

HOUSE COMMITTEE ON
GENERAL GOVERNMENT AND REGULATORY REFORM
SUBCOMMITTEE ON TRANSPORTATION

Hearing Room
Tapes - 18

MEMBERS PRESENT:

Rep. Cedric Hayden, Chair
Rep. Lonnie Roberts, Vice-Chair
Rep. Jerry Grisham
Rep. Mike Lehman
Rep. Bill Markham
Rep. Ken Strobeck

STAFF PRESENT:

Anne Tweedt, Committee Counsel
Annetta Mullins, Committee Assistant

MEASURES HEARD:

HB 2519 - PUBLIC HEARING AND WORK SESSION
HB 2619 - PUBLIC HEARING
HB 3219 - PUBLIC HEARING AND WORK SESSION
HB 3221 - PUBLIC HEARING AND WORK SESSION
HB 2728 - PUBLIC HEARING AND WORK SESSION
HB 2578 - PUBLIC HEARING AND WORK SESSION
HB 2620 - PUBLIC HEARING

These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings,
please refer to the tapes.

TAPE , A

008 CHAIR HAYDEN: Calls the meeting to order at 1:07 p.m. and opens the
public hearing on HB 2619.

HB 2619 - PUBLIC HEARING

Witnesses: Rep. Liz VanLeeuwen

The Preliminary Staff Measure Summary is hereby made a part of these
minutes (EXHIBIT A).

022 REP. LIZ VANLEEUEWEN: Introduces Charley Goodman, a constituent, and
testifies in support of HB 2619.
> would allow trucks to drive on certain highways at a higher speed than
the 55 miles per hour speed today

033 CHAIR HAYDEN: Closes the public hearing on HB 2619 and opens the public
hearings on HB 2620 and HB 2578

HB 2620 - PUBLIC HEARING

Witnesses: Rep. Liz VanLeeuwen

The Preliminary Staff Measure Summary is hereby made a part of these
minutes (EXHIBIT B)

038 REP. VANLEEUEWEN: Testifies in support of HB 2620.
> would allow intrastate carriers to drive 12 hours at a time
> bill was at the request of Charley Goodman who will present testimony

HB 2578 - PUBLIC HEARING

Witnesses: Rep. Liz VanLeeuwen
Rep. Del Parks
Marshall Coba, Oregon Trucking Association
Steve Carson, Bear Cat Transport and Berry Transports, Inc.
Richard Peabody, truck driver for Bear Cat
Benell Tindall, Blue Line Transportation Co., Portland Motor Transport,
Inc. and Pelletrox, Inc.
Roy Houck II, Roy L. Houck Construction Company
Bob Olson, Albina Fuel Co.
Ron Trolle, Cummings Transfer Co.
Bob Russell, Public Utility Commission

The Preliminary Staff Measure Summary is hereby made a part of these
minutes (EXHIBIT C).

051 REP. DEL PARKS: Testifies in support of HB 2578.
> bill was introduced after discussion with the PUC staff
> bill asks for the hauler of asphalt be treated the same as dump truck and

log truck drivers for hours of operation

> one shoe doesn't fit all in the trucking industry any more than it does in land use and other things
> there are two important considerations: 1) they are seasonal in nature and if we are to have high quality drivers we must make allowances so they can make a living in the occupation, and 2) nature of job is not the same as over-the-road truckers
> PUC indicated they have had no problems with dump truck and log truck driver fatigue
> if it becomes a problem, there are ways to fix it

101 MARSHALL COBA, Oregon Trucking Association: Testifies in support of HB 2578.

> changes will bring the industry into consistency with other industries
> have contacted PUC and understand that as written the bill will impact federal standards and jeopardize \$2.3. million dollars of federal funds for truck safety activities; we have agreed to an amendment which does not threaten the funds, but allows the changes to be made

129 CHAIR HAYDEN: Where are the amendments?

MR. COBA: I have the amendments.

123 STEVE CARSON, Bear Cat Transport and Berry Transports, Inc.: Submits and reads a prepared statement in support of HB 2578 (EXHIBIT D)

173 MR. CARSON: Continues his statement.

207 MR. CARSON: Summarizes his remaining comments.

216 MR. COBA: The amendment is on line 29, delete "After each period of 24 consecutive hours off duty," and in line 30, after "within" insert "a seven-day period or eighty hours within" and after "period", insert a period and delete the rest of the line.

