

SENATE COMMITTEE ON TRANSPORTATION

March 3, 1993                      Hearing Room C 3:00 p.m.                      Tapes 25 & 26  
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 301 Overview - DMV

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report ~ speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE 25, SIDE A

010 CHAIR DUKES: Calls meeting to order at 3:15 p.m.

PUBLIC HEARING ON SB 301:

Senator Bill Dwyer Charles Williamson, Oregon Trial Lawyer's Association Bill Seely, Motor Vehicle Division Jon Stubenvoll, OSPIRG 022 SENATOR BILL DWYER: Test)files in support of SB 301. -Discusses 1991 legislation regarding DMV records.

080 SEN. BUNN: Asks about other people that might be limited by SB 301.

088 SEN. DWYER: This legislation is aimed at people who use accident reports. Senate Committee on Transportation March 3, 1993 - Page 2

092 SEN. BUNN: Asks about the situation regarding a farm auction.

096 SEN. DWYER: Explains accident reports versus driver vehicle records.

101 SEN. BUNN: So the intent is not to limit people who use driver records.

104 SEN. DWYER: I didn't want to go that far.

105 SEN. BUNN: Suggests putting "accident report, ~ back in SB 301.

112 SEN. LIM: Who has the authority to check into the reports?

116 SEN. DWYER: If SB 301 passes only people who have a legitimate right to know.

129 SEN. LIM: What would happen if I wanted to check out someone else's record?

127 SEN. DWYER: I don't think you can do that currently, but if this passes it wouldn't impact that. I think that DMV can speak to that. They administer the programs.

131 SEN. YIH: Does this go to Judiciary?

139 CHAIR DUKES: It will be referred to Judiciary. We only deal with the DMV issues in SB 301. -Suggests putting "accident reports" back in

the bill. 160 SEN. DWYER: In line 6, of SB 301, is where that language is.

166 SEN. BUNN: Example of farm auction.

173 SEN. DWYER: I'm not trying to get to those people.

182 CHAIR DUKES: We can work with Legislative Counsel to see if we can narrow it.

191 SEN. BUNN: What would happen if professional people read this type of information in a newspaper article?

206 CHAIR DUKES: Newspaper articles wouldn't have the specific information that is listed in an accident report.

237 CHARLES WILLIAMSON, OREGON TRIAL LAWYER'S ASSOCIATION: Submits testimony in support of SB 301. (EXHIBIT A) -Explains Oregon State Bar rules regarding accident reports. -Discusses other bills that address this issue. 284 CHAIR DUKES: What about Senator Bunn's concerns?

287 WILLIAMSON: Suggests taking out the brackets and restoring the language. 296 BILL SEELY, MOTOR VEHICLE DIVISION: Submits and reviews written testimony.

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(EXHIBIT B)

345 CHAIR DUKES: Asks about DMV forms that exempt an individual from direct mail.

355 SEELY: Explains system improvements regarding exemption forms. -Discusses records that DMV sells.

369 CHAIR DUKES: If it were narrowed to "accident reports," what would the impact be?

375 SEELY: There is only one person who buys accident reports from DMV. The only other impact would be however we are linked to the civil penalty issue.

379 SEN. LIM: Asks for information regarding the records lists and how much money DMV makes off this practice.

390 SEELY: Explains how information is obtained. We don't make a profit from the sale, we just cover our costs.

TAPE 26, SIDE A 017 RUTH LARSON, COMMUNITY ADMINISTRATOR: Explains the fiscal related to SB 301.

027 JON STUBENVOLL, OSPERG: Testifies in support of SB 301. -Discusses issue of consumer privacy.

035 CHAIR DUKES: What if this were narrowed down to accident reports?

037 STUBENVOLL: We would like it to be broader, but we would still

support this bill.

WORK SESSION ON SB 104

Joan Plank, Motor Vehicle Division

051 LARSON: Explains the intent of SB 104.

063 CHAIR DUKES: I've talked with Senator Springer and he is comfortable with SB 104.

069 LARSON: Out-of-state people would have to meet the same criteria as residents in order to apply for a hardship permit.

