

HOUSE COMMITTEE ON GENERAL GOVERNMENT

June 14, 1993 Hearing Room 357 9:30 a.m. Tapes 54 - 55

MEMBERS PRESENT: Rep. Cedric Hayden, Chair Rep. Jim Edmunson,  
Vice-Chair Rep. Ken Baker Rep. Carl Hosticka Rep. Patti Milne Rep. Chuck  
Norris Rep. Del Parks Rep. Lonnie Roberts Rep. Sharon Wylie

STAFF PRESENT: Janet Adkins, Committee Administrator Priscilla  
Boyle, Committee Assistant

MEASURES CONSIDERED: SB 107 SB 106

WITNESSES: Jane Cease, Department of Motor Vehicles (DMV)  
Frank Brawner, Oregon Bankers Association (OBA) Ray Gribling, Oregon  
Automobile Dealers Association Joan Plank, Department of Motor  
Vehicles (DMV) Judy Clyburn, Department of Motor Vehicles (DMV) Joanne  
Peterson, Department of Motor Vehicles (DMV) Ann Wagster Bobby Collins

[--- Unable To Translate Graphic ---]

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. [--- Unable To Translate  
Graphic ---]

TAPE 54, SIDE A

006 CHAIR HAYDEN: Calls meeting to order at 10:12 a.m.

010 JANE CEASE, MANAGER, DEPARTMENT OF MOTOR VEHICLES (DMV):  
Testifies in support of SB 106, SB 107 and SB 523. > Emphasized the  
importance of the bills

028 REP. ROBERTS: Concerned about paper trail on odometer  
readings. > Dealers turning odometer back to reflect less mileage on car  
> How can we know someone hasn't attempted to defraud the public

042 CEASE: I don't have the technical answer of how somebody can  
know, but in 1985, the odometer law was enacted because Oregon was  
becoming a laundering state for stolen vehicles.

047 REP. ROBERTS: Were we the first in the nation?

CEASE: I don't remember. Since 1985, it has been exceedingly  
rare that the attorney general has needed the in between time for  
odometer renewal information and in their investigations have not needed  
it. It has seemed to be not as useful as all the tax money used to  
collect it.

059 CHAIR HAYDEN: You mentioned to me that you would operate this  
program in a very economical manner and could operate it with cost  
savings.

062 CEASE: That is true. If you don't already have it, I can provide  
the committee information phase-by-phase on each part of the planned

system replacement. The main savings are because of needing fewer jobs in many instances. We will have to retrain many employees. In 1997 we will need 233 fewer people to do the work.

071 ROBERTS: . . . it may be a case of not having to hire anymore because they're looking at one-half million in a tri-county alone in the next 10-15 years.

075 CEASE: Our population growth is projected to grow six times faster than the federal population growth. The figures I gave you on reduction do not include population growth, so there might be some difference in 233, but in our budget for this biennium we did not put in any request for funding for population growth, so we ate about a three or four percent budget increase.

082 ROBERTS: We do have a big influx, if you are able to do it without hiring new people, that is an advantage.

PUBLIC HEARING SB 107

090 JANET ADKINS, COMMITTEE ADMINISTRATOR: Explains SB 107 and submits Staff Measure Summary and Fiscal Impact Statement (EXHIBIT A) and submits an A-Engrossed Summary for SB 107 from DMV. (EXHIBIT B)

103 REP. ROBERTS: Is this to switch over to electronic reporting without having to use so much paper?

JANET ADKINS: Right and to make it a quicker transfer between banks and the motor vehicles division. People will be able to have a paper title and they won't necessarily change a personal title to paper, they might in the future, but a person would still be able to have a paper title if they want, is my understanding. REP. ROBERTS: But they will have a backup on their electronic system?

JANET ADKINS: Yes.

112 REP. HAYDEN: I doubt very much any paper will be saved. That was the guiding philosophy of the computer revolution.

114 REP. ROBERTS: I don't worry about the paper, but the reproduction of the paper. Using the paper as a backup to your system you have something to protect against viruses and other problems.

