

SENATE COMMITTEE ON TRANSPORTATION

February 8, 1993 Hearing Room C 3:00 p.m. Tapes 10 - 12

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: Public Hearing: 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 the meeting to order at 3:15 p.m.

PUBLIC HEARING SB 106:

JANE CEASE, MOTOR VEHICLE DIVISION JOAN PLANK, MOTOR VEHICLE DIVISION  
JUDY CLYBURN, MOTOR VEHICLE DIVISION MARY GEST, OREGON PUBLIC EMPLOYEES  
UNION

014 JANE CEASE, MOTOR VEHICLE DIVISION: Introduces Mary Anne Gest.  
-We are working with Mary Ann and her concerns will be addressed.  
-Submits written testimony. (EXHIBIT A)

025 MARY ANNE GEST, OREGON PUBLIC EMPLOYEES UNION: Opposes section 7  
of SB 106. -I will withhold my testimony and work with the Motor Vehicle  
Division. 036 CHAIR DUKES: Asks for information regarding other states  
that have gone to an electronic process.

046 CEASE: Explains what information the Division looked at in  
regard to other states and what they are doing.

052 JUDY CLYBURN, MOTOR VEHICLE DIVISION: Discusses what states DMV  
talked with in developing the proposed legislation.

069 CHAIR DUKES: Asks for specific information regarding other  
states and what their programs are in regard to the paperless issue.  
-Concerned about the disabled permit issue.

084 JOAN PLANK, MOTOR VEHICLE DIVISION: Explains the process of

clearing liens and how that played a role in the proposed legislation.

092 SEN. KINTIGH: How would an owner know that this lien process has been done?

097 PLANK: Explains the current process for liens.

101 SEN. KINTIGH: If the owner wanted a paper title they could ask for one.

103 CHAIR DUKES: Concerned about the cost to produce the paper title because not everyone will be getting one.

105 CEASE: Explains how the process would work.

120 CHAIR DUKES: Asks for clearer language in section 33, page 21 of SB 106 .

138 CEASE: We will look at that section.

152 CLYBURN: Explains current law regarding the domicile definition.

175 CHAIR DUKES: We need to define who should and should not be included in the definition. -Expresses concern about language on page 24, line 34 of SB 106.

194 PLANK: We don't know exactly what that means in regard to this legislation.

206 CHAIR DUKES: Concerned about the physicians signature in regard to falsification. -Asks for explanation of deletion of "good cause" on page 25, line 13 of SB 106.

