

HOUSE COMMITTEE ON
GENERAL GOVERNMENT AND REGULATORY REFORM
SUBCOMMITTEE ON TRANSPORTATION

Hearing Room
Tapes - 31

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 3449 - PUBLIC HEARING AND WORK SESSION
SB 483 A - PUBLIC HEARING AND WORK SESSION
SB 532 - PUBLIC HEARING AND WORK SESSION
SB 318 A - PUBLIC HEARING AND WORK SESSION
SB 128 A - PUBLIC HEARING AND WORK SESSION
SB 125 A - PUBLIC HEARING AND WORK SESSION

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

006 CHAIR HAYDEN: Calls the meeting to order at 1:15 p.m.. and opens the public hearings on SB 483 A and SB 532.

SB 483 - PUBLIC HEARING

Witness: Sen. Mae Yih

012 SEN. MAE YIH: Introduces Wayne Miller and Joseph Sullivan, and submits and reads a prepared statement in support of SB 483 (EXHIBIT A).

SB 532 - PUBLIC HEARING

Witness: Sen. Mae Yih

047 SEN. MAE YIH: Testifies in support of SB 532.
> bill allows a person with a farm plate to haul straw regardless of whether the person is the one who grew the straw; neighboring farmers can work together
> currently, the farmer is required to raise the straw in order to haul it with the farm plate

062 REP. ROBERTS: Is this hauling for commercial purposes or for hauling from one person's farm to another's.

SEN.YIH: This is just hauling to the farm to the storage barn or the processor where it can be compressed and shipped out of state or out of the country.

080 CHAIR HAYDEN: Closes the public hearing on SB 532 and continues the public hearing on SB 483 A.

SB 483 - PUBLIC HEARING

Witnesses: Wayne Miller, Conservative Mennonite Church
Joseph Sullivan, Tangent Mennonite Church

079 MS. TWEEDT: Reviews the Senate Staff Measure Summary. The Senate Staff Measure Summary and Legislative Fiscal and Revenue statements are hereby made a part of these minutes (EXHIBIT I).

098 WAYNE MILLER, Deacon, Conservative Mennonite Church: Submits and reads a prepared statement in support of SB 483 (EXHIBIT B).

121 JOSEPH SULLIVAN, member, Tangent Mennonite Church: Submits and Reads a prepared statement in support of SB 483 (EXHIBIT C).

A statement received from Andrew OSB orn is hereby made a part of these minutes (EXHIBIT BB).

146 CHAIR HAYDEN: Closes the public hearing and opens the work session on SB 483 A.

SB 483 A - WORK SESSION

148 MOTION: REP. STROBECK moves that SB 483 A-Engrossed, be sent to the Full Committee DO PASS RECOMMENDATION:

154 REP. LEHMAN: Questions whether there will be an enforcement issue, and how an officer would determine when to and when not to enforce the helmet law.

170 VOTE: In a roll call vote, all members present vote AYE. REPS. GRISHAM AND ROBERTS ARE EXCUSED. REP. ROBERTS VOTES AYE (See Tape 29, A at 266)

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

181 CHAIR HAYDEN: Opens the public hearing on HB 3449.

HB 3449 - - PUBLIC HEARING

Witnesses: Dr. Sean Boles, Eugene City Councilor and V-PACT
Fred NusSB aum, Association of Oregon Rail and Transit Advocates
Richard Harris, himself
Edgar Rynerson, himself
Jim Howell, owner of rail equipment company
Everett Cutter, Oregon Railroad Association
Dick Feeney, Tri-Met
Don Forbes, Oregon Department of Transportation

188 MS. TWEEDT: Reviews the Preliminary Staff Measure Summary and hand-engrossed HB 3449 with conceptual amendments (EXHIBIT D).

212 DR. SEAN BOLES, City Councilor, City of Eugene, and member of the State Transportation Commission's Valley Policy Advisory Committee on Transportation and a member of the High Speed Rail Task Force: Submits letters from Springfield Mayor Bill Morrisette and Eugene Mayor Ruth Bascom, and an editorial from The Register-Guard, April 23, 1995 (EXHIBIT E) and testifies in support of HB 3449.

