

SENATE COMMITTEE ON TRANSPORTATION

April 23, 1993 Hearing Room C 3:00 p.m. Tapes 60- 61
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 68S - SB 95S SB
1056 SB 998

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TAPE 60, SIDE A 004 CHAIR DUKES: Calls meeting to order at 3 25 p m

PUBLIC HEARING ON SB 685: Relating to lighted blimps. JIM TORREY, T-COM
REP. CYNTHIA WOOTEN STEVE JOHNSTON, ODOT NOLAN SCHEID, OBIE OUTDOOR
ADVERTISING

006 LARSON: Explains intent of SB 685. -Explains exemptions in SB 685
014 CHAIR DUKES: Is the Goodyear blimp illegal? 019 LARSON: If the
blimp is tethered then it is a problem -Submits SB 685-4, 685-6, 685-7
amendments (EXHIBIT A, B, C) Senate Committee on Transportation April
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050 JIM TORREY, T-COM: Submits written testimony. (EXHIBIT D) Reviews
written testimony and why this legislation has been submitted. Explains
a tri-vision. -Discusses federal regulations relating to the industry.
-Shows video about blimps. -Continues reviewing written testimony.
(EXHIBIT D) -Discusses permits in Oregon.

337 SEN. WEBBER: Discusses fatal accidents that have occurred on
highway 22. What about traffic safety?

353 TORREY: On a national level there have been studies done on this
type of sign. I think the tests were done on open stretches of a highway
though.

368 SEN. WEBBER: This is a congested area.

381 SEN. YIH: What about during the day?

386 TORREY: Explains the lighting process on blimps. Talks about
tri-vision.

453 REPRESENTATIVE CYNTHIA WOOTEN: Discusses SB 685-7 amendments.
(EXHIBIT A) -Explains signs located on Mission Street in relationship to
ownership.

TAPE 61, SIDE A 050 STEVE JOHNSTON, ODOT: Explains the intent of the
bill. -Suggests putting an effective date of February 19, 1990. -Submits
and reviews written testimony. (EXHIBIT B)

067 CHAIR DUKES: Why are we trying to buy the signs?

068 JOHNSTON: Explains that the signs are not in compliance and why.

076 CHAIR DUKES: Are we taking over the road?

080 JOHNSTON: They were legal under the City of Salem. Since then we've taken them over and they are in conflict with the Federal regulations which the state highway falls under.

089 CHAIR DUKES: You can't say they are in violation?

092 JOHNSTON: They are non-conforming not illegal. 096 SEN.

WEBBER: Could the owner hold out? 098 JOHNSTON: Explains the current agreements with permit holders. -Explains SB 685-7 amendments.

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105 SEN. WEBBER: Why do you want to relocate them and then buy them?

109 JOHNSTON: We would like to issue a permit to make them legal and we would not buy them. If they wanted to move the sign they would be able to move it on that little piece of highway.

125 SEN. WEBBER: If this isn't related to you taking over the highway why should we do this?

126 JOHNSTON: Because the leases run out and they sometimes have to move the billboard when that runs out or when they renegotiate. This would allow it to be relocated but on that Mission Street and nowhere else. Movement on billboards is an issue.

127 CHAIR DUKES: Explains the movement of billboards. -What is the difference between illegal and non-conforming? 134 JOHNSTON: Explains the difference between illegal signs and non-conforming signs.

145 CHAIR DUKES: The ones on Mission Street are non-conforming?

147 JOHNSTON: Yes, because they don't have a permit. They were legally installed at one time.

157 CHAIR DUKES: So you want a legal permit for the ten signs?

153 JOHNSTON: Hope to limit the number of signs. Preference would be to give to those who have requested. We don't want to get into the situation where someone says that we made them take down a sign in 1982 and then have them request a permit for it. 164 REP. WOOTEN: I am here on behalf for the ones on Mission Street. It would be my hope that it would at least include the three signs on Mission.

177 JOHNSTON: Suggests amending SB 685-7 amendments. -Currently flashing signs aren't allowed under Oregon law. -We do not believe it is in the best interest of the public. -Explains the agreement with the Federal Highway Administration. -Reviews amendments to SB 685.

