

## HOUSE COMMITTEE ON TRANSPORTATION

April 07, 1999 Hearing Room D

8:00 a.m. Tapes 64 - 65

**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 2440 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 64, A		

004	Rep. Taylor	Opens the meeting at 8:05 a.m. Opens the public hearing on HB 2440.
<b><u>HB 2440 PUBLIC HEARING</u></b>		
007	Janet Adkins	Committee Administrator. Explains HB 2440, which would place requirements and restrictions on teenagers who obtain, or would like to obtain, driver's licenses. Notes the recent passage of SB 487, which requires teens to maintain school attendance or other proof of educational improvement in order to keep their driver's license.
053	Chair Montgomery	District 56. Indicates that he cooperated with Senator Trow on HB 2440. States that SB 487 is a separate issue. Lists statistics that underline the dangers of teenage driving. Notes that graduated driver's licenses (GDL) are one solution to the problem.
085	Senator Cliff Trow	District 18. Supports HB 2440. Indicates that the present bill may not be in final form. Stresses that the problem of young drivers needs to be looked at carefully. Adds that it is not their intention to meld this bill with SB 487.
105	Rep. Randall Edwards	District 15. Supports HB 2440. Expresses his interest in taking action concerning provisional driver's licenses. Emphasizes that making teenagers demonstrate their driving ability is a public safety issue. Reviews statistics concerning teen drivers and reasons for the high incidence of accidents among this age group. Recommends consideration of an extra seatbelt requirement in the bill. Reports that GDL programs, specifically time restrictions, did decrease driving fatalities in Florida and New Zealand.
150	Rep. Edwards	Suggests strengthening the bill by changing the time restrictions from 12 a.m.-5 a.m. to 11 p.m.-5 a.m., imposing further restrictions on teenagers who are involved in an accident and adding a seatbelt requirement.
180	Rep. Hill	Cites Section 5 of HB 2440. Asks if this section repeats SB 487.
186	Sen. Trow	Replies that Section 5 was included, but they have decided not to push this aspect of the bill. States that it would be subject to change.
189	Chair Montgomery	Adds that he would support removing this section.
195	Rep. Hill	Asks where the responsibility of the parents fits in with the responsibilities of the state and police imposed by HB 2440. Refers to the current statutory ability of parents to withdraw their children's driver's licenses.
221	Sen. Trow	Replies that, though the parents are not currently considered, he would support including parents as long as the changes do not water down the bill.

234	Rep. Edwards	Acknowledges the importance of parental involvement. Reiterates that the provisions of HB 2440 are in the state's interest because young people are currently dying.
253	Chair Montgomery	Comments that parents are already involved through the power they have over insurance.
263	Rep. Kropf	Asks how the time change from midnight to 11 p.m. would affect young people with jobs.
272	Rep. Edwards	Replies that the bill already exempts young people who are driving during the restricted hours for employment reasons.
276	Rep. Kropf	Asks if Rep. Edwards's suggestion concerning prior accidents would include those that are not necessarily chargeable to the young driver.
281	Rep. Edwards	Replies yes. Outlines what further restrictions would exist.
299	Rep. Floyd Prozanski	District 40. Supports HB 2440. Expresses caution concerning the license suspension for individuals who are not attending school. Expresses concern about young people who are working and providing for a family and the effects on their right to drive.
337	Chair Montgomery	Explains that the intent is to follow the curfew, but that exceptions will exist.
350	Rep. Kropf	Asks about the driver's training program requirement and the current resources of these programs.
370	Chair Montgomery	Replies that if a parent or child can pay for gas, then they can pay for a driver's training program.
378	Rep. Walker	Observes that a driver's training program is expensive, but important. Asks if the surcharge could be added to the license in order to subsidize these programs.
412	Chair Montgomery	Replies that driving is a privilege not a right. Opposes adding more money in the budget to subsidize the training programs.
424	Rep. Walker	Expresses concern about the three-month graduated period and enforcement. Asks if the sponsors of the bill are married to the three-month provision.
<b>TAPE 65, A</b>		
013	Chair Montgomery	Responds that he is open to all changes that can improve the bill.