121 FRANK BRAUNER, OREGON BANKERS ASSOCIATION (OBA): Testifies in support of SB 107. > First Interstate Bank has piloted this program in Washington and Idaho > It is permissive and we look forward to a pilot program to prove it works > Smaller lenders will insist on paper and the bill provides for that > Security features are built into the process > First Interstate is very satisfied and will probably pilot the program in Oregon under SB 107 because they have the experience

153 REP. ROBERTS: How long have they been experimenting in Washington and Idaho?

155 BRAUNER: Two or three years.

158 REP. ROBERTS: Did they have any problems up front?

BRAUNER: No, they did not. I am confident we will be back two years

from now to dot some I's and cross some T's. My committee made up of loan officers who practice daily lending on automobiles the vote was unanimous to proceed with SB 107 and endorse it.

166 RAY GRIBLING, OREGON AUTOMOBILE DEALERS ASSOCIATION:  
Testifies in support of SB 107. > We feel in the long run it will be cost saving.

180 JOAN PLANK, DEPARTMENT OF MOTOR VEHICLES (DMV): Verifies with Chair Hayden what sections to review and turns the reviewing process over to Judy Clyburn.

185 JUDY CLYBURN, DEPARTMENT OF MOTOR VEHICLES (DMV): Reviews each section of the bill beginning with Section 1. (See EXHIBIT B)

233 REP. ROBERTS: What do you mean by changing fee? Is it more or less expensive?

235 CLYBURN: We don't know yet. The fee is based upon our current process of \$10. The new process will probably be cheaper. When we have an electronic process it will probably be cheaper but we are also trying to deal with where we issue title to the bank and now the pay off has been made and they send the title to us to mail to the registered owner. If that is done electronically it is probably done fairly cheap and we vision it to be less than \$10.

246 REP. ROBERTS: The guide is what it costs you to do the job?

CLYBURN: Yes

REP. ROBERTS: You're not trying to go above that?

248 CLYBURN: No profit. > Continues reviewing sections of the bill

267 REP. ROBERTS: I don't understand the 30 day period before issuing a title.

279 CLYBURN: We're checking the VIN against stolen vehicles and what the statute provides for is if it comes back and it is noted as stolen, we provide documentation to state police or whoever they designate information about what we have in our application and reinvestigate. The statute gives us authority to issue 30 days after we provide them the information even if they do not come back to us with resolution.

291 REP. ROBERTS: Who are you going to provide a title to?

CLYBURN: To whoever made application for the title.

REP. ROBERTS: What if the vehicle is stolen? I don't want to see us handing out titles to stolen property.

295 CLYBURN: We don't. What this does is let law enforcement know they need to do a timely stolen vehicle check. We usually wait 30 to 45 days before we recontact them if they haven't followed up with us and tell them we need resolution. Otherwise we have people that are innocent purchasers waiting for months and months.

302 REP. ROBERTS: That's the way it happens now.

303 CLYBURN: Not usually. They are usually pretty good about making resolution. We do have to follow up very often to tell them you have not notified us on what the status is of the stolen vehicle.

310 CHAIR HAYDEN: Are you comfortable Rep. Roberts with the odometer readings in Section 33?

311 REP. ROBERTS: We've discussed this already this morning and I'm going to accept that. I'm sure the next legislative session, if something is wrong, will be advised of it.

316 REP. BAKER: Have you cross checked this certificate of the title along with criminal statutes to make sure that on a criminal prosecution your certificate is good evidence? I presume it would be, but I don't know if you've got to prosecute somebody on unauthorized use and they say I own the vehicle that's part of the chain of evidence we need to present to the prosecutor. So you might want to double check and make sure we are ok.

CLYBURN: Yes, we will.

325 REP. MILNE: If your normal procedure, you're checking the registration to make sure it is not a stolen title then you issue a new title to the new purchaser. Is that the end of the case, so to speak, or is there a chance some information would come maybe a month or two later, if so, what is your normal procedure with the new owner particularly?