277 CHAIR DUKES: How much time would it take to work this out?

282 JOHNSTON: One week to 10 days. -Clarifies the SB 685-7 amendments. (EXHIBIT C)

310 SEN. YIH: Asks for clarification on page one of SB 685-7 amendments regarding permits.

326 JOHNSTON: This would allow a new permit. Without this bill they may not get one.

344 SEN. LIM: How long is the permit good for?

347 JOHNSTON: Until the law is changed it could be forever. Explains number of sign permits in Oregon.

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381 NOLAN SCHEID, OBIE OUTDOOR ADVERTISING: Discusses his business and supports SB 685-7 amendments. 412 SEN. WEBBER: Asks about the signs on Mission Street and if Salem people are employed in the enterprise. 445 SCHEID: Explains where signs are and which businesses use them.

TAPE 60, SIDE B

WORK SESSION ON SB 955. 1056 & 998: JOAN PLANK, MOTOR VEHICLE DIVISION SENATOR BILL KENNEMER TONY DELORENZO, MOTOR VEHICLE DIVISION LT. BILL JOHNSON, OREGON STATE POLICE

035 LARSON: Reviews bill comparison sheet. (EXHIBIT F) -Submits hand-engrossed SB 955-1. (EXHIBIT G) -Submits SB 955-1 amendments. (EXHIBIT H)

066 SEN. WEBBER: Submits SOLCACE program information. (EXHIBIT I)
087 CHAIR DUKES: Assuming we want to do this is 30 days realistic?

090 JOAN PLANK, DMV: Yes, as I understand it this would better define when the insurance company needed to provide the information to DMV.
097 SEN. WEBBER: Asks about time line in terms of purchase of vehicle and the insurance of a registration. 102 CHAIR DUKES: If it has legal tags you don't have to go in and re-register it you have to title it.
104 SEN. WEBBER: Asks about the 30 day notification regarding the purchase of insurance in conflict with the need to check insurance at the time the title is issued? 111 CHAIR DUKES: It shouldn't. If you're going to conform with the law before you get into the vehicle you're going to have insurance. 112 SEN. WEBBER: Asks about the time lag in information from the insurance company to DMV. -Clarifies intention of SB 955. 130 CHAIR DUKES: Issue of a used car with existing registration tags. 132 SEN. KINTIGH: My company automatically covers me for 30 days when I get a new vehicle. 138 SEN. WEBBER: Trying to avoid gaps in this bill in terms of time lines.

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142 CHAIR DUKES: Are you using this information?

144 JOAN PLANK, DMV: At some point we would be sending the information over to the law enforcement data system.

153 CHAIR DUKES: I'm assuming this would happen with the new computer system. 160 PLANK: Both SB 1056 and SB 955 would require that the information be available through LEDS. MOTION: Chair Dukes moves to adopt new language in Section 2, subsection a of SB 955 hand-engrossed bill. VOTE: Hearing no objection the motion is adopted. 172 LARSON: Clarifies Section 2, subsection 2, SB 955-1 hand-engrossed bill. (EXHIBIT G)

MOTION: Chair Dukes moves Section 2, subsection 2 of SB 955-1 handengrossed.

VOTE: Hearing no objection the motion is adopted.

187 LARSON: Explains existing language in Section 4 of SB 955-1 hand-engrossed version. -This section is similar to Section 5 in SB 1056. 194 SEN. YIH: Can the police access this through LEDS? 197 PLANK: Yes, the LEDS system talks to our computers. 205 CHAIR DUKES: DMV is building a system right now with money set aside for years from the - Legislative session. These will phase in with the new system.

213 SEN. YIH: Will LEDS be updated to access information with the new system.

228 SEN. WEBBER: LEDS is in decay and in need of upgrading.

233 SEN. YIH: What is the operative date? 238 SEN. WEBBER: We can significantly reduce the costs by delaying the operative date. -Reviews the SOLACE information. (EXHIBIT E) 261 CHAIR DUKES: So you would like the operative date to be March 1, 1996.

262 SEN. WEBBER: When we get to Section 6 we can discuss it.

268 SEN. SMITH: Never worked on a bill where we're making an effective date after the next legislature. Can we do that?

271 CHAIR DUKES: Yes we can. In this case it means they don't have to give us a huge fiscal

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impact. They can plan it into the new computer.

