

HOUSE COMMITTEE ON TRANSPORTATION

June 13, 1997 Hearing Room C

8:30 A.M. Tapes 126 - 127

**MEMBERS PRESENT:**

Rep. Bob Montgomery, Chair

Rep. Mike Lehman, Vice-Chair

Rep. Steve Harper

Rep. Tim Josi

Rep. Jane Lokan

Rep. Lonnie Roberts

Rep. Larry Wells

**STAFF PRESENT:**

Keith Putman, Administrator

Annetta Mullins, Administrative Support

**MEASURE/ISSUES HEARD:**

SB 1023-B - Public Hearing

SB 911-A - Public Hearing and Work Session

SB 1046-B - Public Hearing and Work Session

SB 664-A - 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.**

<b>Tape/#</b>	<b>Speaker</b>	<b>Comments</b>
<b>Tape 126, A</b>		
003	Chair Montgomery	Calls meeting to order at 8:34 a.m. and opens the public hearing on SB 911-A
<b><u>SB 911-A - PUBLIC</u></b>		

<u>HEARING</u>		
013	Keith Putman	Administrator, reviews history and provisions of SB 911-A.
032	Brad Higbee	Oregon College of Emergency Physicians, testifies in support of SB 911-A ( <b>EXHIBIT A</b> ). Adds that the Associated Public Communication Safety Officers, the 911 managers also support SB 911-A.
049	Peggy Anet	Health Insurance Association of America, testifies in support of SB 911-A:
		* language represent consensus from working group
		* special interest is the health policies covered by the emergency services
		* deletes reference to accidents only and student policies
		* codifies current practices within insurance industry, and practices in the language are practices today
067	Bruce Bishop	Kaiser Permanente, Northwest Division, testifies in support of SB 911-A ( <b>EXHIBIT B</b> ):
076		Issues discussed:
		* whether there is opposition to the bill
		* review of history of SB 21
101	Chair Montgomery	Closes the public hearing and opens the work session on SB 911-A.
102	Rep. Lehman	<b>MOTION: Moves SB 911-A to the floor with a DO PASS recommendation.</b>
		<b>VOTE: 7-0</b>
		<b>AYE: In a roll call vote, all members present vote Aye.</b>
	<b>Chair</b>	<b>The motion CARRIES.</b>
		<b>REP. WELLS will lead discussion on the floor.</b>
113	Chair Montgomery	Closes the work session on SB 911-A and opens the public hearing on SB 1023-B.
<b><u>SB 1023 - PUBLIC HEARING</u></b>		
110	Keith Putman	Administrator, reviews provisions of SB 1023-B.
150	Rep. Wells	Explains hauling activities and requirement for permits on Highway 213, permit requirements for out-of-state trucks coming into Oregon, and efforts to widen curves of roads so that trucks can transit without crossing the yellow lines. Adds that Marion County feels this would override their authority to regulate their highways for weight and length and was opposing the original bill.
		Issues discussed:

		* requirements on county roads
204	Chair Montgomery	Requests that the concerned groups get together and work out the compromise.
205	Kelly Taylor	Oregon Department of Transportation, reports they have met and have not been able to come to a consensus.
	Chair Montgomery	Closes public hearing on SB 1023-B and announces that the bill will be rescheduled for Monday.
22	Chair Montgomery	Opens the public hearing on SB 1046-B.
<b>SB 1046-B - PUBLIC HEARING</b>		
228	Keith Putman	Administrator, reviews provisions of SB 1046-B.
237	John Raichl	Clatsop County Sheriff and Chair, Oregon State Sheriffs' Association, Marine Affairs Committee, testifies in support of SB 1046-B:
		* does not require a law-abiding boater to come up with any new requirements
		* gives law enforcement opportunity and tools to save lives endangered by boaters who have flagrant violations such as leaky fuel system and no spark arresters
		* allows peace officer to direct boater to shore to make corrections
		* also allows officers to have stiffer penalties through the court for people who lose their right to boat because it is only an infraction
		Issues discussed:
267		* why violator must go to a moorage
303		* whether all conditions should be classified as "especially hazardous condition"
317		* whether all violations would be subject to penalties listed
374	Paul Donheffner	Director, State Marine Board, testifies in support of SB 1046-B ( <b>EXHIBIT C</b> ), and adds that the Oregon Federation of Boaters has written in support of the bill.
437	Lt. Terry Jones	Manager, Multnomah County Sheriff's River Patrol Unit, testifies in support of SB 1046-B:
		* it is a safety conscious bill, and it has been explained well
		Issues discussed:
460		* need for this tool for enforcement
<b>TAPE 127, A</b>		
040		* whether this creates potential for more litigation
061		* whether this is the same language as in the Cost Guard statutes
093	Chair Montgomery	Closes the public hearing and opens the work session on SB 1046-A