237 REP. ROBERTS:
> you are trying to extend from May to October the time when you need most flexibility in your system; what other liquids are you talking about?

250 MR. CARSON: Explains asphalt plants require a dryer to heat the rock and the dryer consumes "heavy fuel oil" and it needs to be hauled. If a substance is combustible, this law would not apply.

275 CHAIR HAYDEN: There are 38 people signed up to testify; only the PUC is opposed to the bill.

288 MR. CARSON: I am asking for most everything the log trucks have except they do not have the 8 days 80 hours exemption. They have a seventy hour and seven day and a 12-hour driving exemption.

299 REP. STROBECK: Is the 80 hours-8 days important because of the seasonal nature of your business?

MR. CARSON: Yes it is.

321 RICHARD PEABODY, truck driver for Bear Cat: Submits and paraphrases a prepared statement in support of HB 2578 (EXHIBIT E).

347 BENELL TINDALL, Blue Line Transportation Co., Portland Motor Transport Inc., and Pelletrox, Inc.: Submits and summarizes a prepared statement in support of HB 2578 (EXHIBIT F).

371 ROY HOUCK III, Roy L. Houck Construction Company: Submits and summarizes a prepared statement in support of HB 2578 (EXHIBIT G).

401 REP. STROBECK: Do you know if other drivers are supportive of this also? Do they feel like this is a management request and is too burdensome on the drivers?

410 MR. HOUCK: Responds he has talked to other drivers and they think the bill is needed.

MR. PEABODY: No. They want to be at home to rest.

429 BOB OLSON, Albina Fuel Company: Submits and summarizes a prepared statement in support of HB 2578 (EXHIBIT H).

440 RON TROLLE, Cummings Transfer Co.: Submits and summarizes a prepared statement in support of HB 2578 (EXHIBIT I) and comments on difficulty and costs of training drivers for the short construction season.

TAPE 16, A

018 BOB RUSSELL, Assistant Commissioner, Transportation Program, Public Utility Commission: Submits and reads a prepared statement in opposition to HB 2578 and HB 2620 (EXHIBIT J).

068 MR. RUSSELL: Continues his prepared statement.

123 REP. ROBERTS: With the amendments I will support HB 2578 but not the next one because there is a world of difference between what these people want and what the interstate runners want.

128 CHAIR HAYDEN: Closes the public hearings on HB 2578 and HB 2620 and opens the work session on HB 2578 and announces that he will reopen the public hearings on HB 2620 and HB 2619 briefly to hear the people who have come from more than 100 miles and will then revert to the regular order of

business.

HB 2578 - WORK SESSION

135 MOTION: REP. ROBERTS moves that HB 2578, on page 1, in lines 29 and 30,
be amended to read, "A driver may spend 70 hours on duty within a seven
day period or 80 hours on duty within an eight-day period."

150 VOTE: CHAIR HAYDEN, hearing no objection to the motion, declares the
amendment adopted. All members are present.

153 MOTION: REP. MARKHAM moves that HB 2578, as amended, be sent to the
Full Committee with a DO PASS RECOMMENDATION

157 VOTE: In a roll call vote, all members are present and vote AYE.

159 CHAIR HAYDEN: Declares the motion PASSED. Rep. Parks will be asked if
he wishes to carry the bill before the full committee.

164 CHAIR HAYDEN: Reopens the public hearing on HB 2620.

164 HB 2620 - PUBLIC HEARING

Witnesses: Julie Dawson, Citizens for Reliable and Safe Highways
Ron Bowers

201 JULIE DAWSON, National Director of Volunteer Services, Citizens for
Reliable and Safe Highways (CRASH): Submits and reads a prepared statement
in opposition to HB 2620 (EXHIBIT K).

251 REP. ROBERTS: Appreciates comments that truck driving is hard work. I
can't support this bill. If (a driver) gets into a fatigue situation, it
is even more dangerous.

