

HOUSE COMMITTEE ON TRANSPORTATION

March 24, 1999 Hearing Room D

8:00 a.m. Tapes 55 - 56

MEMBERS PRESENT: Rep. Bob Montgomery, Chair

Rep. Mike Lehman, Vice-Chair

Rep. Richard Devlin

Rep. Jeff Kropf

Rep. Jerry Krummel

Rep. Jane Lokan

Rep. Jackie Taylor

Rep. Vicki Walker

Rep. Larry Wells

MEMBER EXCUSED: Rep. Jim Hill

STAFF PRESENT: Janet Adkins, Administrator

Brad Daniels, Administrative Support

MEASURE/ISSUES HEARD: HB 2200 Work Session

HB 2198 Work Session

HB 2003 Work Session

HB 2692 Work Session

HB 2446 Public Hearing and Work Session

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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TAPE/#	Speaker	Comments
TAPE 55, A		
004	Chair Montgomery	Opens the meeting at 8:05 a.m. Opens the work session on HB 2200.
<u>HB 2200 WORK SESSION</u>		
009	Chair Montgomery	Closes the work session on HB 2200. Opens the work session on HB 2198.
<u>HB 2198 WORK SESSION</u>		
014	Adkins	Explains HB 2198, which allows the Oregon Department of Transportation (ODOT) to recover clean-up and traffic control costs resulting from accidents. Introduces and explains the ñ2 amendments, which restrict the type of accidents that will be eligible for recovery (EXHIBIT A).
033	Doug Tindall	Maintenance Engineer, ODOT. Acknowledges the involvement of cities and counties and the insurance industry to clarify the intent of HB 2198.
040	Bill Penhollow	Association of Oregon Counties. Expresses preference for the original form of HB 2198, but supports the ñ2 amendments with one condition: the amendments do not limit the cities' and counties' statutory or constitutional authority to take action with regard to roadway spills. Notes the types of authority allocated to cities and counties.
059	Rep. Lehman	Asks if the limitations of the ñ2 amendments relate to the spilled contents of a fuel tank.
062	Tindall	Outlines the problem that the bill is intended to correct, the inability to recover for spilled cargo that does not damage the highway.
074	Rep. Taylor	Asks if HB 2198 will apply to certain situations.
075	Tindall	Replies yes.
077	Rep. Wells	Asks about the restrictions of ORS 810.030 cited in the ñ2 amendments.
081	Tindall	Describes ORS 810.030, which establishes ODOT's authority to regulate the size, weight and other features of vehicles.
084	Rep. Wells	Asks if ODOT would have the authority to collect costs when a violation of these restrictions occurs.

087	Tindall	Replies yes. Describes a situation where this authority would apply.
095	Rep. Walker	Asks if HB 2198 would apply to regular motorists.
099	Tindall	Replies that ODOT's concern is centered on the time spent to clean up spilled cargo. Concedes that a passenger car would apply, but it is unlikely that ODOT would pursue cost recovery in a situation involving a passenger car.
107	Rep. Walker	Asks if the insurance carriers would pay any costs.
110	Tindall	Replies yes.
114	Chair Montgomery	Asks about the word "actual" in line 5 of the ñ2 amendments.
116	Tindall	Expresses uncertainty. Discusses the current billing process.
136	Rep. Wells	Asks if the ñ2 amendments would make the ñ1 amendments unnecessary.
142	Adkins	Notes that the ñ2 amendments would eliminate the necessity for the ñ1 amendments.
155	Rep. Lehman	MOTION: Moves to ADOPT HB 2198-2 amendments dated 03/9/99.
		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 ñ Hill, Kropf
	Chair Montgomery	The motion CARRIES.
167	Rep. Lehman	MOTION: Moves HB 2198 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 8-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Hill, Kropf

