

SENATE COMMITTEE ON TRANSPORTATION

February 3, 1993 Hearing Room C 3:00 p.m. Tapes 8 & 9

MEMBERS PRESENT: Sen. Joan Dukes, Chair Sen. Bob Kintigh Sen. Jim Bunn
Sen. John Lim Sen. Tricia Smith Sen. Catherine Webber Sen. Mae Yih

STAFF PRESENT: Ruth Larson, Committee Administrator Shannon
Gossack, Committee Assistant

MEASURES CONSIDERED: SB 106 SB 107 SB 108

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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 8, SIDE A

006 CHAIR DUKES: Calls meeting to order at 3:20 p.m.

010 RUTH LARSON, COMMITTEE ADMINISTRATOR: Reviews background information in member folders.

030 CHAIR DUKES: Explains that SB 45 will be flagged to go to the Ways & Means Committee. PUBLIC HEARING ON SB 106 - Authorizes Motor Vehicles Division to conduct business in different forms:

JANE CEASE, MOTOR VEHICLE DIVISION JUDY CLYBURN, MOTOR VEHICLE DIVISION
JOAN PLANK, MOTOR VEHICLE DIVISION

054 JANE CEASE, MOTOR VEHICLE DIVISION: Testifies in support of SB 106, 107 and 108. -Submits written testimony. (EXHIBIT A)

145 JUDY CLYBURN, MOTOR VEHICLE DIVISION: Testifies in support of SB 106, 107 and 108. -Explains purpose of SB 106.

198 SEN. SMITH: Where in SB 106 does it talk about contracting out?

203 CLYBURN: On page 5, line 7 of SB 106. -Explains current authority regarding contracting out work.

212 SEN. SMITH: It looks like you could contract out anything you want.

213 CEASE: Explains what types of things DMV is thinking about contracting out.

222 SEN. SMITH: You need to tighten the language to be more specific.

225 CEASE: We still want to be able to do business electronically.

254 CLYBURN: Continues with review of SB 106.

281 SEN. KINTIGH: Asks about privacy laws.

285 CEASE: Clarifies policy on public record issue.

299 CHAIR DUKES: It will still have a photo on it.

302 CEASE: Explains how the electronic photo would be linked to police records.

312 SEN. WEBBER: This concept is a request in the law enforcement budget.

323 CEASE: Currently we store the negative.

314 CLYBURN: Continues with outline of SB 106.

346 CHAIR DUKES: Requirements in regard to changing insurance.

352 CLYBURN: Explains how an insurance network would work.

372 CHAIR DUKES: So it would go into an insurance network.

374 CEASE: There is something in the works regarding an insurance network.

388 CLYBURN: Refers to section 29, page 19 of SB 106 which deals with the insurance network issue. -Continues with outline of SB 106.

421 SEN. KINTIGH: Who would pay the credit card fee?

424 CLYBURN: We're not sure at this point. 434 SEN. SMITH: Refers to sections 8 and 9 of SB 106 regarding a surcharge.

TAPE 9, SIDE A

019 JOAN PLANK, MOTOR VEHICLE DIVISION: Explains current rule regarding surcharges that the Motor Vehicle Division can charge.

040 SEN. SMITH: Asks for clarification of subsection 1b, section 8, line 25 of SB 106.

044 PLANK: I'm not sure exactly what that means.

046 CHAIR DUKES: We don't want people who are paying cash subsidizing ones who pay with credit cards.

057 PLANK: There is a statewide basis for transaction.

060 CHAIR DUKES: I would feel more comfortable with the user paying for that extra fee.

063 PLANK: Clarifies section 9 of SB 106 regarding transaction fees and discounts.

073 SEN. SMITH: It says "on any fee the Division is authorized to collect."

076 PLANK: It probably could fit in there but that was not our intent.

078 SEN. BUNN: The logic would be that you could charge a surcharge for paying cash.

084 PLANK: That logic would follow.

085 CHAIR DUKES: Asks for clarification on surcharge issue.

089 SEN. SMITH: Language is too broad.

092 PLANK: Discusses statutory fee.

096 SEN. BUNN: You could still charge the fee plus the surcharge according to this language.

104 SEN. SMITH: Language needs to be clearer.

110 CEASE: We will consult with Legislative Counsel on this.

135 CHAIR DUKES: What is being changed in section 33 of SB 106?

139 CLYBURN: Explains section 33 of SB 106.

152 PLANK: Explains testimony that came from the state police during the interim regarding residency and licensing.

168 CHAIR DUKES: Is there something that says you have to get an Oregon driver's license?

171 CEASE: I don't believe it says you have to get one but you can't operate your car if you don't.

196 CLYBURN: Explains the linkage between DMV records.

202 CHAIR DUKES: Is there anything in SB 106 that requires a license in the state of Oregon if you are a resident?

204 CLYBURN: Explains section 33, line 21 of SB 106.

211 SEN. SMITH: Asks for clarification regarding the definition of a resident.

217 CLYBURN: Provisions came out of the current vehicle code.

223 SEN. SMITH: Conflict between language regarding residency.

231 CLYBURN: Examples of residency.

241 SEN. BUNN: Clarify page 60, line 8 of SB 106 regarding dealer devices?

250 CLYBURN: Explains intent.

255 SEN. BUNN: Language is too broad.

264 CLYBURN: We can define that by rule.

269 SEN. YIH: Asks about implementation time frame and the fiscal impact.

280 CEASE: Explains different ways money will be saved when implemented.

322 SEN. YIH: Asks about impact on personnel.

329 CEASE: Staff savings will be phased in.

340 SEN. YIH: What will be the percentage in staff reduction?

342 CEASE: Estimation of 10%.

353 CHAIR DUKES: Asks about repealed sections and if they are incorporated in other areas.

359 CLYBURN: Explains what is repealed and replaced and what isn't in SB 106.

366 CHAIR DUKES: General language issue.

368 CLYBURN: Continues to clarify different ORS sections that are being repealed in SB 106.

379 LARSON: Asks about verification of information.

389 CLYBURN: Explains how verification would be done under SB 106.

402 SEN. LIM: Asks about defining "true names."

410 CLYBURN: It's an issue we need to define before we implement.

415 SEN. SMITH: There would be an information trail in the database. -Asks to go through SB 106, 107 and 108 again.

TAPE 8, SIDE B

013 SEN. SMITH: Expresses concerns about section 29, page 19 of SB 106 regarding verification of compliance with insurance.