> supports bill and high speed rail
> three-pronged approach involves Oregon's participation in an inter-jurisdictional compact with Washington: planning effort, service and infrastructure improvement
> amount of money needed for railroad grade crossing improvement could be substantially enhanced by HB 3449; unfortunately it flies in the face of other things that are happening in the legislature with respect to high speed rail transportation

253 FRED NUSSB AUM, Director and strategic planner for the Association of Oregon Rail and Transit Advocates (AORTA): Testifies in support of HB 3449.

> main concern with bill is the high-speed rail
> the first report proved that high speed is viable and can be put into service step-wise
> are joining with Washington, the federal government and the Providence of

British Columbia
> need to have track and signal improvements funded; grade crossings alone will not achieve the desired high speeds
> study is done and information is contained in three documents: the 1992 Oregon Passenger Plan, the capacity analysis completed in 1994 prepared for

the High Speed Rail Task Force, and a business plan of 1994 that laid out a financing strategy for phasing in the process

320 REP. ROBERTS: Can the foundation that is currently in place handle the kind of speed of the vehicles.

324 MR. NUSSB AUM: It is not the weight of the train. It is the curvature of some of the tracks in some areas and it is mainly a single-track mainline between Portland and Eugene.

343 REP. ROBERTS: Have you done studies on ridership?

MR. NUSSB AUM: There are several studies. Explains.
> proposes amendment to add infrastructure to get the higher speed (EXHIBIT F).
> are concerned about maximizing utilization of rail resources tying

Portland with McMinnville, Newberg and Salem

369 REP. STROBECK: The bill calls for another study. Do you support that?

387 MR. NUSSB AUM: Comments AORTA would support HB 3449 with the amendments (EXHIBIT F).

398 REP. STROBECK: What would be the cost?

399 MR. NUSSB AUM: The cost depends on the time period. For the full implementation of the 125 miles per-hour service with 10 trains a day from Portland and Eugene, the cost from the Oregon Rail Passenger Plan was a little less than \$1 billion for the Oregon portion.

394 RICHARD HARRIS, representing himself: Testifies in support of HB 3449.
> moved to Portland from Boston last year and lived previously in Tokyo and

wrote book on Tokyo subway system
> surprised at the lack of commuter rail traffic in Oregon
> Portland area has many rail lines that are not used; it appears lines could be used for commuter service by using single unit diesel powered rail

care that could operate as multi-car units as ridership increases

TAPE 29, A

042 REP. STROBECK: Comments he has ridden the demonstration train and the Amtrak from Portland to Salem and back. There are some parts where the train is crawling along because of the bed or speed limits, etc. It would take some improvements.

MR. HARRIS: Agrees.

048 EDGAR RYNERSON, representing himself: Testifies in support of HB 3449.

> HB 3449 is a good idea
> has a long time interest in common carrier transportation
> appears to be three-pronged approach
> benefit to people who are not interested in the train; grade crossing improvements would be improvement and would also benefit freight shippers.

071 JIM HOWELL, a long time rail advocate and owner of company that owns passenger rail equipment: Testifies in support of HB 3449
> provides funds for infrastructure
> problem is with interference on the tracks
> improvements needed to allow trains to use tracks that exists
> reference to locomotive haul should be called conventional rail; can be used in large units in multiple trains
> there is need for study to look at the tracks in the Portland to see which are appropriate for commuter rail
> submits maps of Portland rail tracks (EXHIBIT G).

135 EVERETT CUTTER, Manager, Oregon Railroad Association: Advises the committee he is in a rather unusual position of speaking for one of my members. I have signed up for Burlington Northern Railroad Company. I am not authorized to speak for Southern Pacific which probably has the biggest

stake in this legislation. At this point Union Pacific has a neutral position on the bill. Burlington Northern smiles upon the concept. They are the major player on the high speed route through Washington from Portland to Vancouver, B. C. They have commuter rail service in cities in

this country and others. They operate commuter rail systems in Chicago and

St. Louis and are exploring going into Seattle and the Dallas-Ft. Worth areas. Burlington Northern moves one million people every day in Buenos Aires, Argentina. Burlington Northern would like to explore commuter rail with Oregon, the City of Portland and area. They are supportive of this type of concept provided there is sufficient capital for efficient and reliable operation that does not interfere with the freight rail movements.

