

**SENATE COMMITTEE ON GENERAL GOVERNMENT AND  
TRANSPORTATION**

April 5, 2001 Hearing Room 343  
3:00 pm Tapes 74 - 77

**MEMBERS PRESENT:**        **Sen. Gary George, Chair**  
                                  **Sen. Rick Metsger, Vice-Chair**  
                                  **Sen. Margaret Carter**  
                                  **Sen. Bev Clarno**  
                                  **Sen. Ken Messerle**

**STAFF PRESENT:**        **Patrick Balducci, Committee Administrator**  
                                  **Janet Adkins, Reviewer**  
                                  **Nancy Masee, Committee Assistant**  
                                  **Pam Brunell, Transcriber**

**MEASURE/ISSUES HEARD:**        **SB 209 – Work Session**  
                                  **SB 14 – Work Session**  
                                  **SB 15 – Work Session**  
                                  **SJR 21 – Work Session**  
                                  **SJR 22 – Work Session**  
                                  **Informational - Overview on Studded Tires**  
                                  **SB 6 – Public Hearing**  
                                  **SB 7 – Public Hearing**  
                                  **SB 148 – Public Hearing**  
                                  **SB 638 – Public Hearing**

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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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<b>TAPE/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 74, A</b>		
004	Chair George	Calls meeting to order at 3:08 p.m. and opens work session on SB 209.
<b><u>SB 209 – WORK SESSION</u></b>		
008	Patrick Balducci	Committee Administrator. Explains SB 209.
020	Sen. Metsger	<b>MOTION: Moves SB 209 WITHOUT RECOMMENDATION as to passage and BE REFERRED to the committee on Business, Labor &amp; Economic Development.</b>
		<b>VOTE: 4-0</b>
		<b>EXCUSED: 1 – Clarno</b>
	<b>Chair George</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
025	Chair George	Closes work session on SB 209 and opens work session on SB 14.
<b><u>SB 14 – WORK SESSION</u></b>		
026	Patrick Balducci	Explains SB 14 and –3 amendments ( <b>EXHIBIT L</b> ).
052	Sen. Metsger	<b>MOTION: Moves to ADOPT SB 14-3 amendments.</b>
		<b>VOTE: 4-0</b>
		<b>EXCUSED: 1 – Clarno</b>

058	Chair George Sen. Metsger	<p>Hearing no objection, declares the motion <b>CARRIED</b>.  <b>MOTION: Moves SB 14 to the floor with a DO PASS AS AMENDED recommendation.</b>  <b>VOTE: 4-0</b>  <b>AYE: 4 - Carter, Messerle, Metsger, George</b>  <b>EXCUSED: 1 - Clarno</b></p> <p>Chair George  <b>The motion CARRIES.</b>  <b>SENATORS COURTNEY AND GEORGE will lead discussion on the floor.</b></p>
065	Chair George	<p>Closes work session on SB 14 and opens work session on SB 15</p>
<b><u>SB 15 – WORK SESSION</u></b>		
070	Balducci	<p>Explains SB 15 and –5 amendments (<b>EXHIBIT M</b>).</p>
095	Sen. Metsger	<p><b>MOTION: Moves to ADOPT SB 15-5 amendments.</b>  <b>VOTE: 4-0</b>  <b>EXCUSED: 1 – Clarno</b></p>
098	Chair George Sen. Metsger	<p>Hearing no objection, declares the motion <b>CARRIED</b>.  <b>MOTION: Moves SB 15 to the floor with a DO PASS AS AMENDED recommendation.</b>  <b>VOTE: 4-0</b>  <b>AYE: 4 - Carter, Messerle, Metsger, George</b>  <b>EXCUSED: 1 – Clarno</b></p> <p>Chair George  <b>The motion CARRIES.</b>  <b>SENATORS COURTNEY AND GEORGE will lead discussion on the floor.</b></p>
105	Chair George	<p>Closes work session on SB 15 and opens work session on SJR 21.</p>
<b><u>SJR 21 – WORK SESSION</u></b>		
107	Balducci	<p>Explains SJR 21 and –1 and –2 amendments (<b>EXHIBIT N</b>).</p>
125	Sen. Metsger	<p><b>MOTION: Moves to ADOPT SJR 21-2 amendments.</b>  <b>VOTE: 5-0</b></p>
154	Chair George Sen. Metsger	<p>Hearing no objection, declares the motion <b>CARRIED</b>.  <b>MOTION: Moves to ADOPT SJR 21-1 amendments.</b>  <b>VOTE: 5-0</b></p>
184	Chair George Sen. Metsger	<p>Hearing no objection, declares the motion <b>CARRIED</b>.  <b>MOTION: Moves SJR 21 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.</b>  <b>VOTE: 5-0</b>  <b>AYE: 5 - Carter, Clarno, Messerle, Metsger, George</b></p> <p>Chair George  <b>The motion CARRIES.</b>  <b>SENATORS COURTNEY AND GEORGE will lead discussion on the floor.</b></p>
191	Chair George	<p>Closes work session on SJR 21 and opens work session on SJR 22.</p>
<b><u>SJR 22 – WORK SESSION</u></b>		
171	Balducci	<p>Explains SJR 22 and –1 and –2 amendments (<b>EXHIBIT O</b>).</p>
210	Sen. Metsger	<p><b>MOTION: Moves to ADOPT SJR 22-1 amendments.</b>  <b>VOTE: 5-0</b></p>
213	Chair George Sen. Metsger	<p>Hearing no objection, declares the motion <b>CARRIED</b>.  <b>MOTION: Moves to ADOPT SJR 22-2 amendments.</b>  <b>VOTE: 5-0</b></p>
217	Chair George Sen. Metsger	<p>Hearing no objection, declares the motion <b>CARRIED</b>.  <b>MOTION: Moves SJR 22 be sent to the floor with a BE ADOPTED AS AMENDED recommendation.</b></p>