272 MS. DAWSON: I have been involved for three years and I see how
difficult the job is. A 1987 study conducted by the Insurance Institute
for Highway Safety concluded that the risk of a crash for truck drivers who
have driven more than eight hours at a stretch is almost twice that of
drivers who have driven fewer hours.

288 RON BOWERS: Testifies in support of HB 2620.
> I would like to extend it to trucks that operate only within the state
> the 10-hour rule has prevented me from pulling a second or third load a
day
> I encourage my drivers to get off the road when they are tired in the
safest area

332 CHAIR HAYDEN: Closes the public hearing on HB 2620 and reopens the
public hearing on HB 2619.

HB 2619 - PUBLIC HEARING

Witnesses: Joan Plank, Oregon Department of Transportation
Joe French, Oregon Forest Products Transportation Association
Earl Fultz

343 The Preliminary Staff Measure Summary is hereby made a part of these
minutes (EXHIBIT A).

RON BAUERS: Testifies in support of HB 2619.
> I support this for certain highways, not every road in the state
> I feel the Highway Department could clarify which highways, primarily the
four-lane or interstate highways
> the flow of traffic with trucks would enhance safety
> doesn't feel there would be a safety problem

380 CHAIR HAYDEN: Closes the public hearing on HB 2619 and opens the public
hearing on HB 2519.

HB 2519 - PUBLIC HEARING

375 MS. TWEEDT: Reviews the provisions of HB 2519 and advises the committee
the bill was heard on February 21 and was sent to a consensus group, ODOT,
the PUC and the Oregon Forest Products Transportation Association, and that
the consensus group will report on their work. The Preliminary Staff
Measure Summary on HB 2619 is hereby made a part of these minutes (EXHIBIT
L).

395 JOAN PLANK, Oregon Department of Transportation: Reports the group, the
OFPTA, the PUC and the Department of Transportation with participation by
cities and counties and AAA for one of the meetings, had a couple of
meetings,. The group looked at changing the bill so if truckers have a tax
liability under \$300, the \$150 fee would get waived. We have specific
language on how to amend the bill to accomplish what has been agreed to.

TAPE 15, B

003 JOE FRENCH, Oregon Forest Products Transportation Association: Presents

amendments to HB 2519: on page 2 of the bill, reinstate lines 6 and 7, and add language, "if a motor carrier's fuel tax liability is less than \$300 per year, the commission will waive the annual fee for the subsequent year."

013 MS. TWEEDT: That would mean the fee gets paid initially, up front, and if the liability for that year is less than \$300, it doesn't get refunded, it merely doesn't get paid the next year.

016 MR. FRENCH: That is correct.

018 EARL FULTZ: Submits and summarizes a prepared statement in support of HB 2519 (EXHIBIT M).

037 REP. ROBERTS: One of the problems we have is the State of Washington has not changed their law to comply with a better working situation between Oregon and Washington. Suggest the committee send a letter to Washington asking them to remedy the situation to make it easier for everyone.

043 MS. PLANK: We had planned on having further discussions with the State of Washington, but we would be glad to suggest some language to this committee for a letter to a like committee in Washington.

052 MR. FULTZ: Ask that notice be made of their many members attending the meeting today.

054 REP. GRISHAM: On the last page of your testimony, you state you believe the PUC is charging \$150 which is more than the actual cost of processing. If you were going to amend this, what would you like to see?

MR. FULTZ: I would prefer that it come out of the weight-mile collected fees rather than being assessed as a separate fee. That way everyone who comes into the state would pay a small portion of it. The \$300 exception is a great improvement. It spares around 1,400 having to pay it.

071 REP. GRISHAM: What would be the cost of processing the \$150 fee?

073 REP. ROBERTS: Ms. Plank and I talked about the \$150. It would have to come out of the Highway Fund at a tune of \$150,000 to \$170,000 a year.

094 MS. PLANK: It would be \$432,000 a biennium, but I believe we have come to a compromise.

097 REP. GRISHAM: Mr. Fultz, are you satisfied and can you support this?

097 MR. FULTZ: Yes.

098 CHAIR HAYDEN: Closes the public hearing on HB 2519 and opens the work session on HB 2519.

HB 2519 - WORK SESSION

106 REP. STROBECK: I would like Counsel to read back the proposed amendment.

107 MS. TWEEDT: The proposed amendments specify that if the carrier has a tax liability of under \$300, the \$150 fee would get waived in a subsequent year. That means the fee would get paid initially, but if the year's tax liability is less than \$300, the fee will not be assessed the next year.

