

SENATE COMMITTEE ON TRANSPORTATION

May 12, 1993 Hearing Room C 3:00 p.m. Tapes 76 - 77

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 684 SB 262

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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. [--- Unable To Translate Graphic ---]

TAPE 76, SIDE A

003 SEN. SMITH: 3:25 p.m.

PUBLIC HEARING ON SB 684: Relating to money from highway fund to cities and counties be set aside for pedestrian and bicyclists purposes.

SEANTOR JOYCE COHEN REBECCA MAYER, BRIDGEPORT ELEMENTARY JOHN BLAKENSHIP, BRIDGEPORT ELEMENTARY JESSICA GRAY, BRIDGEPORT ELEMENTARY ASHLEY BONICA, BRIDGEPORT ELEMENTARY PAM HALLVIK, TEACHER, BRIDGEPORT ELEMENTARY

012 SENATOR JOYCE COHEN: Testifies in support of both bills and introduces the presenters from Bridgeport Elementary.

021 REBECCA MAYER, JOHN BLAKENSHIP, JESSICA GRAY AND ASHLEY BONICA, BRIDGEPORT ELEMENTARY: Submits and reviews written testimony in support of SB 684. (EXHIBIT A)

153 CHAIR SMITH: Congratulates students on their presentation.

164 SEN. WEBBER: Asks about percentages and how much it would represent in dollars.

168 PAM HALLVIK, TAG TEACHER: We support the general concept of both bills. I'm not sure of the exact dollar amount.

173 CHAIR SMITH: If you got more money for bikeways and sidewalks

do you think we would spend less on roads?

180 All students reply: Yes.

182 SEN. LIM: Where did the figure of 10% come from?

185 HALLVIK: I can't really answer that but we would encourage you to work something out that cities can live with.

PUBLIC HEARING ON SB 262: Relating to footpaths and bicycle trails.

JOHN STATHOS, OREGON BICYCLE ADVISORY COMMITTEE SENATOR FRANK ROBERTS
LAUREL WHITEHURST, L.A. SENATOR ROBERTS MICHAEL RONKIN, ODOT TOM WOLBERT,
BIKE FEDERATION OF OREGON SUSAN SNYDER, CITY OF PORTLAND PAGET ENGEN,
OREGON PUBLIC PORTS ASSOCIATION

227 JOHN STATHOS, OREGON BICYCLE ADVISORY COMMITTEE: Testifies in support of SB 262 and submits and reviews written testimony .(EXHIBIT B)

287 CHAIR SMITH: Talks about personal experience as a city council member. -People might prefer to pay for sidewalks with the purchase of their

home. Do you have any experience along those lines you could share?

307 STATHOS: Personal experience in hometown with sidewalks and safety.

327 SENATOR FRANK ROBERTS: I am very impressed with the students. -Testifies in support of SB 262. -Discusses original bike bill.

TAPE 77 SIDE A

025 LAUREL WHITEHURST: Submits SB 262-2 amendments and explains them. (EXHIBIT C) -Discusses transportation for school children and dollars spent because roads aren't safe. -Explains conversations with the education transportation person

regarding approved routes. -Tax payers pay every year for unsafe roads and no sidewalks. -Suggests we build them right to start with. -Submits testimony of Terry Moore and Roger Elingson.(EXHIBIT B)

080 LARSON: Asks for clarification on SB 262-2 amendments in regard to ADA requirements.

089 MICHAEL RONKIN, ODOT: Submits and reviews written testimony.

151 SEN. YIH: Why is the bicycle between two cars?

154 RONKIN: Gives brief history of bike paths and where the paths should be located.

160 SEN. YIH: Suggests safer place.

165 RONKIN: That is a parked car on the right not a moving car. -Explains width standards for bike lanes and sidewalks. -Gives

definition of bike paths.

185 SEN. KINTIGH: Why is a separate bike path unsafe?

186 RONKIN: Explains danger of separate bike paths. -Discusses road construction standards. -Explains what would be excluded on paths.

220 TOM WOLBERT, BIKE FEDERATION OF OREGON: Testifies in support of SB 262 .

232 Testimony of Phillip Lemman submitted for the record. (EXHIBIT E)

240 SUSAN SNYDER, CITY OF PORTLAND: Testifies in support of SB 262. We have inherited some of these unsafe roads. Conceptually this bill is in the

right direction.

255 PAGET ENGEN, OREGON PUBLIC PORTS ASSOCIATION: Testifies in opposition to the bill. -Not a clear indication as to who this would apply to. -Explains the types of roads they build and where they get the funding. -Not all private money there is some public. Not always intended for

public use. -What about things that will eventually be county owned?

296 CHAIR SMITH: Have you asked ODOT what the language means?

303 ENGEN: No. -Asks about adjudication. -Explains the Port of Newport.

331 SEN. SMITH: Is it considered a street under ODOT?

335 ENGEN: I don't know.

340 RONKIN: It's a gray area. It sounds like a street though.

348 CHAIR SMITH: I believe if it's a subdivision in a city then the city would decide which ones are streets. The same for counties. -If the streets within ports meet the definition of street in this bill

then they would be included.