**VOTE: 5-0**

**AYE: 5 - Carter, Clarno, Messerle, Metsger, George**  
**The motion CARRIES.**

**SENATORS COURTNEY AND GEORGE will lead discussion on the floor.**

**Chair George**

225 Chair George Closes work session on SJR 22 and opens informational meeting.

**INFORMATIONAL MEETING – STUDED TIRE WORK GROUP**

230 Mel Zucker Director of Oregon Transportation Institute. Introduces the work group and the studies of studded tires (**EXHIBIT A**).

**TAPE 75, A**

030 Sen. Clarno Questions the reason for not separating fees by area as done in Maryland.

046 Mazen Malik Economist, Oregon Department of Transportation (ODOT). Replies that dividing a state by locale wouldn't work and is unconstitutional to charge fees by region or area (**EXHIBIT B**).

079 Zucker Speaks to the existing restrictions and how fees could be used as a deterrent to studded tires and the alternatives available.

136 Zucker Expresses the superiority of hydrophilic tires.  
Lists Committee Members responsible for the report on studded tires:

Chris Bell

Bruce Boyd

Cam Gilmour

Mazen Malik

Oliver Snowden

Doug Tindall

Mel Zucker

250 Malik Describes the damage done by studded tires, fiscally and physically.

445 Doug Tindall State Hiway Engineer, ODOT. Explains the difference in wear suffered by different pavements and aggregates.

**TAPE 74, B**

030 Malik Continues with statistics and costs of damage.

127 Tindall Speaks about bridge wear and the damage causation.

184 Balducci Explains highway cost allocations.

197 Sen. Clarno Asks about which aggregates are used and why ODOT doesn't use a higher grade of abrasive resistant.

210 Tindall Relates reasons that some aggregates wear more or less as speed and volume and weight of stud are proportional to damage.

350 Chair George Opens public hearing on SB 6, SB 7, SB 148, and SB 638.

**SB 6, SB 7, SB 148, SB 638 – PUBLIC HEARING**

357 Balducci Explains bills and amendments.

**TAPE 75, B**

020 Sen. Bill Fisher Senate District 23. Speaks to SB 148 in opposition to fees for studded tires and the advantage of limiting stud driving to one lane and speed limit.

117 Staff Submits testimony from Rep. Jeff Kropf (**EXHIBIT C**).

118 Phil Wick President, Les Schwab Tire Centers. Speaks in opposition to legislation that would prohibit, restrict, or tax studded tires (**EXHIBIT D**).