217 PLANK: We had a problem with the word "shows" because of the paper issue.

229 CHAIR DUKES: Discussion on the requirement for a photograph on parking permits.

243 CEASE: We will work with staff and Legislative Counsel with the intent of that section.

255 CHAIR DUKES: Asks for more clarification on lines 1-4, page 26 of SB 106. 259 PLANK: Explains restricted licenses.

271 CHAIR DUKES: Does law enforcement have access?

279 PLANK: Discusses LEDS.

279 CHAIR DUKES: Expresses concern about the cost of LEDS.

283 CLYBURN: I'm not sure if they all have access.

293 SEN. WEBBER: I'm not aware of any law enforcement agencies that don't have access to LEDS.

302 SEN. BUNN: LEDS isn't always very dependable.

321 CHAIR DUKES: Asks about running up costs locally if LEDS check is required.

287 SEN. WEBBER: They typically do a check anyway. It is a marginal cost.

308 CEASE: I would assume they would want to check with LEDS.

312 SEN. SMITH: Are you going to go into the SB 106-1 amendments today?

318 CEASE: Yes if you would like us to. I also need a time frame so we can get to work on some of these concerns.

322 CHAIR DUKES: Work on this and it will be put aside until you're ready.

337 SEN. SMITH: I'm concerned about section 8A of SB 106 -1 amendments. (EXHIBIT B)

365 CLYBURN: Clarifies intent of 106-1 amendments. (EXHIBIT B)

381 SEN. SMITH: Example regarding false information.

388 CLYBURN: We would have to look into the situation.

395 SEN. SMITH: It sounds like another step beyond the initial step. -Concerned about security issue.

414 PLANK: We do need to build in those security features. -Discusses automated bank machines.

TAPE 11, SIDE A

008 CHAIR DUKES: Asks about security issue regarding access.

018 CEASE: Discussion on identification numbers.

020 CLYBURN: Explains discussions that have taken place on this issue. -Transaction ID numbers.

029 SEN. SMITH: Language is too broad.

032 CEASE: What would you want us to work on? -Certification with PIN number or some sort of security features?

041 SEN. SMITH: How would someone defend themselves if someone falsified information?

049 CEASE: We will contact a state that uses this process and see what language they use.

054 CHAIR DUKES: Asks about section 41, page 26 of SB 106 regarding renewal issue.

062 CLYBURN: The mailing issue is part of that section. -Clarifies intent of section 41 of SB 106.

070 CHAIR DUKES: Clarifies how individual files would be merged.

073 SEN. SMITH: Clarify your intent in that section.

076 CLYBURN: We can do that.

079 CHAIR DUKES: Section 65, page 44 of SB 106 is also dealing with the signed paper by a physician. I have a real concern about that.

088 CEASE: Maybe certified by a physician would work.

091 SEN. SMITH: On page 27 of SB 106 you delete the requirement of issuing a new license if a driver has reached the age of 21? Why did you take

that out?

090 CLYBURN: Explains that the Division hasn't done this for years.

101 CHAIR DUKES: I'm not comfortable with page 37, line 10 of SB 106. -Discusses suspended licenses.

111 CLYBURN: Documentation to us means paper.

120 CHAIR DUKES: I want to make sure that there is something in there that says a judge is going to sign something.

123 PLANK: There are controls against something like that.

145 CEASE: Discusses a generic definition regarding documentation.

150 SEN. KINTIGH: On page 27, lines 9-11 of SB 106; what is "proof of address?"

154 CLYBURN: Explains what current proof of address is and what the intent is. 160 PLANK: Discusses the balance between proof and verification.

168 SEN. SMITH: Why don't you want the plates back when there is a suspension of registration?

172 CLYBURN: The court has them and we don't want them back.

177 SEN. SMITH: What would prevent them from leaving the plates on the vehicle?

182 CLYBURN: These are truly people who don't care.

197 PLANK: We will look at that area of the bill.

221 SEN. SMITH: In what kinds of cases would the court order suspension of registration? 228 CLYBURN: Clarifies under what kinds of situations this would happen.

237 SEN. SMITH: We're going to let them keep their plates?

231 CHAIR DUKES: Asks about page 32, section 49, line 44 of SB 106.

252 PLANK: Explains that certain information or business could be done over the telephone.

254 CHAIR DUKES: Asks about costs to do business over the telephone versus the current way.

259 CEASE: Yes it is cheaper over the telephone.

262 CHAIR DUKES: ID cards are very important to some people.  
-Expresses concern about security.

272 PLANK: We will find the proper security feature. -Explains  
current controls that are built in.

280 CEASE: Clarifies non-public information.

284 SEN. SMITH: Is current information confidential or subject to  
public record law?

297 CLYBURN: Explains other non-public information.

300 SEN. SMITH: When deciding how to do this it might be good to know  
what is public information and what is not.

311 PLANK: Explains pending bill that deals with the public  
information issue.

330 CHAIR DUKES: Concerned about the surrendering of registration  
plates in section 76, page 50 of SB 106. -Concerned about the minimum  
standards for helmets and protective

headgear. I have a problem with defining what has to be in the letter.  
-Asks for clarification in section 80, page 54 of SB 106.

413 CLYBURN: We might not want to issue tags just decals.

423 SEN. SMITH: Concerned about the massive changes of SB 106.  
-Suggests waiting until the system is up and going before totally  
changing laws and statutes.

TAPE 10, SIDE B

014 PLANK: Explains why SB 106, 107 and 108 are before legislators.

023 SEN. SMITH: The authority is too broad.

028 CHAIR DUKES: Suggests a two year project to get this process  
started.

033 CLYBURN: Explains the costs of doing a pilot program.

044 CHAIR DUKES: Asks them to think about the issue of a pilot  
program.

051 CEASE: Refers to written testimony regarding time lines. (EXHIBIT  
B)

064 SEN. WEBBER: All of the parts of a program like this  
are integrated. (EXHIBIT A)

080 SEN. BUNN: If we are going to change this we should be pretty  
confident that we want these changes.

086 CEASE: We will look at the things that are needed and workable

through June 30 of 1995 and see where we plan to be by that time.