150 DICK FEENEY, Executive Director of Governmental Affairs, Tri-Met: Submits and summarizes a prepared statement in support of HB 3449 and proposes amendment (EXHIBIT H).

193 DON FORBES, Director, Oregon Department of Transportation: Advises the

committee the department did not plan to testify because they have been working with the Chair on the proposed language. ODOT is supportive of the

interest in developing high-speed rail system for the Willamette Valley. High speed rail would help accommodate efficient inner-city movement up and

down the Willamette Valley. We believe, if we cannot invest in this kind of train for both regional and commuter passengers, the only recourse is to

further develop and expand I-5.

208 CHAIR HAYDEN: Closes the public hearing on HB 3449 and opens the work session on HB 3449. Explains the hand-engrossed bill removes the \$1.5

million in study money. If it were left in, the bill would have to go to Ways and Means and the bill may get lost there. The study provision did not seem to be essential to moving the main part of the bill which would authorize in the next biennium funding for improving grade crossings. There has been discussions also on signaling, etc.

222 MOTION: REP. ROBERTS moves that HB 3449 be amended with the conceptual amendments contained in the hand-engrossed version of the bill (EXHIBIT D).

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

232 CHAIR HAYDEN: Requests that Mr. NusSB aum pursue his amendments on the Senate side to avoid delaying the bill.

234 MOTION: REP. ROBERTS moves that HB 3449, as amended, be sent to the Full Committee with a DO PASS RECOMMENDATION.

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

241 CHAIR HAYDEN: Declares the motion PASSED. Chair Hayden will lead discussion in Full Committee.

SB 483 A - WORK SESSION

244 REP. ROBERTS: Requests that he be allowed to vote on SB 483 A.

249 MOTION: REP. LEHMAN moves that the rules be suspended for the purpose of allowing Rep. Roberts to cast his vote on passage of SB 483 A.

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

266 REP. ROBERTS: Votes AYE on the passage of SB 483 A, as amended, to the Full Committee.

268 CHAIR HAYDEN: Closes the work session on SB 483 A.

277 CHAIR HAYDEN: Opens the public hearing on SB 318 A.

SB 318 A - PUBLIC HEARING

Witnesses: Dell Isham, RAZ Transportation Company
Henry (Buz) Raz Transportation Company
Sen. Jeannette Hamby
Gary Conkling, School Bus Services, Inc.
Seiji Shiratori, Oregon Association of Convention and Visitors Bureaus
Mike Miller, Associated Oregon Loggers
Larry Campbell, Associated Oregon Loggers
Joe French, Oregon Forest Products Transportation Association

MS. TWEEDT: Reviews the provisions of the bill and briefly introduces proposed amendments. The Senate Staff Measure Summary and SB 318-A6, -A7 and -A8 amendments are hereby made a part of these minutes (EXHIBIT J).

333 DELL ISHAM, RAZ Transportation Company: Introduces Buz Raz, President of Raz Transportation, submits a prepared statement and summarizes the first two pages in support of SB 318 A-Engrossed (EXHIBIT K).

357 > all three amendments remove safety, consumer and economic safeguards from the Oregon law
> describes process for application to obtain permission to provide service

400 MR. ISHAM: Continues his statement.

TAPE 28, B

039 HENRY (BUZ) RAZ, President, Raz Transportation: Submits an outline of his comments in support of SB 318 A-Engrossed (EXHIBIT L).

082 SEN. JEANNETTE HAMBY: Explains that the SB 318-A6 may be SB 303 from the 1993 session and testifies in support of SB 318 A.

> are not attempting to deregulate safety standards
> large companies are the ones who can afford the high-priced attorneys; small companies are attempting to compete in a non-level economic playing field.

> PUC does support this initiative to deregulate to some degree some of the smaller firms
> deregulation will drive the cost of service down

131 GARY CONKLING, representing School Bus Services, Inc.: Testifies in support of SB 318 A.

> School Bus Services, Inc. primarily provides private transportation services in a number of communities around Oregon using high quality equipment
> in some communities where a company may have already established a position and controls the market, another company is unable, without proving the existing company is somehow inadequate in service, to be able to compete for charter service
> support Sen. Hamby's introduction of the bill and would support amendments including the -A7 amendments that deregulate a situation that is

difficult to regulate

> many providers who are not now able to compete would be competitors offering good service, timely service, safe service to Oregonians in many communities

158 SEN. HAMBY: Comments that after chatting with PUC, some adjustments will have to be made to the SB 318 A7 amendments and will support that.

