

SENATE COMMITTEE ON TRANSPORTATION

June 7, 1993 Hearing Room C 3:00 p.m. Tapes 93 - 94

MEMBERS PRESENT: Sen. Joan Dukes, Chair Sen. John Lim Sen. Tricia Smith Sen. Catherine Webber Sen. Mae Yih

MEMBERS EXCUSED: Sen. J. Bunn Sen. B. Kintigh

STAFF PRESENT: Ruth Larson, Committee Administrator Shannon Gossack, Committee Assistant

MEASURES CONSIDERED: Executive Appointments Lane County Mass Transit Boards HB 3050 HJR 12

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

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation :

TAPE 93, SIDE A

003 CHAIR DUKES: Calls meeting to order at 3:15 p.m.

EXECUTIVE APPOINTMENTS:

017 PATRICIA HOCKEN: Explains why she is interested on serving on the Lane County Mass Transit District Board. (EXHIBIT A)

040 TAMALYN FITCH: Explains why she is interested on serving on the Lane County Mass Transit District Board. (EXHIBIT B)

052 CHAIR DUKES: The transit district is lucky to have you.

059 HOCKEN: Discusses high speed rail.

MOTION: Chair Dukes moves the appointment of Patricia Hocken and Tamalyn Fitch to the Lane County Mass Transit District to the floor with a "DO PASS" recommendation to confirm.

VOTE: Hearing no objection the motion carries unanimously.

PUBLIC HEARING ON HJM12:

REPRESENTATIVE CHUCK NORRIS

078 LARSON: Explains metric guidelines and the intent of HJM12. (EXHIBIT C)

092 REPRESENTATIVE CHUCK NORRIS: Testifies in support of HJM12. -Discusses the benefits of a metric system.

127 SEN. YIH: Are we the only country not using the metric system?

123 NORRIS: Yes, besides maybe some place like Sri Lanka.

130 SEN. YIH: Concerned about future U.S. trade. -We need to start shifting in the direction of the metric system.

146 NORRIS: I agree with you on that. I think any business who is dealing internationally would do this, but not through a mandate.

152 CHAIR DUKES: This is the one that says take down the signs and put up metric signs. -Discusses the cost involved.

165 NORRIS: Explains that older vehicles don't convert miles into metric measurement.

179 SEN. YIH: What money are they talking about?

177 CHAIR DUKES: 10% of the total federal budget.

180 SEN. LIM: That is about \$16-18 million dollars.

184 SEN. WEBBER: Is it 10% more every year?

187 CHAIR DUKES: I don't know that.

189 SEN. YIH: It's a wash.

191 CHAIR DUKES: It asks them to look at this issue again. It doesn't say not to do it.

195 NORRIS: I'm not in opposition to the issue of the metric system.

MOTION: Senator T. Smith moves HJM12 to the floor with a "DO PASS" recommendation.

VOTE: In a roll call vote the motion fails with Senators T. Smith,

Yih and Dukes voting AYE and Senators Lim and Webber voting NAY with Senators J. Bunn and Kintigh excused. 221 SEN. WEBBER: Can we reconsider Discussion regarding the rules of the Committee and the issue of reconsideration.

PUBLIC HEARING ON HB 3050: Relating to hand-held stop signs.

REPRESENTATIVE JOHN MEEK MIKE MALONEY, WASHINGTON COUNTY, MAINTENANCE DIVISION KIM KATSION, COUNTY COMMISSIONER KATHLEEN BEAUFIT, LEGISLATIVE

210 REPRESENTATIVE JOHN MEEK: Testifies in support of HB 3050.

280 SEN. LIM: Asks about training for flaggers.

287 MIKE MALONEY, WASHINGTON COUNTY OPERATIONS MAINTENANCE DIVISION: Submits and reviews written testimony. (EXHIBIT D)

300 SEN. LIM: What about a sign that is not a real person?

306 MALONEY: It applies to a person trained and certified.

314 SEN. LIM: Wouldn't they disobey other signs as well? We need to clarify that issue.

320 SEN. WEBBER: It says any sign held or erected but doesn't specify a particular stop sign or any particular configuration.

