

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks  
TAPE 29, SIDE A

010 CHAIR DUKES: Calls meeting to order at 3:25 p.m.

COMMITTEE BILL INTRODUCTION:

010 LARSON: Explains LC 3645 regarding winter park permits. (EXHIBIT A) 012 SEN. KINTIGH: Explains why he is introducing LC 3645.

016 CHAIR DUKES: When we heard SB 98 this was brought up by the snowmobile people and they were concerned that the permits didn't make sens

020 LARSON: Explains LC 3704 regarding insurance companies informing DMV. (EXHIBIT B)

027 SEN. LIM: This will make the roads safer for everyone. Eventually insurance premiums should go down. When someone's liability insurance

038 LARSON: LC draft 3780 regarding roads in exclusive farm use land. (EXHIBIT C)

041 CHAIR DUKES: I was approached by the Highway Division and asked to have this drafted.

047 SEN. BUNN: Would a transportation facility include a bus barn?

049 CHAIR DUKES: The intent was roads.

051 SEN. KINTIGH: I thought I carried a bill just like this my first session here.

054 BOB CORTWRIGHT: This is designed to allow transportation improvements where an exception has been taken.

MOTION: Chair Dukes moves to adopt LC 3645, 3704 and 3780 as Committee bill.

VOTE: Hearing no objection the motion carries with Senator Smith excused.

PUBLIC HEARING ON SB 467: Increases property damage amount that triggers need for motor vehicle accident report.

SENATOR BOB KINTIGH JOAN PLANK, MOTOR VEHICLE DIVISION TOM BESSONEITE, OREGON MUTUAL INSURANCE CO. JOHN POWELL, STATE FARM & NORTH PACIFIC

070 LARSON: Explains SB 467 to committee members. There is a fiscal in your packet.

083 SENATOR BOB KINTIGH: Testifies in support of SB 467. The purpose of this bill is to reduce the paperwork on the part of the citizens

187 JOHN BESSONETTE: Testifies in opposition to lines 11 - 13 of SB 467 regarding the Consumer Pricing Index (CPI) -Concerned about sett

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216 SEN. BUNN: Can't we use this to raise it in \$1,000.00 increments? . . . 218 BESSONEITE: That is the problem. Right

290 BESSONETTE: I can't answer that.

292 CHAIR DUKES: It seems that \$1,000 would be easier.

298 BESSONEITE: Only 57% of the people now reporting on \$400.00 dollar accidents.

309 CHAIR DUKES: Do insurance companies have to pay?

310 BESSONEITE: If they make a claim against us.

314 SEN. KINTIGH: Don't you check when someone makes a claim against you?

315 BESSONETTE: No not generally. If there is some question than we do.

327 SEN. KINTIGH: You don't ask the customer?

328 BESSONETTE: The agent does, if they have one normally asked the person to report it, but not the insurance company.

333 SEN. KINTIGH: The bill we just decided to introduce about the uninsured motorist would take care of that problem.

350 JOHN POWELL: Testify in opposition to SB 467. Accidents are already under reported under existing law. -Discusses the safety concerns.

394 SEN. WEBBER: What does DMV use accident reports for?

397 POWELL: It is noted on an individuals record.

402 SEN. WEBBER: There is no accounting of liability though.

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404 POWELL: That is correct. Then the insurer, if it were an underwriting decision, would ask the applicant who was at fault at the time of

410 SEN. WEBBER: In a sense DMV maintains this data base of risk for insurance companies.

413 POWELL: It used for that purpose in part. I don't think that is the only reason. -DMV uses accident reports for studies and safety issu

421 SEN. WEBBER: When we cut back on the reporting and increase the accessed information about non-insured drivers, the public safety is

017 SEN. BUNN: Discusses insurance rates increases in relation to reporting of accidents.

024 POWELL: I think the reason people don't want to report is to avoid the record. Usually if an individual is at fault or in single car ac

027 SEN. BUNN: In multiple car accidents everyone is treated the same in regard to rates? If you look at someone's record it just notes an