025 CLYBURN: Discusses random sample through insurance company verification.

038 SEN. SMITH: Suggests language that says the division will contact the insurance company directly.

042 CLYBURN: It may be a clearing house that works for the insurance company.

046 PLANK: Explains how the insurance database would operate.

059 CEASE: We can work to tighten up the language so everyone is comfortable.

063 CHAIR DUKES: Asks for clarification in section 65, on page 44, of SB 106.

069 CLYBURN: Discusses the security issue.

074 CHAIR DUKES: Is there a problem with the form continually being signed by physician?

083 CLYBURN: Explains electronic process.

089 CHAIR DUKES: Can't do this electronically from a physicians office anyway.

PUBLIC HEARING ON SB 107 - Authorizes issuance of title to vehicles in forms other than paper:

JANE CEASE, MOTOR VEHICLE DIVISION JUDY CLYBURN, MOTOR VEHICLE DIVISION
JOAN PLANK, MOTOR VEHICLE DIVISION

094 CLYBURN: Explains the purpose of SB 107.

131 CHAIR DUKES: Are people comfortable with letting go of this piece of paper?

134 CLYBURN: We would have to issue a piece of paper if an individual requested it.

137 SEN. SMITH: How would this work for used vehicles from an owner.

148 CLYBURN: Discusses the federal odometer law. -We will have to produce a paper title when it is an owner to owner

sale. -When a vehicle is paid off there would be no piece of paper in the

mail.

165 SEN. WEBBER: Is the paper title a copy of title or a legal title?

178 CLYBURN: We would issue it to show whatever ownership is on our electronic record.

183 SEN. WEBBER: Discusses paper control.

188 CLYBURN: We would note on our records if a piece of paper had been issued.

PUBLIC HEARING ON SB 108 - Changes registration provisions of Motor Vehicle Code to eliminate certain paper documents:

JANE CEASE, MOTOR VEHICLE DIVISION JUDY CLYBURN, MOTOR VEHICLE DIVISION
JOAN PLANK, MOTOR VEHICLE DIVISION JOANNE PETERSON, MOTOR VEHICLE
DIVISION

210 CLYBURN: Outlines the purpose of SB 108.

244 PLANK: We are not planning to take away insurance verification on a registration renewal unless we have something better in place.

265 CHAIR DUKES: I'm not sure I want to let go of this until something is in place.

273 CLYBURN: Clarifies section of SB 108 which deal with insurance verification.

286 SEN. SMITH: Asks for clarification of SB 108-1 amendments. (EXHIBIT B)

295 CLYBURN: Explains the intent of the right to register.

308 SEN. SMITH: Suggests different language. We are seemingly requiring that a person live in Oregon.

312 CEASE: We'll ask Legislative Counsel to help us.

314 LARSON: Asks for clarification in section 4, line 15 of SB 108.

303 CLYBURN: Relates to individuals who are homeless.

312 SEN. YIH: Does it apply to people who live in a car?

319 CLYBURN: Yes.

324 CHAIR DUKES: Continues with the issue of residency.

338 PLANK: Explains ways in which DMV could verify residency.

366 CLYBURN: There are other things out there that require some sort of residency proof.

376 CHAIR DUKES: Concerned about making it too easy to prove.

380 PLANK: Discusses voter registration for homeless people.

TAPE 9, SIDE B

006 CHAIR DUKES: Asks if DMV has had internal discussion regarding the proof of residency issue.

016 PLANK: Yes.

030 SEN. YIH: Asks about the summary at top of SB 108.

032 CEASE: Explains the cost of doing business.

051 SEN. YIH: Why do you want to have less documentation?

055 CEASE: Explains intent of SB 108 and the purpose of the bill.

056 SEN. YIH: Less documentation is the issue?

057 CEASE: Explains the enormous amount of repetitive paper processing that DMV does.

062 CLYBURN: Gives example of repetitive paperwork.

072 SEN. YIH: How do we provide the information to you without the paper?

073 CLYBURN: Possibly verbally or off the old registration card.
-Continues with outline of SB 108 regarding the size of a registration

card.

106 SEN. SMITH: Asks for clarification in section 7, page 7, of SB 108 regarding the changes in statues.

122 PLANK: I have ORS 767.025 but I don't have ORS 767.022.

124 JOANNE PETERSON, MOTOR VEHICLE DIVISION: Explains ORS 767.025 and ORS 767.022. 130 SEN. SMITH: So if I use my motor home to tow anything other than what my registration says then it becomes invalid.

138 PLANK: They get reduced fees because they are to be used for specific things.

147 SEN. SMITH: Asks how this would be enforced.

155 PETERSON: We don't have anything in place specifically but we do share information with PUC. -We do not notify insurance companies.

178 CHAIR DUKES: We will carry these over to Monday, February 8. Adjourns meeting at 5:00 p.m.

Submitted by, Reviewed by,

Shannon Gossack Ruth Larson Assistant Administrator

EXHIBIT LOG: A - Testimony on SB 106, 107 & 108, Jane Cease, 63 pages. B - SB 108-1 amendments, staff, 1 page.