

SENATE COMMITTEE ON TRANSPORTATION

May 13, 1997 Hearing Room F

6:00 PM Tapes 88 - 89

MEMBERS PRESENT:

Sen. Marylin Shannon, Chair

Sen. Ken Baker, Vice-Chair

Sen. Joan Dukes

Sen. Gary George

Sen. Mae Yih

STAFF PRESENT:

Lin Ludwick, Administrator

Paul Zolezzi, Administrative Support

MEASURE/ISSUES HEARD:

SB 758 Public Hearing and Work Session

HB 2462 Public Hearing and Work Session

HB 3428 Public Hearing and Work Session

HB 2462 Public Hearing and Work Session

HB 2453 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 88, A		
004	Chair Shannon	Convenes meeting at 6:10 PM and opens public hearing on SB 758.
<u>SB 758</u> <u>PUBLIC</u> <u>HEARING</u>		
		Introduces herself as representing Sen. Randy Miller and submits -4

013	Liz Vohland	amendments (EXHIBIT A). States support for bill and amendments.
040	Michael Yender	Introduces himself as a supporter of bill and provides reasons for doing so. States support for amendments.
070	Sen. Dukes	States concern about the constitutionality aspect of -4 amendments.
090	Sen. Baker	States concern about confusing nature of language in section 1 (2) of bill. States that bill may not be addressing problem.
105	Yender	Explains need for bill.
165	Sen. George	Provides anecdotal evidence in support of addressing unmarked police car issue. Asks why amendments do not address issue. Discusses aspects of Oregon State Police (OSP).
180	Yender	Explains why amendments do not eliminate OSP's ability to use unmarked cars for enforcing traffic laws.
244	Captain Jim Stevenson	Introduces himself as representing OSP and submits (EXHIBIT B). States support of -4 amendments.
255	Russ Spencer	Introduces himself as representing the Sheriffs' Association and states support for -4 amendments.
260	Darin Campbell	Introduces himself as representing Oregon Association Chiefs of Police and states support for -4 amendments.
268	Sen. Baker	Asks what standard procedures are for unmarked cars citing people. Asks if citing can be done at night.
272	Stevenson	States that unmarked cars can cite at night and discusses related procedures.
310	Sen. George	Asks if other states allow unmarked cars to cite.
314	Stevenson	Comments that Washington and California use unmarked cars to cite. States unawareness of other states policies.
340	Spencer	Provides anecdotal evidence in support of bill.
384	Sen. Yih	Asks how public knows when being pursued by unmarked car.
394	Stevenson	Explains unmarked car pursuit procedures.
TAPE 89, A		
001	Stevenson	Continues testimony.
013	Spencer	Discusses current statutes requiring unmarked car police officers to wear uniforms. Explains need for -4 amendments.
037	Chair Shannon	Closes public hearing on SB 758 and opens work session.
<u>SB 758</u> <u>WORK</u> <u>SESSION</u>		
040	Sen. Baker	MOTION: Moves to ADOPT SB 758 -4 amendments dated 05/13/97 and that the amendments be FURTHER AMENDED on page 1, line 20 by inserting a period after "necessary" and deleting the reset of line 20 and all of line 21.

	Chair Shannon	Hearing no objection, declares the motion CARRIED .
043	Sen. Baker	MOTION: Moves SB 758 to the floor with a DO PASS AS AMENDED recommendation.
045		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Shannon	The motion CARRIES. SEN. SHANNON will lead discussion on the floor.
050	Chair Shannon	Closes work session on SB 758 and opens public hearing on HB 2462.
<u>HB 2462</u> <u>PUBLIC</u> <u>HEARING</u>		
055	Rep. Dennis Luke	Introduces himself as representing House District 54 and states support for bill. Discusses bill drafting history.
078	Sen. Dukes	Discusses section 2 of bill and states concern about specific language.
087	Doug Tindall	Introduces himself as representing Oregon Department of Transportation (ODOT) and submits (EXHIBIT C). Explains section 2 of bill.
095	Rep. Luke	Provides anecdotal evidence in support of bill.
010	Tindall	Discusses Attorney General's (AG) opinion of bill. States that AG believed language was permissible.
138	Helen Liere	Introduces herself as representing Association Community Traffic Safety (ACTS Oregon) and submits (EXHIBIT D). States support for bill. Explains organizations efforts and goals. Discusses 1995 study regarding school children safety and pedestrian issues.
180	Liere	Discusses need for bill and cites ORS 811.105 and ORS 811.123.
192	Chair Shannon	Closes public hearing on HB 2462 and opens work session on HB 2462.
<u>HB 2462</u> <u>WORK</u> <u>SESSION</u>		
193	Sen. George	MOTION: Moves HB 2462 to the floor with a DO PASS recommendation.
195		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Shannon	The motion CARRIES. SEN. YIH will lead discussion on the floor.