344 REP. MEEK: Discusses current electronic signs.

368 CHAIR DUKES: Section 1 of the bill is existing language and makes reference to ORS 810.210. -Authority is given to the Transp Commission. -It wouldn't be just a construction group going out and putting up a sign.

386 MALONEY: I would suggest a hand held sign. -Explains different types of erected signs during construction on a highway.

400 CHAIR DUKES: How do you handle it now?

402 MALONEY: Rarely happens. -Discusses the issue of enforcement.

412 CHAIR DUKES: I thought the intent of the bill was to get compliance and safety with the people out there holding the signs. I was a li

418 SEN. SMITH: Asks about the signs on the Sunset Highway.

TAPE 94, SIDE A

011 MEEK: It would depend on whether the state traffic commission had authorized them to be there.

020 SEN. SMITH: I think we should leave "erected" in there.

023 SEN. WEBBER: Is there a problem with not defining the configuration of the stop sign or linking it to the statute?

030 MALONEY: Discusses specific requirements for highway signs and devices in the Uniform Traffic Control Devices manual.

035 SEN. WEBBER: This definition in the bill includes any stop sign?

039 MALONEY: It does guide you to the correct statute.

042 REP. MEEK: Line 5 of HB 3382-A refers to ORS 801.540 that takes you to the rules. -We looked at this issue as implied.

054 SEN. WEBBER: Still concerned it doesn't tie into the ORS. -Suggests repeating introductory part; "any sign, signal, marking or device placed or erected under authority by member"?

070 SEN. SMITH: You're referring to a stop sign.

067 MEEK: It's any sign authorized under the Uniform Traffic Device manual.

076 SEN. SMITH: It says stop sign. You're just talking about stop signs.

081 SEN. WEBBER: That would tie it into the regulation. -Asks about who would have access to the stop sign and what authority they would have.

083 MALONEY: Clarifies issue of who would be authorized.

092 SEN. WEBBER: How does the language "highway maintenance construction or utility crew working in the highway" connect into those traine you're talking about?

097 MEEK: Explains the permitting process that utilities and other crews would need to go through.

107 SEN. WEBBER: That covers all the crews working in the highway?

108 MEEK: Yes. I don't believe there are any that don't come through this path.

112 KIM KATSION, COUNTY COMMISSIONER: Submits and reviews written testimony. (EXHIBIT D)

145 MALONEY: Reviews testimony. -Utility crews were added because of where they do their work. They are permitted and regulated.

163 KATSION: Discusses new OSHA rules.

165 CHAIR DUKES: If utility crews were out you still get what you're after. -Discusses issue of authority of the Transportation Commissio

187 MALONEY: The roadside utilities must conform to the device control rules so they are controlled.

193 CHAIR DUKES: If you want the utility to be holding up the traffic control device you need to get them under ODOT.

202 MALONEY: By virtue of the permit they are under ODOT.

206 CHAIR DUKES: I don't think so.

210 SEN. WEBBER: Asks about subsection A of the bill.

214 SEN. SMITH: Suggests some language regarding the authority issue.

230 CHAIR DUKES: I want LC here to help draft this.

243 KATSION: Expresses concern about removing utilities. -If we called PGE to move power so we could widen the road how would that work?

255 CHAIR DUKES: We don't have authority over those folks. We want this used by people who we have the control over.

268 SEN. WEBBER: I'm concerned about delegating authority over utilities.

280 CHAIR DUKES: Explains the role of the Transportation Commission.

288 MALONEY: Current school crossing guards are enforceable yet there is no training set in law for them.

297 CHAIR DUKES: You need more language than this if you want utilities in the bill.

327 KATHLEEN BEAUFIT, LEGISLATIVE COUNCIL: The provision in ORS 810 .210 means the affixed types of installations. -A utility crew may

380 CHAIR DUKES: We're trying to make sure that if someone ignores a highway maintenance or construction workers sign they can be cited.

