

HOUSE COMMITTEE ON GENERAL GOVERNMENT Subcommittee on Transportation

February 22, 1993 Hearing Room 357 8:30 a.m. Tapes 15 - 16

MEMBERS PRESENT: Rep. Chuck Norris, Chair Rep. Ken Baker Rep. Carl Hosticka Rep. Lonnie Roberts

MEMBER EXCUSED: Rep. Cedric Hayden, Ex-Officio

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

MEASURES CONSIDERED: HB 2334 HB 2674 HB 2786 HB 2787 HB 2337
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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 15, SIDE A

CHAIR NORRIS: Calls the hearing to order. (8:50 a.m.)

PUBLIC HEARING ON HB 2786 Witnesses: Major Richard Mills, Legal Officer, Oregon Wing Civil Air Patrol Phil Groshon, Commander, Civil Air Patrol, Oregon Tom Highland, Manager, Air Search and Rescue, Oregon Aeronautics

Division

025 MAJOR RICHARD MILLS, LEGAL OFFICER, OREGON WING CIVIL AIR PATROL: Submits written testimony in support of HB 2786, (EXHIBIT A).

_ Rep. Baker arrives. (8:52 a.m.)

050 REP. ROBERTS: What standards do you use?

MILLS: The definition of who is accepted is adopted by the Aeronautics Division and that is one reason we would like to see this.

REP. ROBERTS: You aren't involved in air rescue for the military, just civil?

PHIL GROSHON, COMMANDER, CIVIL AIR PATROL, OREGON: We only participate when we are asked to do so by the state; under that condition we are covered by federal coverage as well.

_ Rep. Hosticka arrives. (8:55 a.m.)

105 MILLS: There are two different mechanisms by which the state provides insurance for emergency services workers; one through the Oregon

Aeronautics Division.

_ Also, the emergency services workers are covered under the Emergency Management Division.

REP. ROBERTS: Do you go look for lost hunters?

GROSHON: If we are requested to do so; we don't initiate such things.

MILLS: When we are called out and the air force lessens the operation, our members under eighteen years of age are only covered by what insurance the parents have.

GROSHON: The Civil Air Patrol corporation does carry it's own insurance.

MILLS: We have a self insurance program which provides minimal amounts; cadets may not fly during rescue, but they do participate in activities on the ground and they are in motor vehicles.

CHAIR NORRIS: Are the parents of cadets required to sign releases?

MILLS: Some.

163 CHAIR NORRIS: Is it true that you don't initiate searches on your own?

MILLS: Yes; only at the request of a state agency.

191 TOM HIGHLAND, MANAGER, AIR SEARCH AND RESCUE, OREGON AERONAUTICS DIVISION: The Oregon State Aeronautics Division provides workers'

compensation coverage for missions we request; in my discussion with risk management, they recommend we don't authorize people under eighteen to participate in that insurance.

JANET ADKINS: In any aspect or just flying?

HIGHLAND: In any aspect.

ADKINS: Would adding CAP members be an additional cost?

HIGHLAND: It would be the same as it currently is; we require the to have a sign up sheet for those participating.

WORK SESSION ON HB 2786

245 MOTION: REP. ROBERTS MOVES HB 2786 BE SENT TO THE FULL COMMITTEE WITH A DO PASS RECOMMENDATION.

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

PUBLIC HEARING ON HB 2787 Witnesses: Major Richard Mills, Legal Officer, Oregon Wing Civil Air Patrol Phil Groshon, Commander, Civil Air Patrol, Oregon Tony Delarenzo, Motor Vehicles Division, (DMV)

260 MAJOR RICHARD MILLS, LEGAL OFFICER, OREGON WING CIVIL AIR PATROL: Submits written testimony in support of HB 2787, (EXHIBIT B).

296 PHIL GROSHON, COMMANDER, CIVIL AIR PATROL, OREGON: Both bills came about because of an accident that occurred this summer where we

discovered inequities in coverage.

CHAIR NORRIS: Is the Civil Air Patrol a public benefit corporation?

MILLS: Yes, it falls under ORS 65.001.

JANET ADKINS, COMMITTEE ADMINISTRATOR: We have given members copies of the statutes.

330 CHAIR NORRIS: Is there a record for who is on these missions?

GROSHON: For Civil Air Patrol, when involved in a mission we are very restrictive; it is tightly controlled.