359 ENGEN: Do you intend to do this in industrial properties?

363 SEN. SMITH: I think so.

367 RONKIN: Yes, they would be included in the bill as currently written.

370 ENGEN: I feel this is more complicated than previously discussed.

376 CHAIR SMITH: Recesses at 4:17 p.m.

377 CHAIR SMITH: Reconvenes at 4:20 p.m.

PUBLIC HEARING ON SB 684:

SENATOR DICK SPRINGER MICHAEL RONKIN, ODOT SUSAN SNYDER, CITY OF PORTLAND GREG JONES, ODOT BILL PENHOLLOW, ASSOCIATION OF OREGON COUNTIES

VAL PAULSON, LEAGUE OF OREGON CITIES

412 SENATOR SPRINGER: Testifies in support of SB 684. You will hear testimony from cities and counties that are not willing to make this

commitment financially. This bill says you will make this part of your planning. -Discusses the use of funds counties and cities receive from gas tax. -Submits letters from constituents for the record. (EXHIBIT F) -Submits SB 684-1 hand engrossed and SB 684-1 amendments. (EXHIBIT G)

446 SEN. BUNN: Is this limited or statewide?

448 SEN. SPRINGER: Suggests the figure of 10% be inserted into blank lines in SB 684-1 amendments. (EXHIBIT G) -Recommends that the language in section 2, line 7 be unchanged because of possible problems with the constitution. -I think the 10% is a real commitment. -My preference would be to pilot this in the Portland, Multnomah County area, but I think this problem exists every where in the state.

TAPE 76, SIDE B

099 MICHAEL RONKIN, ODOT: We were going to be neutral on this but after seeing the amendments, in section 3, we changed our minds. If we were to over see the provisions of that section we would need more time to

evaluate it. Our budget is in the legislature right now. -I'm not saying we're not willing to do this, but we would need some

more time.

118 SEN. BUNN: The SB 262-2 amendments remove the provisions about costs in the original bill, but does have an exception when the cost is

excessive. Is it your impression that would be established by administrative rule or case by case?

127 RONKIN: Explains the process for determination in regard to excessive costs.

134 CHAIR SMITH: Are the SB 684-1 amendments referring to bicycle trails?

140 RONKIN: Suggests adopting similar language for both SB 262 and SB 684 .

144 SEN. LIM: Are bike ways on both sides of a road?

150 RONKIN: Yes. Bikes legally have to travel with traffic. -Explains why.

155 SEN. LIM: Concerned about impact on cities and counties. -This concept is good, but do we have the money?

164 RONKIN: Discusses what ODOT spends on bike and pedestrian facilities.

-Shoulders aren't counted as a bike way expense. Explains why. -There are some counties and cities spending close to 10% on bike and

pedestrian facilities right now.

199 SEN. LIM: Asks about the widths.

197 RONKIN: Explains building standards and how lessening those standards could please all parties.

200 SEN. LIM: Asks about taking property away from residents.

207 RONKIN: Discusses ways to retrofit streets for bike ways.

215 SEN. KINTIGH: Why are the walk ways 6 feet?

220 RONKIN: ODOT philosophy is to encourage use not just accomodate pedestrians.

226 SEN. BUNN: Suggests this bill would be in the very initial phase of construction by a general contractor when developing a subdivision.

236 SEN. LIM: Asks about speed limits for the bike?

240 RONKIN: Explains personal experience with bike speed. 264 SUSAN SNYDER, CITY OF PORTLAND: Discusses the cities committment to bike ways. -This would take money away from road maintainence. -Testifies in opposition to SB 684.

295 CHAIR SMITH: Is 8% of your budget bike ways?

298 SNYDER: Explains what they use their money for currently and what would be impacted by the 10% figure.

304 CHAIR SMITH: Would you support it with a different percentage?

308 SNYDER: I think the discretion should be left up to the individual cities and counties.

330 GREG JONES, ODOT: Submits and reviews written testimony in opposition to SB 684. (EXHIBIT I)

TAPE 77, SIDE B

013 JONES: We support a balanced transportation plan.

016 CHAIR SMITH: Doesn't the law require cities, counties and states to make bicycle improvements when constructing a street?

023 JONES: Explains how current practices do not always coincide with policy.

025 BILL PENHOLLOW, ASSOCIATION OF OREGON COUNTIES: Submits and reviews written testimony. (EXHIBIT J) -Discusses federal requirements. -Explains expenditures in relation to gas tax money. -We have limited resources and large road needs on the county roads

system and this decision is best made at the local level.

096 SEN. YIH: One million presently for a bike path?

098 PENHOLLOW: Yes, \$1.3 million dollars respresents 1% of the highway funds that are being allocated to counties. If this bill were to take effect

that would increase to \$13 million dollars per year that the counties would be responsible for spending on bike ways.

102 SEN. YIH: How much highway fund money do you get?

105 PENHOLLOW: Estimate for the fiscal year is approximatley \$130 million dollars.

112 VAL PAULSON, LEAGUE OF OREGON CITIES: Testifies in oppostion to SB 684 . -The highway trust fund money has to be spent within the right of way. -Concerned that it may discourage cities from constructing other bicycle and pedestrian projects not linked to right of way. -Explains that different communities have different needs.

-Concerned about imposing this approach to all communities in Oregon and feels it should be handled at the local level.

132 CHAIR SMITH: Adjourns meeting at 5:00 p.m.

Submitted by, Reviewed by,

Shannon Gossack Ruth Larson Assistant Administrator

EXHIBIT LOG: A - SB 262, Bridgeport Elementary, 8 pgs. B - SB 262, Don Stathos, 2 pgs. C - SB 262-2, Laurel Whitehurst, 3 pgs. D - SB 262, Michael Ronkin, 1 pg. E - SB 262, Staff, 1 pg. F - SB 684, Senator Springer, 3 pgs. G - SB 684-1 amendments and handengrossed, 5 pgs. H - SB 684, Michael Ronkin 1 pg. I - SB 684, Greg Jones, 3 pgs. J - SB 684, Bill Penhollow, 2 pgs.