

HOUSE COMMITTEE ON TRANSPORTATION

February 12, 1999 Hearing Room D

8:30 a.m. Tapes 22 - 23

MEMBERS PRESENT: Rep. Bob Montgomery, Chair

Rep. Mike Lehman, Vice-Chair

Rep. Richard Devlin

Rep. Jim Hill

Rep. Jeff Kropf

Rep. Jerry Krummel

Rep. Jackie Taylor

Rep. Vicki Walker

Rep. Larry Wells

MEMBER EXCUSED: Rep. Jane Lokan

STAFF PRESENT: Janet Adkins, Administrator

Brad Daniels, Administrative Support

MEASURE/ISSUES HEARD: Introduction of committee bills

HB 2445 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 22, A

004	Rep. Taylor	Opens meeting at 8:34 a.m. Introduces LC 2206 (EXHIBIT A).
009	Chair Montgomery	Notes that any assent to the introduction of committee bills does not imply the support or opposition of the members.
015	Rep. Taylor	Explains that she will be chairing the committee today.
016	Jim Markee	The Amalgamated Transit Union. Describes LC 2206, which prohibits emergency medical technicians (EMT) who work for private companies from striking. States that EMTs who work for public entities are currently prohibited from striking
031	Rep. Hill	MOTION: Moves LC 2206 BE INTRODUCED as a committee bill.
		VOTE: 9-0 EXCUSED: 1 - Rep. Lokan
034	Rep. Taylor	Hearing no objection, declares the motion CARRIED.
035	Rep. Krummel	Asks if striking among EMTs is a problem currently.
037	Markee	Replies that EMTs who work for counties are presently prohibited from striking, and this bill extends the prohibition to private EMTs.
043	Rep. Taylor	Opens the public hearing on HB 2445
<u>HB 2445 PUBLIC HEARING</u>		
045	Adkins	Explains HB 2445, which stiffens the driver licensing requirements for citizens that are 80 years or older. Describes the current vision and reporting requirements. Lists other states with stricter requirements for older drivers. Introduces a letter from Ruth Bendl and a fax from the Oregon Alzheimer's Association in support of the bill. (EXHIBITS B & C).
085	Chair Montgomery	District 56. Discusses the concerns about older drivers, the increased cost and suggested amendments. Addresses the issue of statistics; expresses his opinion that older drivers do present hazards.

120	Rep. Barbara Ross	District 35. Supports HB 2445. Relates two examples of accidents caused by older drivers. Notes that importance of protecting older citizens and other drivers.
145	Chair Montgomery	Indicates that the bill does not imply that all older people can not competently drive.
153	Rep. Krummel	Asks if DMV personnel are qualified to administer eye tests.
158	Chair Montgomery	Replies yes.
172	Irene Hobson	American Association of Retired Persons. Opposes HB 2445. Opposes any age-based regulation of driver's licenses. Underlines that older drivers often are more experienced and safer. States that increased testing should be based on a reported incapacity rather than age. Adds that the bill may violate the Civil Rights Act and the American with Disabilities Act (EXHIBIT D).
245	Rep. Walker	Asks Hobson if she is aware of a program called Driving Decisions for Seniors in Eugene, a program that helps seniors make the decisions about driving.
250	Hobson	Replies no.
263	Rep. Lehman	Asks about changing the requirements for drivers 16-18 years old.
270	Hobson	Replies that she is not qualified to express an opinion. Reiterates that age discrimination with respect to driving privileges is against AARP national policy
276	Rep. Lehman	Asks if statistics documenting a higher number of accidents for older citizens did become available, would they justify passing HB 2445.
286	Hobson	Responds that HB 2445 unfairly targets people 80 years of age or older.
301	Rep. Krummel	Inquires if age is not used as a yardstick, how the problem should be solved. Indicates that the loss of a license does not ensure that people will not drive. Asks if AARP has any suggested amendments that would eliminate the age discrimination, but still address the safety issue.
322	Hobson	Acknowledges that family and friends should accept the responsibility for ensuring the safety of older drivers. Replies that there is already a remedy for restricting older drivers. Cites the necessity of driving in most areas of Oregon.
351	Rep. Hill	Disagrees with Hobson on the subject of age discrimination. Emphasizes that the bill does not prohibit anyone from driving; the bill will only affect those who are unsafe or incapable.

