

SENATE COMMITTEE ON TRANSPORTATION - , April 5, 1993 Hearing  
Room C 3:00 p.m. Tapes 44 & 45 MEMBERS PRESENT: Sen. Tricia  
Smith, Vice-Chair Sen. Bob Kintigh Sen. Jim Bunn Sen. John Lim  
- Sen. Catherine Webber Sen. Mae Yih STAFF PRESENT: Ruth  
Larson, Committee Administrator - Shannon Gossack, Committee  
Assistant MEMBERS EXCUSED: Senator Joan Dukes, Chair MEASURES  
CONSIDERED: SB 1019 SB 961 ~SB 1055

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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.

TAPE 44, SIDE A

003 VICE-CHAIR SMITH: Calls meeting to order at 3:25 p.m.

PUBLIC HEARING ON SB 1019: Repeals sunset provision of ignition interlock  
requirement.

ED LEEK, REPRESENTING SENATOR DICK SPRINGER DON LECOUEUR, ODOT PETE  
NUNNENKAMP, ODOT 006 RUTH LARSON, COMMITTEE ADMINISTRATOR: Submits  
testimony of Fred Taylor. (EXHIBIT A) Background information regarding  
highway traffic. (EXHIBIT B)

026 ED LEEK, REPRESENTING SENATOR SPRINGER: Testifies in support of  
SB 1019. Submits SB 1019-1 amendments. (EXHIBIT C) ~ -Explains sunset  
provisions. Senate Committee on Transportation April 5, 1993 - Page 2

106 DON LECOUEUR, TRAFFIC SAFETY, ODOT: Submits and reviews written  
testimony. (EXHIBIT E) -Testifies in support of SB 1019.

120 PETE NUNNENCAMP, DRIVING SAFETY, ODOT: Testifies in support of SB  
1019.

131 LEEK: Explains effective diversion in regard to the speed of the  
installation.

148 SEN. LIM: Asks about costs. 150 LEEK: It costs \$50 dollars a  
month and an initial \$75 dollars to install. This is a six month  
requirement for people convicted of DUI. 164 LECOUEUR: Currently  
there is one model but that could change if this goes statewide.  
166 SEN. YIH: Who pays for it? 170 LEEK: The defendant pays for  
the cost unless the defendant is indigent. 181 SEN. YIH: Asks about  
indigent standards.

187 LEEK: It is based on the standards set for food stamps.

190 SEN. YIH: What is the percentage claiming indigent?

192 LECOUEUR: Roughly 1-3 percent.

196 SEN. LIM: Asks about the issue of continual offenses and  
convictions relating to DUI.

201 VICE-CHAIR SMITH: There is a bill floating around regarding the  
issue of

forfeiture.

206 SEN. WEBBER: Discusses the prison population in regard to DUI convictions. -Asks about new innovative programs relating to alcohol.

219 LEEK: We do not have the resources to provide people with chemical dependency problems that kind of counseling. -Explains current diversion system.

241 SEN. WEBBER: Discusses issue of costs for people who do not end up in prison. 243 LEEK: I agree with you. I think spending money now instead of later is more cost effective. 249 SEN. WEBBER: Numbers of individuals killed by drunk drivers is a very serious issue.

252 LEEK: We would like to move the sanction closer to the time of arrest. Explains conviction process in regard to time.

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PUBLIC HEARING ON SB 961: Requires person traveling at a rate of speed slower than normal flow to move to far right.

SENATOR RON CEASE RIC ZITTENFIELD, CITIZEN MIKE MEREDITH, OREGON TRUCKING ASSOCIATION JOAN PLANK, MOTOR VEHICLE DIVISION ALICIA PHILPOT, SENATOR RON CEASE KRIEHL FUNK-TRACY, REPRESENTATIVE NAITO

288 SENATOR RON CEASE: Testifies in support of SB 961.

300 RIC ZITTENFIELD, CITIZEN: The intent is to have slower traffic yield to the left lanes to faster traffic. I feel driver is obstructing when they don't move over. -Discusses the issue of strict lane enforcement. (EXHIBIT ) -Summary of SB 961 is the gist of what the law should read.

TAPE 45, SIDE A

002 ZITTENFIELD: Further suggestions for amending the bill. "even if said flow exceeds the posted speed". - 020 SEN. BUNN: Do you have a threshold for how much slower would justify a citation?

025 ZITTENFIELD: Explains current practice. Failure to yield to faster traffic not necessarily going slower.

030 SEN. KINTIGH: What about when traffic is moving 70 or 75; and a person is moving 65.

037 ZITTENFIELD: The speed of a driver is up to the discretion of a police officer.

045 SEN. SMITH: Regardless of the reason for moving faster; the fact that a slow car is in the lane designated for faster traffic is the basis.

060 SEN. LIM: Seems like you're trying to protect the person who is speeding.

065 ZITTENFIELD: I'm not saying speeding is right.

077 SEN. LIM: What is the definition of a highway?

086 SEN. SMITH: There is a definition of highway in the law.

088 LECOUEUR: I don't think Burnside would not come under the definition of highway under this bill.

097 JOAN PLANK, MOTOR VEHICLE DIVISION: Clarifies definition of highway from motor vehicle code 801-305.

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106 SEN. LIM: Since anything is considered a highway than this it might be too broad as written in this bill.

