

HOUSE COMMITTEE ON GENERAL GOVERNMENT Subcommittee on Transportation

January 18, 1993 Hearing Room 357 8:30 a.m. Tapes 1 - 2

MEMBERS PRESENT: Rep. Chuck Norris, Chair Rep. Ken Baker Rep. Cedric Hayden Rep. Carl Hosticka

MEMBERS EXCUSED: Rep. Lonnie Roberts

STAFF PRESENT: Janet Adkins, Committee Administrator Kimberly Burt, Committee Assistant

MEASURES CONSIDERED: HB 2186 HB 2199 HB 2205 HB 2198 HB 2188

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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 1, SIDE A

CHAIR NORRIS: Calls meeting to order. (8:35 a.m.)

007 REP. KEN BAKER: Introduces himself and describes his district.

018 REP. CARL HOSTICKA: Describes his district and legislative involvement in transportation issues.

021 REP. CHUCK NORRIS: Describes his district; "transportation is near and dear to my district and I am pleased to Chair this subcommittee".

_ Most of the heavy work will be done in subcommittee; our recommendations will go to the full committee.

_ Asks members of the audience to introduce themselves.

JANET ADKINS, COMMITTEE ADMINISTRATOR: Introduces herself.

PUBLIC HEARING ON HB 2186 Witnesses: Wanda Kennedy, Administrator, Aeronautics Section, Oregon Department of Transportation, (ODOT) Paul Meyerhoff, Manager, Transportation Development, Oregon

Department of Transportation, (ODOT)

088 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2186; submits fiscal statement, (EXHIBIT A).

104 WANDA KENNEDY, ADMINISTRATOR, AERONAUTICS SECTION, OREGON DEPARTMENT OF TRANSPORTATION, (ODOT): Submits and summarizes written

testimony and

informative information in support of HB 2186, (EXHIBIT B).

135 PAUL MEYERHOFF, MANAGER, TRANSPORTATION DEVELOPMENT, OREGON DEPARTMENT OF TRANSPORTATION, (ODOT): The stickers aren't needed any more, but it

will take an act of the legislature to remove the requirement.

REP. BAKER: What is the amount of revenue generated?

MEYERHOFF: The fee is on registering your aircraft; the revenue generated by registration is substantial; what we are doing is eliminating the paper work and the cost for doing this.

175 CHAIR NORRIS: Is this annual registration?

KENNEDY: Every two years.

CHAIR NORRIS: The only thing this would eliminate is the requirement for this sticker and the cost of making this sticker.

WORK SESSION ON HB 2186

200 MOTION: REP. HOSTICKA MOVES THAT HB 2186 BE MOVED TO THE FULL COMMITTEE WITH A DO PASS RECOMMENDATION.

205 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES UNANIMOUSLY.

REP. HOSTICKA: We need to keep in mind that people should register their airplanes and we aren't trying to encourage people to not, but to eliminate unnecessary paper work.

222 CHAIR NORRIS: We will hold HB 2199 to later in the day.

PUBLIC HEARING ON HB 2205 Witnesses: Gayle Green, Manager, Salem Audit Section, Public Utility Commission, (PUC)

247 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2205, submits fiscal statement, (EXHIBIT C).

281 GAYLE GREEN, MANAGER, SALEM AUDIT SECTION, PUBLIC UTILITY COMMISSION, (PUC): Submits and summarizes written testimony, (EXHIBIT D).

WORK SESSION ON HB 2205

315 MOTION: REP. HOSTICKA MOVES THAT HB 2205 BE MOVED TO THE FULL COMMITTEE WITH A DO PASS RECOMMENDATION.

323 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES UNANIMOUSLY.

PUBLIC HEARING ON HB 2198 Witnesses: Craig J. Reiley, PUC Transportation Safety, Crossing Safety Program

332 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describe HB 2198.

350 CRAIG J. REILEY, PUC TRANSPORTATION SAFETY, CROSSING SAFETY PROGRAM:

Submits and summarizes written testimony, (EXHIBIT E).

