

SENATE COMMITTEE ON TRANSPORTATION

February 19, 1997 Hearing Room C

1:15 P.M. Tapes 18 - 19

MEMBERS PRESENT:

Sen. Ken Baker, Vice-Chair

Sen. Joan Dukes

Sen. Gary George

Sen. Mae Yih

MEMBER EXCUSED: Sen. Marylin Shannon, Chair

STAFF PRESENT:

Lin Ludwick, Administrator

Nora Carlson, Administrative Support

MEASURE/ISSUES HEARD:

HB 2193 Public Hearing

SB 147 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 18, A		
001	Chair Baker	Calls meeting to order at 1: 25 p.m. Opens public hearing on HB 2193.
<u>HB 2193</u> <u>PUBLIC</u> <u>HEARING</u>		
006	Paul Donheffner	Director, State Marine Board, provides testimony in support of HB 2193.
045	Robert Moore	Sailboat owner, provides neutral testimony on HB 2193. Raises issue on notification of partners: what happens if one of the owners gets cited and certificate gets canceled.
060	Chair Baker	Refers to page 2, line 21 (ORS. 830.325)of the bill and states that it is

		existing law and is not being changed by new bill.
077	Moore	Asks if the legislature intends to notify all owners upon bill passage.
080	Donheffner	Explains that the State Marine Board would be responsible for notifying all boat owners. Further describes current law provisions on rented, or borrowed boats.
093	Sen. Dukes	Asks if cancellation of a boat's certificate title was similar to a car's title.
100	Donheffner	Agrees that it denotes ownership.
105	Sen. Dukes	Asks for clarification that if someone is convicted of boating while under the influence (BUI) a person's certificate of title is canceled (current statute language).
119	Donheffner	Explains that existing language deals with suspension and that Legislative Counsel choose to use cancellation instead. Further clarifies that they are suspending/canceling the Certificate of Number: not the title.
121	Chair Baker	Suggests that language needs to be changed to reflect canceling the Certificate of Number registration and not affecting the title to the vehicle and directs administrator to follow up.
132	Sen. Dukes	Question on whether a person's Certificate of Number was the same number which was placed on the boat and questions the re-application process.
140	Sen. Dukes	Questions the value of canceling versus suspension.
145	Donheffner	Explains that the part that they are trying to affect is on page 2, line 30 of the bill.
158	Chair Baker	Clarifies that from whatever event happens they want the action to take place at the cancellation, which is earlier than the actual suspension and states that committee is still unclear as to what is being proposed.
160	Sen. Dukes	Continues with question on canceling versus suspending.
169	Chair Baker	Directs the administrator to look at the language on page 2, lines 22 and 23 regarding cancellation of person's certificate of title. Also line 26 regarding all certificates of title, so that bill can be brought back for possible amendments and work session.
179	Sen. George	Question on whether a driver's license could be attached to the boat rather than the title or certificate of registration
206	Chair Baker	Closes public hearing on HB 2193 and directs administrator to work with the Chair in reviewing concerns addressed on HB 2193. Opens public hearing on SB 147.
224	Lin Ludwick	Administrator, asks for clarification on amendment language.
<u>SB 147</u> <u>PUBLIC</u> <u>HEARING</u>		
	Greg Dal	Manager, Motor Carrier Branch, Oregon Department of Transportation,