087 SEN. SMITH: Language too broad in several areas. Need clearly defined language.

093 CEASE: We've been making notes and can work on that.

095 CHAIR DUKES: Discussion on when the committee will hear the bills again.

101 CEASE: Asks for a deadline.

PUBLIC HEARING ON SB 107:

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

120 RUTH LARSON, COMMITTEE ADMINISTRATOR: Explains the intent of SB 107.

132 CHAIR DUKE: Explains the process in California and Washington State.

145 SEN. SMITH: Scenario relating to a used vehicle.

150 CLYBURN: Discusses the federal odometer requirements. -Seller would be responsible for title piece of paper.

156 SEN. SMITH: Asks about the federal odometer law.

162 CLYBURN: Explains the federal odometer law.

169 CHAIR DUKES: Asks for clarification regarding the word "document" replacing the word "record".

175 LARSON: More efficient for the transfer of information of titling for banks.

187 CLYBURN: Explains the paper trail currently involved with the issuing of a title.

198 CHAIR DUKES: Asks if transferring titles would be done more quickly. What about a car from out of state?

205 CLYBURN: We will still get that piece of paper back. The states are already looking at a national hook-up. -Discusses manufacturer certification of origin.

240 CHAIR DUKES: Any other states that do this?

244 CLYBURN: Explains states currently trying this type of paperless process.

272 CHAIR DUKES: When would this start?

275 CLYBURN: Explains time line for SB 107.

302 LARSON: Asks for clarification on section 12, page 3 of SB 107.

315 CLYBURN: Explains section 12 of SB 107 regarding a certificate of title.

336 CHAIR DUKES: What would your records show if someone were to check on a vehicle such as the one you just described?

340 CLYBURN: It should show that it is in dealers inventory and the name of the dealer.

340 CHAIR DUKES: It is my hope that the people sitting in the very back will participate in the discussion of these bills.

339 CEASE: We have tried to include everyone in the discussion of these bills.

#### PUBLIC HEARING SB 108

REPRESENTATIVE TIM JOSI WILLIAM ROWLAND, PEARL HARBOR SURVIVOR ASSOCIATION ARTHUR BOYLE, PEAL HARBOR SURVIVOR ASSOCIATION JOAN PLANK, MOTOR VEHICLE DIVISION JANE CEASE, MOTOR VEHICLE DIVISION JUDY CLYBURN, MOTOR VEHICLE DIVISION

373 LARSON: Explains intent of SB 108.

389 CHAIR DUKES: Discusses page 4, Section 6 of SB 108 regarding changing the vehicle registration period. -What is the policy reason behind this?

409 CLYBURN: Explains work loads.

425 CHAIR DUKES: Concerned about the elimination of exempt plates. -I would oppose that.

436 CLYBURN: The registration would not go away but the actual plate would.

463 SEN. WEBBER: Concerned about the huge financial responsibility with uninsured motorist. Will your computers have the capability to get insurance information?

495 CEASE: I certainly hope so. I would like to move to that as soon as possible.

#### TAPE 11, SIDE A

040 SEN. WEBBER: When will you have the capacity to do this?

041 CLYBURN: Explains time line in testimony. (EXHIBIT A)

050 CEASE: We just want to know coverage is there.

056 SEN. WEBBER: You need notification of provider and who is providing.

060 CLYBURN: I think we do today but hopefully not in the future.  
-Discusses the ID number issue.

068 SEN. WEBBER: Would this be a new industry that is a clearing house to provide the insurance information?

069 CLYBURN: That concept is already being talked about.

070 CHAIR DUKES: There seems to be a missing link in the insurance information regarding used vehicles. -Discusses a bill that came from the interim regarding used cars. -Language is too broad on page 10, line 33 of SB 108.

095 CLYBURN: Continues with outline of SB 108. (EXHIBIT A)

121 CHAIR DUKES: How many permanent plates do we have? Are all exempt plates that yellow-/orange color?

128 CLYBURN: Explains permanent stickers and exempt plates.

134 SEN. YIH: Asks for information on all plates.

169 CLYBURN: Continues explaining SB 108. (EXHIBIT A)

187 CHAIR DUKES: Asks about the number of plates issued.

198 CLYBURN: Breakdown on the number of plates issued.

215 CHAIR DUKES: I don't have a problem with the sticker idea. I offered that to groups two years ago and they turned it down. My point is that

if someone runs over a five year old in the street and keeps going I want people to be able to get the numbers and know it's an Oregon plate. I could care less if they know the owner graduated from Oregon State University or thinks that covered wagons are cute. We lose the purpose and intent.

