

# HOUSE COMMITTEE ON TRANSPORTATION

May 18, 2001  
8:00 am

Hearing Room D  
Tapes 127 - 128

**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  
Jennifer Simmons, Committee Assistant

**MEASURE/ISSUES HEARD:** SB 323 – Public Hearing and Work Session  
SB 299 – Public Hearing and Work Session  
SB 432 – Public Hearing and Work Session  
SB 445 – Public Hearing and Work Session  
SB 685 – Public Hearing  
SB 695 – Public Hearing and Work Session  
SB 696 – Public Hearing and Work Session  
SB 844 – Public Hearing and Work Session

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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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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
<b>TAPE 125, A</b>		
002	Chair Starr	Begins hearing at 8:05 a.m. Opens a public hearing on SB 323.
		<b><u>PUBLIC HEARING – SB 323</u></b>
007	John Leon	Administrator. Explains the bill and the proposed amendments.
025	Claudia Howells	Department of Transportation. Reads from written testimony <b>(EXHIBIT A).</b>
102	Rep. Nelson	Asks who rules within the jurisdictional authority for the rail system.
112	Howells	Answers that various parts of the rail system fall under different Federal DOT agencies.
122	Rep. Merkley	Asks if all of the parties involved are supportive of the bill.
128	Howells	Answers that TriMet, Portland Street Car, and the City of Portland support this bill.
141	Chair Starr	Closes the public hearing and opens a work session on SB 323.
		<b><u>WORK SESSION – SB 323</u></b>
145	Rep. Nelson	<b>MOTION: Moves to ADOPT SB 323-3 amendments dated 05/04/01.</b>
149		<b>VOTE: 8-0</b> <b>EXCUSED: 1 - Kropf</b>
	Chair Starr	<b>Hearing no objection, declares the motion CARRIED.</b>
150	Rep. Nelson	<b>MOTION: Moves to ADOPT SB 323-2 amendments dated</b>

152

Chair Starr

**PUBLIC HEARING – SB 299**

156 Leon  
172 Steve Johnston

215 Chair Starr  
217 Johnston  
222 Chair Starr

**WORK SESSION – SB 299**

224 Rep. Merkley

226

Chair Starr

228 Rep. Merkley

230

Chair Starr

**PUBLIC HEARING – SB 432**

245 Leon  
258 Kelly Taylor

310 Rep. Nelson

317 Taylor  
321 Rep. Merkley  
333 Taylor

365 Rep. Merkley  
370 Taylor  
396 Rep. Merkley  
407 Taylor

**TAPE 128, A**

001 Rep. Nelson

006 Taylor

033 Chair Starr

**WORK SESSION – SB 432**

073 Rep. Rosenbaum

075

04/18/01.

**VOTE: 8-0**

**EXCUSED: 1 - Kropf**

**Hearing no objection, declares the motion CARRIED.** Closes the work session and opens a public hearing on SB 299.

Gives a brief overview of the bill.

Department of Transportation. Reads from written testimony **(EXHIBIT B).**

Says that he does not see the fee amounts in the bill.

Responds that they are in a different part of statute.

Closes the public hearing and opens a work session on SB 299.

**MOTION: Moves to ADOPT SB 299-2 amendments dated 05/17/01.**

**VOTE: 8-0**

**EXCUSED: 1 - Kropf**

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

**MOTION: Moves SB 299 to the floor with a DO PASS AS AMENDED recommendation and be placed on the CONSENT CALENDAR.**

**VOTE: 8-0**

**EXCUSED: 1 - Kropf**

**Hearing no objection, declares the motion CARRIED.** Closes the work session and opens a public hearing on SB 432.

Explains the bill.

Department of Transportation. Reads from written testimony **(EXHIBIT C).**

Requests that those who violate speed limits within safety corridors added to this bill.

Responds that they will look into that.

Asks why the warning letter is being eliminated.

Answers that the Attorney General has determined that a warning letter is not something that they can use highway funds for.