116 MOTION: REP. STROBECK moves that HB 2519 be amended as suggested.

117 VOTE: CHAIR HAYDEN, hearing no objection to the motion, declares the motion PASSED. REPS. LEHMAN AND MARKHAM ARE EXCUSED.

120 MOTION: REP. ROBERTS moves that HB 2519, as conceptually amended, be sent to the Full Committee with a DO PASS RECOMMENDATION.

122 VOTE: In a roll call vote, all members present vote AYE. REPS. LEHMAN AND MARKHAM ARE EXCUSED.

125 CHAIR HAYDEN: Declares the motion PASSED. Rep. Markham will lead discussion in Full Committee.

129 CHAIR HAYDEN: Opens the public hearing on HB 2619.

HB 2619 - PUBLIC HEARING

Witnesses: Charley Goodman, truck driver
Lt. William V. Johnson, Oregon State Police
Larry Christenson, Oregon Department of Transportation
Bob McKeller, Oregon Forest Products Transportation Association
Marshall Coba, Oregon Trucking Association

132 CHARLEY GOODMAN: Submits and reads a prepared statement in support of HB 2619 (EXHIBIT N).

199 REP. ROBERTS: A comment was made that some companies don't want the speed raised above 60. Even if it were raised to 65, companies could restrict their drivers at whatever speed.

216 LT. WILLIAM V. JOHNSON, Patrol Services Division, Oregon State Police: Submits and reads a prepared statement in opposition to HB 2619 (EXHIBIT O).

243 BOB RUSSELL, Assistant Commissioner, Transportation Program, Public Utility Commission: Submits and reads a prepared statement in opposition to HB 2619 (EXHIBIT P).

264 LARRY CHRISTIANSON, Roadway Safety Program Coordinator, Oregon Department of Transportation: Submits and summarizes a prepared statement (EXHIBIT Q).

313 REP. ROBERTS: When we dealt with raising the auto speed, these are the same things we heard and I understand that is not what happened. You state the number one cause of accidents is truck speeds. What was the average speed, was it in excess of the speed limit?

334 LT. JOHNSON: Cites statistics on accidents.

389 REP. STROBECK: Isn't this primarily an issue of enforcement?

394 LT. JOHNSON: Explains enforcement priorities.

418 REP. STROBECK: Has anybody looked at a speed of perhaps 60 which would be slightly less than passenger cars?

428 LT. JOHNSON: Washington has that difference, but I have not looked at their accident data or severity of the accidents.

TAPE 16, B

016 BOB MCKELLER, Oregon Forest Products Transportation Association: Explains the association was formed to promote safety and testifies in support of HB 2619. The association did not know HB 2619 existed at the time Sen. Timms was asked to introduce SB 541 which does essentially the same thing. Our understanding is that the truck speed could be equal to automobile speed on highways. We requested SB 541 to eliminate the difference in speed limits with the adjoining states. A group in our organization has been concerned about the public opinion about the safety of trucks coming in from other states accustomed to a higher speed limit. They are not operating at the reduced limit. Our goal in supporting the concept in HB 2619 and in SB 541 is to increase safety, eliminate inconvenience and to eliminate adverse public opinion by providing a smooth flow of traffic on Oregon's rural interstate highways. The word "rural" is key because there are different speed limits within the confines of cities.

No matter what the speed limit, as long as there is insufficient enforcement, somebody will exceed the speed limit.

053 MARSHALL COBA, Oregon Trucking Association: Testifies in support of HB 2619.

> OTA supports increasing speed limits for trucks to 60 miles per hour on rural interstate highways
> statistical information on this subject is a mess
> OTA supports safe highways
> believes on-road enforcement needs to be greatly increased; with today's professional driver and quality of equipment, the industry can handle the increased speed, however, concern is lack of enforcement and the ability to control carriers that are operating in an unsafe manner

061 REP. ROBERTS: Would you supporting enforcing the fines above the 65 mile hour limit?

076 MR. MCKELLER: That is a trap question. However, our association does not condone, has not supported, does not now support in any way violation of any of the regulations including the speed limit. We would prefer to have the speed limit increased and the surveillance and enforcement and the fines increased on anybody who violates that speed limit.