236	Ponte	(ODOT) submits testimony in support of SB 147 (EXHIBIT A).
274	Chair Baker	Refers to November 1994 date in which the government deregulated the intrastate trucking and which was responded to by HB 1149; asks to identify those items that were not deregulated.
275	Dal Ponte	Identifies passenger vehicles, household good movements and brokerage.
287	Chair Baker	Asks to define brokerage.
290	Dal Ponte	Defines brokerage as the act of arranging for the transfer or shipment of goods between a motor carrier and a shipper for profit.
302	Chair Baker	Refers to earlier member handout titled "Senate Bill 147 - Summary of Changes" and asks if housekeeping measures were included in this summary (EXHIBIT B).
305	Dal Ponte	Clarifies that the summary is the exhaustive list of housekeeping measures.
310	Sen. George	Asks about the dispute process which was in place prior to the transfer of motor carriers from the Oregon Public Utility Commission (OPUC).
312	Dal Ponte	Explains that with the transfer, the hearings are now heard by the DMV hearing's division, with the difference in DMV hearings being conducted under the Administrative Procedures Act.
331	Sen. George	Question the current "one-issuance" decision process compared to the old process in which a person had the opportunity to appeal.
340	Dal Ponte	Describes OPUC's proposed order and final order process.
390	Dal Ponte	Continues with description of the dispute process.
396	Sen. George	Question whether a carrier would have an opportunity for a hearing.
TAPE 19, A		
019	Chair Baker	Question whether there is an appeal process once the final order is signed.
021	Sen. Dukes	Comments on governor's executive order which allows ODOT to set up their own system and questions ODOT having this type of statutory authority.
048	Sen. Dukes	Comments on the final order being signed within two to six months and asks why it takes so long.
050	Dal Ponte	Explains that the period of time is an approximation of how long it would take the department to craft delegation orders and adopt them via administrative rule making.
063	Sen. Dukes	Question director's statute of authority to defer orders.
077	Sen. Yih	Asks how the deregulation is working with previous concern about increase in trucking services and decrease in safety due to competition. Also asks about reduction in FTE and money being used for safety patrol.

088	Dal Ponte	Explains that after the deregulation there was a significant increase in vehicles being registered and after approximately 10 months it reverted to a normal growth rate.
104	Dal Ponte	Explains that in terms of FTE, there was a reduction but is not aware of the savings represented.
109	Sen. Yih	Question whether budget savings would be directed toward safety monitoring.
122	Sen. Yih	Question on the vehicle registration growth rate.
150	Chair Baker	Comments about the transfer of OPUC motor carriers to ODOT and asks if some of the employees were left behind
158	Dal Ponte	Explains that since positions (not staff) were transferred over, there was an opportunity to selectively determine which staff would transfer over.
167	Chair Baker	Question on the FTE positions left behind at OPUC and asks if Sen. Yih could follow up with Ways and Means Committee.
172	Chair Baker	Question on further FTE reductions.
193	Sen. Baker	Asks if Mr. Dal Ponte will report back to the Senate Transportation Committee or Ways and Means committee regarding efficiencies.
195	Dal Ponte	Explains that he has not been requested to but is available if asked.
200	Chair Baker	Comments that he will follow up with the Chair.
197	Sen. Duke	Question on weigh-stations.
219	Sen. Yih	Question on the remaining FTE positions at OPUC.
228	Chair Baker	Explains that the Ways and Means s Committee should review OPUC budget.
232	Sen. Yih	Asks about the number of employees at OPUC who left from ODOT.
239	Kelly Taylor	Government Relations, ODOT, identifies approximately 100 people.
248	Sen. Yih	Question on whether ODOT employees were to be reassigned for work at OPUC.
257	Sen. Yih	Question on OPUC's FTE budget.
285	Everett Cutter	Oregon Railroad Association, submits testimony in support of SB 147 (EXHIBIT C).
320	Cutter	Continues with testimony on the Worker's Compensation Act.
410	Mike Meredith,	President and Chief Executive Officer, Oregon Trucking Associations, provides testimony in support of SB 147.
TAPE 19, B		
020	Chair Baker	Closes public hearing on SB 147 and opens work session on SB 147.
SB 147 WORK		

SESSION		
022	Chair Baker	MOTION: Moves SB 147 to the floor with a DO PASS recommendation.
023	Chair Baker	AYE: In a roll call vote, all members present vote Aye.
024	Chair Baker	The motion CARRIES. SEN. BAKER will lead discussion on the floor.
041	Chair Baker	Adjourns meeting at 3:10 p.m.

Submitted By, Reviewed By,

Nora Carlson, Lin Ludwick,

Administrative Support Administrator

EXHIBIT SUMMARY

A - SB 147 testimony, Gregg Dal Ponte, 2 pp

B - SB 147 written material, Committee Staff, 2 pp

C - SB 147, testimony, Everett Cutter, 4 pp