210	Chair Shannon	Closes work session on HB 2462. Reopens work session on HB 2462.
<u>HB 2462 WORK SESSION</u>		
220	Sen. Baker	MOTION: Moves to reconsider HB 2462.
	Chair Shannon	Hearing no objections, declares the motion CARRIED.
218	Sen. Baker	Explains bill and states concerns about bill language. Discusses section 2 of bill.
293	Liere	Provides suggestion for clearing up language in section 2 of bill.
310	Chair Shannon	Closes work session on HB 2462 and opens public hearing on HB 3428.
<u>HB 3428 PUBLIC HEARING</u>		
318	Don Schellenberg	Introduces himself as representing the Oregon Farm Bureau and submits (EXHIBIT E) . States support for bill and explains need for bill.
380	Steve Johnston	Introduces himself as representing the Oregon Department of Transportation and submits (EXHIBIT F) . States position on bill and discusses history of laws relating to farm vehicles and associated drop axles.
TAPE 88, B		
020	Sen. Dukes	Comments on Schellenberg's testimony and discusses 1993 work done to address problem.
042	Sen. George	Discusses current laws relating to exemptions from motor carrier regulations.
077	Sen. Yih	Asks for example of drop axle.
082	Schellenberg	Discusses drop axle definition.
103	Johnston	Explains current exemptions from motor carrier regulations.
109	Sen. Yih	Asks why trucks should be exempted.
116	Schellenberg	Discusses current safety regulations of motor carriers. Explains need for bill.
155	Sen. George	Discusses costs of drop axles.
175	Schellenberg	Discusses need for bill.
193	Chair Shannon	Closes public hearing on HB 3428 and opens work session.
<u>HB 3428 WORK SESSION</u>		

196	Sen. George	MOTION: Moves HB 3428 to the floor with a DO PASS recommendation.
198		VOTE: 3-2 AYE: 3 - Baker, George, Shannon NAY: 2 - Dukes, Yih
	Chair Shannon	The motion CARRIES. SEN. SHANNON will lead discussion on the floor.
220	Sen. Dukes	Serves notice for possible minority report.
230	Chair Shannon	Closes work session on HB 3428 and opens work session on HB 2462.
<u>HB 2462 WORK SESSION</u>		
233	Sen. Baker	Submits, explains, and discusses -1 amendments (EXHIBIT G).
250	Sen. Baker	MOTION: Moves to ADOPT HB 2462-1 amendments dated 05/13/97.
	Chair Shannon	Hearing no objection, declares the motion CARRIED.
268	Sen. Baker	MOTION: Moves HB 2462 to the floor with a DO PASS AS AMENDED recommendation.
270		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Shannon	The motion CARRIES. SEN. YIH will lead discussion on the floor.
300	Chair Shannon	Closes work session on HB 2462 and opens public hearing on HB 2453.
<u>HB 2453 PUBLIC HEARING</u>		
310	Ed Marges	Introduces himself as representing Oregon Department of Transportation (ODOT) and submits (EXHIBIT H).
360	Wayne Schumacher	Introduces himself as a member of the Governor's Motorcycle Safety Advisory Committee and submits (EXHIBIT I).
TAPE 89, B		
015	Grant Higginson	Introduces himself as representing the Oregon Health Division and states support for bill. Explains need for bill.

020	Mike Trigger	Introduces himself as representing Team Oregon and submits (EXHIBIT J) . States support for bill.
040	Sen. Yih	Asks for clarification of Trigger's written testimony.
055	Trigger	Explains statistics cited in written testimony.
059	Marges	States that 40% of motorcycle fatalities involve non-endorsed riders.
070	Sen. Yih	Asks if safety program can be mandated.
073	Marges	States that bill will mandate program for anyone under 21 years of age. States that mandate currently exists for those under 19 years of age.
088	Chair Shannon	Closes public hearing on HB 2453 and opens work session.
<u>HB 2453</u> <u>WORK</u> <u>SESSION</u>		
090	Sen. Baker	MOTION: Moves HB 2453 to the floor with a DO PASS recommendation.
092		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye.
	Chair Shannon	The motion CARRIES. SEN. BAKER will lead discussion on the floor.
100	Chair Shannon	Closes work session on HB 2453 and adjourns meeting at 8:00 PM.

Submitted By, Reviewed By,

Paul Zolezzi, Lin Ludwick,

Administrative Support Administrator

EXHIBIT SUMMARY

A - SB 758 proposed amendments, Liz Vohland, 2 pp.

B - SB 758 written testimony, Captain Jim Stevenson, 5 pp.

C - HB 2462 written testimony, Doug Tindall, 1 p.

D - HB 2462 written testimony, Helen Liere, 3 pp.

E - HB 3428 written testimony, Don Schellenberg, 1 p.

F - HB 3428 written testimony, Steve Johnston, 1 p.

G - HB 2462 proposed amendments, Sen. Ken Baker, 1 p.

H - HB 2453 written testimony, Ed Marges, 2 pp.

I - HB 2453 written testimony, Wayne Schumacher, 3 pp.

J - HB 2453 written testimony, Mike Trigger, 3 pp.