086 MR. COBA: OTA was intimately involved with that bill on the \$40 unitary assessment. I believe it has funded several thousand hours of additional overtime for State Police in the last two years. We are supportive of anything that would be a deterrent to truck speeding. We understand there are some interests in the building that are wanting to take the \$40 and put it elsewhere besides on the highway. We are very concerned about that and want to do what we can to make sure it stays where it was intended, which is to fund overtime State Police patrol.

096 REP. ROBERTS: If we are going to move this bill, we will have to address that and change it from above 10 miles.

094 REP. MARKHAM: Is the \$40 proposal in bill form?

102 MR. COBA: Not at this point.

105 CHAIR HAYDEN: Closes the public hearing on HB 2619 and opens the public hearing on HB 3219

HB 3219 - PUBLIC HEARING

Witnesses: Mike Meredith, Oregon Truckers Association

100 MS. TWEEDT: Reviews the Preliminary Staff Measure Summaries and the -1 and -2 amendments (EXHIBIT R).

> the -1 amendments authorize the total outside width of any vehicle to be one-half foot wider than it is currently and to be five feet longer; previously the committee dealt with vehicle lengths for recreational vehicles only and did not amend this section of ORS.

155 MIKE MEREDITH, President, Oregon Truckers Association: Submits copies of diagrams of loads inside loads (EXHIBIT 5) and introduces Bruce Sherman,

Sherman Brothers Trucking Eugene, and Larry Wood, Pacific Corrugated Pipe Company. Explains they would like to ship smaller pipe loaded in larger pipe, but the problem is the carrier would get an overwidth permit for the larger pipe, but when the smaller pipe is stacked inside, if any of the smaller pipe should exceed the legal limit, they will get a citation. OTA has talked with the Oregon Department of Transportation and we feel it is important to our industry and to the public because it will reduce the number of trucks on the highway.

188 REP. MARKHAM: Was ODOT looking out the window when you talked to them about it?

189 MR. MEREDITH: ODOT is in a bind because the law specifically states that if it is a nondivisible load, you can't stick divisible items inside it. They are just interpreting the law as it exists. They said come here to resolve it.

196 MR. MEREDITH: Would the committee accept a hand-written amendment--I have received an amendment from ODOT that would make them feel more comfortable and we would not object to it? On page 3, after the period in line 44, add "needed to carry the item requiring the variance permit". The logic ODOT has is we want to make sure that the pipe stuck inside the larger pipe does not require a larger vehicle to transport it.

225 REP. STROBECK: Is this a one-time permit for an oversized load?

227 MR. MEREDITH: It is.

230 REP. STROBECK: Under this law, could someone then stick boxes inside boxes?

232 MR. MEREDITH: There are diagrams of other examples that this would apply. One would be a low-boy trailer that has a front or back deck. This would allow, as long as it is a related commodity and it is going to the same location, stacking on available areas on the trailer.

CHAIR HAYDEN: Closes the public hearing and opens the work session on HB 3219.

HB 3219 - WORK SESSION

244 MOTION: REP. ROBERTS moves that the proposed amendment to HB 3219, page 3, line 44, "needed to carry the item requiring the variance permit" BE ADOPTED.

260 CHAIR HAYDEN: Hearing no objection to the motion, declares the motion PASSED. All members are present.

263 MOTION: REP. ROBERTS moves that the HB 3219-1 and -2 amendments (EXHIBIT R) BE ADOPTED.

267 MS. TWEEDT: Explains the -1 and -2 amendments:
> The -1 amendments would authorize the total outside width of the vehicle to be eight and one-half feet; currently the limit is eight feet, and the maximum length of the vehicle in a combination to be 40 feet; currently it is 35 feet.

> When the committee passed HB 2790 to the Full Committee, the subcommittee had an amendment to change "automobile transporter" to "motor vehicle transporter" so there would be no confusion as to the fact that the committee was not talking about the long vehicles that haul cars to dealers, but the tow vehicle. It can be done in this bill, and that is where the -2 amendments come from.

