

**HOUSE COMMITTEE ON TRANSPORTATION**

**May 14, 1997 Hearing Room D**

**8:30 A.M. Tapes 108 - 109**

**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 76 Reconsideration and Work Session**

**HB 3394 Work Session**

**HB 3146 Work Session**

**SB 147 Public Hearing and Work Session**

**SB 620 Public Hearing and Work Session**

**SB 462 Public Hearing and Work Session**

**SB 463 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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<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>TAPE 108, A</b>		
005	Chair Montgomery	Calls meeting to order at 8:37 a.m. asks to reconsider SB 76.
<b><u>SB 76 RECONSIDERATION HEARING</u></b>		
<b>008</b>	<b>Rep. Markham</b>	<b>MOTION: Moves to SUSPEND the rules for the purpose of recondering SB 76.</b>
010	<b>Chair Montgomery</b>	<b>Hearing no objection, declares the motion CARRIED.</b>
030	Chair Montgomery	Opens work session on SB 76. Explains that we are going to rescind the subsequent referral to Ways and Means and move SB 76 to the floor.
<b>040</b>	<b>Rep. Lehman</b>	<b>MOTION: Moves to RECONSIDER the vote by which we passed SB 76.</b>
<b>045</b>		<b>VOTE: 6-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 1 - Roberts</b>
<b>048</b>	<b>Chair Montgomery</b>	<b>The motion CARRIES.</b>
<b>050</b>	<b>Rep. Lehman</b>	<b>MOTION: Moves SB 76 to the floor with a DO PASS recommendation and recind subsequent referral to ways and means.</b>
<b>052</b>		<b>VOTE: 6-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>  <b>EXCUSED: 1 - Roberts</b>
<b>055</b>	<b>Chair Montgomery</b>	<b>The motion CARRIES.</b>  <b>REP. WELLS will lead discussion on the floor.</b>
040	Chair Montgomery	Closes work session on SB 76, opens work session on HB 3394.
<b><u>HB 3394 WORK SESSION</u></b>		
050	Janet Adkins	Policy Analyst, explains HB 3394 and the amendments <b>(EXHIBIT A)</b> to committee and audience.
055	Rep. Carolyn Oakley	District 36, explains the history and reason for HB 3394.
		Department of Education, explains amendments to

068	Debra Lincoln	committee. States that HB 3394 will allow the Department of Education to adopt some of their own rules to increase safety for children.
095	Rep. Markham	Asks if there will be different rules for each separate grade of school.
100	Lincoln	Responds that HB 3394 will allow the Department of Education to adopt rules to handle each age group of kids.
105	Rep. Lokan	<b>MOTION: Moves to ADOPT HB 3394-2 amendments dated 05/13/97.</b>
	Chair Montgomery	<b>Hearing no objection, declares the motion CARRIED.</b>
110	Rep. Lokan	<b>MOTION: Moves HB 3394 to the floor with a DO PASS AS AMENDED recommendation.</b>
115	Rep. Lehman	<b>VOTE: 5-2</b> <b>AYE: 5 - Lokan, Markham, Roberts, Wells, Montgomery</b> <b>NAY: 2 - Josi, Lehman</b>
	Chair Montgomery	<b>The motion CARRIES.</b> <b>REP. OAKLEY will lead discussion on the floor.</b>
150	Chair Montgomery	Closes work session on HB 3394, opens work session on HB 3146.
<b><u>HB 3146 WORK SESSION</u></b>		
158	Adkins	Explains HB 3146 and amendments to committee and audience ( <b>EXHIBIT B,C,D,E</b> ).
185	Rep. Roberts	Asks about insurance companies totaling out cars.
195	Chair Montgomery	Explains that there was a full hearing held on HB 3146 already.
200	Rep. Richard Devlin	District 24, explains the salvage title process. Testifies that HB 3146 will require safety inspections for retitled salvaged vehicles. Explains that the revenue and fiscal impact will be minimal.
250	Rep. Lehman	Ask if anybody will object to the passing of HB 3146.
257	Rep. Devlin	Responds that some salvage yards may object and that new car dealers seem to be happy with it.
266	Kelly Taylor	Oregon Department of Transportation, explains what a salvage title is and how HB 3146 will help keep the public aware of what they're buying and the possible risks. Testifies that HB 3164 has a minimal revenue and fiscal impact.