109 SEN. SMITH: Please get with others who have an interest in this bill to ensure that the language means what you intend.

118 ZITTENFIELD: Ultimately it would be left up to the discretion of an officer. Urban traffic laws selective. 135 MIKE MEREDITH, OREGON TRUCKING ASSOCIATION: Testifies in support of SB 961 .

146 KRISTIN FUNK-TRACY, LEGISLATIVE AIDE REPRESENTATIVE NAITO: Testifies in support of SB 961.

157 LARSON: Have you checked with police to see if the intent of this bill would be easier for them to enforce than what is currently in law?

161 FUNK-TRACY: I haven't had an opportunity to do that yet.

166 ALICIA PHILPOT, INTERN FOR SENATOR RON CEASE: The highway patrol informed us they would be neutral on this but that lane changing is a major concern of theirs and maybe this could minimize that.

176 SEN. KINTIGH: Does the driving manual encourage slower drivers to drive in the left lane?

180 PLANK: I will find out.

WORK SESSION ON SB 1055:

JOHN BRENNEMAN, OREGON SKI INDUSTRY ASSOCIATION KEITH PETRIE, OREGON SKI INDUSTRY ASSOCIATION JEFF KOHNSTAMM, OREGON SKI INDUSTRY ASSOCIATION DON THOMAS, CASCADE PACIFIC COUNCIL BOY SCOUTS WARREN RICHARDS, ODOT

194 JOHN BRENNEMAN, OREGON SKI ASSOCIATION: Testifies in support of SB 1055. -Suggests a three day permit. -In lines 28 and 18 of SB 1055, change the 30 hours to "3 days." -In line 17 of SB 1055 suggests substituting "a person" instead of "commercial establishment".

224 VICE-CHAIR SMITH: Do you feel the price will remain at \$2.50 or increase?

229 BRENNEMAN: We would listen to the Motor Vehicle Division on that issue.

231 VICE-CHAIR SMITH: Asks how much it costs for one day.

235 BRENNEMAN: Explains the current costs.

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237 KEITH PETRIE, OREGON SKI INDUSTRY ASSOCIATION: Testifies in support of SB 1055. -This is used as a marketing tool to draw in out-of-state skiers. 265JEFF KOHNSTAMM, OREGON SKI INDUSTRY ASSOCIATION: Snow removal is better than ever and this is something that the user pays for. If there is a surplus it is a tremendous accomplishment and we like to pass that on to the people who pay for it. This would be a convenience for our guests to register and have the parking permit be part of that transaction. -Discusses the duration of stay in regard to guests. 313 SEN. LIM: Is your definition of a one day permit based on 24 hours?

316 PETRIE: It is from midnight to midnight. People who come at certain times are forced to buy a second permit.

326 DON THOMAS, CASCADE PACIFIC COUNCIL, BOY SCOUTS OF AMERICA: Discusses cabin sites that the Boy Scouts visit on the mountain. Handling this through registration would be optimal for us.

362 SEN. YIH: Are you asking for a 72 hour pass? 365PETRIE: Explains the intent of SB 1055.

373 SEN. YIH: Asks about daily costs versus three day costs.

376 PETRIE: This would be adding a category to permits.

380 SEN. YIH: Couldn't this be done by administrative rule rather than law?

385 PETRIE: The Attorney General said it had to be brought before you. 392SEN.YIH: There are two types of permits in statute and so they need to bring this before us if they want another permit added.

398 VICE-CHAIR SMITH: When the amendments are drafted we will ask for another fiscal. One concern would be that the price not be so low that it wouldn't cover the cost of plowing.

TAPE 44, SIDE B

013 WARREN RICHARDS, ODOT: We can see an advantage to having a permit longer than one day and lessen the season. -Suggests that the permit be a three day one. -We recommend that in SB 10555, lines 28; three consecutive days, \$3.50 be inserted. -Explains current charges for the permits. 019 VICE-CHAIR SMITH: How much money is in the account right now?

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027 RICHARDS: As of today approximately \$1.4 million. We reduced the rates on the daily this last time, we thought the balance was too high. We do not expect to take in enough this year to pay for it. -Suggests deleting lines 17 and 18 of SB 1055 because of the reference to who can sell permits. 036 SEN. KINTIGH: Asks how many tickets an individual could potentially get. 040 RICHARDS: They would get a ticket each day they were parked without a permit. 046 LARSON: Sponsorship of this bill should be by Committee on Transportation at the request of Senator Kintigh. We are taking care of that. 056 VICE-CHAIR SMITH: Adjourns meeting at 4:35 p.m.

Submitted by,      Reviewed by,

Shannon Gossack Ruth Larson Assistant      Administrator

EXHIBIT LOG: A - Testimony from Mr. Fred Taylor, Staff, 2 pas. B - Background on SB 961, staff, 1 pg. C - Study on SB 1019, staff, 27 pas. D - SB 1019-1 amendments, staff, 1 pg. E - Testimony on SB 1019, Don LeCouteur, 1 pg. F - Testimony on SB 961, Ric Zittenfield, 2 pas. G - Testimony on SB 1055, Warren Richards, 3 pas.

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