

SENATE COMMITTEE ON  
TRANSPORTATION

Hearing Room  
Tapes - 66

MEMBERS PRESENT:

Sen. Ken Baker, Chair  
Sen. Mae Yih, Vice-Chair  
Sen. John Lim  
Sen. Marylin Shannon  
Sen. Dick Springer

STAFF PRESENT:

Janet Adkins, Committee Administrator  
Gina Rumbaugh, Committee Assistant

MEASURES HEARD:

HB 2519 Public Hearing and Work Session  
HB 2578 Public Hearing and Work Session  
HB 3219 Public Hearing and Work Session  
HB 2955 Public Hearing and Work Session  
SB 1149 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 , SIDE A

003 CHAIR BAKER: Calls the meeting to order (1:17PM).  
-Announces Thursday, 5/11, is scheduled to be last Senate Transportation  
meeting

PUBLIC HEARING ON HB 2519

Witnesses: Bob McKellar, Oregon Forest Products Transportation Association  
Joan Plank, Oregon Department of Transportation (ODOT)

010 ADMINISTRATOR ADKINS: Reviews HB 2519-A.

035 BOB MCKELLAR, OREGON FOREST PRODUCTS TRANSPORTATION ASSOCIATION:  
Supports HB 2519 and gives reasons why.

055 JOAN PLANK, ODOT: ODOT worked with the industry to come to the  
compromise of  
HB 2519-A, and is in support of the bill as written. Submits testimony  
[EXHIBIT A].

WORK SESSION ON HB 2519

060 MOTION: CHAIR BAKER MOVES HB 2519-A BE SENT TO THE FLOOR WITH A DO PASS

RECOMMENDATION

VOTE: IN A ROLL CALL VOTE, FOUR MEMBERS PRESENT VOTE AYE; SEN. YIH  
EXCUSED; THE MOTION CARRIES

Sen. Lim will lead discussion on the Floor.

PUBLIC HEARING ON HB 2578

Witnesses: Tommy Malloy, Joint Council of Teamsters  
Bob Peterson, Joint Council of Teamsters  
Debra Downey, AAA Oregon

070 ADMINISTRATOR ADKINS: Reviews HB 2578-A.

095 TOMMY MALLOY, JOINT COUNCIL OF TEAMSTERS: Supports HB 2578-A bill, but opposes HB 2578-A2 amendment.

100 BOB PETERSON, JOINT COUNCIL OF TEAMSTERS: Supports HB 2578-A bill, but opposes HB 2578-A2 amendment. Summarizes his background. Union membership

does not agree that extending the driving time to 12 hours is a good idea.

130 SEN. SHANNON: The trade-off was you wouldn't have to stay at a motel that's two hours from home.

PETERSON: I'd much prefer to rest when you're supposed to be resting. Gives example of truckers' work schedule.

215 SEN. LIM: Who pays the motel bill?

PETERSON: Some companies pay the bill, others give drivers a flat fee to use for meals and lodging--either way, the company generally pays.

SEN. LIM: When you work more than eight hours, do you get overtime pay?

PETERSON: No, most trips are paid by the mileage for driving time and an hourly rate for work time. It's all a straight time rate.

250 PETERSON: Maximum allowable miles driven under the 10-hour limit is 525 miles. If that's extended to 12 hours, it'd be 625 miles a day.

SEN. LIM: The driver is not going to be driving 10 or 12 hours continuously because they still have to load and unload.

-Allowing two more hours in extreme circumstances might be good so they can produce better

PETERSON: There's a two hour emergency situation now if you could complete your trip in two hours.

-If companies have 12 hours, I fear they would then require truckers to drive 12 hours; it's a scheduling matter--it's not a case of it happening occasionally

315 DEBRA DOWNEY, AAA OREGON: Opposes HB 2578-A and HB 2578-A2 amendments.

Submits and summarizes testimony and flyer [EXHIBIT B].

WORK SESSION ON HB 2578-A

360 CHAIR BAKER: Rep. Parks who sponsored the bill and Rep. Hayden who chairs the House Transportation Subcommittee both indicated that if the bill in its current form were to be amended, it would probably jeopardize it's passage on the House Floor when it goes back.

SEN. SHANNON: Sleep is a serious safety issue; I would not support the amendments.

425 SEN. YIH: I feel that if one industry can drive 12 hours, the other

industries are to be allowed that privilege.

445 MOTION: SEN. YIH MOVES TO ADOPT HB 2578-A2 AMENDMENTS DATED 5/4/95

VOTE: IN A ROLL CALL VOTE, SENS. BAKER AND YIH VOTE AYE; SENS. LIM, SHANNON, AND SPRINGER VOTE NO; THE MOTION FAILS

MOTION: CHAIR BAKER MOVES HB 2578-A BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE, SENS. BAKER, LIM, AND YIH VOTE AYE; SENS. SHANNON AND SPRINGER VOTE NO; THE MOTION CARRIES

Chair Baker will lead discussion on the Floor. [Later in the meeting, Sen. Yih volunteers to lead discussion on the Floor for HB 2578-A.]