336 CLYBURN: If it involves stolen vehicles after we have issued the title, it's between law enforcement and the customer whatever happens. They may ask us or we may get the title back to reissue to a former owner or to someone else because they may take it to court. Resolution is made at the time we make the check. > Continues, beginning with Section 35

383 REP. ROBERTS: Is Section 35 (1) directed at commercial car dealers?

387 JOANNE PETERSON, DEPARTMENT OF MOTOR VEHICLES (DMV): The particular section deals with any person. There is specific provisions within Chapter 22 of the Oregon Law that deals specifically with dealers. This is anybody that sells a vehicle is required to transfer title. In Chapter 822 of the dealer laws, dealers are required to deliver titles within specified time periods

405 REP. ROBERTS: 10 days, we just passed a bill on it.

PETERSON: and they are prohibited from failing to do such things as pay former owners. REP. ROBERTS: But there is penalty and other sectional law that deals with that?

PETERSON: Yes.

409 CLYBURN: Continues reviewing sections beginning with Section 37.

414 REP. MILNE: Could you explain what salvage title means?

417 CLYBURN: Yes. If a vehicle has been totalled then the customer is required by statute to apply for a salvage title.

424 REP. ROBERTS: We said it had to say on the title that it had been declared totalled and redone. Why are we taking out "shall" and inserting "may"?

434 CLYBURN: This is the electronic title?

REP. ROBERTS: Yes. Section 37 (2) and (3).

CLYBURN: It's allowing us to do it in electronic form.

REP. ROBERTS: I realize that, but I wonder why. We have spent several sessions getting that in there and even though we are transferring from paper to electronic it should carry the same information.

452 PETERSON: This is talking about when we issue it in the form of a piece of paper. If we issue it electronically the record will be the title, the record will carry the brand. If we issue it in a form of a piece of paper the piece of paper will be the title and that piece of paper will carry the brand. In either case we will have that brand on the document.

TAPE 55, SIDE A

025 CLYBURN: Continues, beginning with Section 38.

035 CHAIR HAYDEN: Discuss in more depth the electronic signatures and relate Section 46 back to Section 22 where you remove the requirement that the application for title be signed.

041 CLYBURN: Section 46 does not require a signature. Section 22 is the application requirements. We removed the requirement that the title application be signed. We don't feel we have many problems with applications. Generally, they're not forged and we don't have problems with extra people coming on. We didn't see that we should reject transactions where the application was not signed. We are not using electronic signature of any type with titles. We are using that for driver's license, I.D. cards and permits.

050 MILNE: Can you discuss Section 40 where it broadens the way DMV can receive information on the vehicle identification number.

054 CLYBURN: What we are attempting to do here, we have other information that shows what the true vehicle identification number is and it could be electronic and from another state. We didn't want to preclude that it had to be on a piece of paper. > Continues, beginning with Section 47.

107 REP. ROBERTS: When you say dealers, you're talking about licensed dealers.

CLYBURN: Yes.

REP. ROBERTS: The other dealers go under another statute which says if you sell more than five cars a year out of your home you are a dealer unless they are your personal cars that you bought and used for a certain period of time.

112 PETERSON: That is essentially true. You can actually be a dealer if you sell less but the burden of proof is on you if you sell five. You could sell five personal cars and not be a dealer.

118 CLYBURN: Continues reviewing with Section 73.

WORK SESSION SB 107

134 JANET ADKINS: Enters Conflict Amendments (-A2) to SB 107 into the record. (EXHIBIT C)

139 MOTION: REP. BAKER MOVES (-A2) AMENDMENTS TO SB 107.

143 MOTION: REP. BAKER MOVES SB 107 AS AMENDED TO THE FLOOR WITH A DO PASS RECOMMENDATION.

153 VOTE: IN A ROLL CALL VOTE, SB 107 AS AMENDED IS PASSED TO THE FLOOR WITH A DO PASS RECOMMENDATION, ALL MEMBERS VOTING AYE.

REP. ROBERTS will carry the bill.

FULL COMMITTEE MEETING IS IN RECESS

169 SUB COMMITTEE MEETING IN SESSION 10:55 a.m.

JANET ADKINS: Reviews agenda

176 MOTION: REP. WYLIE MOVES SB 567, HJR 16, HB 2756 AND HB 2293 BE RE-REFERRED TO THE FULL COMMITTEE.

183 REP. EDMUNSON: Move to amend SB 567, line 8, insert "unpackaged" before wood pellets.

191 REP. PARKS: The Chair will rule that the proposed amendment to SB 567 is not in order since the subcommittee was not noticed for a work session on the bill, but that would be a proper amendment in the full committee.