162 CHAIR HAYDEN: What are the -A6 amendments?

161 SEN. HAMBY: I have been told the -A6 amendments are SB 303 (1993); however, the -A7 amendments with some corrections that will be offered are very supportable.

166 MR. CONKLIN: The principal difference between the -A6 and the -A7 amendments is that the -A7 amendments retain regulation for fixed route passenger service. The -A7 amendments deregulate non-fixed route passenger service--charter service.

180 WILLIAM FLATT, Mid-Columbia Bus Company: Submits a prepared statement and testifies in support of SB 318 A (EXHIBIT M) and in support of the -A6 amendments.

249 JERRY R. WOODS, attorney in Lake Oswego: Submits and reads a prepared statement in support of SB 318 A (EXHIBIT N).

305 REP. ROBERTS AND MR. WOODS: Discuss the loop holes in the federal law.

330 MR. WOODS: Continues presentation of his statement.

403 REP. MARKHAM: Why should we keep regulation on transportation of passengers--why don't you want more free enterprise?

407 MR. WOODS: Transportation is more similar to other utilities than it is to other forms of commercial enterprise. It is subject to abuses.

421 REP. MARKHAM: Is the public better protected if we keep the busses regulated?

423 MR. WOODS: In my opinion, they are. I think the airline industry is in big trouble and I think surface transportation passenger industry is in trouble as well, and will be in further trouble the more economic deregulation there is.

TAPE 29, B

011 REP. STROBECK AND MR. WOODS: Discuss impacts of economic deregulation.

032 CHAIR HAYDEN AND MR. WOODS: Discuss Mr. Woods' written comments regarding federal law.

054 SEIJI SHIRATORI, Oregon Association of Convention and Visitors Bureaus: Submits and summarizes a prepared statement in opposition to the SB 318-A6, -A7 and -A8 amendments (EXHIBIT O).

096 MIKE MILLER, Executive Vice President, Associated Oregon Loggers: Submits and summarizes a prepared statement (EXHIBIT P) and requests that Sections 33, 34 and 35 be deleted.

147 LARRY CAMPBELL, Associated Oregon Loggers: Associated Oregon Loggers takes no position on the bill other than the three sections that AOL is requesting removal of. Find the proposal enacted into law that required this action is not being followed by many of the providers of the state; it is a law that has little meaning.

161 JOE FRENCH, Oregon Forest Products Transportation Association: Testifies in support of keeping Sections 33, 34, and 35. The only problem that has arisen was the contract had to begin immediately. Requested the Senate amendment in the bill that says the contract is not presented until five days later which should solve the problem.

179 CHAIR HAYDEN: Closes the public hearing and opens work session on SB 318 A.

182 SB 318 A - WORK SESSION

182 MOTION: REP. GRISHAM moves to delete sections 33, 34 and 35 from SB 318 A.

185 VOTE: CHAIR HAYDEN, hearing no objection to the motion, declares the motion passed. REP. ROBERTS IS EXCUSED.

187 CHAIR HAYDEN: Closes the work session on SB 318 A and reopens the public hearing on SB 318 A.

195 LAURA CLARK, Evergreen Stage Lines/The Gray Line Company: Submits and reads a prepared statement in opposition to amendments to SB 318 A (EXHIBIT

Q).

226 MS. CLARK: Continues her presentation.

275 MS. CLARK: Continues her presentation.

305 REP. ROBERTS: Comments he thinks the issue is safety and if we go along with the federal government, we will lower standards for safety.

331 REP. STROBECK: Comments he thinks Ms. Clark has overstated some of the impacts, and asks who sets the rates and routes now.

344 MS. CLARK: Explains the process through the PUC.

367 REP. LEHMAN: Asks if there is a middle ground between total deregulation and where we are now?

MS. CLARK: Replies she believes so.

390 REP. LEHMAN AND MS. CLARK: Discuss competition among small carriers, service levels and costs.

TAPE 30, A

002 REP. LEHMAN AND MS. CLARK: Continue their discussion.

041 MIKE MEREDITH, Oregon Trucking Associations: Testifies that SB 318-A8 also addresses household goods.

> against deregulating "household" industry.

