

HOUSE COMMITTEE ON TRANSPORTATION

March 05, 1999 Hearing Room D

8:30 a.m. Tapes 37 - 38

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 2200 Work Session

HB 2335 Work Session

**Informational meeting: Transportation Revenue and Cost Allocation
overview**

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 37, A

004

Chair Montgomery

Opens the meeting at 8:34. Opens the work session on HB 2200.

HB 2200 WORK SESSION

010

Janet Adkins

Committee Administrator. Explains HB 2200, which establishes parking permit fees and parking fines for Sno-Parks. Describes the issues raised during the previous hearing. Introduces and explains the 11 amendments. Reviews the current and suggested cap structure. Lists the current fines for parking violations in Sno-Parks and the bill's effect on these fines.

051

Rep. Wells

Asks what the level of fine would be for a parking ticket.

053

Adkins

Replies that the uniform bail schedule for a Class D parking violation is \$30.

057

Rep. Kropf

States that the Sno-Park program usually spends about \$1 million. Indicates that the proposed increase in the original bill is about \$750,000. Discusses reasons for reductions and lack of reserves in the Sno-Park fund. Notes the need for additional revenue. Opposes the current, determined-by-rule increase in HB 2200.

107

Rep. Kropf

Introduces and explains the number and types of Sno-Park permits that are sold (**EXHIBIT A**). Proposes caps that would bring in about \$1.25 million or \$100,000 more than expected expenditures to keep the program solvent. Suggests fee increases to \$15, \$5 and \$4 for the seasonal, three-day and one-day permits respectively.

142

Rep. Taylor

Asks Rep. Kropf if the difference between the one and three-day permit would only be one dollar.

145

Rep. Kropf

Replies that very few three-day permits are sold compared to a large number of one-day permits.

154

Rep. Taylor

Asks if, considering the minimal difference, people would buy the three-day permit instead.

156

Rep. Kropf

Replies that people may buy three-day permits instead. Stresses that his plan is a political compromise, a way to increase revenue to the Sno-Park fund without risking failure of the bill on the floor.

167

Rep. Lehman

Asks if the large ski areas are opting out of the Sno-Park program.

174

Doug Tindall

Maintenance Engineer, Oregon Department of Transportation (ODOT). Replies that Mt. Bachelor is the only large ski area that is not currently part of the Sno-

		Park program.
176	Rep. Lehman	Asks if, in the absence of the Sno-Park program, the other ski areas would find some way to incur the cost themselves.
178	Tindall	Replies yes.
180	Rep. Lehman	Suggests that it would be a good program to privatize.
187	Rep. Wells	Expresses his concern that the ski resorts subsidize all the other areas and activities. Asks if snowmobile owners are paying their fair share of the cost.
196	Tindall	Explains that the Sno-Park program is in place for all people.
205	Rep. Wells	Repeats his question about snowmobile owners paying their fair share.
211	Tindall	Responds that more revenue is collected from downhill ski areas than the other parks. Notes that other people, besides snowmobile owners, are benefiting from the revenue generated in the ski areas.
224	Rep. Walker	States that her son, who is a ski instructor, does not oppose the increase in the permit price, but opposes the increased parking fine because these revenues do not get returned to the Sno-Park fund.
240	Chair Montgomery	Asks for Tindall's opinion of the ñ1 amendments.
242	Tindall	Indicates that he would suggest \$15, \$7 and \$5 fees for seasonal, three-day and one-day permits respectively. Explains that, minus DMV costs, the net revenue from these fees would be about \$1.2 million.
268	Rep. Lokan	Asks Rep. Kropf if members of the Snowmobile Association were part of the discussion and if they are aware of the ñ1 amendments.
274	Rep. Kropf	Replies no because the amendments do not seek additional money above ODOT's proposal. Expresses confusion about Tindall's numbers.
290	Tindall	Replies that the total revenue would be about \$1.2 million
296	Rep. Kropf	Asks what the administration costs are.
300	Tindall	Lists the various costs of administering the program.

