

HOUSE COMMITTEE ON TRANSPORTATION

May 12, 1997 Hearing Room D

8:30 A.M. Tapes 106 - 107

MEMBERS PRESENT:

Rep. Bob Montgomery, Chair

Rep. Mike Lehman, Vice-Chair

Rep. Tim Josi

Rep. Jane Lokan

Rep. Bill Markham

Rep. Lonnie Roberts

Rep. Larry Wells

MEMBER EXCUSED:

STAFF PRESENT:

Janet Adkins, Policy Analyst

Erik Deitz, Administrative Support

MEASURE/ISSUES HEARD:

SB 651 Public Hearing

SB 76 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.

Tape/#	Speaker	Comments
TAPE 106, A		
005	Chair Montgomery	Calls meeting to order at 8:30 a.m., opens public hearing on SB 651.
<u>SB 651</u> <u>PUBLIC</u> <u>HEARING</u>		
010	Janet Adkins	Policy Analyst, explains SB 651 to committee and audience.

030	Chair Montgomery	Explains the need to testify quickly.
050	Sen. Kate Brown	District 7, testifies in favor of SB 651 (EXHIBIT B) .
055	Rep. Roberts	Explains that there needs to be a limit on how noseey the government can be.
060	Sen. Brown	Explains that photo radar will catch and deter speeders. Explains that photo radar will make our communities livable and safe.
075	Rep. Ken Strobeck	District 6, testifies that in his district photo radar is being requested. Explains that farming areas in Beaverton need photo radar.
090	Rep. Roberts	Asks if he has any evidence that photo radar will slow drivers down.
100	Rep. Strobeck	Responds that photo radar does slow speeders down.
101	Rep. Lehman	Asks if it might be invasion of privacy if a person is photographed when he or she does not want to be.
108	Rep. Strobeck	Responds that he has not had any invasion of privacy complaints.
115	Rep. Ron Sunseri	District 12, testifies against SB 651, explains that it may be unconstitutional. States that it will not slow people down.
140	Rep. Lehman	Asks about policeman vs. photo radar.
150	Rep. Sunseri	Explains that getting pulled over by a policeman has a greater effect than getting a photo radar ticket a week or two later in the mail.
160	Rep. Markham	Asks what happens if you are not the person driving when your car is photographed. Does the driver have to go to court to prove their own innocence?
075	Rep. Wells	Explains that when the photo is taken it takes both the license plate and the driver, if there is any question they won't issue the ticket.
190	Sen. Brown	Explains that photo radar is more constitutional than police officers giving the ticket.
200	Rep. Randall Edwards	District 15, testifies in favor of SB 651, explains with tight budgets photo radar is a good method to save money.
220	Rep. Markham	Explains how important good traffic safety devices are.
250	Gerald George	Oregon resident, testifies against SB 651. Explains that if the speed limit is not going to be enforced on the freeway then why should it be enforced in the city. States that the flash from the camera is distracting (EXHIBIT C) .
290	Dan Bartlett	City of Milwaukie, testifies in favor of SB 651. Explains Milwaukie's methods to enforce traffic laws.
330	Rep. Lokan	Asks if he has had any citizen feedback.
335	Bartlett	Responds yes, and that citizens have requested photo radar and have had no opposition.
370	Susan	City of Portland Office of Government Relations, testifies in favor of SB 651. Explains how photo radar will work to help control speeding

	Schneider	drivers.
395	Rob Drake	Mayor of Beaverton, testifies in favor of SB 651.
TAPE 107, A		
005	Drake	Continues testimony.
040	Linda Adlar	Mayor's Chief of Staff, explains that photo radar will make neighborhoods safer for children.
055	Rep. Wells	Asks about certain wording in SB 651. Explains that people are going to figure out ways to get out of the tickets.
067	Adlar	Responds that non-respondents will have a warrant issued or their licenses suspended.
078	Rep. Lokan	Asks how long it will be until they receive their ticket after they are photographed.
088	Adlar	Responds eight to ten days.
090	Rep. Lokan	Asks if people will know when they have been photographed.
105	Adlar	Responds that it would depend on if the driver saw the camera.
110	Chair Montgomery	Asks the price of the photo radar machine.
115	Adlar	Responds that the photo radar machines are leased from a vendor. Explains that the lessor is paid \$25 for each paid ticket. Also explains that the lessor does all the processing of the film and tickets.
120	Chair Montgomery	Asks if the vendor makes a profit.
125	Adlar	Responds that since they are a private business they probably do. Continues testimony. Explains that in Beaverton transportation is the number one safety concern. Testifies about some of the surveys that Beaverton did. Explains that homeowners have a higher approval of photo radar than renters.
150	Adlar	Explains that she is concerned with the public being aware of how photo radar works and what the equipment looks like.
200	Rep. Wells	Asks if photo radar is being instigated for profit.
205	Adlar	Responds that neither Portland or Beaverton are making a large profit.
215	Christine Stillger	Portland resident and the chair of Reclaiming Our Streets Implementation Team (ROS) (EXHIBIT D). Testifies in favor of SB 651, explains that she would like the police to be able to use this tool to help slow drivers down. It keeps police officer labor costs down.
260	Sgt. Gary Cerotsky	Portland Police, testifies in favor of SB 651. Explains that Portland receives many citizen complaints about speeders in their neighborhoods. Explains that photo radar is an effective tool to control speeders. States that he has only heard positive citizen feedback.
300	Sgt. Cerotsky	Explains how photo radar would be used on a rotating system in problem areas. Explains that photo radar is not being used at night

