

SENATE COMMITTEE ON TRANSPORTATION

April 14, 1999 Hearing Room C

3:05 p.m. Tapes 58 - 59

MEMBERS PRESENT: Sen. Marylin Shannon, Chair

Sen. Mae Yih, Vice-Chair

Sen. Susan Castillo

Sen. Joan Dukes

Sen. Gary George

Sen. Lenn Hannon

MEMBER EXCUSED: Sen. Ted Ferrioli

STAFF PRESENT: Megan Palau, Administrator

Gary Roulier, Administrative Support

MEASURE/ISSUES HEARD: SB 1284 Reconsideration

SB 878 Public Hearing

SB 1118 Public Hearing

SB 1108 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 58, A		
013	Chair Shannon	Opens meeting at 3:21 p.m. and opens a work session on SB 1284.
<u>SB 1284 WORK SESSION</u>		

033	Sen. Hannon	MOTION: Moves to RECONSIDER the vote by which "Moves SB 1284 to the floor with a DO PASS AS AMENDED recommendation and the SUBSEQUENT REFERRAL to the committee on Ways and Means BE RESCINDED".
		VOTE: 5-0 EXCUSED: 2 - Dukes, Ferrioli
Chair Shannon		Hearing no objection, declares the motion CARRIED.
047	Chair Shannon	Closes the work session on SB 1284 and opens a public hearing on SB 878.
<u>SB 878 PUBLIC HEARING</u>		
054	Megan Palau	Administrator. Explains the provisions of SB 878 which creates the offense for operating all-terrain vehicles in violation of posted restrictions.

064	Robert Greenstreet	Citizen, Corvallis, Oregon. Presents (EXHIBIT A) and testifies in support of SB 878. Notes that the present statute is restrictive in that it only allows the law enforcement agencies to cite violators with criminal trespass. Adds that this results in a felony if the violator is convicted. Explains that SB 878 creates a Class B traffic infraction with a fine not to exceed \$300.
099	Greenstreet	Presents (EXHIBIT B) and explains the SB 1284 amendments which delete the exemptions within ORS 821.010.
144	Greenstreet	Outlines Section 4 of the amendments (page 2 of the exhibit).
187	Greenstreet	Summarizes Section 5 of the amendments (page 3 of the exhibit).
200	Sen. Hannon	Asks about snowmobile crossings and whether snowmobiles have to be "street legal" to cross the highway.
209	Greenstreet	Responds that is the existing requirement and the amendment eliminates the requirement.
233	Kelly Taylor	Oregon Department of Transportation (ODOT). Testifies that SB 878 and the amendments seem to be straightforward and anticipates no problems.
246	Sen. Yih	Asks where the imposed fines would go.

250	Taylor	Answers that the fines would go to the courts and not to ODOT.
260	Sen. Castillo	Asks whether the bill's intent is to make the penalty fit the violation.
266	Greenstreet	Agrees and adds that currently a violation could result in a felony conviction.
270	Chair Shannon	Closes the public hearing and opens a work session on SB 878.

SB 878 WORK SESSION

273	Sen. Hannon	MOTION: Moves to ADOPT SB 878-1 amendments dated 4/12/99 (EXHIBIT B).
-----	--------------------	--

Chair Shannon	Hearing no objection, declares the motion CARRIED.
----------------------	---

280	Sen. Hannon	Explains the distribution of the fines collected.
-----	-------------	---

287	Sen. Hannon	MOTION: Moves SB 878 to the floor with a DO PASS AS AMENDED recommendation.
-----	--------------------	--

VOTE: 5-0

AYE: In a roll call vote, all members present vote Aye.

EXCUSED: 2 - Dukes, Ferrioli

Chair Shannon	The motion CARRIES.
----------------------	----------------------------

SEN. HANNON will lead discussion on the floor.