386 SEN. WEBBER: I was concerned about the signs being uniform.

392 BEAUFIT: You could say, "any stop sign that conforms to the standards".

409 CHAIR DUKES: Would it help to reference ORS 810.200?

413 BEAUFIT: Linking it back to the Uniform Standards would work.

424 CHAIR DUKES: Any stop sign that complies with requirements of ORS 810.200 .

452 SEN. SMITH: Maybe at some point utility could be added but not after more discussion.

TAPE 93, SIDE B

020 RICH GATES, PUBLIC WORKS ENGINEER TILLAMOOK COUNTY: Explains what has happened in construction sites. -Supports HB 3050 as written. public right of way is under the authority of the local road authority. In all cases they are under OSHA. Any flagger out in traffic whether same rules and obligations.

049 CHAIR DUKES: The problem is they might be operating under the same rules but not the same laws.

050 GATES: Yes they are.

051 CHAIR DUKES: No they're not. We couldn't leave the language as is and have utility crews be able to operate under it. It's transp statutes that are changing and we are referencing statutes that specifically seek authorization from the Transportation Commission. Something utility crews generally don't do.

059 GATES: I don't follow that line of reasoning. Local maintenance even the highway maintenance crews are under ODOT. Is a city or county

063 CHAIR DUKES: They are under the same authority.

069 SEN. WEBBER: Utility people out in the road does seem dangerous. Could we bring this back?

073 CHAIR DUKES: There isn't enough time to bring this back another day.

076 GATES: Discusses work zone traffic control rules.

WORK SESSION ON HB 3050:

MOTION: Senator T. Smith moves to amend HB 3050A on lines 8 after the word "sign" insert "that complies with the requirements of ORS 810.200", after the word "maintenance" insert "or". On line 9 delete "or utility". VOTE: Hearing no objection the motion is adopted.

MOTION: Senator T. Smith moves HB 3050A, as amended, to the floor with a "DO PASS" recommendation.

VOTE: In a roll call vote the motion carries with Senators Lim, T. Smith, Webber, Yih and Dukes voting AYE and Senator J. Bunn and Kintigh excused. Senator Webber will carry.

118 SEN. LIM: Could we send HJM12 to the floor with no recommendation? If so, I would be willing to support it.

123 CHAIR DUKES: I don't think I've every sent a bill to the floor without a recommendation.

WORK SESSION ON HJM12:

128 CHAIR DUKES: According to the Secretary of the Senate's office we can reconsider this with the members present with a motion.

133 SEN. LIM: What does avert mean?

134 CHAIR DUKES: It means they wouldn't require that we change the signs but that doesn't mean we couldn't if we thought it was a good idea

141 SEN. LIM: The federal law has passed already.

143 SEN. SMITH: If I'm going to spend 16 million dollars this isn't at the top of my list. -The memorial just asks them to take another 1

150 CHAIR DUKES: The Metric Conversion Act of 1975 does not requirement that we change the signs. It's a 1991 executive order that decided

165 SEN. LIM: It's just a matter of time and we will have to do this. I'm concerned about the 10% federal cut.

169 CHAIR DUKES: If this is successful they won't require that we do this. If we don't do the conversion the federal government won't hol money.

MOTION: Senator T. Smith moves HJM12 to the floor with a "DO PASS" recommendation.

VOTE: In a roll call vote the motion carries unanimously with  
Senators J. Bunn and Kintigh excused.

195 CHAIR DUKES: Adjourns hearing at 4:35 p.m.

Submitted by, Reviewed by,

Shannon Gossack Ruth Larson Assistant Administrator

EXHIBIT LOG:

A - Executive Appt., Staff, 14 pgs. B - " "., Staff, 12 pgs. C - Background on HJM12 D - Testimony on HB 3050 Mike Maloney, 2 pgs