031 POWELL: Usually a not at fault accident would not count.

024 CHAIR DUKES: I didn't know it got recorded as an at fault or not at fault.

035 POWELL: When you're applying for insurance you are asked questions of detail about the accident. If in fact they were reported on your  
039 CHAIR DUKES: Before sending out an renewal to an individual State Farm checks the handwritten report at DMV and then asks the insured i  
041 POWELL: We were talking about when you apply for insurance as opposed to renewal.  
042 SEN. SMITH: I have personal experience that is contrary to what you just said. Are you a typical insurance company in asking theses que  
047 POWELL: What we're talking about is when someone applies for insurance.  
048 SEN. SMITH: Or renews, I'm interested in both cases.  
051 POWELL: I'm not sure if that is typical. -Explains personal insurance coverage.  
058 SEN. SMITH: Do they take into consideration whether or not your are at fault in those accidents and whether or not they count them? Or  
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061 POWELL: I'm not certain. Fault is the factor with State Farm. I know it is in regard to new application and I believe it-is on renewal.  
066 SEN. SMITH: If I'm a State Farm person and I get in five accidents in one year, but not at fault in any of them my rates will not go up  
069 POWELL: I believe that is accurate, but let me check and get back to you.  
073 SEN. SMITH: Please talk with other insurance companies and see if that is typical.  
075 CHAIR DUKES: I would be real surprised given the number of insurance policies written that if on renewals they honestly go beyond what  
081 POWELL: The insurance company may have been involved in a claim for an individual and they don't need a DMV records at that point.  
086 SEN. KINTIGH: Asks for clarification regarding the fiscal. It says there would be 6,000 less uninsured motorists detected. That doesn't :  
104 SEN. WEBBER: When you company renews it isn't an issue because you had a relationship. So it is the downstream new policy that would ha  
113 POWELL: It is usually determined at the time of the claim.  
114 SEN. WEBBER: If it isn't an insurance claim and we're reporting to DMV and accident, and the other party is reporting an accident, you'  
126 PLANK: Clarifies the fiscal analysis.  
142 CHAIR DUKES: Asks them to look over the fiscal.  
148 PLANK: My numbers are differ from this fiscal. I can get this clarified.  
156 BESSONETTE: The report that the individual driver fills out for Motor Vehicles is private information and is not available to the publi  
165 CHAIR DUKES: I didn't know we had anything at DMV that wasn't available to the public.  
166 LARSON: I thought that accident reports were available to attorneys, insurers and newspaper people.  
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170 BESSONETTE: The driving record is available.  
172 PLANK: What we just went through is police accident reports and those are available from DMV. The individual accident report that you s  
178 BESSONETTE: That's why I am up here. I wanted to clarify the Oregon Mutual cannot see those and I don't think State Farm can either. Mo  
181 SEN. WEBBER: What entry is made on a record? Accident report, period. So then downstream insurance company looks and says accident r  
186 PLANK: Yes.  
WORK SESSION:  
MOTION: Senator Kintigh moves SB 467 to the floor with a "DO PASS" recommendation.  
VOTE: In a roll call vote the motion carries with Senators J. Bunn, Kintigh, Lim, T. Smith, Webber and Dukes voting AYE, and Senator Yih vot  
. PUBLIC HEARING ON SB 263: Requires certification of compliance with financial requirements upon transfer of title to vehicle.  
JOAN PLANK, MOTOR VEHICLE DIVISION JOANNE PETERSON, MOTOR VEHICLE DIVISION  
208 LARSON: Reviews SB 263 and submits SB 263-1 amendments. ~EXHIBIT E) 216 SEN. SMITH: The SB 263-1 totally replaces the bill.  
220 CHAIR DUKES: Clarifies SB 263.  
224 SEN. BUNN: What if you buy a vehicle for collecting purposes?  
227 CHAIR DUKES: As long as it is going to be registered and out on the road we should know there is insurance.  
231 SEN. BUNN: What if you don't intend for it to be on the road?  
235 PLANK: Explains what DMV currently requires in terms of insurance certification. -The primary enforcement is through ve] ification of i  
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269 SEN. KINTIGH: Does that include new vehicles or just used? . . . . . 272 PETERSON: It refers to transfers so I assume used.  
276 PLANK: If we didn't get the insurance certification we would not transfer the title. Discusses expenditure increases and revenue declin  
305 CHAIR DUKES: When we did the trip permits you also indicated the people come and then have to leave and come back because they wouldn't  
311 PLANK: We support anything we can do to decrease the number of uninsured drivers. We don't know if this is the answer. Asks Committee t  
339 JOANNE PETERSON: Explains SB 263-1 amendments and submits and reviews written testimony. (EXHIBIT F) 350CHAIR DUKES: How can you mak  
431 PETERSON: In section 2, subsection 2b of SB 263-1 amendments; suggests deleting "or removal" out of the section. 436 SEN. BUNN: A  
019 PETERSON: Explains statute regarding technical changes.

029 LARSON: SB 263 addresses Oregon title transfers but doesn't cover out-of-state ones.  
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034 PETERSON: SB 263 specifically put it under the Oregon statutes; SB 263-1 is broader so it might cover those other vehicles. - ~

047 PLANK: The fiscal is on all title transfers.

WORK SESSION ON SB 263

MOTION: Chair Dukes moves to amend SB 263-1 amendments on line 17, deleting the word "for removal".

VOTE: Hearing no objection the motion is adopted.

MOTION: Chair Dukes moves SB 263-1 amendments to SB 263.

VOTE: Hearing no objection the motion is adopted.

MOTION: Senator Kintigh moves SB 263, as amended, to the floor with a "DO PASS" recommendation.

