

SENATE COMMITTEE ON
TRANSPORTATION

Hearing Room
Tapes - 18

MEMBERS PRESENT:

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

MEMBER EXCUSED:

Sen. Dick Springer

STAFF PRESENT:

Janet Adkins, Committee Administrator
Gina Rumbaugh, Committee Assistant

MEASURES HEARD:

Informational Overview: Trucking Regulation
SB 236 Work Session
SB 125 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 , SIDE A

003 CHAIR BAKER: Calls the meeting to order (1:08PM).
-Introductory remarks

INFORMATIONAL OVERVIEW: TRUCKING REGULATION

Witness: Michael Meredith, President, Oregon Trucking Associations

015 MICHAEL MEREDITH, PRESIDENT, OREGON TRUCKING ASSOCIATIONS: Submits and summarizes written testimony [EXHIBIT A].

080 -Reviews Exhibit A, Funds Distribution

140 -Responding to Sen. Yih, addresses concerns for on-highway enforcement by police

195 -Exhibit A, Proposal

245 SEN. YIH: I don't believe we should create another commission, rather have you identify some specific safety problems that we can show the state police and ask how they are handling.

260 MEREDITH: We don't want a paid commission or staff; just volunteers to address concerns and problems that are going on out in the field.

280 SEN. YIH: What are two or three specific concerns?

285 MEREDITH: Speeding, following too close, improper left- and right-hand turns, and improper passing.

330 SEN. YIH: How did you arrive at the \$800,000, Exhibit A, Item 2? Why is \$1.2 million not enough?

340 MEREDITH: We propose to take the \$800,000 out of weight/mile taxes. \$2 million would supply enough resources to the state police for necessary enforcement--if the money is dedicated to motor carrier enforcement.

375 CHAIR BAKER: We'll invite the state police back in order to look at their budget on the safety issue, and to see what the assignments are and how they're handled.

WORK SESSION: INTRODUCTION OF Lcs 2618, 2629, 2630

390 MOTION: CHAIR BAKER MOVES INTRODUCTION OF LC 2618 [EXHIBIT B], LC 2629 [EXHIBIT C], AND LC 2630 [EXHIBIT D] AS COMMITTEE BILLS

VOTE: FOUR MEMBERS PRESENT, HEARING NO OBJECTIONS THE MOTION CARRIES; SEN.

SPRINGER IS EXCUSED

WORK SESSION ON SB 236

Witnesses: Kelly Taylor, Manager, Driver and Motor Vehicle Services (DMV)
Joanne Peterson, Manager, Driver and Motor Vehicle Services (DMV)

410 ADMINISTRATOR ADKINS: Explanation of SB 236 and 236-2 amendments [EXHIBIT E], which, with the exception of Section 6, were adopted at the 2/2/95 committee meeting.

TAPE 18, SIDE A

005 CHAIR BAKER: Further explanation of amendments.

020 -Discussion of proposed substitute language [EXHIBIT F].

070 SEN. YIH: When the DMV sets up the forms for sellers to fill out, maybe they should provide a duplicate so the seller can keep a copy for their own records.

110 KELLY TAYLOR, MANAGER, DMV: I would prefer not to try to do form design at this time; we will always keep a copy and can provide that upon request.

120 SEN. LIM: Expresses concern that it sounds as if there is a penalty in the bill.

135 CHAIR BAKER: The intent is to protect the seller and to create an incentive for them to notify the DMV.

160 ADMINISTRATOR ADKINS: Explanation of Fiscal Impact Statement.

175 CHAIR BAKER: Several questions for Ms. Taylor for further clarification

of fiscal impact.

210 SEN. YIH: Why is there a fiscal impact when your workload has not changed?

218 TAYLOR: There will be no change in the buyer notification, which is actually the title transfer. We'll add on seller notification that will increase the workload.

240 SEN. YIH: What is the legal time limit for buyers to notify you?

250 TAYLOR: They are supposed to notify us within 30 days.

260 CHAIR BAKER: Does this also allow you the opportunity to collect more fees since you'll be able to track intervening transactions where you weren't notified?

270 JOANNE PETERSON, MANAGER, DMV: The fee is actually for the service of issuing the title; the last person who applies for the title is the one who pays the fee.

285 SEN. LIM: Don't you think the \$1.8 million is enough to absorb the additional work?

290 TAYLOR: We're not asking for any additional FTE right now; we'd like to wait and see if we could absorb the work with what we have.

310 MOTION: CHAIR BAKER MOVES TO AMEND AND ADOPT 236-2 AMENDMENTS WITH SUBSTITUTE LANGUAGE IN SECTION 6 [EXHIBIT F]

VOTE: FOUR MEMBERS PRESENT, HEARING NO OBJECTIONS THE AMENDMENTS ARE ADOPTED; SEN. SPRINGER IS EXCUSED

330 MOTION: SEN. LIM MOVES SB 236 AS AMENDED BE RETURNED TO THE PRESIDENT'S DESK WITH A LETTER REQUESTING THAT THE BILL BE REFERRED TO THE COMMITTEE ON WAYS AND MEANS WITH A DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE, ALL MEMBERS PRESENT VOTE AYE;
SEN. SPRINGER IS EXCUSED

PUBLIC HEARING ON SB 125

Witnesses: Paul Henry, Manager, Transportation Safety, Public Utility Commission (PUC)

Merlin Juilfs, Lieutenant, Multnomah County Sheriff's Office
John Blackman, Deputy, Multnomah County Sheriff's Office
William Johnson, Lieutenant, Oregon State Police
Marshall Coba, Oregon Trucking Associations

360 ADMINISTRATOR ADKINS: Explanation of SB 125 and 125-3 amendments [EXHIBIT G].

395 PAUL HENRY, MANAGER, TRANSPORTATION SAFETY, PUC: Supports SB 125. Submits and summarizes written testimony [EXHIBIT H]. Also submits letter of support on behalf of Andrew Eno, State Director, U.S. Department of Transportation [EXHIBIT I].