289 MR. MEREDITH: Line 24 of the -1 amendments is the eight feet. That is the federal legal width. On page 2, line 8 would allow a length up to 40 feet. The amendments have the blessing of ODOT.

316 MOTION: REP. STROBECK moves that the HB 3219-1 and 3219-2 amendments ADOPTED.

BE

318 VOTE: CHAIR HAYDEN, hearing no objection, declares the motion PASSED. All members are present.

321 MOTION: REP. ROBERTS moves that HB 3219, as amended, be sent to the Full Committee with a DO PASS RECOMMENDATION.

323 VOTE: In a roll call vote, all members are present and vote AYE.

327 CHAIR HAYDEN: Declares the motion PASSED. REP. STROBECK will lead discussion in Full Committee.

340 CHAIR HAYDEN: Opens the public hearing on HB 3221.

HB 3221 - PUBLIC HEARING

Witnesses: Mike Meredith, Oregon Trucking Association
Bruce Sherman, Sherman Brothers Trucking
Bob McKeller, Oregon Forest Products Transportation Association

330 MS. TWEEDT: Explains the bill and the -2 proposed amendments (EXHIBIT T).

387 MIKE MEREDITH, Oregon Trucking Association, submits and a prepared statement (EXHIBIT U) and testifies in support of HB 3221.

TAPE 17, A

017 BRUCE SHERMAN, Sherman Brothers Trucking, Eugene: Testifies in support of HB 3221 to attain uniformity between the state and federal governments.

021 BOB MCKELLER, Oregon Forest Products Transportation Association: OFPTA supports HB 3221 and urges the committee to act speedily.

089 REP. GRISHAM: Didn't we have a bill a couple of weeks ago that addressed the change between 8 and 9.

029 MR. MCKELLER: Yes, the committee did. Our bill dealt only with the item that Mr. Meredith explained. However, I believe it is important that it be an integral part of this legislation.

038 CHAIR HAYDEN: Closes the public hearing and opens the work session on HB 3221.

HB 3221 - WORK SESSION

039 MOTION: REP. ROBERTS moves that the HB 3221-2 amendments BE ADOPTED.

044 VOTE: Hearing no objection to the motion, declares the motion PASSED.
REP. MARKHAM IS EXCUSED.

045 MOTION: REP. ROBERTS moves that HB 3221-2, as amended, be sent to the
Full Committee with a DO PASS RECOMMENDATION.

049 VOTE: In a roll call vote, all members present vote AYE. REP. MARKHAM
IS EXCUSED.

051 CHAIR HAYDEN: Declares the motion PASSED. Rep. Grisham will lead discussion in Full Committee.

056 CHAIR HAYDEN: Open the public hearing on HB 2728.

HB 2728 - PUBLIC HEARING

Witnesses: Marshall Coba, Oregon Trucking Association
Darold Ohmer, Gresham Transfer
Bob Russell, Assistant Commissioner, Transportation Program, Public
Utility Commission

John Merriss, Oregon Department of Transportation
Debra Downing, AAA
Bob McKeller, Oregon Forest Products Transportation Association

057 MS. TWEEDT: Reviews the Preliminary Staff Measure Summary (EXHIBIT V).

065 REP. ROBERTS: Testifies in support of HB 2728.
> the reason for the bill is that the entire fleet has to be engaged in the special commodities before the carrier can choose the flat fee
> if a company has a portion of its fleet involved and they do not have a right to make a choice
> this would allow the carrier to compete without turning his whole fleet into a special fleet
> the bill will help clear up how the flat fees work

077 MS. TWEEDT: The committee has the HB 2728-1 amendments (EXHIBIT DD). Counsel indicates that arguably there are two methods of paying fees in paragraphs in (a) and (c). If there is any ambiguity in that payment, these amendments will clear it up.