	Chair Montgomery	<p>The motion CARRIES.</p> <p>Rep. LEHMAN will lead discussion on the floor.</p>
169	Chair Montgomery	Opens the work session on HB 2003.
<u>HB 2003 WORK SESSION</u>		
173	Adkins	Explains HB 2003, which would require the DMV to mark drivers licenses with a red stripe after an individual's driving privileges are re-instated after a DUII. Introduces and explains the 2 amendments (EXHIBIT B).
205	Chair Montgomery	Notes that the use of "may" in the bill is ineffective.
209	Rep. Lehman	Expresses preference for tougher language. Notes that the problem is either important enough to correct forcefully or the bill is unnecessary.
222	Rep. Wells	Notes that the bill only addresses part of the problem, and does not address the problem of people who drink in private homes. Opposes HB 2003.
240	Rep. Walker	Opposes HB 2003. Expresses understanding of the problem and the intent of the bill, but views the solution as arbitrary and insufficient.
249	Chair Montgomery	Closes the work session on HB 2003. Opens the work session on HB 2692.
<u>HB 2692 WORK SESSION</u>		
255	Adkins	Explains HB 2692, which would require ODOT to conduct a feasibility study of extending I-82 to the California border.
278	Rep. Krummel	Notes that the port of entry at Umatilla sees 480,000 trucks a year. Underlines the unemployment in Eastern Oregon and the number of counties with high unemployment rates that would be affected by the corridor.
299	Rep. Krummel	MOTION: Moves HB 2692 to the floor with a DO PASS recommendation and BE REFERRED to the committee on Ways and Means by prior reference.

303	Rep. Devlin	Supports HB 2692, but notes that federal funds will be necessary for a project of this magnitude.
313	Rep. Lehman	Supports HB 2692. Notes that the highest unemployment in the state is in Coos, Curry and Douglas counties.
324	Rep. Wells	Comments that he asked the Deputy Director of the U.S. Department of Transportation if it would be possible to expand the current highway system. Indicates that she responded by underscoring the obstacles to expanding the federal highway system.
360	Rep. Taylor	Opposes HB 2692 as inconsistent with previous testimony about ODOT's financial situation..
365		VOTE: 7-1 AYE: 7 - Devlin, Krummel, Lehman, Lokan, Walker, Wells, Montgomery NAY: 1 - Taylor EXCUSED: 2 - Hill, Kropf
	Chair Montgomery	The motion CARRIES.
370	Chair Montgomery	Opens the public hearing on HB 2446
<u>HB 2446 PUBLIC HEARING</u>		
375	Adkins	Explains HB 2446. Introduces and explains the ñ1 amendments, which would replace the original bill and direct ODOT to conduct a study of the effects of aging on driving ability (EXHIBIT C).
008	Irene Hobson	American Association of Retired Persons. Opposes HB 2446. Opposes any age-biased legislation. Reviews her opposition to specific sections of the bill that focus on "aging," "older" drivers and physical degeneration (EXHIBIT D).
056	Chair Montgomery	Notes that HB 2193 passed the Senate and will extend the driving renewal cycle to eight years.
065	Rep. Wells	Notes that the HB 2193 will only eliminate the four-year mail requirement; drivers are only required to come in every eight years, which will not change.

074	Chair Montgomery	Asks about the intent of "age" and who would conduct the study.
079	Kelly Taylor	DMV. Replies that the purpose of the study is to determine at what time additional checkpoints are necessary in the licensing procedure. Stresses that changes would be supported by data. Explains how the study may be conducted.
098	Chair Montgomery	Asks if the study could be done without additional employees or cost.
100	Taylor	Replies yes.
102	Chair Montgomery	Explains why he continues to pursue the issue.
106	Rep. Wells	Supports HB 2446 as amended.
115	Rep. Walker	Supports HB 2446 as amended and the study approach. Asks about the wording "because of age."
129	Rep. Lokan	Asks about the timing of the study.
139	Taylor	Answers that a study would be conducted and hopefully completed by next summer. Notes that some rule changes can be implemented based on the study results. States that the DMV would then be ready to report to the next legislature early in the session.
169	Rep. Krummel	Indicates that the elimination of "because of age" may dilute the purpose of the study, which is to determine the effects of age. Suggests that "older" should be eliminated from line 6 of the ñ1 amendments.
193	Chair Montgomery	Closes the public hearing on HB 2446. Opens the work session on HB 2446
<u>HB 2446 WORK SESSION</u>		
203	Chair Montgomery	MOTION: Moves to ADOPT HB 2446-1 amendments dated 03/22/99 and that the amendments be FURTHER AMENDED on page 1, line 6, by deleting "older".
		VOTE: 9-0 EXCUSED: 1 - Hill
Chair Montgomery		Hearing no objection, declares the motion CARRIED.