TAPE 17, SIDE B

065 HENRY: Continues Exhibit H, Motor Carrier Safety Assistance Program (MCSAP).

155 MERLIN JUILFS, LIEUTENANT, MULTNOMAH COUNTY SHERIFF'S OFFICE: Supports SB 125. The body of knowledge required to be a competent truck inspector is almost overwhelming, and people should not be in this business unless they are properly trained.

185 JOHN BLACKMAN, DEPUTY, MULTNOMAH COUNTY SHERIFF'S OFFICE: Supports SB 125. Very important that we all give an equal level of inspection.

205 WILLIAM JOHNSON, LIEUTENANT, OREGON STATE POLICE: Supports SB 125. Submits and summarizes written testimony [EXHIBIT J].

230 SEN. YIH: Who pays for the training?

233 HENRY: Currently, we don't charge our partners in Oregon.

238 SEN. YIH: Why do you want this bill if you're all trained under the PUC?

242 HENRY: In Oregon, there is nothing to preclude any city or county agency from entering into the business of truck safety and hazardous materials inspection. The concern is that it must then be done so that drivers are treated equally, the law is applied fairly, vehicles are inspected uniformly, and the certified vehicles are given a decal that other jurisdictions in North America recognize.

270 SEN. YIH: Will the decal be displayed on the license plate?

273 HENRY: It is displayed on the windshield of the vehicle, and is color-coded. Further explains international significance of the system.

315 SEN. LIM: Who are the officers you are talking about in the bill?

330 HENRY: The officers would be representatives of any city, county, or state agency where that agency supports its employees in the stopping and inspecting of commercial vehicles.

345 SEN. LIM: Maybe we should privatize inspections to save money.

355 JOHNSON: The Level 2 walk-around inspections that our troopers generally perform are done only after a trucker is stopped for some kind of an observed traffic violation.

375 HENRY: We explored the same idea. An obstacle is that a lot of the work is directly associated with law enforcement during the course of their patrol activities.

400 CHAIR BAKER: Summarizes purpose of the bill.

415 SEN. LIM: Concerned that so many agencies can inspect the trucks.

430 HENRY: This bill is in the interest of uniformity across North America.

TAPE 18, SIDE B

030 JUILFS: The PUC training provides both a classroom and practicum portion. We are sometimes field coaches for the new trainees so the whole burden doesn't fall on PUC staff.

045 SEN. YIH: How often do you hold training courses?

050 HENRY: There is full-time ongoing training; staff is currently booked for the next 15 months.

060 SEN. YIH: Who gets the money from the fines?

065 JOHNSON: That depends on which court the person is cited into; notes different courts and fines distribution.

085 MARSHALL COBA, OREGON TRUCKING ASSOCIATIONS: Supports SB 125. Submits written testimony [EXHIBIT K].

090 ADMINISTRATOR ADKINS: Explanation of 125-3 amendments, Exhibit G.

105 CHAIR BAKER: Confirms with Mr. Henry and Mr. Coba that they agree with amendments.

110 MOTION: CHAIR BAKER MOVES TO ADOPT SB 125-3 AMENDMENTS DATED 2/14/95

VOTE: FOUR MEMBERS PRESENT, HEARING NO OBJECTIONS THE AMENDMENTS ARE ADOPTED; SEN. SPRINGER IS EXCUSED

115 SEN. YIH: The bill doesn't say anything about a decal being posted after inspection.

120 HENRY: The decal process is part of the international agreement that Oregon has joined.

165 SEN. LIM: Perhaps in the future we can privatize the training so it will run better.

170 MOTION: SEN. YIH MOVES THAT SB 125 AS AMENDED BE SENT TO THE FLOOR WITH

A DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE, FOUR MEMBERS PRESENT VOTE AYE;
SEN. SPRINGER IS EXCUSED

Sen. Shannon will lead discussion on the Floor.

180 CHAIR BAKER: Remarks regarding South/North Light Rail Update on 2/28/95.

200 CHAIR BAKER: Adjourns the meeting (2:46PM).

Submitted by, Reviewed by,

Gina Rumbaugh Janet Adkins
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - Testimony on trucking regulation -- Michael Meredith -- 4 pages

B - LC 2618 Draft -- Staff -- 3 pages
C - LC 2629 Draft -- Staff -- 2 pages
D - LC 2630 Draft -- Staff -- 5 pages
E - SB 236-2 Amendments -- Staff -- 1 page
F - SB 236-2 substitute language -- Staff -- 1 page
G - SB 125-3 Amendments -- Staff -- 1 page
H - Testimony on SB 125 -- Paul Henry -- 3 pages
I - Letter on SB 125 -- Andrew Eno by Paul Henry -- 1 page
J - Testimony on SB 125 -- William Johnson -- 2 pages
K - Testimony on SB 125 -- Marshall Coba -- 1 page