201 REP. EDMUNSON: I object moving SB 567 out of the subcommittee as an inquiry because we are not in work session, how could we? Do our rules provide us to take action in a public hearing?

204 JANET ADKINS: The way we put this on the agenda . . .

206 REP. EDMUNSON: I understand how it's on the agenda, I believe the subcommittee to act we must be in a work session. I'll withdraw my amendment and avoid a potential sticky constitutional challenge here if my amendment would be appropriate in full committee, I will address it there.

215 CHAIR PARKS: I appreciate your willingness to work with the subcommittee chair and I think that would be appropriate.

217 REP. EDMUNSON: I withdraw my amendment.

220 CHAIR PARKS: SB 567 will be re-referred to the full committee.

SUBCOMMITTEE MEETING ADJOURNED 10:57 a.m.

FULL COMMITTEE IN SESSION AT 10:58 a.m.

225 CHAIR HAYDEN: RE-OPENS FULL COMMITTEE

PUBLIC HEARING SB 106

226 JANET ADKINS: Explains SB 106 and submits an A-Engrossed Summary for SB 106 from DMV. (EXHIBIT D)

259 CHAIR HAYDEN: This is the major DMV bill of the last five years and particularly this session. We have two witnesses in the audience who are against Section 73 only.

270 REP. ROBERTS: When we go into work session on this bill I am going to move that Section 73 be deleted from the bill and renumber the rest of the bill.

REP. BAKER: I would like to hear some pro and con statements on Section 73.

280 ANN WAGSTER: Testifies against Section 73. Would like the authority to stay with DMV.

BOBBY COLLINS: Testifies against Section 73. Due to a lot of conflict in the federal government to know what is legal and illegal in the helmet laws as it stands. If transferred to Traffic Safety Division it will have to be started all over again.

306 REP. NORRIS: Why would it have to start over again if the function is transferred to Traffic Safety?

308 COLLINS: In my feelings there has been a lot of effort put forth by a lot of people working with DMV, and it being transferred to another section the people in charge of this section would have to be approached in views and standards and reworked.

315 REP. NORRIS: Do we have an objection based upon the functional relationship with the organization provided here or do we have a personality conflict with somebody you're having trouble with?

318 COLLINS: No, I have no personality conflict, its just with the transfer from one department to another in changing everything where it has to be rebuilt and restructured again to work.

Rep. Parks and Rep. Hosticka gone

WORK SESSION SB 106

340 CLYBURN: Reviews the purpose of the bill and each section of SB 106 (See EXHIBIT C)

399 CHAIR HAYDEN: I thought the main thrust of the bill was permission to bring a \$50 million dollar computer system on line.

406 PLANK: The main thrust of the bill is to change the law to enable us to change the way we do business after we get approval, if we get approval from the legislature to move ahead with the various phases of

the new computer project. If we don't have a new computer system to do things in new ways, we won't. It's simply the enabling legislation to allow us. As we go through the different phases and come back to the Joint Data Processing Committee, Ways and Means, the E-Board, wherever we are in those pieces at those points and time that's where we get the permission to move ahead with the different phases and spend the money associated with those phases.

424 CHAIR HAYDEN: What is the statutory authority to spend the money? Where does that come from?

428 PLANK: Our budget has some monies approved on both sides to move ahead with the project but it's money being held in reserve so there will be some statutory reference there. I'm not sure how it works when you get approval from the E-Board to spend money. There isn't a statutory reference there. We do have to have legislative approval before we can go ahead.

440 CHAIR HAYDEN: Where does that come from?

PLANK: The full legislature when the budgets passed both houses or the Emergency Board.

444 CHAIR HAYDEN: They have to have legislation. They don't do substantive bills. They wouldn't initiate this process. They will approve that.

TAPE 54, SIDE B

023 CEASE: The substantive committees are the ones who deal with the substantive changes in the legislation and the budget committees deal with funding that. The instructions we have been given from the data processing and fiscal staff are that the money itself we need to come back each time we do an RFP. By that point we have the market amount of dollars. Right now we have an estimate for the '93-'95 biennium. The substantive committee do the legislation that is needed to change the way that the law applies to people and the budget committee reviews the money that's able to do that.