330 Gary Wandersheid Manager, Les Schwab Tire Center, Portland. Opposes legislation that would prohibit or restrict studded tires (**EXHIBIT E**).

430	Wayne Cramer	Manager, Les Schwab Tire Center, Bend. Supports the use of studded tires and should not be legislated against. Demonstrates that several brands of cars cannot use tire chains <b>(EXHIBIT F)</b> .
<b>TAPE 76, A</b>		
040	Richard Nordness	Northwest Tire Dealers Association. Agrees that studded tires are superior and opposes the proposed bills.
120	Chuck McGee	US Representative, Ugigrip. Opposes legislation against studded tires <b>(EXHIBIT G)</b> .
280	John Deal	Deschutes County Sheriff Department. Expresses the advantages of studded tires and opposes limiting the use by fees or prohibiting.
347	Senator Harper	Senate District 30. Testifies in support of studded tires and opposes any tax or fee. Expresses that studded tires are a safety issue.
<b>TAPE 77, A</b>		
066	Sen. Messerle	Raises concerns about using separate areas for different costs.
142	Rep. Greg Smith	House District 59. Speaks to the safety that studs provide.
222	McGee	Continues with his presentation of manufacturing of tires.
263	Jay Bruce Boyd	Retired ODOT Engineer. Notes that he sponsored SB 6 <b>(EXHIBIT H)</b> .
<b>TAPE 76, B</b>		
077	Ken Brown	Northwest Tire Dealers. Testifies that there is a weight limit on light weight studs. Notes that hydrophylic tires are not usable for SUV's and light trucks.
140	Balducci	Reiterates the damage done and that the costs are being paid by 100% of the drivers for damage done by 16% of the drivers.
160	Doug Tindall	State Maintenance Engineer. Testifies in favor of reducing studded tire damage to highways <b>(EXHIBIT I)</b> .
160	Staff	Submits letter from Oregon State Police <b>(EXHIBIT J)</b> .
185	Craig Campbell	AAA. Speaks about reducing speed limits and the differential of speeds that cause the most problems. Chooses the side of safety.
345	Karen Mainzer	Public Affairs Council. Presents –3 amendments and testifies to the need of additional studies to correct errors in current data <b>(EXHIBIT K)</b> .
450	Balducci	Speaks to the various damages caused by studded tires.
<b>TAPE 77, B</b>		
060	Bill Linden	Public Affairs Counsel, Les Schwab Tire Center. Notes that there is not enough data about the damage done by studs.
098	Zucker	Relates that there is evidence available about the lightweight stud damage, siting highway 217.
235	Chair George	Closes the public hearing on SB 6, SB 7, SB 148, SB 638 and adjourns the meeting at 6:50 p.m.

Submitted By,

Reviewed By,

Nancy Masee,  
Committee Assistant

Janet Adkins  
Administrator

Student Achievement &

Pam Brunell

School Accountability Committee

Transcriber

**EXHIBIT SUMMARY**

- A – Informational Work Group Finding, Mel Zucker, 5 pp.**
- B – Studded Tires in Oregon, Mazen Malik, 166 pp.**
- C – SB 6, written testimony, Rep. Jeff Kropf, 1 p.**
- D – SB 6, written testimony, Phil Wick, 9 pp.**
- E – SB 6, written testimony, Gary Wanderscheid, 3 pp.**
- F – SB 6, written testimony, Wayne Cramer, 3 pp.**
- G – SB 6, written material, Chuck McGee, 19 pp.**
- H – SB 6, written material, Jay Bruce Boyd, 6 pp.**
- I – SB 6, written material, Doug Tindall, 4 pp.**
- J - SB 6, written testimony, Curt Curtis, 1 p.**
- K – SB 6, written material, Karen Mainzer, 59 pp.**
- L – SB 14, -3 amendments, Staff, 4 pp**
- M – SB 15, -5 amendments, Staff, 3 pp**
- N – SJR 21, -2 amendments, Staff, 2 pp**
- O – SJR 22, -2 amendments, Staff, 1 p**