207	Chair Montgomery	MOTION: Moves HB 2446 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 9-0 EXCUSED: 1 - Hill
	Chair Montgomery	Hearing no objection, declares the motion CARRIED. CHAIR MONTGOMERY will lead discussion on the floor.
213	Chair Montgomery	Closes the work session on HB 2446. Opens the work session on HB 2200.
<u>HB 2200 WORK SESSION</u>		
217	Adkins	Explains HB 2200, which would increase the caps on Sno-Park fees. Introduces and explains the ñ2 amendments (EXHIBIT E).
248	Rep. Kropf	Discusses the financial situation of the Sno-Park Fund and the compromise represented by the ñ2 amendments. Notes the increasing demand for Sno-Park services and the possible effects of the fundís insolvency (EXHIBIT F).
303	Rep. Kropf	Indicates that the Sno-Park program is partially privatized.
315	Rep. Wells	Asks about the purpose of HB 5054, included in EXHIBIT F .
320	Adkins	Replies that HB 5054 is part of the budget bill for ODOT and shows that the permit fees are in the budget bill passed by the legislature.
329	Rep. Wells	Asks if HB 5054 shows what is currently being charged.
332	Rep. Kropf	Replies yes. Lists the increases in fees. Explains the logic behind the parking fine amount. Notes that they discussed having larger vehicles pay a higher permit fee.
362	Rep. Lehman	MOTION: Moves to ADOPT HB 2200-2 amendments dated 03/19/99.

370	Rep. Krummel	Acknowledges the effort that produced the compromise on the bill, but notes that the fee increase is fairly substantial.
383	Rep. Kropf	States that the ñ2 amendments outline caps on fees and not the actual fees themselves. Lists what the fees will be. Notes that the fees will give the program just enough money to cover a heavy snow year.
003	Rep. Lokan	Notes that letters from the Oregon Snowmobile Association and the Oregon Snowsport Industries Association support the increase. Supports HB 2200 (EXHIBITS G & H).
013	Rep. Wells	Explains that his concern was to limit the increase in the one-day permit. Supports HB 2200
022		VOTE: 9-0 EXCUSED: 1 - Hill
	Chair Montgomery	Hearing no objection, declares the motion CARRIED.
024	Rep. Lehman	MOTION: Moves HB 2200 to the floor with a DO PASS AS AMENDED recommendation.
028	Rep. Lokan	Asks about the process of fine collection and the involvement of the U.S. Forest Service.
031	Tindall	Expresses uncertainty.
036	Adkins	Notes that the confusion may be due to the separate trail passes.
043		VOTE: 9-0 EXCUSED: 1 - Hill
	Chair Montgomery	Hearing no objection, declares the motion CARRIED. REP. LEHMAN will lead discussion on the floor.

051	Adkins	Introduces a letter from the Oregon Liquor Control Commission concerning HB 2003 (EXHIBIT I).
065	Chair Montgomery	Adjourns the meeting at 9:05 a.m.

Submitted By, Reviewed By,

Brad Daniels, Janet Adkins,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñHB 2198, -2 amendments, staff, 1 p.

B ñHB 2003, -2 amendments, staff, 1 p.

C ñHB 2446, -1 amendments, staff, 2 pp.

D ñHB 2446, written testimony, Irene Hobson, 2 pp.

E ñHB 2200, -2 amendments, staff, 1 p.

F ñHB 2200, Sno Park information, Rep. Kropf, 3 pp.

G ñHB 2200, letter, Roger Schmidt, 1 p.

H ñHB 2200, letter, Jon Tullis, 1 p.

I ñHB 2003, letter, OLCC, 1 p.