037 CHAIR HAYDEN: Is SB 106 the substantive legislation that we refer to Appropriations so they can budget and release the money?

039 CEASE: The Appropriations and Data Processing Committee have already reviewed the project and know that if these bills pass letting us change the way we do business then we have to come back to the Emergency Board for things that change and have a budget impact. So they are treating this the same way.

Rep. Hosticka returns 054 CHAIR HAYDEN: I am going to suggest to the committee if they chose to pass SB 106 that it go to Appropriations rather than to the floor.

055 CEASE: I understand that is your role and if you want to do that we'll do however you want.

057 REP. ROBERTS: I'm sincere on Section 73. If I can't get enough people to agree on deleting Section 73 I intend to go with a Minority Report. Does sending it to Appropriations stop me from doing it?

064 CHAIR HAYDEN: Section 73 may not be in the final bill we vote



on.

REP. ROBERTS: I know, but I'm counting ahead of time. If this fails I have no other recourse is what you are telling me.

068 REP. HOSTICKA: I have security questions about the bill.

072 JOAN PLANK: We'll be glad to answer any questions we can about security. We're reluctant to put all our secrets on the record. We would meet with you separately. Generally, there are going to be different levels of security depending on the person wanting access is a DMV employee or someone trying to access our records. There will be individual sign on I.D.'s and passwords as standard procedures for protecting information and computer systems and certain customers will have some access as they do today like other state agencies. We can also keep information from some of the people who have access. We have ways of knowing if something went wrong on the system and information is getting out. People will be treated differently depending on who they are and what we want them to have access to.

094 REP. HOSTICKA: On the electronic photographs, is there a way to make them read only records and make sure there is no way to alter them? And also accessing the image of a signature similarly in terms of not being able to alter it, how do you control access to using that signature record for an unauthorized purpose?

100 PLANK: Photographs are negatives that is only available to DMV employees in law enforcement.

109 REP. HOSTICKA: Digital images of photographs make it easy to manipulate if you do away with a photograph and negative.

Rep. Roberts Leaves

118 CLYBURN: Some of our security measures are going to be more detailed. The system will not allow you to make a copy, the same with a digital signature. It will demand you are doing a certain part of business like you're printing a driver's license and in order to print it you have to have it printed on a DMV device, so it will not allow you to bring it into your terminal or printer.

132 REP. HOSTICKA: We know people can make uncrackable codes, but the central intelligence agency and the federal government will not allow you to do it. I believe it can be made secure but the question is whether you are prohibited or otherwise restrained from creating an absolute level of security. Once you are it makes me nervous.

141 CHAIR HAYDEN: Can't you take that digital photograph on paper and file it?

144 CLYBURN: I don't think we want to do that. In order for law enforcement to get something electronically on their computer we'll have to man a station so that when they request it we've got a way to put it back into the system to send something to them in their police car.

148 CHAIR HAYDEN: No, you could still transmit electronically, use your photograph, but if you wanted to go back and reference it, a hacker can't go in and change a xerox copy of a digital photograph.

152 CLYBURN: Right, but we would still have to be able to electronically transmit that data across lines so somehow we have to get in there and send it to somebody that's authorized to get it.

155 REP. BAKER: Senate summary says they allow the division to impose a surcharge on a transaction fee in particular circumstances, what are those cases?

158 CLYBURN: We don't know for certain what we are going to charge a surcharge on today, we do know that people who walk into DMV field offices cost us and the state more when they do business in that manner. For example, if they do a renewal for a vehicle registration by mail we have people who check those certifications on the back and we run it through a machine that automatically issues stickers and prepares the check for a deposit. When they are in a field office they are handled one-on-one. Somebody has to check it, they stand in line, they have to go through all the processes and it takes a lot longer. An example might be of someone who decides to renew their vehicle by mail or in the field office that it may cost them more than renewing it by mail.

171 REP. BAKER: Why do you call that a surcharge rather than a fee for services? My concern would be if you had a surcharge on one transaction and that money went to another transaction. If the money you are collecting is for that one service I don't have any problem with that.