> shippers of household goods do it infrequently

> if household goods are deregulated, it will bring down rates

> if there is authority over household goods haulers, that can be yanked at any time

> supports the bill as written without -A6, -A7 or -A8

099 REP. STROBECK: Do you have an opinion regarding passenger buses?

MR. MEREDITH: Thinks there can be the same argument on passenger carriers as household goods, but I do not represent them.

108 CHAIR HAYDEN: Notes that Norman Meyers, Public Utility Commission, has submitted written comments (EXHIBIT Z).

113 CHAIR HAYDEN: Requests that the committee decide on the issues to be addressed.

> no consensus for deregulating household goods carriers

181 > deregulate non-regular route passenger carriers with consumer protection provisions

> controlling market place is different than controlling the consumer

194 MS. TWEEDT: Comments that the committee's discussion really is economic deregulation and her understanding is that this is economic deregulation only. As the Senate Staff Measure Summary indicates, the other regulations

are not directly affected by federal preemption. Asks if the committee wants to mirror that in the state's deregulation of the passenger carriers?

202 REP. STROBECK: Asks if the reason household goods and passengers are being address is because they are not addressed by the federal deregulation.

207 MS. TWEEDT: That is right.

208 MOTION: REP. MARKHAM moves that SB 318 A, as amended be sent to the Full Committee WITHOUT RECOMMENDATION AS TO PASSAGE.

213 REP. STROBECK: Requests that PUC staff answer some questions.

220 BOB RUSSELL, Assistant Commissioner for PUC's Transportation Program: It was our strong preference SB 318 A move without a lot of amendments. The -A6 amendments deal with passengers carriers and the -A7's deals with

passenger carriers. If the committee desires to move the -A7 amendments and wants to talk about different methods of regulating passenger carriers,

that would be the vehicle. We don't think it is a good idea to deregulate household goods.

238 CHAIR HAYDEN: How would we got to some deregulation with some oversight of unscheduled passenger services?

242 MR. RUSSELL: If you are going to continue to regulate services in some way and provide consumer protection kinds of things, it is difficult to do that and get away from the current structure. If you want to look at the

charter transportation, regular tour service and those kinds of things and move those out and focus your attention on the regular route scheduled service such as the Greyhounds and Trailways, that is a distinction that you can make fairly easily.

258 REP. LEHMAN: If we pass -A7 amendments and total deregulation, then is it correct that if someone has a big van, that person can compete in that market so long as they meet PUC regulations for a passenger carrier?

265 MR. RUSSELL: There aren't very many regulations that would apply in that instance. You have basically taken them away.

269 REP. LEHMAN: Is there some point between the regulation we now have in place and total deregulation? I am talking about the charter bus service.

275 REP. STROBECK: We heard from the Greyline person that you look at the financial stability, etc. The staff measure summary says you will continue

to look at safety, insurance, etc. It doesn't say anything about whether this is a fully functioning operating company or just a fly-by-night deal.

I am talking about the consumer protection.

283 MR. RUSSELL: If the committee passes the -A7 amendments, at least the intent of the -A7 amendments is we would no longer be able to provide any consumer protection oversight in that market.

287 REP. HAYDEN: You would be able to check safety, size and weight limits.

289 MR. RUSSELL: Safety on the larger buses, yes. We have some exemptions in the law at the moment. For vehicles up to five passengers, for example,

we don't have any jurisdiction at all. The PUC has no jurisdiction over taxi cabs, transportation within five miles of a metropolitan area or limousines; those are state exemptions. At the federal level, we don't have safety jurisdiction until 16 passengers if it is an interstate operation.

310 CHAIR HAYDEN: Rep. Markham has suggested an amendment that we not deregulate and no one seems to be in favor of the -A7 amendments, the complete deregulation of the unscheduled passenger lines.

316 REP. STROBECK: Suggests the committee move the bill as Rep. Markham moved and he and Rep. Lehman and I can get together with others to come up with language to be presented to the full committee.

325 CHAIR HAYDEN: Asks for consensus of the committee that the bill be moved to the Full Committee on Rep. Markham's motion with the understanding

that it will be reopened in Full Committee and that deregulation of unscheduled passenger carriers may be modified on what Rep. Strobeck and Rep. Lehman come up with.