017	Rep. Walker	Notes that people who are sixteen can obtain a driver's license without ever having a learner's permit. Suggests that HB 2440 should require an applicant to have had a learner's permit for a year before getting a driver's license.
024	Chair Montgomery	Agrees with Rep. Walker
028	Rep. Wells	Asks if he can assume that all the school requirements in HB 2440 have essentially been eliminated.
029	Chair Montgomery	Replies yes.
030	Rep. Wells	Cites the number of different restrictions and possible problems with enforcement. Asks if the driving age simply needs to be raised.
037	Chair Montgomery	Opposes raising the driving age past sixteen. Adds that the majority of sixteen-year olds are competent drivers.
042	Rep. Edwards	Adds that they are targeting inexperienced drivers, and raising the age does not eliminate the inexperience factor.
048	Rep. Wells	Comments that the difficulty of enforcing the restrictions may justify raising the driving age.
054	Rep. Lokan	Supports GDL programs. Asks if there is an exception concerning children driving to school.
067	Chair Montgomery	Replies that it is the intent of bill to allow children to drive themselves and siblings to school, but it is not intended to allow them to pick up a number of other kids.
070	Adkins	States that the current exception concerning school activities applies only during the restricted hours.
080	Joyce Krull	Citizen, Portland. Relates how her 19-year old son was killed in a one-car accident involving a younger driver. Stresses that a GDL program may have prevented this accident. Urges passage of HB 2440 ( <b>EXHIBIT A</b> ).
140	Jody Fisher	Oregon State Ambulance Association. Supports HB 2440. Points to the unanimous support for a GDL program in her organization.
147	Shawn Baird	Owner, Woodburn Ambulance Service. Discusses recent examples of tragic accidents involving teenage drivers ( <b>EXHIBIT B</b> ).
173	Fisher	States that laws help by supporting her ability to enforce restrictions on her

		family as a parent.
187	Rep. Hill	Asks Fisher if her son has a curfew.
191	Fisher	Replies that she does not allow her son to stay out past midnight. Acknowledges the exceptions in the bill for employment or school-related activities.
198	Rep. Wells	Asks how HB 2440 relates to California's GDL program.
199	Baird	Replies that HB 2440 is very similar to California law. Indicates that the actual time restrictions are slightly different, but the levels of graduation are very similar.
211	Rep. Wells	Asks if it is a mistake to allow 15-17 year old children to drive.
216	Baird	Replies no. Explains that many children are already responsible, but other children need a grace period in which to build their ability and responsibility. Adds that parents are not always aware of their kids' dangerous driving.
235	Chair Montgomery	Reports that they all but copied California's law.
241	Fisher	Expresses concern about the cost of driver's education and the possible rise in cost once it becomes mandatory.
255	Rep. Wells	Comments that using classroom simulators (much like airlines use to train pilots) may cut the cost of driver's education.
265	Rep. Hill	Notes that children in Europe need to be 18 before they are eligible for a driver's license.
268	Fisher	Replies that European countries also have better public transportation.
271	Rep. Walker	Asks about the white crosses on the sides of country roads.
280	Baird	Replies that most accidents involving young people occur between 9 p.m. and midnight.
310	Renee Christenson	Supports HB 2440. Displays pictures of her son and other children killed in accidents involving younger drivers. Supports a six-month restriction on carrying passengers. States that driving other children to school is not a child's responsibility. Acknowledges the importance of driver's training.