175 PLANK: You're right it would be a fee for service. Partly it's trying to educate the public to make it clear that

178 REP. BAKER: If I walk in the door and you say, if you mail this to me it would be \$5, if you stand at the counter it will be \$10, I don't have any problem with that because it's the cost of doing business.

CHAIR HAYDEN: We're talking Section 9 here.

180 PLANK: We just chose that term, it can be different.

184 CLYBURN: Reviews each section of SB 106 beginning with Section 1.

214 REP. NORRIS: What is a unique identifier, fingerprints?

CLYBURN: What we've looked at are personal identification numbers, the banks use them with credit cards today. Other states and processors use a transaction identification number that identifies certain transactions. It could be things on our record like mothers maiden name, date of birth, etc.

228 CLYBURN: Continues with a new Section 8(a).

237 REP. BAKER: In Section 9, a surcharge on any fee?

240 CLYBURN: Yes, a surcharge on any fee the way it is written. We haven't looked at narrowing that.

244 CHAIR HAYDEN: It would seem you would advise the customer at the point of initial contact that there is a less expensive way of doing it.

CLYBURN: Right

CHAIR HAYDEN: which is going to raise your cost.

247 PLANK: Not necessarily, if we send out your registration renewal we can provide that information to you when you get it in the mail, you can come see us or you can mail it to us

250 CHAIR HAYDEN: So we are using paper instead of electronic.

251 PLANK: For us to communicate with our customer, yes, we will still be mailing those reminders.

254 REP. HOSTICKA: This says a surcharge for the purpose of encouraging customers to do business. In other words you are going to charge more than your actual cost of doing business or is that the case? I guess this is an appropriations question, if they are where is the money going to go?

262 PLANK: The money would definitely go into the highway fund for distribution under the provisions of that.

CLYBURN: It should be considered with our fee structure over all.

271 CLYBURN: Continues, beginning with Section 10.

290 REP. BAKER: We had the discussion about voter registration with the new federal registration, does this also comply with the federal registration, we are talking about two registration cards, one state and one federal? Is this compatible?

295 PLANK: Yes, as far as I know it will be, if not we won't do it.

305 CLYBURN: Continues, beginning with Section 12.

332 REP. ROBERTS: If we are deleting Sections 19 and 20, don't we have to change the numbers throughout the bill?

JANET ADKINS: There's usually a note in here that they have not renumbered. They will renumber when it is reprinted.

338 CHAIR HAYDEN: Coming back to Section 17, there are several bills in the Legislature with requests by people to be allowed to use their work address rather than their home address, why are those bills in there if you can just do this administratively here?

345 PLANK: The statute specifies those professions that can use a work address. What we are saying is if a law enforcement agency simply wants to transmit that information to us electronically, we will allow them to do that.

351 CHAIR HAYDEN: You have a list of people you can do that for?

PLANK: Right.

CHAIR HAYDEN: The legislation is to expand that list?

CLYBURN: and get it longer.

PLANK: Right. 354 JANET ADKINS: They have to request it through their agency so this would be more of an agency listed request instead of an individual?

PLANK: Correct.

Rep. Wylie returns

359 CLYBURN: Continues, beginning with Section 23.

Rep. Hosticka and Rep. Edmunson leave

413 CHAIR HAYDEN: What kind of cost is that going to impose on the insurance company?

416 CLYBURN: Which one?

CHAIR HAYDEN: Section 29.

418 PLANK: I don't see it as being a lot different from the way we handle it today. We now write to the registered owner of the vehicle and say, tell us who your insurance company is, then we go to the insurance company with a postcard that asks if this person is insured with you. They only return the card to us if the answer is no. We can get the registered owner out as the middle person and deal directly with the insurance company. If we talk directly to the insurance company and they respond only on the no's, I can't see we would be adding any more burden on them.

Rep. Parks returns

438 CHAIR HAYDEN: You're not doing this electronically, you're doing this by letter.

PLANK: Yes, a postcard.

440 CLYBURN: We can do it either way in the statute. We still can not preclude and only do it electronically.

445 PLANK: We would anticipate unless an insurance company wants to talk to us, that we would continue to do a paper process.