228 CEASE: That is why I wanted to go to a generic type of plate.

232 CHAIR DUKES: Discusses the process that took place when designing the newest Oregon plates.

259 CEASE: Explains how they could use numbers with a three digit combination.

263 CHAIR DUKES: Wouldn't you run out of numbers?

265 CEASE: Clarifies the numbers.

271 CHAIR DUKES: One letter would be 26,000 possibilities.

252 CEASE: Explains.

283 CHAIR DUKE: Under your scenario what would you do with the



National Guard plate?

285 CEASE: Explains how they would arrange the plate.

289 SEN. LIM: Who designs the stickers?

292 CEASE: You would want to work with the groups to have a recognizable symbol. It would be a mutual agreement. 298 SEN. SMITH: Why are we doing this at all? People can get customized plates if they want.

307 CEASE: More responsive to customers. This was one way we thought we could accomplish this.

321 SEN. SMITH: Besides the Oregon plate and the Oregon custom plates why do we have the rest? -Discusses the purpose of a license plate.

350 CEASE: I think that it's a new thing that's happening everywhere which is why we went to the graphic plate.

362 SEN. SMITH: You're right. As long as it is allowed the pressure will be there and be even greater. We don't have any criteria for different

groups.

386 CHAIR DUKES: This issue continually comes up. There is a reason for license plates, and it isn't so that the Oregon Trail can raise money.

There are folks who take it very personally. -Explains how the new plates for Oregon came about.

424 CEASE: We will review all the bills with the committee's concerns in mind.

430 CHAIR DUKES: Asks for a list of what the Division absolutely needs and can't live without.

TAPE 12, SIDE A

025 REPRESENTATIVE TIM JOSI: Introduces people from the Peal Harbor Survivors Association. -Discussed HB 2509.

039 WILLIAM ROWLAND, PEARL HARBOR SURVIVORS ASSOCIATION: Submits and reviews written testimony.(EXHIBIT C)

059 SEN. LIM: Why haven't we done this in the past?

068 CHAIR DUKES: Explains the past decisions regarding special plates and the purpose for plates. 083 SEN. LIM: People are our customers and we should make them happy. We should be more flexible. I think it's a good idea and I am in full

support of this.

094 ARTHUR BOYLE, PEARL HARBOR SURVIVORS ASSOCIATION: Testifies in support of SB 108. -Explains why the association feels so strongly about the vehicle

plates.

145 CHAIR DUKES: Thank you for coming.

147 SEN. YIH: How is SB 108 relevant to the issue we just heard.

150 CHAIR DUKES: They are here to support sections 12, 13 and 14 of SB 108 .

158 SEN. SMITH: Under these provision the legislature would no longer be involved with who gets plates and who doesn't. Is that correct? 160 LARSON: That is correct. -Reviews line 38, page 11 of SB 108 language.

168 PLANK: The way SB 108 is drafted now there is no more authority or additional plate types than already exist. If you were to choose to add one more you could or you could give DMV the authority to decide which

groups would get a special plate. Then we would do that by administrative rule.

176 CHAIR DUKES: It just allows the creation?

178 PLANK: It just allows us to make that more generic looking plate.

181 SEN. SMITH: Does it say somewhere in statute that the legislature shall adopt those things? -Reviews language in SB 108 relating to lines 38, page 1, of SB 108. -Why do you say it gives you no more authority?

192 PLANK: If it isn't in the statutes we don't issue it. We have been asked to write a rule for specific groups and we have always refused.

198 CHAIR DUKES: I agree with Senator Smith on this. -Continues review of SB 108.

205 PLANK: Explains how DMV has had to create new plate types because of antiquated computer systems.

217 SEN. SMITH: The problem with this is that these are not determined based upon who is the most worthy or which cause is the most important. It is based on who yells the loudest.

245 SEN. YIH: It takes the authority away from the legislature and gives it to DMV. I think we should have the final say on this issue.

251 PLANK: I suspect there will be some amendments on this section.

251 CHAIR DUKES: Until you've received a letter from a group that didn't get a license plate and have been called un-American you haven't lived. -Adjourns meeting at 5:25 p.m.

Submitted by, Reviewed by,

Shannon Gossack Ruth Larson Assistant Administrator

EXHIBIT LOG: A - Testimony on SB 106, 107 & 108, Jane Cease, 10 pgs. B - SB 106-1 amendments, Staff, 10 pgs. C - Testimony SB 108, William Rowland, 2 pgs.