305	Rep. Kropf	Indicates that he was unaware of the additional costs. Suggests that the bill be tabled for the moment.
317	Rep. Walker	Refers to the hand-engrossed version of the bill (EXHIBIT B). Expresses approval of restoring the quarterly meeting requirement for the Winter Recreation Advisory Committee (WRAC).
341	Rep. Lokan	Notes that the Snowmobile Association also approves of the quarterly meeting requirement.
346	Chair Montgomery	Asks if all members of the WRAC attend their meetings.
349	Tindall	Replies that the meetings are regularly attended, but adds that one meeting is usually a cursory phone meeting.
359	Chair Montgomery	Asks if a quorum is present at every WRAC meeting.
360	Tindall	Replies yes.
363	Rep. Devlin	Indicates that it would be beneficial to rework the numbers. Indicates that there may be trouble trying to pass the bill on the floor with the proposed fee increases.
390	Tindall	Explains that the ñ1 amendments impose caps and are not the fees that ODOT would charge.
397	Rep. Taylor	Expresses concern about the necessity of a reserve fund to deal with unusual weather.
411	Rep. Lokan	Asks that Snowmobile Association be included in the discussion.
418	Adkins	Adds that a representative of the Snowmobile Association indicated agreement with the ñ1 amendments. Notes that the committee could impose a maximum fine for parking violations (rather than leaving it to be determined by the uniform bail schedule) in order to address possible problems on the floor.
450	Chair Montgomery	Closes the work session on HB 2200. Opens the work session on HB 2335.
TAPE 38, A		
<u>HB 2335 PUBLIC HEARING</u>		
030	Adkins	Introduces and explains the ñ3, -4, and ñ5 amendments:

		<ul style="list-style-type: none"> -4 amendments define school zones, clarify the use of flashing lights, and include children who are in unfenced areas adjacent to the highway in the meaning of "when children are present."
085	Chair Montgomery	Asks if the ñ4 amendments intend to fix an existing problem or represent a subjective preference.
088	Adkins	Responds that there was a problem with the vagueness of the prior language.
095	Rep. Lehman	Asks what the current choices are.
100	Adkins	Reviews the available amendments. Explains the ñ3 amendments, which would impose different requirements for school zones on state highways with a speed limit of 45 miles per hour or more, including flashing lights, sign and time-of-day requirements.
123	Chair Montgomery	Asks about the cost of signs.
137	Rep. Taylor	Indicates that the number of schools on 45 mile per hour roads is minimal.
143	Tindall	States that the cost of signs will not be large.
148	Rep. Wells	Supports the ñ3 amendments as providing more specific guidelines for motorists. Cites the description on page 4 of the ñ3 amendments. Cites page 5 of the ñ3 amendments. Asks about the function of the sign with days and hours.
174	Adkins	Explains that the ñ3 amendments retain the unamended definition of "when children are present," for which other groups have suggested changes.
198	Helen Liere	Director, Alliance for Community Traffic Safety. Discusses the problems with establishing a specific hour requirement, including vacations, holidays and variation between jurisdictions.
222	Rep. Lehman	Asks if enforcement should occur only within school hours or at all times.
230	Rep. Walker	Notes the problems with imposing a specific hour requirement. Asks if children can activate the flashing lights.
239	Tindall	Replies that the school district determines when the lights are engaged.
245	Rep. Walker	Notes that the flashing light requirement would create confusion.
254	Rep. Wells	Observes that the specific time requirement only relates to roads with a limit

		above 45 miles per hour. Stresses the necessity of having definite signs.
271	Liere	States that the main difficulty will occur if children are present outside of the posted hours.
278	Tindall	Reports that there are about 40 schools on state highways with a speed limit above 45 miles per hour.
286	Rep. Devlin	Expresses concern about the ñ3 amendments and the problems with specific time and sign requirements. Notes the importance of taking the age and judgement of children into consideration. Supports only the ñ4 amendments
322	Rep. Lehman	MOTION: Moves to ADOPT HB 2335-4 amendments dated 03/04/99.
342	Rep. Lehman	Withdraws the motion to adopt the ñ4 amendments.
348	Rep. Hill	Explains the ñ5 amendments.
360	Rep. Krummel	Asks if two or more of the amendments could be approved together.
377	Adkins	Explains that adopting the ñ3 and ñ4 amendments would require deciding which definition of "when children are present" would apply.
384	Rep. Lehman	Indicates that the goal is trying to slow people down if children are close to the street. Supports the ñ4 amendments.
403	Chair Montgomery	Underlines the presence of schools next to main highways.
430	Adkins	Asks if the committee would prefer the ñ4 definition of when children are present.
TAPE 37, B		
026	Rep. Roger Beyer	District 28. Supports the ñ3 amendments.
038	Rep. Wells	Supports the ñ3 amendments as addressing the issue of schools next to highways. Reviews the struggle over HB 2335's language and the objections to ñ3 amendments.
060	Rep. Beyer	Cites section 4 of the ñ3 amendments. Explains that it is his intent to impose the school zone speed limit when lights are flashing or during certain hours. Stresses motorists' inability to determine when to slow down and how the ñ3

