

SENATE COMMITTEE ON  
TRANSPORTATION

Hearing Room  
Tapes 55 - 56

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:

SB 442 Work Session  
HB 2521 Public Hearing and Work Session  
HB 2229 Public Hearing and Work Session  
HB 3010 Public Hearing and Work Session  
HB 2104 Public Hearing and Work Session  
SB 708 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 55, SIDE A

003 CHAIR BAKER: Calls the meeting to order (1:30PM).

005 ADMINISTRATOR ADKINS: Review of SB 442 and SB 442-3 amendments [EXHIBIT A], which would replace the bill.

WORK SESSION ON SB 442

030 MOTION: CHAIR BAKER MOVES TO SUBSTITUTE SB 442-3 AMENDMENTS FOR SB 442 ORIGINAL BILL

VOTE: THREE MEMBERS PRESENT, HEARING NO OBJECTIONS SB 442-3 AMENDMENTS ARE SUBSTITUTED FOR SB 442 ORIGINAL BILL; SENS. LIM AND SHANNON EXCUSED

MOTION: CHAIR BAKER MOVES SB 442, AS AMENDED, BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE, THREE MEMBERS PRESENT VOTE AYE; SENS. LIM AND SHANNON EXCUSED; THE MOTION CARRIES

Sen. Yih will lead discussion on the Floor.

PUBLIC HEARING ON HB 2521

Witnesses: Joe French, Oregon Forest Products Transportation Association

065 ADMINISTRATOR ADKINS: Explanation of HB 2521.

NOTE: The Senate Committee on Transportation was present at the House General Government and Regulatory Reform Subcommittee on Transportation Public Hearing for

HB 2521 on 2/21/95; please refer to the House minutes for further information.

080 JOE FRENCH, OREGON FOREST PRODUCTS TRANSPORTATION ASSOCIATION: Supports HB 2521. Submits and reads testimony [EXHIBIT B].

095 GREGG DAL PONTE, MOTOR CARRIER SERVICES, PUC: Do not oppose HB 2521. Submits and reads testimony [EXHIBIT C].

120 SEN. SPRINGER: When an empty truck goes through the weigh station, how many times is there a physical inspection of the brakes, log book, or other

safety items?

DAL PONTE: Actual physical inspections are relatively rare. However, the scale operator can visibly look at the vehicle and take into consideration any visual signs of a malfunction. Bunked log trucks can take the bypass lane.

150 CHAIR BAKER: Discusses potential of recovered weight-mile taxes in relation to PUC audits with Mr. Dal Ponte.

195 CHAIR BAKER: How does this coordinate with driving through the electronic scale?

DAL PONTE: In the future, as trucks are equipped with transponders and weigh-in-motion, there'll be many occasions for vehicles to bypass permanent highway weigh scales. Log trucks will subject to weigh-in-motion regulation.

220 SEN. YIH: Questions that legislation must be used for this type of bill.

DAL PONTE: Freeway signs require trucks over 20,000 pounds to pull over. A bunked truck is estimated at 25,000 pounds.

WORK SESSION ON HB 2521

240 MOTION: CHAIR BAKER MOVES HB 2521 BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

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

Sen. Shannon will lead discussion on the Floor.

RECONSIDERATION AND WORK SESSION ON SB 626

250 CHAIR BAKER: Opens and closes reconsideration without any action. Notes the committee will bring it back for reconsideration next week.

PUBLIC HEARING ON HB 2229

Witnesses: Bradd Swank, Office of the State Court Administrator

285 ADMINISTRATOR ADKINS: Explanation of HB 2229-A.

300 BRADD SWANK, OFFICE OF THE STATE COURT ADMINISTRATOR: Supports

SB 2229. Submits and summarizes testimony [EXHIBIT D].

ADMINISTRATOR ADKINS: Asks fiscal question regarding \$15.

SWANK: It depends on which court issues the suspension notice--that's the government entity that gets the money into their general fund.

365 SEN. SPRINGER: Is there a consistent system across the state in terms of how courts will decide whether or not to give a notice to a driver before the suspension notice is sent?

SWANK: There is not a consistent practice; explains how the suspension process works.