Asks if people who lose their licenses really stop driving.

Answers that about 66% of offenders will still drive.

Asks for the same specifics about habitual offenders.

Answers that she does not have those statistics.

Asks if the officers can verify and warn a citizen of their impending suspension when they are pulled over.

Answers that law enforcement only sees the status of the record, not the entire log of incidents.

Closes the public hearing and opens a work session on SB 432.

**MOTION: Moves to ADOPT SB 432-1 amendments dated 02/26/01.**

**VOTE: 6-2**

**AYE: 6 - Brown, Devlin, Nelson, Rosenbaum, Zauner, Starr**

**NAY: 2 - Merkley, Verger**

	<b><u>Chair Starr</u></b>	<b>EXCUSED: 1 - Kropf</b>
085	Rep. Rosenbaum	<b>The motion CARRIES.</b>
		<b>MOTION: Moves SB 432 to the floor with a DO PASS AS AMENDED recommendation.</b>
088		<b>VOTE: 8-0</b>
	<b>Chair Starr</b>	<b>EXCUSED: 1 - Kropf</b>
		<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>REP. BROWN will lead discussion on the floor.</b> Closes the work session and opens a public hearing on SB 445.
	<b><u>PUBLIC HEARING – SB 445</u></b>	
115	Leon	Gives a brief outline of the bill.
136	Jean Underhill-Wilkenson	Farm Bureau. Reads from written testimony ( <b>EXHIBIT D</b> ).
187	Rep. Brown	Asks why this isn't included in the current statute that allows farm machinery on public roads.
195	Taylor	Answers that since they are not manufactured for farm use, they are not included in statute.
220	Rep. Brown	Asks if this applies to county roads and city streets.
231	Taylor	Answers that it applies to any highway in the state.
235	Rep. Zauner	Asks if all ATVs have headlights.
238	Taylor	Answers yes and they are required in this bill.
246	Rep. Brown	Asks if a driver license is required for these vehicles to be driven on the highways.
250	Taylor	Answers yes.
262	Glen Stonebrink	Oregon Cattlemen Association. Says that ATV's are a great asset to farm work. States his support of the bill.
288	Chair Starr	Closes the public hearing and opens a work session on SB 445.
	<b><u>WORK SESSION – SB 445</u></b>	
290	Rep. Zauner	<b>MOTION: Moves SB 445 to the floor with a DO PASS recommendation.</b>
295		<b>VOTE: 9-0</b>
	<b>Chair Starr</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
		<b>REP. ZAUNER will lead discussion on the floor.</b> Closes the work session and opens a public hearing on SB 685.
	<b><u>PUBLIC HEARING – SB 685</u></b>	
334	Leon	Reviews the bill for the committee.
349	Ken Armstrong	Oregon Ports Group. Testifies in favor of the bill. Explains why this bill is needed.
372	Chair Starr	Asks if this requires voter approval.
377	Armstrong	Answers no.
384	Rep. Brown	Asks if this is for port property only.
389	Armstrong	Answers that this applies to anything within the port district.
400	Rep. Nelson	Expresses concern with approving something without asking the voters.
407	Armstrong	Responds that the port currently has adequate resources without using a tax that would need to be approved by voters.
	<b>TAPE 127, B</b>	
008	Rep. Verger	States her concern that this bill is too broad.
031	Armstrong	Says that law enforcement is an economic development issue, and the port believes that they should have the authority to make these decisions.
045	Rep. Verger	Responds that this should have voter approval.
046	Armstrong	Suggests a change to the bill.