CHAIR NORRIS: Public benefit corporation becomes much more broad than Civil Air Patrol?

MILLS: Yes it does; I don't see the control any different from how it is here.

393 TONY DE LORENZO, MOTOR VEHICLES DIVISION: Submits written testimony, (EXHIBIT C).

_ This bill has a minor impact on the Division; gives background.

435 REP. ROBERTS: The Commercial Drivers License was federal?

DE LORENZO: Yes; the original law was created for driving as chauffeurs.

492 REP. BAKER: Do we have any idea how many people are involved here for public benefit corporations or religious corporations?

DELARENZO: No; I don't have any idea.

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033 REP. BAKER: We are including religious corporations, such as someone who drives people to church on Sunday morning?

DELARENZO: "Acting on behalf of or in support of"; this seems pretty

broad.

JANET ADKINS, COMMITTEE ADMINISTRATOR: Would you require any kind of signed statement saying they were driving for the corporation?

DELARENZO: We hadn't thought that far ahead; if we require affidavits it will increase the fiscal impact.

065 CHAIR NORRIS: Do we have a definition of "authorized emergency vehicle"?

DELARENZO: In 801.260 there is a definition of emergency vehicle; reads from Motor Vehicle Code.

090 HIGHLAND: I don't have a prepared statement, but will answer questions.

_ Any type of legislation or other activity that will help our volunteers I support.

REP. ROBERTS: These people do a god job and there are people who will be in jeopardy if we don't pass the bill.

105 REP. BAKER: I'm concerned about how broad the language is.

_ You might consider 801.260 to include the Civil Air Patrol vehicle.

CHAIR NORRIS: I am going to deputize our attorney member and the administrator to look into this.

REP. HOSTICKA: Have insurance companies expressed concerns to members?

CHAIR NORRIS: We will be asking them when we come back with the bill.

ADKINS: They don't like expansion of the non-employment driving record.

WORK SESSION ON HB 2334

160 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2334; clarifies concerns from previous hearing.

_ There are (-3) amendments requested by Wylie, (EXHIBIT D); the point is to require special interest vehicles to have liability insurance dealers on the inventory they have; what is listed here is the exemptions that would be maintained.

207 REP. BAKER: What is a "special use" vehicle?

ADKINS: It is a "special interest" vehicle; it is a vehicle maintained as a collectors item, used for exhibitions, parades, club activities and

similar uses, but not used primarily for the transportation of persons or property.

REP. BAKER: What is the difference between special interest and antique vehicle?

ADKINS: The special interest vehicle doesn't have to be old.

234 MOTION: REP. ROBERTS MOVES THAT THE (-1) AND (-3) AMENDMENTS TO HB 2334 BE ADOPTED.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

ADKINS: The first four lines of the (-1) amendments will be deleted.

245 MOTION: REP. ROBERTS MOVES THAT HB 2334, AS AMENDED, BE SENT TO THE FULL COMMITTEE WITH A DO PASS RECOMMENDATION.

254 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES.

WORK SESSION ON HB 2674

270 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2674 and the concerns from the previous hearing.

_ There is written testimony from Fantz, (EXHIBIT E), a revised fiscal impact statement and the results from a survey of county surveyors on HB 2674.

310 REP. ROBERTS: Please describe how the fiscal impact changed.

311 DENNIS FANTZ: That was from an understanding that the new language in subsection five would require that 100 center quarter corners per year

would be set and that wasn't the intent or the wording of subsection five.

REP. ROBERTS: The February 12 impact is incorrect?

FANTZ: Yes, and they have revised their statement.

335 CHAIR NORRIS: This is based on existing markers.

PAT ERLICH, ASSOCIATION OF OREGON COUNTIES: Based on the survey I did of the surveyors, the majority agreed with the bill.

355 REP. HOSTICKA: By looking through the survey results there seems to be a mixture of comments about peoples concern about if the bill is

necessary and if it is a mandate, see Exhibit E.

ERLICH: I talked to some counties and there were misunderstandings

about what the bill meant; they aren't unanimous. FANTZ: The Lake County response didn't take into consideration that in

the rural counties the center sections will never be identified.

CHAIR NORRIS: If they were to sell off corners they would have to establish those?

FANTZ: Yes.

452 REP. BAKER: Although the counties are authorized to have a fund, they choose not to do so; apparently the counties could remove the

preservation fund anyway.

REP. HOSTICKA: If we deleted section three would the rest of the bill be worth doing?