384	Christenson	Describes how her son and her husband's son were killed in an accident.
<b>TAPE 64, B</b>		
005	Christenson	Discusses the pain of losing a child and its effect on her entire family. Emphasizes the need for increased training and laws for protection and prevention not punishment.
046	Ashley Graves	Describes the effect of her brother's death on her life and her family.
062	Susan Moore	Supports HB 2440. Describes how her son was killed in an accident involving a sixteen-year-old driver. Underscores that a GDL program could have prevented this accident.
101	Christenson	Reads an autobiographical sketch of Moore's son, Justin.
126	Moore	Urges passage of HB 2440 to prevent further tragedies.
132	Janet Gambee	Supports HB 2440 as a way to increase respect on the part of kids and parents for cars and driving. States that children are different than they were 20 years ago. Notes that her 17 year-old son is opposed to the bill on the basis of rights. Relates an anecdote about an accident involving her son ( <b>EXHIBIT C</b> ).
175	Gambee	Relates an anecdote about her enforcement of family rules concerning young drivers. Notes that there is nothing sacred about sixteen, and laws can change. Opines that drivers education rates may go down. Stresses that the problem of young driving needs to be prioritized.
225	Gambee	Observes that a car is a mobile manifestation of independence for teenagers.
235	Rep. Wells	Asks if the driving age should be raised.
243	Gambee	Replies that it should be looked at.
250	Rep. Wells	Cites recent conclusions that driver's education can actually increase the risk of accidents due to the instillation of a false overconfidence in teens.
261	Gambee	Replies that maturity and power are the issues involved.
272	Moore	States that she drove with her son and currently drives with her son's friends. Stresses that young drivers need the experience of driving with adults.
310	Christenson	Questions if she should be teaching her kids to drive given that she learned to

		drive in Los Angeles in the absence of ice, gravel, etc.
332	Rep. Kropf	Comments that Moore's tragedy and the death of his cousin's son may have been prevented by HB 2440. Discusses his personal experience with driving farm equipment and driver's training. Stresses that providing more training and more opportunities to help parents is essential. Supports HB 2440.
385	Moore	States that the monetary cost of driver's education is insignificant compared to the cost of funerals, therapy and the emotional cost of losing a child.
398	Rep. Walker	Asks if they are in favor of increasing license fees to subsidize driver's education courses in public schools.
422	Christenson	Replies yes.
<b>TAPE 65, B</b>		
002	Frank West	Driver's education teacher. Explains that driver's education does make a difference. Notes the two unique factors affecting younger drivers: inexperience and overconfidence. Supports HB 2440. States that his district offers driver's education courses for \$40.
028	Rep. Walker	Asks if they charge the students a tuition fee. Asks if the district pays additional funds. Asks about the state's contribution.
030	West	Replies that the charge to students is \$40 and the district pays around \$100-\$125. Adds that the state's contribution varies.
040	Rep. Krummel	Asks if they use simulators.
041	West	Replies no.
043	Rep. Krummel	Asks where they get their cars for driver's education.
044	West	Answers that their district has their own cars.
046	Rep. Krummel	Asks if the school district actually purchases and outfits the cars.
050	West	Answers yes.
053	Chair Montgomery	Inquires about state funding. Indicates that overconfidence is the primary problem.

065	Tim Duerfeldt	Former President, State Driver's Education Association. Supports HB 2440. Discusses the importance of an integrated program that includes parents and other adults. Disagrees with eliminating the educational standards. Reads letters from teenagers in support and opposition to HB 2440.
112	Rep. Wells	Asks how the education requirement can be effective when kids are only required to stay in school until they are sixteen.
117	Duerfeldt	Replies that kids can not leave school without parental agreement. Stresses that the state is responsible for education until the age of 21.
130	Cathy Bowles	Executive Director, Parent Line, Inc. Supports HB 2440. Notes that parents can implement their own version of a GDL program, but parent pressure, the companion to peer pressure, can be an obstacle. Reviews statistics that underline the problem with teen driving ( <b>EXHIBIT D</b> ).
185	Bowles	Compares driving to playing a sport, an activity that needs practice. Stresses that HB 2440 is a preventative measure. Recommends that siblings or other passengers should not be transported for six months. Questions licensing children for convenience only. Emphasizes providing time for teens to develop skill and maturity.
235	Lisa Millet	Manager, Child Fatality and Injury Prevention, Oregon Health Division. Supports HB 2440. Discusses the focus of injury prevention, the history of provisional licensing in Oregon, and the parent education that occurred as a result of that law ( <b>EXHIBIT E</b> ).
290	Millet	Lists statistics that underscore the effectiveness of GDL programs. Lists crash statistics concerning younger drivers. Reviews the common causes of crashes involving younger drivers. Strongly endorses a GDL program as a way to improve the motivation to drive safely.
348	Rep. Lokan	Asks if DMV will revoke a teen's driver's license at the request of a parent.
352	Millet	Replies yes, but it requires a written request from the parent that originally authorized the license.
356	Rep. Lokan	Asks how often this happens.
358	Millet	Expresses uncertainty.
365	Rep. Wells	Cites government's two methods of modifying behavior: punishment and education. Asks which is the most effective in reference to teen driving.
380	Millet	Replies that the answer is complicated. Explains that injury prevention focuses on four areas: enforcement, education, engineering and environment. Stresses the need for a comprehensive approach to a problem like this one.