084 REP. ROBERTS: The HB 2728-1 amendments are proposed by the OTA.

085 MARSHALL COBA, Oregon Trucking Association: Testifies in support of HB 2728-1. Believes the amendment just clarifies the intent of the bill.
> bill adds flexibility to motor carriers and allows them to take advantage

of the tax payment benefit
> bill allows carriers to register certain equipment in their fleet as opposed to current regulations which require the entire fleet to be registered this way
> we think the bill allows other carriers to take advantage of the flat fee

and therefore levels the playing field
> introduces Darold Ohmer

112 DAROLD OHMER, Gresham Transfer: Echoes Mr. Coba's comments in support of HB 2728.

> since deregulation and all trucks can haul all commodities, the present rules require that if you have dump vehicles and they haul commodities that are qualified for the flat fee, you must register all the vehicles for that
> wants ability to take the trucks that haul the specified commodities that

qualify for flat fee and be allowed to register them for flat fee and run those that do not haul the commodities under the standard mileage fees.

137 BOB RUSSELL, Assistant Commissioner, Transportation Program, Public Utility Commission: Submits and reads a prepared statement in opposition to HB 2728 (EXHIBIT W).

195 JOHN MERRISS, Oregon Department of Transportation.: Submits a prepared statement (EXHIBIT X) and explains the department's concerns with HB 2728:
> option to pay flat fees is a privilege
> intent of the flat fee was to reduce record keeping and reporting costs for small trucking firms operating a limited number of vehicles
> option was first granted to log trucks in 1949; thinks the original intent still does apply to log trucks and log trucks are paying a little more under the flat fee
> wood chip haulers and sand and gravel haulers have consistently shown to be underpaying relative to what they would be paying on the mileage tax
> thinks bill would cause real inequity between carriers that are allowed the options to pay flat fees and those that are not
> thinks the bill will have some serious revenue impacts; the fiscal impact could be up to \$1 million per biennium

245 REP. ROBERTS: I don't blame the people for taking the flat rate and I think when we dealt with the wood chip haulers, they were getting skinned by people from Idaho and Washington so we gave them a break? Is that correct?

MR. MERRISS: I don't recall exactly what the rationale was behind the wood chip trucks.

274 CHAIR HAYDEN: I don't believe the flat tax is a privilege; it is a responsibility.

MR. MERRISS: I don't blame a carrier for choosing whichever method is the least expensive. That is the way it is set up and that is what they are going to do.

311 DEBRA DOWNING, AAA: Ditto to what ODOT has presented. AAA's concern is the \$1 million loss to the Highway Fund

345 REP. ROBERTS AND MS. DOWNING: Discuss equity in taxation of trucking companies.

359 BOB MCKELLER, Oregon Forest Products Transportation Association: Testifies in opposition to HB 2728.
> committee considered it and oppose the bill because they represent people who haul chips and logs, some members are flat bed truckers, others haul gravel and build forest roads
> association is concerned if this bill is adopted, operations of this type may jeopardize the future of the flat fee
> the flat fee is important to a substantial number of our members because it provides a reduction in record keeping

422 CHAIR HAYDEN: Closes the public hearing on HB 2728 and opens the public hearing on HB 2620.

HB 2620 - PUBLIC HEARING

Witnesses: George Knop, himself
Carolyn Allison, herself
Charley Goodman, truck owner-operator
Kathy Lucas, United Grocers
Joe French, Oregon Forest Products Transportation Association
Bridget Flanagan, Safeway
Anne O'Ryan, AAA of Oregon
Tom Malloy, Joint Council of Teamsters
Larry Bridges, Teamsters Local 81
Tracey Hunt, Teamsters Local 81
Marshall Coba, Oregon Trucking Association

445 GEORGE KNOP: Testifies in opposition to HB 2620.
> gives his employment history as truck driver and other positions relating to safety
> 12 hours of driving is not conducive to safety
> urge you not to pass HB 2620 because I do not want to be on the road for 12 hours.

TAPE 18, A

002 CAROLYN ALLISON: Testifies in opposition to HB 2620.
> tells of accident that took family members
> driver was tired; police records show the driver was driving 25 of the previous 29 hours
> cites another accident involving a tired driver and fatalities

058 CHARLIE GOODMAN, Owner-Operator: Submits and reads a prepared statement in support of HB 2620 (EXHIBIT Y).

115 KATHY LUCAS, United Grocers: Submits and reads a prepared statement in support of HB 2620 (EXHIBIT Z).

160 JOE FRENCH, Oregon Forest Products Transportation Association: Some members of the association are chip drivers and 12 hours would help because

right now they can only drive 10 hours. Passage of this bill would be very beneficial.