310	Chair Shannon	Closes the work session on SB 878 and opens a public hearing on SB 1118.
-----	---------------	--

SB 1118 PUBLIC HEARING

316	Palau	Explains the provisions of SB 1118 which increases the fee for the Student Driver Training Fund.
-----	-------	--

333	Kathryn Dysart	Director of Communications, Salem/Keizer School Districts. Presents (EXHIBIT C) and testifies in support of SB 1118. Explains that SB 1118 will increase the driver license application and renewal surcharge dedicated to the Student Driver
-----	----------------	--

Training Fund from \$2 to \$3.

393 Dysart Presents (**EXHIBIT D**) and explains that the proposed amendment will delete Sections 2 and 3 of SB 1118.

TAPE 59, A

001 Mike Sherlock Oregon Traffic Safety Education Association. Testifies in support of SB 1118. Notes that driver education does reduce accident rates among young drivers. Stresses that a standardized curriculum increases the effectiveness of driver education programs.

040 Chair Shannon Asks if this would provide additional funding for ODOT.

045 Sherlock Answers that his association is a group of driver education teachers.

054 Sen. Hannon Asks if the school districts are comfortable with ODOT establishing a curriculum for the driver education program.

062 Dysart Answers that the school districts are uncomfortable with another agency establishing curriculum and concerned with how the proposed curriculum would impact the budget.

071 Sen. Hannon Asks if the problem is with Sections 2 and 3 of the bill.

072 Dysart Answers that the concerns are with Sections 2 and 3 of SB 1118.

074 Sen. Hannon Asks about the billing procedure and whether the school districts are reimbursed based on billings submitted to ODOT.

089 Al Shannon Oregon School Boards Association (OSBA). Responds that a student must complete the driver education course before reimbursement.

098 Sen. Hannon Asks if the Oregon School Boards Association is concerned with Sections 2 and 3.

101 Chair Shannon Ask if there is data proving that a certain curriculum would decrease accidents.

115 Sherlock Responds that data is available and summarizes a study in Lake Oswego which demonstrated a significant drop in traffic citations.

125 Chair Shannon Asks if Lake Oswego has more "drive time" during driver education classes than other districts.

127 Sherlock Answers that he is does not know.

130	Sen. Hannon	Asks about programs being held on weekends and other non-school hours. Discusses with Sherlock how certain districts are conducting driver education courses and how SB 1118 would impact private contractors who provide driver education training.
146	Dysart	Adds that the Salem/Keizer School District contracts with Oregon Driver Training Institute, a private contractor. Notes that a company providing training conducted through the school district would be eligible for reimbursement through the provisions of SB 1118.
163	Shannon	States that the OSBA would have no problem with removing Sections 2 and 3 of SB 1118.
174	Sen. Dukes	Relates the experiences of her children in driver's education. Stresses that they were taught the examination. Emphasizes that Section 3 mandates that the Transportation Safety Committee is responsible for establishing a curriculum. Asks about statements in lines 34 through 36.
216	Shannon	Answers that the provisions in lines 34 through 36 mean that participating students must complete classroom training prior to the driving portion of the training.
220	Sen. Hannon	States that Section 2 allows ODOT to adopt rules that could substantially increase costs to the school district.
230	Dysart	Notes that the school districts do not know what the costs will be because they do not know what the curriculum will be.
240	Sen. Hannon	Emphasizes that having the Department of Education develop a curriculum in consultation with the Transportation Safety Committee would be a better solution.
250	Chair Shannon	Notes that the purpose of the bill is to assure that the districts get reimbursed for driver education courses.
261	Sen. Castillo	Asks who develops the current curriculum for driver's education courses.
265	Dysart	Answers that the Department of Education has adopted administrative rules that specify what must be included in the driver education courses. Agrees that more driver education would be beneficial but it is a matter of economics. Adds that the increase proposed in SB 1118 will insure that the districts receive adequate reimbursement for driver education.
299	Sen. Castillo	Asks if the Department of Education researches driver education courses to determine which programs are the most effective.