		amendments would address this problem.
092	Adkins	Notes that the change in the definition of "when children are present" in the ñ3 amendments is from the original bill and is not necessarily Rep. Beyer's proposal.
100	Rep. Devlin	Asks what the reaction would be if the school zone was effective at all times rather than at specific hours.
120	Rep. Beyer	Explains that there would be vigorous opposition to this proposal.
132	Chair Montgomery	Closes the work session on HB 2335.
140	Adkins	Explains the purpose and the history of cost allocation studies for the Oregon highway system.
172	Dick Yates	Legislative Revenue Office. States that Oregon funds highways through fees on users. Provides an overview of the principles and complicating factors behind cost responsibility: users' responsibility, crowding and system expansion (EXHIBIT C).
239	Yates	Lists some factors that may affect the definition of "cost" and system expansion. Discusses the relationship between cost allocation and data, planned expenditures and engineering judgements. Reviews traffic data on the number of vehicle miles traveled by type of vehicle.
298	Rep. Hill	Asks what an 8,000 pound vehicle would look like.
304	Yates	Replies a small flatbed or RV might meet this requirement. Describes the types of trucks travelling on the road, the amount of miles they travel and the dominance of 78,000-80,000 pound trucks. Discusses the most common number of axles for each classification.
360	Rep. Walker	Asks if the number of axles increases by the weight of the truck.
361	Yates	Replies not necessarily, but there are limits on how much weight can be put on an axle.
372	Rep. Wells	Asks how the charts relate to each other.
387	Yates	Explains how the various charts relate to each other (EXHIBIT C).
410	Yates	Discusses the elements that determine engineering data and judgements: vehicle miles traveled (VMT), axle miles of travel (AMT), passenger car equivalent

		(PCE), and equivalent single axle load (ESAL).
TAPE 38, B		
043	Yates	Further explains the ESAL factors and how they affect cost. Notes the direct relationship between increased axle loads and increased damage. Explains the heavy vehicle share of the cost allocators (VMT, AMT, PCE and ESAL).
094	Rep. Lehman	Asks if the rural/urban distinction applies to I-5.
101	Yates	Replies that it does. Explains ODOT's computation of the amount of costs all vehicles should share. Explains the cost allocation structure that would apply for passenger vehicles and heavy vehicles.
149	Rep. Wells	Asks about the factor of weather in the thickness of pavement.
153	Yates	Replies that, if weather was weighted, a larger portion of the costs would be shared by all users.
160	Rep. Wells	Notes that in his comparison with other states, weather was factored in the thickness of the pavement.
163	Yates	Discusses the current system of taxes and fees for vehicles. Adds that the total tax depends on vehicle weight, miles driven and the number of axles for larger vehicles. Relates some examples of how the taxes would be imposed on particular vehicles. Notes that increased driving lowers the cost per mile because registration fees are allocated over more miles.
224	Yates	Explains how the weight-mile tax benefits vehicles with more axles. Reviews the distribution of various taxes and fees among the total road funds. Explains the tax rates for different groups of heavy vehicles.
268	Rep. Walker	Asks if registration fees are charged yearly.
270	Yates	Replies yes. Notes that the goal of the tax structure is to equate revenues and costs. Further describes the examples of heavy vehicle tax rates. Reviews the components of taxation: registration fees, fuel tax and weight-mile tax.
350	Chair Montgomery	Adjourns the meeting at 10:20 a.m.

Submitted By, Reviewed By,

Brad Daniels, Janet Adkins,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñHB 2200, background information, Rep. Kropf, 2 pp.

B ñHB 2200, hand-engrossed version, staff, 2 pp.

C ñWritten testimony, Dick Yates, 14 pp.