

SENATE COMMITTEE ON TRANSPORTATION

February 10, 1993 Hearing Room C 3:00 p.m. Tapes 13 & 14

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 104 SB 105 SB 261

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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 13, SIDE A

006 CHAIR DUKES: Calls meeting to order at 3:17 p.m.

010 RUTH LARSON, COMMITTEE ADMINISTRATOR: Explains background information regarding uninsured motorists in the City of Portland.

017 CHAIR DUKES: Discusses the new statewide insurance idea.

PUBLIC HEARING SB 104

SENATOR DICK SPRINGER PETE NUNNENKAMP, MOTOR VEHICLE DIVISION JOAN PLANK, MOTOR VEHICLE DIVISION

037 LARSON: Explains intent of SB 104.

043 SEN. SPRINGER: Testifies in support of SB 104. This bill is similar to a bill I introduced during the interim; SB 289. The intent of the two

bills is the same. 073 CHAIR DUKES: What are the differences between the bills?

076 SEN. SPRINGER: SB 289 is different in regard to the permitting issue.

091 SEN. KINTIGH: If your driving privileges have been suspended do you have a valid license?

099 SEN. SPRINGER: Discusses how Washington State and Oregon work

together regarding suspensions.

104 CHAIR DUKES: Discussion on individuals that would be effected by SB 104.

113 SEN. KINTIGH: Would the hardship license from Washington be valid in Oregon?

114 CHAIR DUKES: That is correct. -Explains the issue of learner permits.

123 JOAN PLANK, MOTOR VEHICLE DIVISION: Testifies in support of SB 104. -Submits written testimony. (EXHIBIT A) -Explains the intent of SB 104.

153 SEN. SMITH: This would impact the person who commits an offense in Oregon where Washington does not recognize the same penalty for the

offense.

163 PLANK: There are provisions in the statutes relating to hardship permits in certain situations. -Discusses hardship permit requirements in Oregon.

173 SEN. SMITH: Except for the breathalyzer do they recognize all of the other offenses as suspensions?

178 PETE NUNNENKAMP, MOTOR VEHICLE DIVISION: Explains differences in suspensions between Oregon and Washington State.

189 SEN. SMITH: Asks for clarification regarding DUI suspensions in the state of Washington.

199 PLANK: Washington would be responsible for the hardship permit.

201 SEN. SMITH: Would we recognize it as a valid license to go to work in Oregon?

202 NUNNENKAMP: I think we would. Maybe we should ask the State Police.

204 PLANK: If they have a hardship permit then they wouldn't be showing a suspended license. They would carry something with them.

211 SEN. SMITH: Asks about access to information.

219 CHAIR DUKES: How do we suspend a person's license when they live in another state.

236 PLANK: Explains how the process would work. 247 CHAIR DUKES: Will the officer check a license in this type of case?

251 PLANK: I don't know. -Explains the types of individuals that would be impacted by this issue.

261 SEN. LIM: Asks for a definition of a hardship permit.

265 NUNNENKAMP: Explains current definition and where it is in statute.

268 SEN. LIM: Do we have a clear definition?

271 NUNNENKAMP: Yes we do.

275 SEN. LIM: How many licenses can an individual have at one time?

279 PLANK: Responds. -Discusses SB 289 in regard to differences to SB 104.

PUBLIC HEARING ON SB 105

JOAN PLANK, MOTOR VEHICLE DIVISION TONY DELORENZO, MOTOR VEHICLE DIVISION

314 LARSON: Explains intent of SB 105.

327 PLANK: Testifies in support of SB 105.

335 TONY DELORENZO, MOTOR VEHICLE DIVISION: Submits and reviews written testimony. (EXHIBIT B)

TAPE 14, SIDE A

010 SEN. SMITH: Does this include a commercial driver's license?

012 DELORENZO: Yes it does. -Refers to written testimony on page 1 regarding the NRVC. (EXHIBIT B)

021 SEN. SMITH: Asks about agreements with Washington in the areas not covered in the NRVC compact.

018 DELORENZO: Discusses agreements with Washington. -Discusses the fiscal impact. -Submits and reviews SB 105-1 amendment. (EXHIBIT C)

040 CHAIR DUKES: Why is the state court involved with this bill?

042 DELORENZO: This could have an impact on the courts. There would be additional data to be processed on the failure to appear issue.

050 CHAIR DUKES: The courts want to affect what comes to them before it ever gets going.

057 DELORENZO: The paper work will be a little different.

060 SEN. WEBBER: Asks about current law regarding traffic court rules.

064 DELORENZO: I'm not familiar with those.

065 PLANK: The Court Administrators office was more comfortable if we introduced this amendment.

064 SEN. WEBBER: But it's not necessary.

069 CHAIR DUKES: Our giving you the authority doesn't require that you enter into it. -Difficulty with the courts telling us what to do based on what is best for them.