SEN. SPRINGER: Are there guidelines for how many days lapse before a notice goes to DMV?

415 SWANK: There are probably different guidelines for individual courts. People always have the 60-day period from the time they receive the DMV notice to come in.

435 MOTION: SEN. SPRINGER MOVES HB 2229-A BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

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

TAPE 56, SIDE A

PUBLIC HEARING ON HB 3010

Witnesses: Mike Meredith, Oregon Trucking Associations  
Steve Johnston, Motor Carrier Services, Oregon Department of Transportation

010 ADMINISTRATOR ADKINS: Explanation of HB 3010-A.

025 MIKE MEREDITH, OREGON TRUCKING ASSOCIATIONS: Supports HB 3010. Explains background and reasoning for the bill.

050 STEVE JOHNSTON, MOTOR CARRIER SERVICES, ODOT: ODOT has no plans to use the program at this time if it passes, but we'd strongly consider using it in the future.

WORK SESSION ON HB 3010

070 ADMINISTRATOR ADKINS: Reviews HB 3010-A.

SEN. LIM: Do we have support from the private contractors?

ADMINISTRATOR ADKINS: At this point, there's support from the trucking industry.

CHAIR BAKER: No contractors at this point, but this would set up the relationship so they could be established in the future. Confirms support of trucking industry and ODOT.

MOTION: CHAIR BAKER MOVES HB 3010-A BE SENT TO THE FLOOR WITH A DO PASS RECOMMENDATION

VOTE: IN A ROLL CALL VOTE, THREE MEMBERS PRESENT VOTE AYE; SENS. SPRINGER AND YIH EXCUSED; THE MOTION CARRIES

Sen. Lim will lead discussion on the Floor.

PUBLIC HEARING ON HB 2104

Witnesses: Ric Listella, Motor Carrier Services, Public Utility Commission (PUC)

Carolyn Barr, Licensing, Consolidated Freightways  
Mike Meredith, Oregon Trucking Associations

100 ADMINISTRATOR ADKINS: Explanation of HB 2104.

120 RIC LISTELLA, MOTOR CARRIER SERVICES, PUC: Supports HB 2104. Submits and reads testimony [EXHIBIT E].

150 CAROLYN BARR, LICENSING, CONSOLIDATED FREIGHTWAYS: Supports HB 2104. Submits and reads testimony [EXHIBIT F].

175 MEREDITH: Supports HB 2104.

ADMINISTRATOR ADKINS: Is this an annual fee?

BARR: Per application per year, on a continuing basis.

-In response to Chair Baker, it is a dollar per fleet per application

-In response to Sen. Lim, again explains fee and gives brief example

SEN. LIM: Who gets the one dollar?

BARR: PUC would collect the dollar, then they would be billed by IRP Inc.

SEN. LIM: Bothered by the increasing number of fees truckers are required to pay.

BARR: The fee helps defray the processing/administration costs of IRP, Inc.

235 MEREDITH: Sometimes such a service is so valuable to us that this is well worth the cost.

SEN. LIM: Asks for further clarification on cost of program and PUC's budget. Suggests that PUC show good will by absorbing the one dollar fee instead of charging it to truckers.

265 MEREDITH: It would be unfair for the PUC to fund because it would take money out of the highway fund.

CHAIR BAKER: Asks if someone could address insurance companies' notice of cancellation.

LISTELLA: 30 days notification gives the insurance companies more time to notify the PUC of changes, and is more consistent with industry standards.

WORK SESSION ON HB 2104

295 MOTION: CHAIR BAKER MOVES HB 2104 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 SB 708

Witnesses: Jay Bruce Boyd, Salem, Oregon  
Donald Vetter, Oregon  
Richard Nordness, Executive Director, Northwest Tire Dealers Association  
Debra Downey, AAA Oregon  
Jack Burns, Burns Brothers  
Zephyr Moore, Portland, Oregon

300 ADMINISTRATOR ADKINS: Review of SB 708 and SB 708-4 amendments [EXHIBIT G], which replace the bill.

330 JAY BRUCE BOYD, SALEM, OREGON: Supports SB 708. Submits and summarizes testimony and informational material [EXHIBIT H].