054	Chair Starr	Clarifies the area of change in the bill.
062	Rep. Zauner	Says that he would also like for taxpayers to vote on this.
066	Rep. Brown	Points out that the port already has the authority to enforce law.
083	Chair Starr	Closes the public hearing and opens a public hearing on SB 695.
<b><u>PUBLIC HEARING – SB 695</u></b>		
087	Leon	Provides an overview of the bill.
101	Doug Tindall	Department of Transportation. Reads from written testimony <b>(EXHIBIT E)</b> .
112	Rep. Kropf	Asks why we can spend money on bike paths in the same locations.
122	Tindall	Answers that in the 1979 voter’s pamphlet, it was specifically stated that bike paths would not be impacted.
133	Rep. Kropf	Asks if that was confirmed in court.
135	Tindall	Answers that he is unsure.
146	Chair Starr	Explains the difference between the Attorney General opinion and guidance from counsel.
180	Chair Starr	Closes the public hearing and opens a work session on SB 695.
<b><u>WORK SESSION – SB 695</u></b>		
<b>181</b>	<b>Rep. Merkley</b>	<b>MOTION: Moves SB 695A to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.</b>
<b>190</b>	<b>Chair Starr</b>	<b>VOTE: 9-0</b> <b>Hearing no objection, declares the motion CARRIED.</b> Closes the work session and opens a public hearing on SB 696.
<b><u>PUBLIC HEARING – SB 696</u></b>		
202	Leon	Briefly outlines the bill.
214	Tindall	Reads from written testimony <b>(EXHIBIT F)</b> .
240	Chair Starr	Closes the public hearing and opens a work session on SB 696.
<b><u>WORK SESSION - SB 696</u></b>		
<b>242</b>	<b>Rep. Merkley</b>	<b>MOTION: Moves SB 696 to the floor with a DO PASS recommendation and be placed on the CONSENT CALENDAR.</b>
<b>244</b>	<b>Chair Starr</b>	<b>VOTE: 9-0</b> <b>Hearing no objection, declares the motion CARRIED.</b> Closes the work session and opens a public hearing on SB 844.
<b><u>PUBLIC HEARING – SB 844</u></b>		
255	Leon	Summarizes the bill.
277	Tindall	Reads from written testimony <b>(EXHIBIT G)</b> . Speaks about roundabouts. Says that this bill establishes rules for the use of roundabouts.
301	Ed Fischer	Department of Transportation. Explains how roundabouts are to be used.
372	Rep. Verger	Asks how the signage will be handled.
384	Tindall	Shows how the signage will be placed.
396	Fischer	Speaks about educating the driver with these signs.
410	Rep. Kropf	Expresses concern that this will be too confusing for the driver. Asks how pedestrians get across the road if there are no stop lights.
<b>TAPE 128, B</b>		
007	Tindall	Explains the crosswalk system.
020	Rep. Kropf	Asks about rules for trucks.
024	Tindall	Answers that there are no truck specific rules in this bill.
051	Rep. Zauner	Asks about radio instructions on use of the roundabout.

056 Fischer Answers that they plan to educate through the driver manual and training programs.  
072 Rep. Brown Says that he likes roundabouts and thinks they are very efficient.  
079 Chair Starr Closes the public hearing and opens a work session on SB 844.  
**WORK SESSION – SB 844**  
092 Rep. Verger **MOTION: Moves SB 844 to the floor with a DO PASS recommendation.**  
105 **VOTE: 8-0**  
**EXCUSED: 1 - Kropf**  
Chair Starr **Hearing no objection, declares the motion CARRIED.**  
**REP. VERGER will lead discussion on the floor.** Closes the work session and adjourns the meeting at 9:35 a.m.

Submitted By,

Reviewed By,

Jennifer Simmons,  
Committee Assistant

John Leon,  
Committee Administrator

**EXHIBIT SUMMARY**

- A – SB 323, written testimony, Claudia Howells, 1 p**
- B – SB 299, written testimony, Steve Johnston, 1 p**
- C – SB 432, written testimony, Kelly Taylor, 1 p**
- D – SB 445, written testimony, Jean Underhill Wilkinson, 1 p**
- E – SB 695, written testimony, Doug Tindall, 1 p**
- F – SB 696, written testimony, Doug Tindall, 1 p**
- G – SB 844, written testimony, Doug Tindall, 1 p**