TAPE 66, SIDE A

PUBLIC HEARING ON HB 3219

Witnesses: Mike Meredith, Oregon Trucking Associations  
Al Elkins, Oregon Tow Truck Association  
Gary Coe, Speeds Towing, Portland, Oregon  
Steve Johnston, Motor Carrier Services, Oregon Department of Transportation

030 ADMINISTRATOR ADKINS: Reviews HB 3219-A.

055 MIKE MEREDITH, OREGON TRUCKING ASSOCIATIONS: Supports HB 3219-A. Submits diagram [EXHIBIT C] and explains. This issue is of particular concern and importance to the industry.

090 CHAIR BAKER: What's the rationale for the current law?

MEREDITH: The large pipe is non-divisible, but the small pipe is divisible. ODOT indicates they do not have a problem with this legislation.

105 AL ELKINS, OREGON TOW TRUCK ASSOCIATION: Supports HB 3219-A, particularly Section 3. Introduces Gary Coe.

110 GARY COE, SPEEDS TOWING, PORTLAND, OR: Supports HB 3219-A. Four-car carriers that are currently in use exceed the maximum allowable length; references photo [EXHIBIT D]. All four major manufacturers of the vehicle confirm the safety record is flawless related to the length.

155 SEN. LIM: How long are triple trailers?

MEREDITH: They cannot exceed 105 feet in length.

SEN. LIM: How long is the total length of this truck?

COE: The truck itself is 45 feet, and with the towed vehicle a maximum of 65 feet.

170 ADMINISTRATOR ADKINS: Why does it address increasing the size of the vehicle instead of the size of the total width of the load? It seems like it could extend beyond the permitted width of the load.

STEVE JOHNSTON, MOTOR CARRIER SERVICES, ODOT: The intent was to make sure there was not an abuse of the system and all of a sudden commodities that were divisible are being hauled on trucks that were designed to haul non-divisible loads.

WORK SESSION ON HB 3219

190 MOTION: CHAIR BAKER MOVES HB 3219-A BE SENT TO THE FLOOR WITH A DO PASS

RECOMMENDATION

SEN. YIH: Is there any safety problem with fitting small pipes into larger pipes?

JOHNSTON: In all likelihood, it would probably make it safer because it's more stable.

VOTE: IN A ROLL CALL VOTE, SENS. BAKER, LIM, AND YIH VOTE AYE; SEN. SPRINGER VOTES NO; SEN. SHANNON EXCUSED; THE MOTION CARRIES

Chair Baker will lead discussion on the Floor.

PUBLIC HEARING ON HB 2955

Witnesses: Bill Burgess, Councilor, City of Salem  
Roger Vineyard, Lieutenant, Salem Police Department  
Lew Garrison, Traffic Engineer, City of Salem

220 ADMINISTRATOR ADKINS: Reviews HB 2955 and HB 2955-1 amendments [EXHIBIT E].

250 BILL BURGESS, COUNCILOR, CITY OF SALEM: Supports HB 2955. Submits and reads testimony [EXHIBIT F]. Concur with the HB 2955-1 amendments.

300 CHAIR BAKER: Explains reasoning for requesting the amendments.

315 ROGER VINEYARD, LIEUTENANT, SALEM POLICE DEPARTMENT: Addresses enforcement of school zone speed. This legislation would eliminate some of the confusion for motorists. It also provides a training mechanism for motorists to be aware of school zones.

365 CHAIR BAKER: The bill doesn't indicate who is going to operate the lights--the school district or the city. Does that make any difference?

LEW GARRISON, TRAFFIC ENGINEER, CITY OF SALEM: For Salem, the City of Salem will operate the lights in conjunction with the school district.

SEN. SHANNON: Why do you need state law? If you're speeding and children are there, why can't you ticket them?

GARRISON: A flashing light is clear indication a motorist is disobeying the law if driving over 20 mph.

VINEYARD: A reason for making it a part of law is that it becomes an element of proof for the officer in court.

440 GARRISON: Notes that the national standard, not adopted by the State of Oregon, is when children are present or when lights are flashing.  
-In Oregon, the common practice for enforcement is when children are present at the crossing

TAPE 65, SIDE B

030 SEN. SPRINGER: What kind of flashing light are we talking about?

GARRISON: It's a standard amber 12-inch fixture that flashes, normally mounted to the side of the road. Submits informational material and references picture on front [EXHIBIT G].

SEN. SHANNON: How much will these units cost?

GARRISON: These will run around \$2,500. The ones the City of Salem are

putting up are mast-arm mounted over the street, which cost about \$10,000 for every installation.

050 SEN. SPRINGER: Is this mandated?

GARRISON: No.

SEN. SPRINGER: Concerned about consistency. The driver gets conditioned to look for the flashing light in one town, and the next town doesn't have it.

GARRISON: Basically, we're trying to bring it into conformance with the uniform manual which allows when children are present and/or when lights are flashing. Uniformity will be controlled by the Oregon Traffic Control Devices Committee.