<b><u>SB 1046-B - WORK SESSION</u></b>		
100	Rep. Josi	<b>MOTION: Moves SB 1046-B to the floor with a DO PASS recommendation.</b>
104		<b>VOTE: 6-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b> <b>EXCUSED: 1 - Wells</b>
	<b>Chair Montgomery</b>	<b>The motion CARRIES.</b> <b>REP. JOSI will lead discussion on the floor.</b>
111	Chair Montgomery	Closes the work session on SB 1046-B and opens the public hearing on SB 664-A.
<b><u>SB 664-A - PUBLIC HEARING</u></b>		
106	Keith Putman	Administrator, reviews provisions of SB 664-A.
127	Marshall Coba	Oregon Trucking Association, submits SB 664-A2 amendments ( <b>EXHIBIT D</b> ), and testifies in support of SB 664-A:
		* during the past interim the Motor Carrier Transportation Advisory Committee met on a regular basis to discuss issues of interest in the trucking industry
139		* SB 664-2 amendments, page 1, line 18, gets to the mudflaps on the intermodal containers; this describes what a container chassis is for the enforcement of mudflap requirements
		* suggest amendments to the SB 664-2 amendments on page 1, line 6, after "shall be", delete "on" and insert "within four feet of the tire tread of"
177	Steve Johnston	Head, Field Services Section, Motor Carrier Transportation Branch, advises that the change should also be made for Type II fenders in line 11 of page 1 of the SB 664-2 amendments. Explains there are some enforcement officers who are very aggressive in reading the law and for all practical purposes there are no mudflaps on the axle--they are behind the axle.
		Issues discussed:
188		* Type 1 and Type 2 fenders, and mud guards
225		* over zealous enforcement officers
243	Chair Montgomery	Confirms that all participants and the Senate are in agreement with the SB 664-A2 amendments.
245	Craig Bonney	Technical Coordinator, Motor Carrier Transportation Branch, Oregon Department of Transportation, testifies in support of SB 664-A

		<b>(EXHIBIT E).</b>
286	Chair Montgomery	Closes the public hearing and opens the work session on SB 664-A.
<b><u>SB 664-A - WORK SESSION</u></b>		
306	Rep. Roberts	<b>MOTION: Moves to amend the SB 664-2 amendments dated 05/20/97 on page 1, lines 6 and 11, after "shall be" delete "on" and insert "within four feet of the tire tread".</b>
		<b>VOTE: 6-0</b> <b>EXCUSED: 1 - Josi</b>
	Chair Montgomery	Hearing no objection, declares the motion <b>CARRIED.</b>
333	Rep. Roberts	<b>MOTION: Moves to ADOPT SB 664-2 amendments, dated 05/20/97, as amended.</b>
		<b>VOTE: 7-0</b>
	Chair Montgomery	Hearing no objection, declares the motion <b>CARRIED.</b>
338	Rep. Roberts	<b>MOTION: Moves SB 664-A to the floor with a DO PASS AS AMENDED recommendation.</b>
		<b>VOTE: 7-0</b> <b>AYE: In a roll call vote, all members present vote Aye.</b>
	Chair Montgomery	The motion <b>CARRIES.</b>
		<b>REP. ROBERTS will lead discussion on the floor.</b>
354	Chair Montgomery	Closes the work session on SB 664-A and adjourns the meeting at 9:25 a.m.

Submitted By, Reviewed By,

Annetta Mullins, Keith Putman,

Administrative Support Administrator

**EXHIBIT SUMMARY**

**A - SB 911, prepared statement, Bard Higbee, 1 p**

**B - SB 911, prepared statement, Bruce Bishop, 2 pp**

**C - SB 1046, prepared statement, Paul Donheffner, 1 p**

**D - SB 664, SB 664-2 amendments, 2 pp**

**E - SB 664, prepared statement, Craig Bonney, 1 p**