VOTE: In a roll call vote the motion carries with Senators Kintigh, Lim, Yih and Dukes voting AYE and Senators Bunn, Smith and Webber excuse

PUBLIC HEARING ON SB 536: Conditions use of state money for westside bypass highway on demonstration project of either congestion pricing or

DEBBIE LEE, LEGISLATIVE AIDE, SENATOR DICK SPRINGER PAUL MEYERHOFF, OREGON DEPT. OF TRANSPORTATION BILL CIZ, OREGON DEPT. OF TRANSPORTATION

092 LARSON: Explains SB 536 to committee.

102 DEBBIE LEE: Testifies in support of SB 536 and asks that the committee reconsider this issue again when Senator Springer can attend. .

172 CHAIR DUKES: Toll roads are legal in Oregon at the moment. Is ODOT not opposed to having statutory language?

178 MEYERHOFF: Until a regional decision is made, yes we are opposed to this right now.

182 CHAIR DUKES: Why would you be opposed?

187 MEYERHOFF: What if the project went through and congestion pricing was not an appropriate alternative our hands would be tied.

189 SEN. SMITH: When will the decision on the western bypass be made?

195 SEN. YIH: Asks for clarification regarding congestion pricing.

199 MEYERHOFF: Explains what congestion pricing is and the primary purpose of using Primary purpose of congestion pricing.

212 BILL CIZ: Submits and reviews written testimony. (EXHIBIT I)

248 SEN. SMITH: How is the single decision going to occur?

252 CIZ: That is a good question. This is a very involved project. Intergovernmental agreement for this project. -Metro will get to decide

262 SEN. SMITH: What if it isn't endorsed?

264 CIZ: I don't know. We haven't gotten that far yet.

273 SEN. SMITH: It seems very unclear. Are there any guiding principles or anything to assist them?

292 CIZ: Refers to written testimony regarding time lines. (EXHIBIT I)

306 SEN. SMITH: Are your recommendations being considered by Metro?

308 MEYERHOFF: Discusses the number of groups involved in this decision.

348 SEN. SMITH: Discussion regarding the decision process and the state's role.

353 CIZ: We make recommendations to local governments.

369 SEN. SMITH: The state is the major funding source for this, but we don't have anything to do with the decision?

372 CIZ: Refers to the alternatives in written testimony. (EXHIBIT I)

403 CHAIR DUKES: What role does ODOT play in determining the preferred alternative?

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413 SEN. SMITH: That will occur in 1994 if you stay on track? How will the money be allocated? Is there something in the budget now?

423 CIZ: No we don't. That decision will be made as to which projects will be moved forward. It will be recommended by ODOT and made by

TAPE 30, SIDE B

010 SEN. SMITH: Expresses concern about funding and decision making in relation to the state.

017 CIZ: This is normally the way the process works.

022 SEN. SMITH: Historically all we've done is lay concrete. Some of these don't have anything to do with that and can't be handled on a local

034 MEYERHOFF: We have discussed that issue within ourselves. We do serve on APAC, in a voting capacity.

050 CHAIR DUKES: Is ODOT willing to step up to the plate and make a decision if needed?

065 MEYERHOFF: The answer in part is yes and in part no. -Discusses the funding issue.

078 SEN. SMITH: Where is Washington County at in regard to periodic review?

081 CIZ: I don't know where they are at.

085 SEN. SMITH: Are they looking at their comprehensive plan?

088 CIZ: They are working with METRO regarding the urban reserve study.

091 SEN. SMITH: That study is how much more land can we take not how can we restrict growth within the existing boundary. The problem is bu  
095 MEYERHOFF: I think that is being looking at in the LUTRAQ Study.  
098 SEN. SMITH: Where is the Planning Commission in Washington County on this?  
099 CIZ: Discusses the steering committee review in regard to LUTRAQ.  
114 SEN. SMITH: Are they doing anything to their comprehensive plans to promote growth closer in?  
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117 MEYERHOFF: We will find out.  
125 MARY TOBIAS: Discusses position on the Western Bypass Study.  
299 CHAIR DUKES: As it relates to the conditions this bill would impose on you, are you in support of or opposed to this bill?  
322 TOBIAS: The timing is wrong. This kind of a decision should be worked out in the region and then elevated to statute. Seems like the ca  
360 CHAIR DUKES: Impacts on metropolitan areas are felt in other counties in the state.  
383 TOBIAS: We are not delaying this project because of lack of will at the local level.

TAPE 31, SIDE A

007 JOHN CHARLES: Testifies in support of congestion pricing.  
037 SEN. KINTIGH: Is it proven that it will change habits?  
047 CHARLES: Discusses pay as you go industries.  
058 SEN. KINTIGH: Refers to the airline pricing issue.  
060 CHARLES: It would depend on how the rates were set.  
070 SEN. LIM: Do any other state have this?  
072 CHARLES: Discusses the Oklahoma turnpike system.  
083 CHAIR DUKES: Adjourns meeting at 5:25.

Submitted by, Reviewed by, Shannon Gossack Ruth Larson Assistant Administrator

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EXHIBIT LOG:

A - LC 3645, Senator Kintigh, 2 pas. B - LC 3704, Senator Lim, 2 pas. C - LC 3780, Senator Dukes, 13 pas. D - SB 467 Testimony, Senator Kint

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