

SENATE COMMITTEE ON TRANSPORTATION

April 16, 1993 Hearing Room C 3:00 p.m. Tapes 54 & 55
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 536 SJR2

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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 54, SIDE A

003 CHAIR DUKES: Calls meeting to order at 3:20 p.m.

008 LARSON: Discusses background information pertaining to Maritime
Pilots.

010 CHAIR DUKES: Explains letter sent to the Board of Maritime Pilots.

027 SEN. SMITH: Thanks Chair for sending the letter.

PUBLIC HEARING ON SB 536: Relating to congestion pricing.

SENATOR DICK SPRINGER MICHAEL HOGLUND, METRO LAVINIA WIHTOL, METRO MARK
FORD, OREGON DEPT. OF TRANSPORTATION

050 LARSON: Explains intent of SB 536. Reviews SB 536-2 amendment.
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061 SENATOR DICK SPRINGER: Testifies in support of SB 536-2
amendments. Supports the concept of the amendments. -Discusses federal
funding for pilot project. -Great hope in this area of congestion
pricing. -Thanks committee for hearing the bill. I'm not sure this is
the answer but it may be a tool. 113 SEN. KINTIGH: How could you have
a pilot project? You either have it set up or you don't.

120 SEN. SPRINGER: I'll let the experts answer that. I would hope you
could do a small test.

126 SEN. YIH: Is this being done anywhere?

129 SEN. SPRINGER: I'm not real sure but I think that in the California
Bay area. -Discusses the competition for federal dollars.

182 MICHAEL HOGLUND, METRO: Submits and reviews written testimony in
support of SB 536. (EXHIBIT B)

232 CHAIR DUKES: There is no statutory language regarding toll
bridges currently, is there anything in your amendment to change that?

238 HOGLUND: Yes, I think that authority is in the amendments.
-Refers to section 2, page 1, of SB 536-2 amendments. 253 CHAIR
DUKES: This would give you blanket authority, within the boundaries of
Metro, to put a toll on any bridge or road. 267 HOGLUND: Explains the
process for testing the pilot project. -The federal government is

looking for someone to stick their necks out. Statutory authority is necessary. There has been one application approved in the bay area. -Discusses revenue generating roads. -Explains when the tolls would be in effect. -Discusses some concerns relating to congestion pricing outlined in testimony. 314 SEN. SMITH: Asks about the federal criteria. 321 HOGLUND: They have a number of things they would like us to look at. But we will develop a list ourselves and they have not said we have to do a particular or specific thing. 334 SEN. SMITH: Ease our minds about whether or not you will in fact take into account the concerns in your testimony. There isn't anything in the amendments that specifically address those concerns. 346 HOGLUND: Discusses page 3, section 4 of SB 536-2 amendments relating to issues to address.

356 SEN. SMITH: If I have money, congestion pricing won't effect my driving.

363 SEN. LIM: Asks about the difference between toll bridges and congestion pricing.

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369 HOGLUND: Explains the difference. 386 SEN. LIM: We are trying to control the congestion by using congestion pricing, is it possible this would cause congestion? 400 HOGLUND: The concept the federal government would like to see is a transponder. -The technology is being tried in Oklahoma on a turnpike and they send you a monthly bill.

TAPE 55, SIDE A

010 SEN. LIM: Why 18 months?

012 HOGLUND: That is a good point. No real reason. -If you could determine the effects of changes in driver behavior over six months, then we could shorten the time period.

015 SEN. LIM: How is this related to the issue of light rail?

020 HOGLUND: One of the ideas is that you would want to put congestion pricing into an area that has alternative transportation.

027 SEN. YIH: Asks if highways would be a more logical place to set up tolls. 040 HOGLUND: We could sit back, watch and find out what happens. One of our proposals is to see how it works in Oregon given our particular surroundings.

047 SEN. SMITH: Asks about definition of "activities", in section 3, subsection 3. Why would you want to use this revenue to build more roads? What does the federal government say you can use the money for?

056 HOGLUND: Anything that is transportation related.

061 CHAIR DUKES: Not exactly. It's more flexible than it used to be. It isn't anyway you want? 063 SEN. SMITH: As says in here "federal guidelines", and then refers to "activities". What are those activities? Why would you want to use this money to build more roads?

066 HOGLUND: I don't think we want to build more roads. -Discusses

the issue of flexibility relating to alternative transportation.

067 CHAIR DUKES: Let me assure you that at this point in time, section 3A Article 9 of the Oregon Constitution doesn't allow you to use that for alternative forms of transportation. 069 HOGLUND: Discusses related issues that the money could be used for. 085 SEN. SMITH: How long is it going to take to work this out in detail? 088HOGLUND: Four months. . . ~, . 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 April 16, 1993 - Page 4

097 SEN. SMITH: You're going to give us the money we want to develop a proposal. Then you have the 18 months to do that? We would be in session by then. 109 HOGLUND: Discusses budget issues in relation to various phases of the proposal.

116 SEN. SMITH: What do you think the Federal Government would think if we put language in here that says you need final approval from us?