CHAIR NORRIS: There is a 5% "fudge factor"?

REILEY: Yes; if there were incidental costs that the feds wouldn't pick up, we wouldn't have to go to the local government or railroad for 2% to 3% of the costs.

383 REP. HOSTICKA: Do we anticipate a large amount of these; if we go to high speed rail, will there be a financial impact?

REILEY: No, there are monies being considered for the high speed rail project; State Grade Crossing Protection Account funds will be included, but this is generally Federal Section 130 funds.

CHAIR NORRIS: I understand that there could be no grade level crossings on the high speed route?

REILEY: When the speed of trains exceed 90 miles per hour, that is correct, there will be no grade crossings.

410 REP. BAKER: Is this primarily for book keeping?

REILEY: Yes.

REP. HOSTICKA: It seems to me that this could increase the amount of money the state might have to put up for these activities?

REILEY: It is, but the money is there, we aren't asking for any additional funds in the account.

422 REP. HOSTICKA: There will be fewer of these activities?

REILEY: That could be the case; currently we have a surplus in the State Grade Crossing Protection Account for a variety of reasons and we don't anticipate any shortage or reduction in the number of projects we do.

437 CHAIR NORRIS: What happens if the federal funds are less than 85%?

REILEY: The State Grade Crossing Protection Account would pick up what it could to 15% and any short fall between the 15% and the federal government contribution would be made up by either the railroad or the local road authority.

450 CHAIR NORRIS: Is this going to cost us more money or less money?

REILEY: There are several provisions in the act; we think we can cover the cost; this is more or less an assurance that we don't end up with a short fall between the amount of money we can contribute from the grade crossing protection account and the federal contribution for grade crossing safety improvement.

466 REP. BAKER: Then you will negotiate with the local authority?

REILEY: Under the new act we would have a 80/20 split.

ADKINS: The railroad maintains crossing signals?

485 REILEY: Yes.

WORK SESSION ON HB 2198

TAPE 2, SIDE A

037 MOTION: REP. BAKER MOVES THAT HB 2198 BE SENT TO THE FULL COMMITTEE WITH A DO PASS RECOMMENDATION.

045 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES UNANIMOUSLY.

PUBLIC HEARING ON HB 2188 Witnesses: Michael A. Unger, Department of Transportation, Motor Vehicles Division

049 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 1288; submits fiscal impact, (EXHIBIT F).

056 MICHAEL A. UNDER, DEPARTMENT OF TRANSPORTATION, MOTOR VEHICLES DIVISION: Submits and summarizes written testimony, (EXHIBIT G).

082 REP. HOSTICKA: You still could require a test if you felt it was appropriate or necessary?

UNGER: That is true, we can request a drive test or any testing if we believe it is necessary for highway safety reasons.

REP. BAKER: Is there criteria for that?

UNGER: In some cases there is definitive criteria and in some cases there is some discretion to the examiners.

096 CHAIR NORRIS: How is the imposition of the federal commercial drivers license working out; are Oregon drivers seeming to get on board with

that?

UNGER: Yes, the commercial drivers license program has gone well and we are almost up to 80,000 Oregon drivers getting their commercial drivers license.

CHAIR NORRIS: Do you know what the failure rate was and how many people

we've recaptured?

UNGER: The failure rate varies with the various knowledge tests; there were seven various tests required; on the general knowledge test the failure rate is 15% and on the drive test it has ranged around 20% to 25%.

CHAIR NORRIS: Were most of those people able to retrain or restudy or something?

UNGER: That is correct, most were able to retrain and the ones that continued to drive were able to continue in their livelihood.

115 CHAIR NORRIS: Have we seen a reduction in accident rates or citations?

UNGER: I don't have any information on that; it just ended April 1, 1992.

_ Rep. Hayden joins committee. (9:14 a.m.)