074 SEN. SMITH: The language in the amendment would give the court authority to stop the whole plan if they don't want to adopt rules.

Can you

anticipate the reaction of the Court Administrators office if we change the amendments?

078 DELORENZO: I can't speak for them.

089 SEN. WEBBER: Discusses the Supreme Court rule making authority and traffic violations.

095 DELORENZO: We invite your support of SB 105. It would enhance highway safety and generate general fund revenue. We will take it with or

without the amendment.

101 SEN. LIM: If someone is fined \$100 dollars what state do they pay?

108 DELORENZO: Explains current procedure of the court system in regard to tickets. -Discusses the compact agreement.

145 SEN. LIM: Smaller towns probably make a lot of money from ticketing people who live in states where there isn't a compact agreement.

150 DELORENZO: Discussion on speed traps in other states.

162 CHAIR DUKES: How do they find out about this kind of issue? -Explains complaints from her district on this issue.

183 SEN. WEBBER: Discusses difficulty with having a home state trial.

188 SEN. SMITH: Discussion on driver profiles.

210 DELORENZO: I've not heard any discussion about that issue in the compact.

221 PLANK: There was discussion on that issue during the interim. It seemed to be related to drug crimes. 229 SEN. SMITH: I know it's a practice in some states and that there are cases in courts involving this issue.

235 DELORENZO: I would hope in the long run that the proceedings through the courts would be the ultimate solution.

237 SEN. SMITH: Asks about a monitoring system.

240 DELORENZO: We can build monitoring into the system. The state court has an automated system that could probably track that.

254 PLANK: This could be included in the new design also.

259 DELORENZO: Discusses implementation.

261 SEN. SMITH: Asks them to address Senator Dukes concern about high volumes of tickets in a specific county.

WORK SESSION SB 105

277 SEN. SMITH: I don't have a problem with the bill. I do have a question about the amendments. Maybe they do this in other parts of the DMV law.

289 DELORENZO: The Court Administrators are in support of this concept.

293 CHAIR DUKES: I figure if they really cared they would be here.

314 SEN. WEBBER: I don't know that it is necessary to have the amendments.

MOTION: Senator Webber moves SB 105 to the floor with a "DO PASS" recommendation.

VOTE: In a roll call vote the motion carries unanimously with Senator Bunn excused. Senator Smith will carry.

PUBLIC HEARING ON SB 261

JOAN PLANK, MOTOR VEHICLE DIVISION MIKE UNGER, MOTOR VEHICLE DIVISION

340 LARSON: Explains SB 261.

360 CHAIR DUKES: This was introduced by the interim committee. -Gives brief background of issue.

383 SEN. WEBBER: Are the ages the same?

388 CHAIR DUKES: Yes.

392 PLANK: Testifies in support SB 261. -Submits and reviews written testimony. (EXHIBIT D)

405 SEN. WEBBER: This applies to all out of state people. -Asks for ages in other neighboring states.

411 PLANK: All the same as far as we know.

417 MIKE UNGER, MOTOR VEHICLE DIVISION: Minor differences in ages but SB 261 says that they would have to meet Oregon requirements. So they would

have to be 15 years old.

425 SEN. LIM: Asks about accidents in regard to younger drivers.

430 PLANK: Explains DMV reports relating to age/accidents.

437 SEN. LIM: If they have a good driving record than I don't disagree with this.

444 CHAIR DUKES: At this point they just have a permit and are just learning. -Discusses city driving versus rural driving.

462 SEN. SMITH: Does a licensed driver still need to be in the car?

469 PLANK: Refers to testimony relating to Oregon requirements.

(EXHIBIT D)

WORK SESSION ON SB 261

MOTION: Senator Smith moves SB 261 to the floor with a "DO PASS" recommendation.

VOTE: In a roll call vote the motion carries unanimously with Senator Bunn excused. Senator Dukes will carry.

500 CHAIR DUKES: Adjourns meeting at 4:20 p.m.

Submitted by, Reviewed by,

Shannon Gossack Ruth Larson Assistant Administrator

EXHIBIT LOG: A - Testimony SB 104, Joan Plank, 1 pg. B - Testimony SB 105, Tony DeLorenzo, 5 pgs. C - SB 105-1 amendments, Tony DeLorenzo, 1 pg. D - Testimony SB 261, Mike Unger, 2 pgs.