342 VOTE: In a roll call vote, REPS. GRISHAM, LEHMAN, MARKHAM,

STROBECK AND

CHAIR HAYDEN VOTE AYE. REP. ROBERTS VOTES
NO.

353 CHAIR HAYDEN: Declares the motion PASSED.

385 CHAIR HAYDEN: Opens the public hearing on SB 532.

SB 532 - PUBLIC HEARING

Witnesses: Mary Eighler, farmer
Sharon Schrenk, farmer

The Senate Staff Measure Summary and Legislative Fiscal and Revenue statements are hereby made a part of these minutes (EXHIBIT R).

399 MARY EICHLER: Submits a packet of information, explains pictures on page 2, and testifies in support of SB 532 (EXHIBIT S).

TAPE 31, A

021 SHARON SCHRENK, Junction City: Submits and reads a prepared statement in support of SB 532 (EXHIBIT T).

058 CHAIR HAYDEN: Asks Don Schellenberg if it is enough that the committee knows the Farm Bureau supports the bill.

058 DON SCHELLENBERG, Oregon Farm Bureau: Responds affirmatively. His statement is hereby made a part of these minutes (EXHIBIT AA).

060 CHAIR HAYDEN: Closes the public hearing and opens the work session on SB 532.

SB 532 - WORK SESSION

061 MOTION: REP. ROBERTS moves that SB 532 be sent to the Full Committee with a DO PASS RECOMMENDATION.

068 VOTE: In a roll call vote, all members present vote AYE. REPS. GRISHAM AND STROBECK ARE EXCUSED.

070 CHAIR HAYDEN: Declares the motion PASSED.

071 CHAIR HAYDEN: Opens the public hearing on SB 129 A.
SB 129 A - PUBLIC HEARING
Witnesses: Rick Willis, Public Utility Commission

071 MS. TWEEDT: Reviews the provisions of the bill. The Senate Staff Measure Summary and Legislative Fiscal and Revenue statements are hereby made a part of these minutes (EXHIBIT U).

082 REP. ROBERTS: Questions why the Senate would want to remove the \$800,000 and leave it open ended.

090 RICK WILLIS, Assistant Commissioner of the PUC: Submits a prepared statement (EXHIBIT V) and explains the change was made because of change in rules from the Department of Administrative Services. In July 1993, DAS changed the rules for how the payroll account is handled. When the agency paid the joint payroll account for the employees, the agency had until the 10th of the following month to pay that amount. In July 1993, DAS changed that to the first of the month, the same day the employees are paid. Pay for employees out of this account costs about \$1.3 million per month, well above the \$800,000. There is not enough money each month to reimburse the account. They want to keep it open to avoid having to come to the legislature each session. The agency can't spend more money than it is allowed to spend.

118 CHAIR HAYDEN: Closes the public hearing and opens the work session on SB 129 A.
SB 129 A - WORK SESSION

119 MOTION: REP. ROBERTS moves that SB 129 A be sent to the Full committee with a DO PASS RECOMMENDATION.

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

122 CHAIR HAYDEN: Declares the motion PASSED.
CHAIR HAYDEN: Opens the public hearing on SB 125 A.
SB 125 A - PUBLIC HEARING
Witnesses: Paul Henry, Public Utility Commission
Merril Schwartz, Multnomah County Sheriff's Office
Marshall Coba, Oregon Trucking Association
Lt. Meril Julifs, Multnomah County Sheriff's Office
Officer Mike McDonald, Portland Police Bureau
Lt. Bill Johnson, Oregon State Police

The Senate Staff Measure Summary and Legislative Fiscal and Revenue statements are hereby made a part of these minutes (EXHIBIT W).

129 PAUL HENRY, Manager Safety Services and Federal Programs, Public Utility Commission: Submits and reads a prepared statement (EXHIBIT X).

175 MR. HENRY: Continues his presentation.

225 MR. HENRY: Continues his presentation.

265 REP. MARKHAM: The staff measure summary says the (inspections) do not apply to those inspections conducted or citations given under the authority of the Motor Vehicle Division code. Why aren't you doing it all?

272 MR. HENRY: There was some concern by various police agencies that SB 125 in terms of its standardized training and certification requirements would interfere or disallow with the historic and on-going kinds of enforcement the police community. SB 125 only addresses itself to a battery of federal law the states are required to adopt. There has been a tremendous amount of preemption over the last 10 years.