312	Shannon	Responds that there used to be a great deal of interaction between the Department of Education and ODOT to monitor driver training programs.
325	Chair Shannon	Asks if there is staff that monitors driver's education programs.
326	Shannon	Responds that there is staff but does not know if it is a full-time position.
330	Sherlock	Adds that the staff is half-time and is only allowed to audit reimbursement requests. Notes that ODOT has demonstrated an interest in monitoring the program.
365	Chair Shannon	Asks if the districts are more interested in a basic program because of costs involved.
378	Dysart	Answers that the Salem/Keizer district is fully self-supporting through the student tuition and reimbursement program. Adds that the district would not be interested in spending general funds for additional driver training.
403	Sen. Hannon	Notes that there is a conflict between the relating clause and Section 2 of the bill.

TAPE 58, B

010	Sen. Yih	Asks how the school district knows what to charge if they do not receive the reimbursement until the end of the school year.
014	Dysart	Responds that it is an educated guess. Explains the process for determining tuition rates.
031	Sen. Yih	Asks about the proposed increase and which account will be reduced.
041	Taylor	Answers by explaining the disbursement of vehicle registration and driver license renewal fees.
057	Sen. Yih	Asks if the total amounts would increase by \$1.
059	Taylor	Responds that the total amounts would increase by \$1.
070	Tamara Dykeman	Oregon Community College Association. Presents (EXHIBIT E) and testifies in support of SB 1118.
089	Troy Costales	Manager, Transportation Safety Division, ODOT. Presents (EXHIBIT F) and testifies in support of SB 1118.
100	Chair Shannon	Asks if ODOT's intent is to maintain the present cost of the driver training programs.

101	Costales	Answers that the intent is to not raise the price. Adds that Washington State experienced significant decreases in accident rates due to driver education programs.
110	Taylor	Comments that ODOT is requesting that the effective date be delayed due to programming concerns. Reviews HB 2440 which requires the completion of a driver education course to apply for a license. Stresses that the quality of the instruction is a large factor in the success of the program.
134	Sen. Hannon	Asks if SB 1118 would cover private contractors.
144	Taylor	Responds that it would not.
148	Chair Shannon	Closes the public hearing and opens a work session on SB 1118.

SB 1118 WORK SESSION

154	Sen. Hannon	MOTION: Moves to ADOPT SB 1118-1 amendments dated 4/1/99 (EXHIBIT D).
-----	-------------	--

Chair Shannon	Hearing no objection, declares the motion CARRIED.
---------------	---

204	Sen. Hannon	MOTION: Moves SB 1118 to the floor with a DO PASS AS AMENDED recommendation.
-----	-------------	---

210		VOTE: 5-1 AYE: 5 - Castillo, Dukes, George, Hannon, Shannon NAY: 1 - Yih EXCUSED: 1 - Ferrioli
-----	--	---

Chair Shannon	The motion CARRIES. SEN. SHANNON will lead discussion on the floor.
---------------	--

220	Chair Shannon	Closes the work session and opens a public hearing on SB 1108.
-----	---------------	--

SB 1108 PUBLIC HEARING

229	Sen. Dukes	Explains the provisions of SB 1108 which acknowledges the importance of farm-to-market roads and requires state and local authorities to consider such importance when making highway funding decisions.
261	Chair Shannon	Notes that there are several witness present to testify and adds that all present are in support of SB 1108.
271	Wendy Mortenson	Testifies in support of SB 1108 and notes that there is a considerable amount of damage to crops from the dust from unpaved roads.
298	Sen. Hannon	Notes that a farm-to-market road to Texas is a freeway within a freeway. Adds that a farm-to-market road needs to be clearly defined.
351	Chair Shannon	Closes the public hearing and adjourns the meeting at 4:38 p.m.

Submitted By, Reviewed By,

Gary Roulier, Megan Palau,

Administrative Support Administrator

EXHIBIT SUMMARY

A ñ SB 878, written testimony, Robert Greenstreet, 1 pp

B ñ SB 878, amendments, staff, 4 pp

C ñ SB 1118, written testimony, Kathryn Dysart, 2 pp

D ñ SB 1118, amendments, staff, 1 pp

E ñ SB 1118, written testimony, Tamara Dykeman, 1 pp

F ñ SB 1118, written testimony, Troy Costales, 3 pp

G ñ SB 1108, letters submitted at meeting, staff, 15 pp