TAPE 55, SIDE B

013 CLYBURN: Continues, beginning with Section 31.

Rep. Edmunson returns

022 REP. NORRIS: Page 24, Section 33(4), line 22 "but is not limited to, doing the following" how about registering to vote, shouldn't that be in there as one of the indications that you intend to be a resident?

030 CHAIR HAYDEN: Have you coordinated with the Secretary of State, they have a bill that would establish residency for voting purposes. Have you coordinated this language with them at all?

033 PLANK: I'm not sure that we have. I will check with them.

035 CLYBURN: Where this language specifically came out of was our registration provisions that are already in place in the code. We took

the ones that were appropriate for driver licensing. So it is almost exact language.

040 CHAIR HAYDEN: Do the people have to meet each of these standards, one or more, a certain number of them, or what?

042 CLYBURN: What these are is some examples of when you become a resident in this state, it's not an all inclusive list.

Rep. Hosticka returns

046 CHAIR HAYDEN: Who decides?

CLYBURN: DMV. We use this as guidance to tell us when a person is a resident or not. It is included but not limited to any of the following.

CHAIR HAYDEN: Do you ever exclude anyone?

050 CLYBURN: From being a resident?

CHAIR HAYDEN: From getting a license based on this. Why is this new language if you have already been doing it?

051 PLANK: Its new language for the driver license part of the statute. It was language we pulled from the vehicle part of the statute so we are trying to get the two consistent so you get the same answer if you want to apply for a driver license as if you want vehicle registration.

055 CHAIR HAYDEN: Are you doing this now for registration?

056 PLANK: Yes, we do turn people away from being able to register a vehicle in Oregon.

057 CHAIR HAYDEN: People that meet some of the standards and don't meet all of it?

059 CLYBURN: Most of the people we turn away are residents in another state. We get complaints or find out from other people this person is registering in Oregon and usually we do not hear about it from Oregon Law Enforcement we hear about it from other states.

068 REP. NORRIS: Section 33 seems to deal with driver license or permits. I don't see anything about registration.

070 PLANK: That's what we are trying to do, add to the driver license statute the same requirements that already exist in the registration statutes.

078 CLYBURN: In Section 87 of this bill is the part in vehicle registration that deals with the same thing we're dealing with here in drivers license and we're just making a minor change to that law to match what we did in the drivers license area.

088 CHAIR HAYDEN: Rep. Norris did you ask why voting registration was not a part of this?

090 REP. NORRIS: Yes, as one of the

CHAIR HAYDEN: Did you get an answer?

REP. NORRIS: Not really, maybe the answer is there, it says includes but not limited to

092 PLANK: It could be, it just didn't end up there.

093 CHAIR HAYDEN: Why not? It seems to me that would be the major proof of residence would be voting.

095 PLANK: Because everyone doesn't register to vote. It's not

096 CHAIR HAYDEN: But if you were a registered voter, I think it would be evidence that you were a resident.

097 PLANK: It's good evidence and I believe that is one of the questions we ask people because where it says included but not limited to that is one of the list of things when we are talking with customers we ask where they are registered to vote and that gives us a good clue.

101 CHAIR HAYDEN: So that is part of your working 102 PLANK: Right or where do you pay your taxes is another good indicator of where you are a resident.

105 CHAIR HAYDEN: Do you pay Oregon State Tax is one that you ask.

106 PLANK: or where do you pay taxes?

107 CLYBURN: Even if you pay Oregon State Taxes you may not be a resident of the state.

111 REP. NORRIS: How far do you intend to pursue this today?

112 CHAIR HAYDEN: I was just going to ask the committee that. When does the committee want to break? We're obviously not going to finish today.

114 REP. ROBERTS: We're half way through.

115 CHAIR HAYDEN: We have a 12:00 meeting.

MEETING ADJOURNED 11:43

Submitted by:

Reviewed by:

Priscilla Boyle

Janet Adkins Assistant Administrator

EXHIBIT LOG:

A - SB 107 - Staff Measure Summary and Fiscal Impact Statement, Staff, 2 pages  
B - SB 107 - A-Engrossed Summary, DMV, 2 pages  
C - SB 107 - Amendments, Staff, 2 pages  
D - SB 106 - A-Engrossed Summary, DMV, 4 pages