380 -In response to Sen. Shannon, heavy axles have no bearing whatsoever on concrete pavements; expands on explanation.

425 -Lightweight studs amendment is a step in the right direction

455 -References diagram of forces caused by the use of tire studs, Exhibit H

TAPE 55, SIDE B

030 CHAIR BAKER: When did the State take studs off, and what were the results of your studies?

BOYD: About 1969. The damage was just tremendous.

045 DONALD VETTER, OREGON: Supports SB 708; would like studs banned from the roads because of the damage. Discusses two alternatives to studded tires--walnut shell recap tires and snow/ice tires. Walnut shell rubber sample [EXHIBIT I].

150 RICHARD NORDNESS, EXECUTIVE DIRECTOR, NORTHWEST TIRE DEALERS ASSOCIATION: Supports use of studded tires because of safety factor. Submits and summarizes testimony [EXHIBIT J]. Recommends use of lightweight studs.

220 CHAIR BAKER: Questions if Mr. Nordness has talked to the ODOT engineers recently because his statement that studded tires are not a cause of road wear is directly contradictory to all testimony heard thus far, including the Alaska video viewed by the committee on 3/23/95.

NORDNESS: The Alaska video is based on studies done in the early 1970's, and that is why we brought information to the committee about studies done in Scandinavian countries. Support use of lightweight studs, but oppose making studs ineligible as traction devices.

CHAIR BAKER: Have you conducted any tests? What's the basis of your statement then?

NORDNESS: No. Studded tires have qualified as a traction device for the past 20 years.

-In some situations, ODOT should consider using "chains required" signs

290 DEBRA DOWNEY, AAA OREGON: Supports SB 708 as amended, except for removing studs from list of traction devices. Motorists need choices for traction devices.

385 SEN. SHANNON: Believes heat and weight of trucks is just as damaging to roads as studs. People are just safer with studded tires.

420 JACK BURNS, BURNS BROTHERS: Manufactures tire chains. Supports SB 708 as amended, and agrees studs should not be considered traction devices.

TAPE 56, SIDE B

020 BURNS: Continues testimony regarding amount of damage to roads caused by studded tires.

045 SEN. SHANNON: Are chains designed for ice or snow?

BURNS: They are designed for ice and snow in all conditions. If you're into ice conditions, you shouldn't rely on tire studs, you should rely on chains. Promotes new Z-Chain.

-Stopping distance on wet pavement increases with studded tires. Fine

spray from cars decreases visibility in rainy weather--all due to ruts in the road caused by studded tires.

-In response to Chair Baker, have performed many tests on ice. Tire chains provide many more times the traction and stopping ability.

095 ZEPHYR MOORE, PORTLAND, OREGON: If studs are not banned, it should be mandatory that a person who chooses to use studded tires must mount the studs on separate metal rims, and have the option to drive the studs up to three days before a local snow/ice condition and have them off the car seven days following a local snow/ice condition. Explains rationale for his suggestion. Studs are not designed to be an all-winter tire.

120 CHAIR BAKER: Adjourns the meeting.

Submitted by, Reviewed by,

Gina Rumbaugh Janet Adkins  
Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - SB 442-3 Amendments -- Staff -- 8 pages  
B - Testimony on HB 2521 -- Joe French -- 1 page  
C - Testimony on HB 2521 -- Gregg Dal Ponte -- 2 pages  
D - Testimony on HB 2229 -- Bradd Swank -- 2 pages  
E - Testimony on HB 2104 -- Ric Listella -- 2 pages  
F - Testimony on HB 2104 -- Carolyn Barr -- 2 pages  
G - SB 708-4 Amendments -- Staff -- 3 pages  
H - Testimony and informational material on SB 708 -- Jay Bruce Boyd -- 6 pages  
I - Walnut shell rubber sample -- Donald Vetter -- 1 page (Odd sized)  
J - Testimony on SB 708 -- Richard Nordness -- 2 pages  
K - Testimony on SB 708 -- Staff (on behalf of Rep. Lynn Lundquist) -- 1 page  
L - Letter on SB 708 -- Staff ( on behalf of Dave Gil) -- 2 pages