300	Rep. Josi	Asks what type of steps a private company needs to do to be a certified inspector.
325	Wayne Ivie	Oregon Department of Transportation, explains that administrative rules will dictate who will be qualified as a vehicle inspector.
330	Rep. Lokan	Asks who the safety inspectors are.
335	Ivie	Responds that the state will certify inspectors but not hire or employ them.
340	Rep. Josi	Asks if Darrel Fuller can come forward.
350	Darrell Fuller	Auto Dealers Association, explains the need for a small amendment. States that the vehicle should be inspected before it is sold.
383	Rep. Wells	Explains that he is going to vote against HB 3146.
395	Rep. Roberts	Explains that he will vote against HB 3146.
400	Rep. Devlin	Thanks the committee for having a work session on HB 3146 explains that if he is a legislator next session he will bring this bill back then.
430	Chair Montgomery	Closes work session on HB 3146, opens public hearing on SB 147.
<b><u>SB 147 PUBLIC HEARING</u></b>		
470	Adkins	Explains SB 147 to committee and audience.
<b><u>TAPE 109, A</u></b>		
040	Adkins	Explains amendments to committees and audience <b>(EXHIBIT F,G)</b> .
045	Rep. Roberts	Thanks Kelly Taylor for the handout explaining a complicated bill.
051	Chair Montgomery	Asks if the amendments are friendly.
055	Joe Brewer	Administrator, Building Codes Division, explains that he has just seen the amendments and needs to take them back to his office and have a look at them.
075	Rep. Roberts	Asks why we need SB 147.
080	Brewer	Responds.
084	Chair Montgomery	Explains that the committee will look at the amendments.
095	Adkins	Explains that the -2 amendments are conflict amendments and just for clean up.
100	John Gervais	Asks if SB 147 could be scheduled later because he has not had time to look at the amendments.
130	Chair	Responds no that he will recess SB 147 for 30 minutes so

	Montgomery	Gervais can look at the amendments if he wants.
131	Bernie Bottomly	Government Affairs, Tri-met, testifies in favor of SB 147. Explains how inspections will be allocated between Public Utility Commission (PUC) and ODOT ( <b>EXHIBIT H</b> ).
180	Gervais	National Contracting Association, testifies about the rulemaking authority at the PUC.
200	Dean Philips	Explains that SB 147 is revenue neutral.
206	Rep. Roberts	Asks what a level A inspector is.
210	Philips	Responds that a level A inspector is the highest level of inspector.
219	Bill Cross	Oregon Building Trades Association, explains that he has seen the amendments. Testifies in favor of SB 147 with the -1 amendments.
245	Greg Dal Ponte	ODOT, testifies in favor of SB 147, explains what the bill does and that it is just a housekeeping bill ( <b>EXHIBIT I</b> ).
275	Rep. Roberts	Asks who signs the orders when the changes are made.
280	Dal Ponte	Responds that there will be a committee to delegate the orders. Explains the procedure of how SB 147 will work.
290	Rep. Roberts	Asks if there is going to be an appeal process.
300	Dal Ponte	Responds that there will be.
310	Everett Cutter	Oregon Railroad Association, testifies in favor of SB 147. Explains that he would like SB 147 to pass because it cleans up some things that were overlooked last session ( <b>EXHIBIT J</b> ).
370	Chair Montgomery	Closes public hearing on SB 147, opens work session on SB 147.
<b><u>SB 147 WORK SESSION</u></b>		
375	Rep. Wells	<b>MOTION: Moves to ADOPT SB 147-1 amendments dated 05/13/97.</b>
	Chair Montgomery	<b>Hearing no objection, declares the motion CARRIED.</b>
385	Rep. Wells	<b>MOTION: Moves to ADOPT SB 147-2 amendments dated 05/13/97.</b>
	Chair Montgomery	<b>Hearing no objection, declares the motion CARRIED.</b>
395	Rep. Wells	<b>MOTION: Moves SB 147 to the floor with a DO PASS AS AMENDED recommendation.</b>
400		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b>
		<b>The motion CARRIES.</b>

	<b>Chair Montgomery</b>	<b>REP. WELLS will lead discussion on the floor.</b>
425	Chair Montgomery	Closes work session on SB 147, opens public hearing on SB 620.
<b><u>SB 620 PUBLIC HEARING</u></b>		
470	Adkins	Explains SB 620 to committee and audience.
430	Troy Costales	ODOT, testifies that he is here to provide information about the impact of SB 620 on ODOT ( <b>EXHIBIT K,N</b> ).
<b>TAPE 108, B</b>		
040	Rep. Roberts	Asks what accident reports are used for and what the data on them is used for.
050	Costales	Responds that first it is used to look at a person's driving records as well as for insurance purposes. Explains that if SB 620 passes there could be 4,000 uninsured drivers that won't be sanctioned. Explains that after Driver and Motor Vehicle Services uses the information, it is forwarded to the state for research, traffic safety, and driver behavior programs.
065	Rep. Roberts	Asks what the availability of accident reports are where they are and how long does a person have to fill one out.
070	Costales	Responds that accident reports are not public record but the police report that is filled out is public record.
075	Rep. Roberts	Asks where he would find a blank form.
076	Costales	Responds that Driver and Motor Vehicle Services and police stations have them available. The form needs to be filled out within 72 hours of the accident.
080	Sen. Bob Kintigh	District 22, introduces SB 620 and explains it to committee audience. States that the state does not need to know about every little traffic accident. Explains that it will cut down on paperwork ( <b>EXHIBIT L</b> ). States that uninsured motorists continue to drive anyway. Explains that SB 620 will free up three full time employment positions at Driver and Motor Vehicle Services.
116	Jude Molgard	Oregon private citizen, testifies in favor of SB 620. States that the Driver and Motor Vehicle Services does not see all the accidents anyway. States that in 1996 there were over 90,000 reports filed and it would be impossible to have all of them looked at.
133	Rep. Lehman	Asks when the \$500 limit was set.
138	Costales	Responds 1993, and that it will go up to \$600 in 1998.
140	Rep. Lehman	Asks if a new car involved in a 5-10 mph accident can cause more than \$1100 damage.