TAPE 66, A		
011	Rep. Hill	Asks if crashes are a result of youth or inexperience. Asks which solution, increasing education or raising the driving age, should be emphasized.
022	Millet	Replies that youth does raise the risk due to a high level of emotionality. Reiterates her support for a comprehensive approach.
038	Rep. Devlin	Asks if the level of compliance to the seatbelt law is lower for teenagers than the rest of the state.
043	Millet	Expresses uncertainty.
050	Joanne Fairchild	Trauma Nurse, Legacy Emmanuel Hospital. Supports HB 2440. Compares driving to basketball to emphasize the necessity of practice, experience and anticipating the actions of other drivers. States that some parents are not the best coaches and children need good coaching. Mentions drug testing as another possible requirement.
095	Fairchild	Notes the reality of peer pressure and how the law may aid children in saying no to their peers. Supports the education requirement.
115	Bruce Hoffman	Oregon State Police. Supports HB 2440 and its positive safety effect, but expresses concerns over four issues ( <b>EXHIBIT F</b> ): <ul style="list-style-type: none"> <li>• The relatively short three-month limitations on passengers</li> <li>• The difficulty of enforcement, including possible lawsuits resulting from probable cause issues and determining the identity of the passengers and the purpose of the trip.</li> </ul>
170	Hoffman	<ul style="list-style-type: none"> <li>• The GDL program should be tied to transportation safety concerns, and the bill should not address education. Opposes Sections 5-7 and Section 9.</li> <li>• The "available transportation" exemption in Section 3, page 2, line 13 needs some re-working.</li> </ul>
180	Rep. Krummel	Asks if it is the normal procedure for officers to ask about the purpose of a trip during a traffic stop.
189	Hoffman	Replies no.
192	Rep. Krummel	Comments that he has been asked this question when stopped. Asks if passengers could also be asked for their identification.
205	Hoffman	Replies that officers can always ask, but passengers are not required to provide the information.

214	Rep. Walker	Admits two letters into the record ( <b>EXHIBITS G &amp; H</b> )
215	Rep. Taylor	Adjourns the meeting at 10:20 a.m.

Submitted By, Reviewed By,

Brad Daniels, Janet Adkins,

Administrative Support Administrator

#### **EXHIBIT SUMMARY**

**A** ñHB 2440, written testimony, Joyce Krull, 2 pp.

**B** ñHB 2440, written testimony, Shawn Baird, 2 pp.

**C** ñHB 2440, written testimony, Janet Gambee, 1 p.

**D** ñHB 2440, written testimony, Cathy Bowles, 1 p.

**E** ñHB 2440, written testimony, Lisa Millet, 3 pp.

**F** ñHB 2440, written testimony, Bruce Hoffman, 2 pp.

**G** ñHB 2440, written testimony, Nancy Radcliffe, 2 pp.

**H** ñHB 2440, written testimony, Jennifer Radcliffe, 1 p.