WORK SESSION ON HB 2188

133 MOTION: REP. HOSTICKA MOVES THAT HB 2188 BE SENT TO THE FULL COMMITTEE WITH A DO PASS RECOMMENDATION.

150 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES UNANIMOUSLY. MEMBERS PRESENT: REP. HOSTICKA, BAKER, HAYDEN AND NORRIS.

PUBLIC HEARING ON HB 2199 Witnesses: Howard Fegles, PUC Transportation Safety Rail Safety Program Ken Pratt, United Transportation Union Doug Horstman, Brotherhood of Locomotive Engineers, (BLE) Claudia Howells, Administrator, Transportation Program Services,

Public Utility Commission, (PUC) Ev Cutter, Oregon Railroad Association

156 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2199; submits repealed language, (EXHIBIT H).

175 HOWARD FEGLES, PUC TRANSPORTATION SAFETY RAIL SAFETY PROGRAM: Submits written testimony, (EXHIBIT I). 225 ADKINS: The section being repealed doesn't say that they are employee safety inspectors; what are the requirements for the track and equipment type of inspectors and how can you tell it isn't going to apply to them also?

FEGLES: The track and equipment inspectors are a federal requirement.

ADKINS: The requirement in Oregon Statute is for the railway employee safety program and that is all that would be eliminated?

FEGLES: Right.

236 CHAIR NORRIS: The number of inspectors remains in tact?

FEGLES: Correct, we have two active employees in that program at this time.

CHAIR NORRIS: The scope of their duties remains the same, so it is a question of qualifications we are dealing with?

FEGLES: Right.

257 KEN PRATT, UNITED TRANSPORTATION UNION: We have proposed an amendment to HB 2199 and understand that the PUC has no problem with that

proposal, (EXHIBIT J).

268 DOUG HORSTMAN, Brotherhood of Locomotive Engineers, (BLE): I am willing to meet the PUC halfway and at least clear up their problems with

qualifications.

280 CLAUDIA HOWELLS, ADMINISTRATOR, TRANSPORTATION PROGRAM SERVICES, PUBLIC UTILITY COMMISSION, (PUC): We have no problem with the amendments, they do improve the situation.

REP. HAYDEN: Would there be other satisfactory routes; could there be other people with equal qualifications that could do this?

HOWELLS: This statute is unusual as it is the only one that exists for job qualifications; the amendment offered broadens that enough that we feel anyone with that background would fall into one of those four areas.

_ It also eliminates the reference to Class 1 carriers so that would give us a larger field for hiring purposes since you could have someone off a Class 3 short line who would also qualify.

316 CHAIR NORRIS: I came across HB 2193 and HB 2194 which deal with rail crossing safety; is there any relationship we need to consider on this

bill?

HOWELLS: Those are part of our budget reduction proposal; the connection is that if HB 2193 passes, then this issue becomes moot.

339 EV CUTTER, OREGON RAILROAD ASSOCIATION: We would support the bill as introduced; if the amendment fixes the problem for the PUC, we have no

objection. 346 CHAIR NORRIS: We will run this amendment to Legislative Counsel and get it in proper form before we go to a work session on this

bill.

362 CHAIR NORRIS: The Subcommittee on Transportation of the General Government Committee is adjourned.

Submitted by, Reviewed by,

Kimberly Burt Janet Adkins Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - HB 2186: Fiscal impact statement submitted by staff, pp 1 B - HB 2186: Written testimony submitted by Kennedy, pp 4 C - HB 2205: Fiscal impact statement submitted by staff, pp 1 D - HB 2205: Written testimony submitted by Green, pp 1 E - HB 2198: Written testimony submitted by Reiley, pp 1 F - HB 2188: Fiscal impact statement submitted by staff, pp 1 G - HB 2188: Written testimony submitted by Unger, pp 2 H - HB 2199: Informative material submitted by staff, pp 1 I - HB 2199: Written testimony submitted by Fegles, pp 1 J - HB 2199: Proposed amendment submitted by Pratt, pp 1