086 JOAN PLANK, MOTOR VEHICLES DIVISION: This would impact people who live in Washington, work in Oregon, and we have suspended their license. We should let them apply for a hardship permit.

095 CHAIR DUKES: If someone is found guilty of something that would require suspension does Washington treat that with a reciprocal?

These minutes contain materials which paraphrase and/or summarize daternents made during this session, Onty text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the lopes. Senate Committee on Transportation March 3, 1993 - Page 4 099 PLANK: A lot of these situations involve breath test failure or refusal. -The action is taken in Oregon and Washington does not have a refusal law. -If a person was convicted of DUI in Oregon, our suspension is one year. We would then send that to the state of Washington and they would take action, but their suspension action is shorter than Oregon's suspension.

115 SEN. YIH: If we have the authority to suspend then we should have the authority to issue a hardship permit.

130 SEN. LIM: Is there a clear definition of hardships? I don't want people with drug convictions to have the privilege to drive at all. I don't want a person who is convicted of violent crimes to be able to get hardship privileges.

155 CHAIR DUKES: I think that would take a change in the state law. -If you're standing on a street corner selling drugs you are not going to lose your driver's license. Generally speaking you have to use the automobile in the commission of the crime. We try to tie the driving privilege with the vehicle.

MOTION: Senator Kintigh moves SB 104 to the floor with a "DO PASS" recommendation.

VOTE: In a roll call vote the motion carries unanimously with Senators Bunn, T. Smith and Webber excused. Senator Dukes will carry.

OVERVIEW ON MOTOR VEHICLE DIVISION'S ELECTRONIC PROCESS:

Judy Clyburn, Motor Vehicle Division

240 JUDY CLYBURN, MOTOR VEHICLE DIVISION: Submits and reviews written testimony. (EXHIBIT C)

TAPE 25, SIDE B

031 CHAIR DUKES: I want to make sure we tie into what other states have already learned.

046 CLYBURN: Continues with review. (EXHIBIT C)

065 CHAIR DUKES: Can't you look at an existing license to find out the information you just outlined? 077 SEN. KINTIGH: How would a law enforcement person use this? 087CLYBURN: Explains how it would be used. -Continues with review. . 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 Senate Committee on Transportation March 3, 1993 - Page 5

167 CHAIR DUKES: We also don't know how often a person has been issued a trip permit. 172 CLYBURN: Continues with review.

184 SEN. YIH: Asks for clarification regarding partial plates.

189 CLYBURN: Explains the process for getting information to law enforcement agencies. 299 CHAIR DUKES: Asks about other individuals entering information into DMV records. -There aren't really that many states that are doing this on the scale that you're presenting. They are doing pilot programs on small pieces of the process. 348CLYBURN: Explains the history of the electronic idea. -Continues with review of testimony. (EXHIBIT C)

TAPE 26, SIDE B

012 CHAIR DUKES: Is the telephone issue in the category of things to start immediately?

017 CLYBURN: I think that it is.

025 CHAIR DUKES: Has a concern about doing address changes over the telephone.

030 CLYBURN: Explains current process for change of address.

046 CHAIR DUKES: Discussion regarding mail-in information.

056 CLYBURN: Continues reviewing written testimony.

080 SEN. LIM: Asks about insurance files and how they would be linked.

082 CLYBURN: Explains the direct link process.

090 SEN. LIM: When will that be in our state?

093 CLYBURN: Discusses the American Association of Motor Vehicles Administrator's Network.

111 CHAIR DUKES: Adjourns meeting at 4:50 p.m.

Submitted by, Reviewed by,

Shannon Gossack Ruth Larson Assistant Administrator

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EXHIBIT LOG: A - Testimony SB 301, Charles Williamson, 24 W B - Testimony SB 301, Bill Seely, 1 pg. C - Testimony, Overview DMV Electronic Process, Judy Clyburn, 42 pas.

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