MOTION: Chair Dukes moves Section 3 of SB 955-1 hand-engrossed be adopted.

VOTE: Hearing no objection the motion carries.

283 LARSON: Clarifies Section 4 of SB 955-1 hand-engrossed version. Mainly technical things.

MOTION: Chair Dukes moves to adopted Section 4, subsections 1 and 2 of SB 955 -1 hand-engrossed version.

VOTE: Hearing no objection the motion is adopted.

301 LARSON: Section 5 goes back to the issue of an unexpired card issued or other proof of compliance and if you fail to show proof. Section 5 in SB 955 -1 handengrossed version is the same as Section 4 in SB 998.

314 CHAIR DUKES: If you don't have the card on you they have reason to believe you don't have insurance.

316 SEN. SMITH: Then you get a ticket and your car is what? -Expresses concern about the government requiring people to carry papers. -Concerned about what happens if you don't have your card?

353 CHAIR DUKES: Does this have to be a card. Maybe it could be various things for proof. 365 SEN. BUNN: What if you're driving someone else's vehicle? If we can check this information on the computer why are we requiring a card? 381 LARSON: Explains that vehicles are covered by insurance not a person. 383 CHAIR DUKES: That's true.

386 SEN. SMITH: I am uneasy about all of these paper requirements.

390 CHAIR DUKES: Do you have another idea?

391 SEN. SMITH: No. 394 SEN. WEBBER: The intent isn't to make it difficult. My goal is give notice to DMV and insurance companies that we are going to get uninsured motorists off the road and they will need to develop computers that talk to the system that DMV will have. I wouldn't object to taking the card part out. 410 SEN. LIM: I think this is a good idea since the insurance companies already send out the card.

420 CHAIR DUKES: So you would favor keeping the card. -We are talking about having this whole issue coming into effect in 1995 or 1996 will DMV be

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on-line with it by then?

426 PLANK: If the amendment is made it would be 1996. The insurance card business doesn't have anything to do with motor vehicles.

430 CHAIR DUKES: We could require that you carry the card and that it started next year and police off~cers could deal with the issue of having or not having the card. We could then sunset the card.

436 SEN. KINTIGH: It would be easier to insure people.

462 CHAIR DUKES: We seem to be moving toward carrying a card for sometime and when the computers are on-line forget the card.

468 SENATOR KENNEMER: I have that same provision in SB 998. That is a reality is some places right now; regarding Gresham. We have always had a kind of social policy that driving is a privilege rather than a right. Usually privileges require several other incumbrances that we wouldn't ordinarily have. Once we get automated it makes no sense. In the timeframe before that it's probably helpful.

TAPE 61, SIDE B

MOTION: Chair Dukes moves to conceptually amend Section 5 of SB 9551 handengrossed version to indicate we will require a card until the operative date in Section 4 of SB 955-1 hand-engrossed version.

VOTE: Hearing no objection the motion is adopted.

059 LARSON: Section 6 just says that we are adding Section 7 to the bill. Section 7 in SB 955 amendment. (EXHIBIT 1) -The language is the same as in Section 7 of SB 1056. The only difference is the very first sentence in the SB 955-1 amendments. Explains the per policy fee in SB 105 6. 082 CHAIR DUKES: We're already buying the computer system.

083 LARSON: In the SB 955-1 amendment I think the assumption is that the Highway Fund will be covering the cost of the computer. 097 CHAIR DUKES: I can't see any point in having the insurers doing it if we're already buying the computer. MOTION: Chair Dukes moves to adopt Section 7 of SB 955-1 amendments dated 4/19/93. VOTE: Hearing no objection the motion is adopted. 106 LARSON: This will be re-numbered for you when Legislative Counsel does this. .,

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111 CHAIR DUKES: This section 6 on SB 955-1 handengrossed version; do we need that?

114 LARSON: Yes, because it is adding Section 7.

MOTION: Chair Dukes moves to adopt Section 6 of SB 955-1 hand- engrossed version.

VOTE: Hearing no objection the motion is adopted.