385	Hobson	Responds that all people worry about taking a driving test. Reports that elderly people will suffer increase apprehension.
405	Rep. Kropf	Describes the two-year testing procedures for pilots and his view of flying as a privilege, not a right. Recognizes the difficulty of taking a competency test. Supports HB 2445.
TAPE 23, A		
023	Hobson	Replies that HB 2445 constitutes age discrimination forbidden under the Civil Rights Act.
029	Rep. Devlin	Asks how Hobson's position would be affected if the bill was modified to be related to infractions rather than age.
039	Hobson	Replies that the restriction of driving privileges should not be based on age. Expresses concern about possible discrimination on the part of people who would be testing older drivers.
049	Rep. Devlin	Notes that some element of nervousness is normal, but would be greater for older people who have their independence at stake.
058	Bruce Fitzwater	City of Portland. Explains the objection, from a Christian Science perspective, to a requirement in HB 2445 concerning an examination by a medical professional. Suggests an amendment to HB 2445 that would allow people over 80 to be able to take the test for competence in lieu of presenting a doctor's certification. Explains that the amendment would achieve the governmental purpose while retaining the religious liberties of citizens (EXHIBIT E).
109	Rep. Wells	Notes the difficulty of paying for a doctor's appointment every two years. Asks if Fitzwater's amendment would place the responsibility on the DMV to determine the medical competency of an older driver.
125	Fitzwater	Explains the intention of the amendment, which would allow a citizen with religious objections to take the full examination rather than submit any documentation from a physician.
135	Rep. Wells	Refers to Section C of the bill. Asks if the amendment would allow the DMV to make a decision regarding the driving test.
144	Fitzwater	Responds that he expects people who did not have a doctor's certificate to take the driving test.
155	Rep. Kropf	Expresses concern about submitting a report from a physician. Suggests that a hearing test could be added to the mandatory vision test, and both would replace the doctor's report.

177	Rep. Taylor	Responds that the present law allows people who can not hear to obtain a license. Asks Fitzwater if all persons should be given the option of taking a driving test.
192	Fitzwater	Agrees with Rep. Taylor. Concedes also that the cost is being shifted from individuals to the state.
202	Rep. Walker	Opposes the suggestion that small, intermittent fees are insignificant to elderly people.
215	Kelly Taylor	Driver and Motor Vehicles Services Division, Oregon Department of Transportation (ODOT). Describes the current licensing and reporting requirements at the DMV. Explains HB 2445 and what it would require for older drivers and the DMV.
260	Taylor	Discusses a number of issues: the renewal cycle for licenses, ID cards and disabled parking permits, fees, the change in the evaluation of medical conditions, and statistics about older drivers. Adds that the bill will require 3.5 additional full-time employees (FTE) (EXHIBIT F).
313	Chair Montgomery	Asks how many drivers have been reported as incompetent by family members or others. Asks if, under a bill recently passed out of committee, a person who is 88 years old could renew a license for eight years without being re-tested.
328	Taylor	Responds that she does not have figures available to answer the first question and answers yes to the second.
332	Rep. Walker	Refers to EXHIBIT F , page 3. Observes that, according to this chart, people 25-54 years old are involved in the majority of accidents
340	Taylor	Responds yes.
344	Rep. Hill	Refers to the current statute addressing renewals. Asks if the DMV could adopt an administrative rule requiring people to re-establish their eligibility for driving privileges.
366	Taylor	Expresses uncertainty.
368	Rep. Hill	Reads the statute.
379	Taylor	Explains that this rule is based on actions, regardless of age.
388	Rep. Hill	Asks if the DMV uses objective criteria to enforce this rule.

390	Taylor	Replies that there is a formula.
400	Adkins	Asks Taylor if a person was re-tested would incur an additional charge.
410	Taylor	Answers no.
415	Rep. Hill	Asks if the FTE estimate is actual people or increased workload.
422	Taylor	Explains that the FTE would be actual people, probably located where there is a higher concentration of elderly people.
434	Adkins	Asks if there are any statistics per mile driven. Indicates that fewer miles per driven may account for the lower accident rate of older drivers.
TAPE 22, B		
025	Taylor	Explains that older drivers are under-represented in all categories of accidents.
027	Rep. Devlin	Asks if the statistics include driving under the influence.
036	Rep. Hill	Criticizes the chart, indicating that the percentages should be based on the percentage of driving, rather than total, population.
044	Taylor	Explains the correct way to read the chart.
054	Rep. Kropf	Refers to the columns for ages 16-17. Asks about their representation in accident statistics.
063	Taylor	Relates that of all drivers involved, this age group is involved in approximately 6% of accidents.
066	Rep. Kropf	Discusses the need for more statistics that are reflective of driving competency.
085	Taylor	Notes that the chart only takes crashes, not convictions, into account.
094	Chair Montgomery	Stresses the need to do something, especially in the context of HB 2193, which raises the renewal period from four to eight years
105	Rep. Taylor	Closes the public hearing on HB 2445. Adjourns meeting at 9:35 a.m.

Submitted By, Reviewed By,

Brad Daniels, Janet Adkins,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñLC 2206, staff, 3 pp.

B ñHB 2445, letter, Ruth Bendl, 1 p.

C ñHB 2445, fax, Shari Ridings-Oregon Alzheimerís Association, 1 p.

D ñHB 2445, testimony, Irene Hobson, 1 p.

E ñHB 2445, suggested amendment, Bruce Fitzwater, 1 p.

F ñHB 2445, testimony, Kelly Taylor, 3 pp.