

HOUSE COMMITTEE ON TRANSPORTATION

February 15, 1999 Hearing Room D

8:30 a.m. Tapes 24 - 25

MEMBERS PRESENT: Rep. Bob Montgomery, Chair

Rep. Mike Lehman, Vice-Chair

Rep. Richard Devlin

Rep. Jim Hill

Rep. Jeff Kropf

Rep. Jerry Krummel

Rep. Jane Lokan

Rep. Jackie Taylor

Rep. Vicki Walker

Rep. Larry Wells

STAFF PRESENT: Janet Adkins, Administrator

Brad Daniels, Administrative Support

MEASURE/ISSUES HEARD: HB 2191 Public Hearing and Work Session

HB 2491 Public Hearing

HB 2196 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 24, A		
004	Chair Montgomery	Opens meeting at 8:36 a.m. Opens the public hearing on HB 2191.

HB 2191 PUBLIC HEARING

011	Janet Adkins	Committee Administrator. Explains HB 2191, which establishes that persons endangered by unsafe operation of a vehicle are not entitled to personal information from motor vehicle records.
038	Bill Seely	Driver and Motor Vehicle Services Division (DMV), Oregon Department of Transportation. Supports HB 2191. Notes the difficulty of describing endangerment and the vagueness of this term. Explains that HB 2191 will allow government agencies to exchange information from DMV records (EXHIBIT A).
093	Rep. Kropf	Refers to the second paragraph of Seely's testimony (EXHIBIT A). Asks if "authorized" should be placed in front of "person" in the bill.
101	Seely	Replies that the inclusion of "authorized" would be superfluous in the context of HB 2191.
106	Rep. Walker	Asks how the proposed changes in the law will affect a person threatened or endangered through road rage.
112	Seely	Responds that road rage is usually an emotionally charged situation and often creates difficulties in identifying legitimate claims. Adds that no endangered person has ever asked for information in the past 18 months.
124	Rep. Walker	Asks if a person who was a victim of harassment on the freeway would be able to report an individual and license number to the police.
127	Seely	Replies that, though law enforcement agencies may not respond to a complaint, there are exemption categories in the bill.
142	Chair Montgomery	Closes the public hearing on HB 2191. Opens the work session on HB 2191.

HB 2191 WORK SESSION

145	Rep. Hill	MOTION: Moves HB 2191 to the floor with a DO PASS recommendation.
		VOTE: 10-0
146	Chair Montgomery	Hearing no objection, declares the motion CARRIED. REP. HILL will lead discussion on the floor.

<u>HB 2491 PUBLIC HEARING</u>		
152	Adkins	Explains HB 2491, which would double traffic fines in safety corridors.
191	Rep. Terry Thompson	District 4. Supports HB 2491. Discusses the origin of HB 2491. Explains that his district includes two of the most dangerous roads in the state. Describes the intention of the bill: to decrease speeding and increase safety.
218	Doug Tindall	Oregon Department of Transportation. Explains the need for additional signs and the effect of signs on the fiscal impact of HB 2491 (EXHIBIT B).
241	Chair Montgomery	Asks if state law requires that motorists are notified of increased traffic fines.
245	Tindall	Responds no.
247	Rep. Thompson	States that one or two corridors could be chosen as pilot projects to gage the bill's effectiveness.
258	Chair Montgomery	Asks how much money is raised annually in the corridors from tickets.
268	Rep. Hill	Asks if the current bail schedule is available.
275	Adkins	Explains that the bail schedule determines the fine.
280	Rep. Hill	Expresses concern about Section 2 (4). Underscores that some fines can be excessive and courts' power to waive or reduce fines should not be eliminated.
305	Rep. Thompson	Agrees with Rep. Hill.
311	Rep. Kropf	Asks why there is a discrepancy between the fiscal impact from the Legislative Fiscal Office and Tindall's statistics.
330	Tindall	Expresses uncertainty.
332	Rep. Walker	Opposes any failure to notify motorists of safety corridors and possible increases in fines.
343	Tindall	Cites the number of signs already on highways and some possible immunity to the signs.
352	Rep. Lokan	Inquires if there were no signs, how the public would be informed.

359	Tindall	Replies that there are currently signs on safety corridors.
368	Rep. Lokan	Expresses concern about Section 2 (4) and the denial of court flexibility.
379	Rep. Walker	Expresses concern about taking advantage of drivers from out of state.
395	Rep. Kropf	Mentions the presence of signs on the Highway 34 safety corridor. Supports a pilot project as long as appropriate signs exist. Acknowledges the effectiveness of increased fines as a deterrent to speeding.
TAPE 25, A		
022	Rep. Thompson	Stresses that the primary goal of HB 2491 is increased safety.
038	Bruce Hoffman	Oregon State Police. Supports HB 2491. Describes the history and identification of safety corridors. Emphasizes that increased safety, not the number of citations, is the essential concern (EXHIBIT C).
056	Chair Montgomery	Asks if safety and AIM (Accident Intensified MCSAP) corridors are the same.
060	Hoffman	Answers that AIM corridors have been designated as high truck crash areas.
062	Chair Montgomery	Asks if the bill applies to both corridors.
063	Hoffman	Indicates that ODOT interprets the bill to include the 12 safety corridors and the 12 AIM corridors.
068	Adkins	Asks about the length of some safety corridors.
072	Tindall	Answers that the longest is approximately 56 miles.
076	Rep. Walker	Asks if people are informed about the importance of having their lights on in safety corridors.
080	Tindall	Responds yes.
084	Rep. Lehman	Asks if Highway 38 is a safety corridor.
092	Hoffman	Responds that Highway 38 has not been officially designated a safety corridor.
097	Rep. Lehman	Reiterates his opinion that there is some signage on this highway.