395 REP. MARKHAM: Will everyone in the Multnomah County Sheriff's be trained?

298 MERRIL SCHWARTZ, Multnomah County Sheriff's Office: The intent is to train a cadre of people to do level I and level II inspections. Enforcement of the vehicle code can be done by any police officer.

315 MS. TWEEDT: What is the cost of training?

322 MR. HENRY: It has been a no-cost operation since its inception.

328 MS. TWEEDT: Could someone lose their job if they fail the certification

process? Is it so rigorous that someone who currently holds the job might not have it after he/she goes through the certification.

332 MR. HENRY: The attrition rate in the schools approaches 20 percent. There is a 20 percent failure rate for hazardous materials or the level I inspection school. It is not an easy curriculum. If an agency, city, county or state, had designed their position description for inspectors so that their continued employment or employment was dependent upon them being

qualified and certified to inspect and enforce those standards, then the answer would be, it could impact employment. The reverse side of that response is that within that body of international standards if you are not

certified, you do not have the authority to inspect or apply the detail that provides reciprocity to the truck driver and the industry.

444 MARSHALL COBA, Oregon Trucking Association: We support the bill.

394 LT. MERLIN JULIFS, Multnomah County Sheriff's Office: Testifies in support of SB 125.

> training provided to level I truck inspectors is some of the best training ever received, but was also some of the most difficult
> training will maintain a quality program of truck inspections throughout the state and will address a very serious problem in the metropolitan area
> thousands of trucks need to be inspected to keep little things from becoming big things.
> concern is by requiring certification, we maintain a quality program in Oregon

439 OFFICER MIKE MCDONALD, Portland Police Bureau: Reiterates Lt. Julif's testimony.

> important aspect in the field is the reciprocity
> a current CVSA indicates the truck has been properly inspected by a legitimate organization
> is a convenience for truck drivers; prevents drivers having to stop for additional inspections

462 LT. BILL JOHNSON, Oregon State Police: Submits a prepared statement and testifies in support of SB 125 A (EXHIBIT Y).

TAPE 30, SIDE B

030 REP. STROBECK: When you do safety inspections, do you check the log books?

OFFICER MCDONALD: It is a part of the inspection process.

034 REP. STROBECK AND OFFICE MCDONALD: Discuss inspection of log books.

048 LT. JOHNSON: Explains that a level I truck inspection requires two inspectors. One person is inspecting the physical vehicle, cargo, tie downs, etc. The other person is with the driver doing the administrative kinds of things--the registration, the PUC, mileage and the log book. At a

Point of Entry station perhaps two a day out of 20 will have log book violations. Others are suspect.

062 REP. STROBECK: Comments he appreciates the difficulties truckers operate under but at the same time wants to be sure if we do have this kind

of inspection and checking, those who are doing it should be skilled in the

ability to actually determine what is true and false in the log book entries.

080 CHAIR HAYDEN: Closes the public hearing and opens the work session on SB 125 A.

SB 125 A - WORK SESSION

082 MOTION: REP. ROBERTS moves that SB 125 A be sent to the Full Committee with a DO PASS RECOMMENDATION.

084 VOTE: In a roll call vote, all members present vote AYE. REPS. GRISHAM

AND MARKHAM ARE EXCUSED.

086 CHAIR HAYDEN: Declares the motion PASSED. REP. ROBERTS will lead discussion in Full Committee.

090 CHAIR HAYDEN: Announces that the subcommittee will meet at the call of the Chair as more bills come from the Senate.

093 CHAIR HAYDEN: Declares the meeting adjourned at 4:08 p.m.

Submitted by, Reviewed by,

Annetta Mullins Anne Tweedt
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

A - SB 483, prepared statement, Sen. Yih, 2 pp
B - SB 483, prepared statement, Wayne Miller, 1 p
C - SB 483, prepared statement, Joseph Sullivan, 1 p
D - HB 3449, Preliminary Staff Measure Summary, V-PACT info and
hand-engrossed
 HB 3449, staff, 4 pp
E - HB 3449, prepared statement, Dr. Sean Boles, 3 pp
F - HB 3449, proposed amendments, Fred NusSB aum, 1 p
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