118 SEN. WEBBER: It sounds like there are two computers in DMV.

126 DELORENZO: The language will do what you want it to do.

133 CHAIR DUKES: On SB 955-1 hand-engrossed version, Section 6, line 32. This is the computer system. What do you want in terms of the operative date for the computer systems? 146 PLANK: March 1, 1996

would allow us to build the system once and build it according to plans. We can implement in 1995 but we would have to build for the old system and then again for the new system in 1996. 154 SEN. WEBBER: The cost difference if done earlier would require reprogramming existing system.

158 PLANK: Explains reprogramming issue. -There are costs associated with maintaining the new file with the insurance information. -Discusses how it would be set up better with new system. 172 SEN. WEBBER: There is also consideration for the stress on staff. I think the delay is appropriate. 178 CHAIR DUKES: What about language that says if the computer comes on line earlier that you can do it earlier. 188 SEN.

SMITH: What will the new Section 8 say about the two effective dates of the Act? 191 CHAIR DUKES: Section 6 is the effective date for Section 4. 193 SEN. SMITH: Instead of saying "of this Act", it will say "section 4 of this Act"?

196 CHAIR DUKES: For the "operational date". Section 5 will contain it's own operational date.

197 SEN. BUNN: Unless the card expires upon the completion of the computer system. That could be a problem, because it isn't likely to be working perfectly. We may have a situation where we plug dates in where one ends and the other hasn't yet begun. 203 CHAIR DUKES: We were saying it became effective on the operative date section 6. If we put a date in there and for some reason we don't make that date the requirement to carry the card is gone. 208 SEN. WEBBER: There is a Legislative Session coming up.

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212 CHAIR DUKES: We could make the card go away 3 months after the computer is up and running. 217 SEN. BUNN: Can the Director of Transportation declare the system operative and to expire the card portion. 224 CHAIR DUKES: If someone in DMV is making that decision that you won't know. 232LT. BILL JOHNSON, OREGON STATE POLICE: I believe that would work just fine. 246 CHAIR DUKES: On declaration by the Director of Transportation, Section 5 will no longer apply. We'll let Legislative Counsel figure out the appropriate language. That language will go into Section 5. 260 SEN. SMITH: If we have a date for Section 4 and Section 5 do we need one for Section 1 regarding the insurance companies? MOTION: Chair Dukes moves to conceptually add language to Section 5 of SB 955 -1 hand-engrossed version that would have the Director of Transportation the ability to notify everyone that they no longer have to ask for the insurance card. VOTE: Hearing no objection the motion is adopted. MOTION: Chair Dukes moves to add the operative date of March 1, 1996 to Section 4 of SB 955-1 hand-engrossed version. 288 SEN. SMITH: What about the requirement in Section 1? Shouldn't that go away with Section 5?

MOTION: Senator T. Smith moves that the language in Section 5 shall say that Section 1 and 5 will no longer apply upon declaration by the Director of Transportation.

VOTE: Hearing no objection the motion is adopted.

301 CHAIR DUKES: What happens if you don't do this? -SB 998 impounds the car. 312 SEN. WEBBER: My suggestion would be to have two separate bills. 315 SEN. KENNEMER: I would agree with that because we need to work out the fiscal impact on SB 998. 333SEN. WEBBER: Sanctions that exist for no insurance would apply. I believe it's a Class A misdemeanor. 346DELORENZO: The real penalty is when that conviction gets to DMV we impose the requirement for SR22 insurance. 356 SEN. WEBBER: Asks that the Committee put Senator Lim's name on as a chief co-sponsor

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379 PLANK: There will still be some processing costs in 1996. 389 LARSON: Explains the definitions between motor vehicle liability insurance versus motor vehicle insurance. -Section 5 & 6 of SB 998 need to be dealt with.

440 CHAIR DUKES: We will put SB 998 up next week. Adjourns meeting at 5:20 p.m.

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

EXHIBIT LOG: A - SB 685-4, Jim Torrey, 3 pas. B - SB 685-8, Jim Torrey, 1 pg. C - SB 685-7, Obie Industries, 6 pas. D - SB 685 testimony, Jim Torrey, 16 pas. E - SB 685 testimony, Steve Johnston, 10 pas. F- SB 955, 998 and 1056 informational, staff, 1 pg. G - SB 955-1 hand-engrossed, staff, 1 pg. H - SB 955 informational, Sen. Webber, 2 pas. I - SB 955-1, staff, 2 pas.

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