175 BRIDGET FLANAGAN, Safeway: Submits and reads a prepared statement in support of HB 2620 (EXHIBIT AA).

240 ANNE O'RYAN, AAA Oregon: Submits and reads a prepared statement in opposition to HB 2620 (EXHIBIT BB).

375 TOM MALLOY, Joint Council of Teamsters: Introduces Larry Bridges, Tracey Hunt and Bob Peterson.

417 LARRY BRIDGES, Teamsters Local 81: Testifies in opposition to HB 2620.
> additional two hours has increased stress
> passage of the bill would deny safety
> roads are better and trucks are redesigned but there has been no redesign

on the human body

TAPE 17, B

035 TRACEY HUNT, Teamsters Local 81: Testifies in opposition to HB 2620.
> procedures are already in place that deal with driver regulation, hours of service and equipment limitations
> federal Department of Transportation, after gathering information at hearings, decided to leave the Motor Carrier Safety Rules in tact
> submits a statement from Matlack, Inc. in opposition to HB 2620
> issue is fatigue, shift changes for individuals contribute

079 MARSHALL COBA, Oregon Trucking Association: Testifies in support of HB 2620.
> would be a major benefit to many in OTA
> OTA's commitment to safety is second to none
> urges support of HB 2620

094 REP. STROBECK: Does it, in your opinion, make any difference whether someone is on the highway for 12 hours or if they are delivering from point to point?

096 MR. COBA: I really don't know.

099 CHAIR HAYDEN: Closes the public hearing on HB 2620 and declares the meeting adjourned at 4:05 p.m.

Submitted by, Reviewed by,

Annetta Mullins Anne Tweedt
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

A - HB 2619, Preliminary Staff Measure Summary, staff, 1 p
B - HB 2620, Preliminary Staff Measure Summary, staff, 1 p
C - HB 2578, Preliminary Staff Measure Summary, staff, 1 p
D - HB 2578, prepared statement, Steve Carson, 17 pp
E - HB 2578, prepared statement, Richard Peabody, 1 p
F - HB 2578, prepared statement, Benell Tindall, 3 pp
G - HB 2578, prepared statement, Roy L. Houck, 2 pp
H - HB 2578, prepared statement, Bob Olson, 1 p
I - HB 2578, prepared statement, Ron Trolle, 2 pp
J - HB 2578 and HB 2620, prepared statement, Bob Russell, 10 pp
K - HB 2620, prepared statement, Julie Dawson
L - HB 2519, Preliminary Staff Measure Summary, staff, 2 pp
M - HB 2519, prepared statement, Earl Fultz, 3 pp
N - HB 2619, prepared statement, Charley Goodman, 1 p
O - HB 2619, prepared statement, Wm. V. Johnson, 3 pp
P - HB 2619, prepared statement, Bob Russell, 2 pp
Q - HB 2619, prepared statement, Larry Christianson, 3 pp
R - HB 3219, Preliminary Staff Measure Summaries and HB 3219-1 and HB 3219-2 amendments, staff, 10 pp
S - HB 3219, cross section diagrams of loads, Mike Meredith, 4 pp
T - HB 3221, Preliminary Staff Measure Summary and HB 3221-2 amendments, staff, 4 pp
U - HB 3221, prepared statement, Mike Meredith, 10 pp
V - HB 2728, Preliminary Staff Measure Summary, staff, 1 p
W - HB 2728, prepared statement, Bob Russell, 7 pp
X - HB 2728, prepared statement, John Merriss, 2 pp
Y - HB 2620, prepared statement, Charley Goodman
Z - HB 2620, prepared statement, Kathy Lucas, 3 pp
AA - HB 2620, prepared statement, Bridgett Flanagan, 2 pp
BB - HB 2620, prepared statement, Ann O'Ryan, 9 pp
CC - HB 2620, prepared statement, Tracey Hunt, 1 p
DD - HB 2728, HB 2728-1 amendments, staff, 1 p