves HB 3946 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the committee on Ways and Means and that the subsequent referral to the House School Funding and Tax Fairness/Revenue Committee be RESCINDED.</b>
152		<b>VOTE: 7-0</b>
		<b>EXCUSED: 2 - Brown, Kropf</b>

**Chair Starr**

**Hearing no objection, declares the motion CARRIED.** Closes the work session and adjourns the meeting at 9:14 a.m.

Submitted By,

Reviewed By,

Jennifer Simmons,  
Committee Assistant

John Leon,  
Committee Administrator

**EXHIBIT SUMMARY**

**A – written testimony, HB 3410, Troy Costales, 1 p**

**B – written testimony, HB 3840, Bob Russell, 1 p**

**C – written material, HB 3336, Mike Dewey, 7 pp**

**D – written testimony, HB 3336, Jon Oshel, 1 p**

# HOUSE COMMITTEE ON TRANSPORTATION

May 14, 2001  
4:00 p.m.

Hearing Room B  
Tapes 122 - 123

**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

**MEMBER EXCUSED:**

**STAFF PRESENT:** John Leon, Committee Administrator  
Jennifer Simmons, Committee Assistant

**MEASURE/ISSUES HEARD:** HB 3408 – Work Session  
HB 3548 – Work Session

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 122, A</b>		
002	Chair Starr	Begins meeting at 4:20 p.m. Opens a work session on HB 3548.
<b><u>WORK SESSION – HB 3548</u></b>		
013	John Leon	Administrator. Reminds the committee of the previous work done on this bill. Speaks about the –1 amendments ( <b>EXHIBIT A</b> ).
024	Rep. Starr	<b>MOTION: Moves to ADOPT HB 3548-1 amendments dated 05/14/01.</b>
025		<b>VOTE: 8-0</b> <b>EXCUSED: 1 - Merkley</b> <b>Hearing no objection, declares the motion CARRIED.</b>
028	Chair Starr Rep. Starr	<b>MOTION: Moves HB 3548 to the floor with a DO PASS AS AMENDED recommendation.</b>
035		<b>VOTE: 5-3</b> <b>AYE: 5 - Brown, Kropf, Nelson, Zauner, Starr</b> <b>NAY: 3 - Devlin, Rosenbaum, Verger</b> <b>EXCUSED: 1 - Merkley</b> <b>The motion CARRIES.</b> <b>REP. STARR will lead discussion on the floor.</b> Closes the work session and opens a work session on HB 3408.
<b><u>WORK SESSION – HB 3408</u></b>		
047	Leon	Speaks about the bill and the –3 and –5 amendments ( <b>EXHIBIT B</b> ).
065	Rep. Merkley	Says that the –6 amendments are on their way from Legislative Counsel.

066	Dennis Mulvihill	Washington County. Speaks about how the amendments change the bill. Says that the concern and confusion has been removed with the amendments. Submits written material ( <b>EXHIBIT C</b> ).
141	Rep. Merkley	Explains the –6 amendments and how they differ from the –5 amendments.
154	Rep. Nelson	Asks for clarification of “an authority”.
158	Chair Starr	Answers that it is defined in Section 1, page 1 of the bill.
162	Rep. Verger	Asks why this couldn’t be done now.
165	Rep. Devlin	Answers that they cannot accomplish this now because all of the parties involved have different boundaries with different issues.
180	Rep. Verger	Asks if there is a rush on passing this legislation.
194	Chair Starr	Answers that there is a rush due to the time constraints of session.
240	Rep. Verger	Expresses concern that this is not a feasible solution for all areas of the state.
249	Chair Starr	Responds that this could be used in various areas of the state.
302	Jacob Brostoff	1000 Friends of Oregon. Says that they support this bill with the –6 amendments.
349	Rep. Merkley	Asks if “financially constrained” is a technical phrase.
351	Brostoff	Answers yes and further defines the phrase.
362	Chris Hagerbaumer	Oregon Environmental Council. Explains that their concern was regarding which projects would be chosen. Says that she supports the –6 amendments.
384	Rep. Merkley	Highlights the benefits of the bill and the amendments.
<b>TAPE 123, A</b> 005	Rep. Nelson	Says she is concerned that the RTA’s may not be equal for all counties or cities.
015	Chair Starr	Responds that it is broad enough for entities to adapt to meet their needs.
031	Rep. Nelson	Asks Mr. Conley if the projects chosen have to be from projects that have already been designated.
045	Harrison Conley	Legislative Counsel. Explains the process by which projects are chosen.
060	Rep. Nelson	Asks if we could empower the Mid Willamette Area Commission to do this same thing.
068	Conley	Answers that it is a viable plan for various regions to establish local priorities.
080	Chair Starr	Says that Mid WAC could establish RTAs under this proposed legislation.
085	Rep. Nelson	Says that her area has high priority for transportation projects. Expresses concern that they would lose this priority.
093	Chair Starr	States that this will assist areas of high priority.
<b>109</b>	<b>Rep. Merkley</b>	<b>MOTION: Moves to SUSPEND the rules for the purpose of conceptually amending the -6 amendments.</b>
<b>112</b>		<b>VOTE: 9-0</b>
	<b>Chair Starr</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
<b>115</b>	<b>Rep. Merkley</b>	<b>MOTION: Moves to ADOPT HB 3408-6 amendments dated 05/14/01 and that the measure be FURTHER AMENDED on page 5, line 3, by changing "one" to “three” and on page 5, line 3, by changing "hearing" to "hearings".</b>
<b>123</b>		<b>VOTE: 9-0</b>
	<b>Chair Starr</b>	<b>Hearing no objection, declares the motion CARRIED.</b>

130 Rep. Merkley

**MOTION: Moves HB 3408 to the floor with a DO PASS AS AMENDED recommendation.**

135 Chair Starr

**VOTE: 9-0**  
**Hearing no objection, declares the motion CARRIED.**  
**REP. STARR will lead discussion on the floor.** Closes the work session and adjourns the meeting at 5:01 p.m.

Submitted By,

Reviewed By,

Jennifer Simmons,  
Committee Assistant

John Leon,  
Committee Administrator

**EXHIBIT SUMMARY**

- A – HB 3548, amendments, staff, 1 p**
- B – HB 3408, amendments, staff, 7 pp**
- C – HB 3408, written material, Dennis Mulvihill, 1 p**