		because of the flash from the camera.
330	Sgt. Steven Wilson	Beaverton Police Department, testifies in favor of SB 651. Explains that his jurisdiction has received many citizen complaints about speeders in residential areas and photo radar could help curb the problems.
365	Rep. Floyd Prozanski	District 40, testifies in favor of SB 651. Explains that he has some amendments he would like the committee to consider. Explains that the reason he supports SB 651 is that he lives in a residential neighborhood that has several speeders.
400	Rep. Prozanski	Explains that speed bumps have been an effective tool to slow speeding motorists
430	Gary Ludeke	City of Eugene Traffic Engineer, testifies in favor of SB 651. Explains that he would like to amend SB 651 to include Eugene.
TAPE 106, B		
025	Ludeke	Explains that speed bumps slow the response times of emergency vehicles. Testifies that traffic engineering is not nearly as effective as photo radar in slow speeding drivers.
050	Don Bain	Oregon Chapter National Motorists Association, testifies against SB 651. Explains that photo radar has had a very little effect on speeding drivers. Explains how people will be able to avoid receiving tickets by wearing masks or driving other peoples' cars. (EXHIBIT E,F)
091	Bain	Testifies that there are constitutional issues involved with photo radar. Testifies that traffic tickets are not to be used to increase government revenue.
130	Corrine Weber	Portland resident and activist, testifies in opposition to SB 651. States that there are other areas like road improvements where tax dollars should be spent. Explains that SB 651 will not increase traffic safety (EXHIBIT H) .
180	Weber	States that proving who is driving is going to be hard to do.
195	Darrel Fuller	Oregon Automobile Dealers Association, testifies in favor of SB 651 and explains that he has some amendments for SB 651.
210	Darren Campbell	Oregon Association of Chiefs of Police, testifies in favor of SB 651. Explains that when some sort of technology advances that can improve traffic safety police departments are supportive. Testifies that photo radar can save lives.
235	Chief Ron Goodpaster	Chief of Tigard Police Department, testifies in favor of SB 651, explains that he has an amendments for SB 651. His amendment would allow photo radar in Tigard.
250	Rep. Wells	Asks why we should not make SB 651 statewide.
255	Bev Fraude	Oregon resident, testifies in favor of SB 651, would like to be allowed to have photo radar in her area.
275	Liz Volland	Legislative Assistant, testifies in favor of SB 651 (EXHIBIT G) . States that she would like photo radar to be allowed in construction

		work zones.
300	Larry Chistensen	Oregon Department of Transportation, testifies in favor of SB 651. Explains that he would like to have photo radar in construction work zones.
305	Chair Montgomery	Closes public hearing on SB 651, opens public hearing on SB 76.
<u>SB 76 PUBLIC HEARING</u>		
310	Adkins	Explains SB 76 to committee and audience.
320	David Yandell	Operations Manager for the Department of State Police, Office of Emergency Management, testifies in favor of SB 76 (EXHIBIT J).
380	Rep. Roberts	Asks if anybody is against SB 76. Asks if Yandell wants to change the bill.
385	Chair Montgomery	Explains that if there are going to be any changes we will have the bill sit here. Explains that the committee will not be entertaining any amendments.
400	George Warren	Columbia Helicopters, explains that he was not able to make it to the Senate hearing to make amendments. States that he would like to make those changes now. Explains that he objects to the wording in the bill in line 16.
420	Rep. Roberts	Reads sub 4 section 1, of SB 76 and asks where Warren is objecting.
425	Chair Montgomery	Explains that he agrees with Rep. Roberts, the word "related" clarifies anything that it is related to. Anybody that thinks it means anything else is not reading it properly.
450	Warren	Responds that portions of SB 76 open up the door to other things than just search and rescue.
485	Rep. Lehman	Asks Betsy Johnson and Yandell if anything else is anticipated.
490	Betsy Johnson	Oregon Department of Transportation Aeronautics Division, responds no (EXHIBIT I).
495	Yandell	Responds no.
TAPE 107, B		
010	Johnson	Explains that the concern is acquiring aircraft with money out of the search and rescue fund. Explains that money in the search and rescue fund is for that purpose only. Explains that there have not been any big searches in recent history so the fund is quite large but will not be used to purchase aircraft.
040	Jim Schmidt	Oregon resident, testifies in favor of SB 76 without any amendments.
050	Rep. Wells	Asks how this bill is going to changes things.
052	Johnson	Reiterates her testimony that money in the search and rescue fund will not be used to purchase aircraft.
	Chair	Clarifies for the record that search and rescue fund money will not be

053	Montgomery	used to purchase aircraft and asks that the carrier of the bill discuss it on the House Floor.
054	Warren	Explains that he thinks the wording will open the door to things other than search and rescue.
055	Johnson	Responds.
060	Chair Montgomery	Closes public hearing on SB 76, opens work session on SB 76.
<u>SB 76 WORK SESSION</u>		
065	Rep. Lehman	MOTION: Moves SB 76 to the floor with a DO PASS recommendation.
070		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Markham
	Chair Montgomery	The motion CARRIES. REP. WELLS will lead discussion on the floor.
073	Chair Montgomery	Closes work session on SB 76, adjourns meeting at 10:01 a.m.

Submitted By, Reviewed By,

Erik Deitz, Janet Adkins,

Administrative Support Policy Analyst

EXHIBIT SUMMARY

A - Omitted

B - SB 651, written testimony, Sen. Kate Brown, 1 p

C - SB 651, written testimony, Gerald George, 2 pp

D - SB 651, written testimony, Christine Stillger, 1 p

E - SB 651, written testimony, Don Bain, 3 pp

F - SB 651, prepared testimony, Don Bain, 9 pp

G - SB 651, -1 amendments, Liz Volland, 1 p

H - SB 651, written testimony, Corrine Weber, 4 pp

I - SB 651, written testimony, Betsy Johnson, 15 pp

J - SB 76, written testimony, David Yandell, 3 pp