FANTZ: Definitely; this makes it more whole in it's application, but the balance of the bill is still important.

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037 MOTION: REP. HOSTICKA MOVES THAT SECTION THREE BE DELETED FROM THE BILL.

VOTE: HEARING NO OBJECTION THE MOTION CARRIES.

050 MOTION: REP. ROBERTS MOVES THAT HB 2674, AS AMENDED, BE SENT TO THE FULL COMMITTEE WITH A DO PASS RECOMMENDATION.

070 VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES.

PUBLIC HEARING ON HB 2337 Witnesses: Joan Plank, Motor Vehicles Division Sandy Brown, Motor Vehicles Division Major Dave Quillan, Director, Control Division, Oregon State

Police

085 JANET ADKINS, COMMITTEE ADMINISTRATOR: Describes HB 2337, submits fiscal impact statement, (EXHIBIT F).

120 JOAN PLANK, MOTOR VEHICLES DIVISION: Submits written testimony in support of HB 2337, (EXHIBIT G).

REP. ROBERTS: How long do the stickers stay on the car?

PLANK: It depends on if they get insurance and get their license reinstated.

REP. ROBERTS: A police officer can stop a car with this sticker?

PLANK: Yes; if the sticker is on the car they can stop the car.

REP. ROBERTS: If someone is pulled over and didn't have insurance, do they have to have a suspended license and no insurance to get this sticker? PLANK: Yes; they are not subject to the sticker if they have a valid drivers license.

_ Continues describing the program, see Exhibit G.

220 REP. ROBERTS: If someone steals your car, do you still have to pay?

PLANK: Yes and that is one technical change we would like to ask for; describes current process.

REP. HOSTICKA: I'd like some exploration of the nature of the proof required to say that your vehicle has been stolen.

PLANK: We would address that by saying it must be reported stolen to a police agency.

269 PLANK: Describes research done, see Exhibit G.

REP. HOSTICKA: It works out to be about \$30,000 per accident; is that average?

PLANK: They calculated that there would be four to five fatalities out of 454 accidents and a cost on those fatalities was about \$700,000, for injury accidents, about \$80,00 and just plain vehicles hurt was about \$1500 on an average.

_ Continues describing evaluation.

335 PLANK: Describes changes proposed, see Exhibit G.

ADKINS: How does taking out the no license category and adding the others come out?

PLANK: It will come out a little less.

CHAIR NORRIS: It will probably have to go to Ways and Means.

PLANK: Yes, because of the budget implications.

425 REP. HOSTICKA: Is there additional penalty for repeat violations?

PLANK: They just get another set of the same charges and they are dealer to spot; people have removed the stickers.

445 SANDY BROWN, MOTOR VEHICLES DIVISION: Describes proposed amendments, see Exhibit G.

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035 BROWN: Continues with proposed changes, see Exhibit G.

065 MAJOR DAVE QUILLAN, DIRECTOR, PATROL DIVISION, OREGON STATE POLICE: We don't have any problem with the proposed changes; we have been fairly

happy with the zebra sticker program.

REP. ROBERTS: Have the amendments gone through LC?

PLANK: No; we wanted to talk with the sponsors of the bill first; we were waiting for direction to ask to have amendments drafted.

CHAIR NORRIS: We will get these drafted and reschedule the bill.

105 ADKINS: Clarifies amendments.

PLANK: Describes failure to appear and failure to apply offenses.

REP. HOSTICKA: If you are stopped and a sticker is put on your car, can you drive your car home?

PLANK: Yes, but you are subject to being stopped at any time.

150 CHAIR NORRIS: Having no further business to come before this subcommittee we are adjourned. (10:25 a.m.)

Submitted by, Reviewed by,

Kimberly Burt Janet Adkins Committee Assistant Committee Administrator

EXHIBIT SUMMARY:

A - HB 2786: Written testimony submitted by Mills, pp 2 B - HB 2787: Written testimony submitted by Mills, pp 2 C - HB 2787: Written testimony submitted by De Lorenzo, pp 2 D - HB 2334: Proposed amendments submitted by staff, pp 4 E - HB 2674: Written testimony submitted by Fantz, fiscal impact statement and results of survey, submitted by staff, pp 8 F - HB 2337: Fiscal impact statement submitted by staff, pp 1 G - HB 2337: Written testimony submitted by Plank, pp 5