SEN. SPRINGER: What if the district can't afford to do all school zones in one year?

GARRISON: I don't think that would create problems.

075 SEN. LIM: Concerned that a yellow flashing light could be confusing to motorists.

GARRISON: It's a warning that there is a caution that the driver needs to be aware of. It's a warning to slow down; it draws the attention of motorists.

100 SEN. YIH: Have you considered using photo radar?

GARRISON: That is not legal at this point in time. Photo radar could only be available at one or two schools at a time. We're looking for the ability to enhance the safety of school zones at all times throughout the year.

SEN. YIH: Would you have a central control panel for turning the lights on and off?

GARRISON: It is programmed at a computer at the intersection.

135 SEN. SHANNON: There's nothing in Oregon law that forbids you from setting these up.

GARRISON: True, but we can't put up a sign indicating the speed is 20 mph when lights are flashing. Currently, the flashing light doesn't allow enforcement of the 20 mph.

160 CHAIR BAKER: Applauds the city for its efforts with this legislation. Notes letter from ODOT that supports the bill (included in Exhibit G).

WORK SESSION ON HB 2955

160 CHAIR BAKER ASKS IF THERE ARE ANY OBJECTIONS TO HB 2955-1 AMENDMENTS DATED 5/8/95

SEN. LIM: Concerned it would be difficult to automate the lights for certain times.

CHAIR BAKER: They can probably override for special dismissals.

SEN. SHANNON: Concerned motorists will be confused.

200 SEN. LIM: Suggests the City of Salem do it as a pilot project.

-Concerned drivers will be confused  
-Concerned children will be present on off-hours when the lights are not flashing

240 SEN. SHANNON: Currently, drivers are geared to watch for children, not flashing lights.

260 MOTION: SEN. SPRINGER MOVES TO ADOPT THE HB 2955-1 AMENDMENTS DATED 5/8/95

VOTE: IN A ROLL CALL VOTE, SENS. BAKER, LIM, AND SPRINGER VOTE AYE; SENS. SHANNON AND YIH VOTE NO; THE AMENDMENTS ARE ADOPTED

285 MOTION: SEN. LIM MOVES TO FURTHER AMEND HB 2955, THAT IT BE RESTRICTED TO THE CITY OF SALEM

VOTE: IN A ROLL CALL VOTE, SENS. LIM, SHANNON, AND YIH VOTE AYE; SENS. BAKER AND SPRINGER VOTE NO; THE AMENDMENT IS ADOPTED

305 MOTION: CHAIR BAKER MOVES HB 2955, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE, SENS. BAKER, LIM, SPRINGER, AND YIH VOTE AYE; SEN. SHANNON VOTES NO; THE MOTION CARRIES

Sen. Lim will lead discussion on the Floor.

WORK SESSION ON SB 1149

Witness: Paul Cook, Human Resource Management, Dept. of Administrative Services (DAS)

320 PAUL COOK, HUMAN RESOURCE MANAGEMENT, DAS: Suggest the affected employees at PUC be guaranteed the opportunity to compete in the recruitment and selection process, rather than through direct appointment.

CHAIR BAKER: Would that still allow ODOT to hire those people that they wanted to hire because of their unique skills and training?

COOK: Yes. The process can take place by transfer, demotion into a lower classification, or an open competitive recruitment restricted to employees doing those jobs at PUC.

385 ADMINISTRATOR ADKINS: What kind of process would PUC employees go through in the case of limited recruitment?

COOK: Explains and gives examples of the process.

410 SEN. YIH: Asks if seniority prevails in case of change of positions.

COOK: Some of that depends on collective bargaining agreements.  
-PUC is an unrepresented agency; in ODOT, there would be a collective bargaining unit

450 SEN. YIH: During the competition and selection process, the seniority rules does not apply?

COOK: No, not in the competitive selection process.

TAPE 66, SIDE B

025 SEN. SHANNON: Raises concern of another strike, of which ODOT employees are eligible to do, and the affect of that on road safety.

035 ADMINISTRATOR ADKINS: Reviews SB 1149-1 amendments [EXHIBIT H].

085 -Section 42a, page 3, Exhibit H

015 -Sections 67a and 67b, page 4, Exhibit H

125 CHAIR BAKER: Adjourns the meeting (2:50PM).

Submitted by, Reviewed by,

Gina Rumbaugh Janet Adkins  
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

- A - Testimony on HB 2519 -- Joan Plank -- 1 page
- B - Testimony and flyer on HB 2578 -- Debra Downey -- 12 pages
- C - Diagram on HB 3219 -- Mike Meredith -- 1 page
- D - Photo on HB 3219 -- Gary Coe -- 1 page
- E - HB 2955-1 Amendments -- Staff -- 1 page
- F - Testimony on HB 2955 -- Bill Burgess -- 2 pages
- G - Informational material on HB 2955 -- Lew Garrison -- 6 pages
- H - SB 1149-1 Amendments -- Staff -- 12 pages