100	Rep. Walker	Describes the signs, neither of which refer to a safety corridor.
104	Hoffman	Explains the current bail schedule and how much HB 2491 would increase fines.
117	Rep. Hill	Asks if the bail amounts also double.
120	Hoffman	Replies no.
126	Rep. Lehman	Asks about possible changes to HB 2491 that would eliminate signage concerns.
132	Rep. Thompson	Responds that a pilot project should be started to gage the bill's effectiveness.
141	Rep. Krummel	Asks if potential amendments to HB 2491 could include AIM corridors in the language of the bill and enable the additional fine money to be used to pay for the additional signs.
159	Tindall	Replies that fines usually go to the courts and mentions possible problems with accounting.
170	Brad Swank	State Court Administrator's Office. Refers to line 5 of HB 2491. Points to a possible due process conflict if people are treated differently in one part of the highway than others; taking this into account, signs may be required. Notes that nothing in the statutes describes who designates a safety corridor, which may also be a problem.
225	Swank	Discusses the bail and fine schedules, and how the revenue is allocated and spent.
245	Rep. Lehman	Refers to Section 2, line 6. Asks if identifying "ODOT" as the designating agency, would alleviate Swank's second concern. Refers to Section 2, line 10. Asks if his due process concern would be assuaged if additional language was included.
263	Swank	Responds yes. Refers to Senate Bill 20, which would simplify procedures for traffic infractions.
280	Adkins	Explains the difference between Legislative Fiscal's and ODOT's impact statements.
290	Rep. Krummel	Suggests that AIM corridors should be included in the language of the bill.
305	Chair Montgomery	Closes the public hearing on HB 2491. Opens the public hearing on HB 2196.
<u>HB 2196, PUBLIC HEARING</u>		

314	Adkins	Explains HB 2196, which, among other things, clarifies the reporting requirements for nervous disorders and suspends driving privileges for drug offenders who do not presently hold an Oregon driver's license.
341	Kelly Taylor	DMV. Supports HB 2196. Explains the four major changes enacted by the bill: <ul style="list-style-type: none"> • Suspends the driving privileges of a drug offender who does not currently possess an Oregon driver's license. • Closes a loophole by allowing ODOT to uphold suspensions based on convictions that do not involve a motor vehicle.
415	Taylor	<ul style="list-style-type: none"> • Penalizes the person who solicits another person to take a driving test for him /her. • Streamlines the two processes involved in the review of a driver's medical condition. (EXHIBIT D).
TAPE 24, B		
039	Grant Higginson	State Health Officer. Supports HB 2196. Explains the process of medical review. Notes that the second review by the State Health Office does not have any apparent value. Explains that the bill allows contract physicians to communicate directly with DMV (EXHIBIT E).
069	Rep. Devlin	Refers to Section 1 (2) and Section 4, page 2 of HB 2196. Asks why the terminology is inclusive (physicians, nurse practitioners, etc.) in Section 1 and exclusive (only physician) in Section 4.
080	Higginson	Replies that they normally contract with physicians.
087	Rep. Taylor	Asks how frequently physician notifications occur.
092	Higginson	Replies that there are about 100 cases per month.
102	Taylor	Introduces amendments that would allow an employer to be exempt from placing an ignition interlock device (IID) on a vehicle for the six months after suspension, but require an IID to be placed on an offender's vehicle regardless of whether or not s/he applies for driving privileges.
146	Brian DeLushmutt	Oregon Nurses Association. Suggests an amendment to Section 1 (4) changing language to "authorized provider" rather than "physician."
166	Rep. Krummel	Expresses concern about the terminology "any health care provider." Argues for consistency throughout the bill. Refers to Section 1 (2c). Asks about costs for examination and subsequent reports.
195	Taylor	Notes that no fee is currently charged.

197	Rep. Krummel	Asks if there can be an additional fee.
203	Taylor	Explains that DMV uses a standard form and currently charges no fee.
209	Rep. Hill	Asks if amendments have been printed.
215	Taylor	Replies no.
217	Chair Montgomery	Closes public hearing on HB 2196. Adjourns meeting at 9:45 a.m.

Submitted By, Reviewed By,

Brad Daniels, Janet Adkins,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñHB 2191, testimony, Bill Seely, 1p.

B ñHB 2491, testimony, Doug Tindall, 1p.

C ñHB 2491, testimony, Bruce Hoffman, 2 pp.

D ñHB 2196, testimony, Kelly Taylor, 2 pp.

E ñHB 2196, testimony, Grant Higginson, 2 pp.