150	Costales	Responds that it could.
160	Chair Montgomery	Closes public hearing on SB 620, opens work session.
<b><u>SB 620 WORK SESSION</u></b>		
165	<b>Rep. Lehman</b>	<b>MOTION: Moves SB 620 to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 5-1</b>  <b>AYE: 5 - Josi, Lehman, Lokan, Markham, Montgomery</b>  <b>NAY: 1 - Wells</b>  <b>EXCUSED: 1 - Roberts</b>
168	<b>Chair Montgomery</b>	<b>The motion CARRIES.</b>
		<b>REP. LEHMAN will lead discussion on the floor.</b>
170	Rep. Lokan	Asks about the fiscal and revenue impact.
175	Adkins	Responds.
200	Chair Montgomery	Closes work session on SB 620 opens public hearing on SB 462.
<b><u>SB 462 PUBLIC HEARING</u></b>		
205	Adkins	Explains SB 462 to committee and audience.
210	Sen. Veral Tarno	District 24, testifies in favor of SB 462.
215	Arnold Ryland	Oregon All-Terrain Vehicle Association, testifies in favor of SB 462.
230	Chair Montgomery	Closes public hearing on SB 462, opens work session.
<b><u>SB 462 WORK SESSION</u></b>		
235	<b>Rep. Markham</b>	<b>MOTION: Moves SB 462 to the floor with a DO PASS recommendation.</b>
240		<b>VOTE: 7-0</b>  <b>AYE: In a roll call vote, all members present vote Aye.</b>
	<b>Chair Montgomery</b>	<b>The motion CARRIES.</b>  <b>REP. MARKHAM will lead discussion on the floor.</b>
250	Chair	Closes work session on SB 462, opens public hearing on

	Montgomery	SB 463.
<b><u>SB 463 PUBLIC HEARING</u></b>		
260	Ryland	Testifies that SB 463 would not require any more employees, just expand the duties of the current employees <b>(EXHIBIT M)</b> .
270	Chair Montgomery	Closes public hearing on SB 463, opens work session.
<b><u>SB 463 WORK SESSION</u></b>		
275	Rep. Josi	<b>MOTION: Moves SB 463 to the floor with a DO PASS recommendation.</b>
280		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b>
	Chair Montgomery	<b>The motion CARRIES.</b> <b>REP. LEHMAN will lead discussion on the floor.</b>
304	Chair Montgomery	Adjourns committee meeting at 9:56 a.m.

Submitted By, Reviewed By,

Erik Deitz, Janet Adkins,

Administrative Support Policy Analyst

**EXHIBIT SUMMARY**

**A - HB 3394, -2 amendments, Rep. Carolyn Oakley, 2 pp**

**B - HB 3746, hand engrossed amendments, Rep. Richard Devlin, 2 pp**

**C - HB 3146, -2 amendments, Rep. Richard Devlin, 1p**

**D - HB 3146, -5 amendments, Rep. Richard Devlin, 1p**

**E - HB 3146, -6 amendments, Rep. Richard Devlin, 1p**

**F - SB 147, -1 amendments, Janet Adkins, 1 p**

**G -SB 147, -2 amendments, Janet Adkins, 2 p**

**H -SB 147, prepared testimony, Bernie Bottomly, 1 p**

**I - SB 147, written testimony, Greg Dal Ponte, 2 pp**



**J - SB 147, written testimony, Everett Cutter, 4 pp**

**K - SB 620, prepared testimony, Troy Costales, 2 pp**

**L - SB 620, photograph, Sen. Bob Kintigh, 1 p**

**M - SB 463, written testimony, Arnold Ryland, 1 p**

**N - SB 463, crash and severity map, Troy Costales, 1 big map**