127 HOGLUND: Of the alternative we select; I don't think that would be a problem. -The Federal Government is looking for us to have the statutory authority before they accept us.

130 CHAIR DUKES: The language in these amendments is very broad and general. You could include almost anything in here and that makes groups like us real nervous. I have a problem with toll roads and bridges. I've listened to a lot of congestion pricing discussions and you can do a lot of things short of tolls to limit congestion. None of those things have been mentioned today. I'm not sure the language in this amendment will allow you to do toll roads. I would like to help you work through your problems but I don't like the blanket authority. We don't have copies of the Federal Register here to tell us what it is. Activities aren't defined either. -Asks them to work on something with better direction. -I would like to be able to work with you to raise our comfort level. Get far more specific.

181 HOGLUND: We could put legislative oversight into this. This is one piece of a package that looks at a whole gambit of issues that could or could not be done in regard to congestion.

203 CHAIR DUKES: You can do some of those things without statutory language now.

215 SEN. LIM: I don't like the idea of the bridges being tolled. What would the charge be?

223 HOGLUND: We don't know what the rate would be. Possibly \$15 to \$30 dollars per month. 249 SEN. LIM: This looks like another tax to me. 263 LAVINIA WIHTOL: Testifies in support of SB 536. Submits and reviews written testimony. (EXHIBIT C) 297 CHAIR DUKES: I don't think we are asking you to specifically pick a road. -This amendment is so general that if you should decide to do any of it the legislature should make that legal now. Some of it is fairly controversial. 324 SEN. SMITH: I'm not sure you can even do what is in these amendments outlining. Tolls aren't legal are they? Does the Transportation Commission have the authority to allow you to charge a toll on a road or a bridge? 332 CHAIR DUKES: You're right, but I'm not sure if it's by omission or what? This language in the amendment is suppose to give the authority to Metro to have a toll bridge or road. I

don't think this language does that.

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336 MARK FORD, ODOT: You're correct that the Transportation Commission does not have the authority to put tolls on roads. The language that gives the authority is the "notwithstanding other provisions of the law", in section 2 of the amendments. -Discusses safeguards in legislation. -Discusses the Transportation Plan and the requirements for the federal program regarding applications. 383 CHAIR DUKES: If you submitted an application that listed various options of congestion pricing and then you said you would determine which one to do. Would the Federal Government approve it if toll roads and bridges weren't on that? 390 FORD: I don't recall that there is specific language. -Clarifies the safeguards in the legislation. 408 CHAIR DUKES: How much money are you looking at getting? 411 WIHTOL: The money available is \$25 million per year nationwide with a maximum of \$15 million per project per year. They are approving five areas. TAPE 54, SIDE B 008 SEN. YIH: Asks about phases of the project in regard to funding. 012 HOGLUND: Explains what would be done in the feasibility study. 018 SEN. YIH: So after the feasibility study you can apply for the second phase? 020 HOGLUND: Explains the funding mechanism and duration. 027 CHAIR DUKES: Asks for more information regarding federal requirements and for a copy of the Federal Register.

WORK SESSION ON S.IR 2: 033 LARSON: Reviews SJR2-2 amendments. (EXHIBIT D) 052 JUDGE KEVIN CAMPBELL, ASSOCIATION OF COUNTIES: This is a classic case of dusting the trust. Indeed this allocates gas tax to various transportation projects, but we have worked diligently on transportation issues for the last two years. There are already gas taxes dedicated to roads. There has been a great deal invested in many studies to determine what road needs are. -Discusses different needs throughout Oregon. -We have this flexibility with ISTEA. If this is forwarded it will confuse the voters. We need a good clear line of communication in regard to transportation. -I oppose this legislation. 100 LARSON: Submits testimony for the record from Mr. Bob Cantine (EXHIBIT E) and Mr. Pat Russell. (EXHIBIT F) . . . 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 - - April 16, 1993 - Page 6

-Reviews SJR2-1 amendments submitted at last hearing.

MOTION: Senator T. Smith moves SJR2-1 amendments to SJR2.

VOTE: Hearing no objection the motion is adopted.

MOTION: Senator T. Smith moves SJR2, as amended, to the floor with a "DO PASS" recommendation. VOTE: In a roll call vote the motion carries with Senators T. Smith, Webber, Yih and Dukes voting AYE and Senators J. Bunn, Kintigh and Lim voting NAY. Senator T. Smith will carry.

159 CHAIR DUKES: Adjourns meeting at 4:30.

Submitted by, Reviewed by, Shannon Gossack Ruth Larson

Assistant Administrator

EXHIBIT LOG:

A - SB 536-2 amendments, staff, 3 pas. B - SB 536 Testimony, Don
Hoglund, 3 pas. C - SB 536, Testimony, Lavinia Wihtol, 3 pas. D - SJR2-1
amendments, staff, 2 pas. E - SJR2, Testimony, Bob Cantine, 1 pg. F -
SJR2, Testimony, Pat Russell, 4 pas.

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