

SENATE COMMITTEE ON TRANSPORTATION

June 21, 1993      Hearing Room C 3:00 p.m.      Tapes 101 - 102

MEMBERS PRESENT:    Sen. Bob Kintigh Sen. Jim Bunn Sen. John Lim Sen.  
Tricia Smith Sen. Catherine Webber Sen. Mae Yih

MEMBERS EXCUSED:    Sen. Joan Dukes

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

MEASURES CONSIDERED:      HB 2185 HB 2188 HB 2338 HB 2339

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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 101, SIDE A

003      SEN. YIH: Calls meeting to order at 3:20 p.m.

PUBLIC HEARING ON HB 2339A:

NORM MEYERS, PUC MIKE MEREDITH, OREGON TRUCKING ASSOCIATION DON SCHELLENBERG, OREGON FARM BUREAU JOHN MCCULLEY, OREGON CATTLEMEN ASSOCIATION

005      NORM MEYERS, PUC: Submits and reviews written testimony in support of HB 2339A. (EXHIBIT A)

075      SEN. WEBBER: Asks about the definition of "primary" farming.

083      MEYERS: Explains DMV ruling that defines the term "primary" business regarding farming. 098      SEN. WEBBER: It's taking away what?

101      MEYERS: One farmer to haul for another farmer as much as possible merited by the size of the vehicle.

110      SEN. KINTIGH: Is it limited to other farmers?

113      MEYERS: Correct.

117      SEN. WEBBER: Why is livestock excluded?

119      MEYERS: Explains the current law regarding the hauling of livestock.

124 SEN. YIH: Asks about the 80,000 pounds.

128 MEYERS: Explains what carriers are objecting to.

146 MIKE MEREDITH, OTA: This is a compromise that is a product of several months of negotiations. Gratitude to the people involved with the bill. -Discusses chapters formed throughout the state on things that effect

the trucking industry. -Supports the bill.

164 SEN. KINTIGH: The livestock is excluded from this bill but that doesn't include your own livestock.

166 MEREDITH: No it does not.

168 SEN. BUNN: Does the livestock not apply to a three axle?

171 MEREDITH: My understanding is that if you have a three axle truck or a pick-up with a fifth wheel you can do whatever you wish.

176 DON SCHELLENBERG, OREGON FARM BUREAU: Testifies in support of HB 233 9A. -Submits and reviews HB 2339A-3 amendments. (EXHIBIT B)

222 SEN KINTIGH: Asks about the yearly information sheet needed by DMV.

224 SEN. YIH: Asks about the 180 day contract carrier provisions for farm plates.

230 SCHELLENBERG: Changes to 365 days. It was a special provision for farm plates but limited them to only 180 days per year. Under this they are

the same as a commercial trucker. They may use that truck in their own operation.

236 SEN. YIH: Asks about a Class B permit.

237 SCHELLENBERG: You don't need authority for rates and routes. It's a PUC permit as opposed to a Class A permit and it isn't for regulated

commodities.

255 SEN. YIH: Asks about the exchange of labor for hauling.

262 SCHELLENBERG: Explains the exchange provisions in the bill.

289 MEREDITH: DMV was instrumental in helping with this.

292 JOHN MCCULLEY, OREGON CATTLEMEN ASSOCIATION: We support the bill. This is a step in the right direction. We do still have problems in the

livestock industry regarding the hauling of cattle.

338 SEN. YIH: Asks about how livestock are hauled to a fed lot.

342 MCCULLEY: Explains the current law in regard to hauling cattle.  
-Product must originate on your own farm or a farm that you own or  
lease.

PUBLIC HEARING ON HB 2185: Relating to saddle-mount loads.

DOUG GYLLENSKOG, ODOT

400 LARSON: Explains intent of HB 2185.

TAPE 102, SIDE A

014 DOUG GYLLENSKOG, ODOT: Submits and reviews written testimony in  
support of HB 2185. (EXHIBIT C)

064 SEN. YIH: Asks for clarification regarding what is currently  
allowed.

067 GYLLENSKOG: Explains current law relating to saddle-mount loads.  
-Discusses federal law requirements.

096 SEN. KINTIGH: Is there a weight limit on a saddle-mount?

098 GYLLENSKOG: Explains weight and axle limits.

PUBLIC HEARING ON HB 2188: Relating to driving tests for out-of-state  
drivers.

MIKE UNGER, MOTOR VEHICLE DIVISION JOAN PLANK, MOTOR VEHICLE DIVISION  
BRIAN DELASHMUTT, OREGON NURSES ASSOCIATION JULIE GIES, OREGON NURSES  
ASSOCIATION

106 LARSON: Explains intent of HB 2188. (EXHIBIT C)

126 MIKE UNGER, DMV: Submits and reviews written testimony in support  
of HB 2188. (EXHIBIT E)

148 SEN. YIH: Is this reciprocated?

151 UNGER: It varies between states.

156 SEN. YIH: Are we going to find out what our bordering states do?

159 UNGER: It isn't a direct reciprocity type thing.

166 PLANK: It doesn't effect this if an out-of-state license is  
valid or not. -Explains how this will reduce the number of test. -We  
don't feel this will decrease traffic safety.

178 SEN. YIH: I think it's a good idea.

188 SEN. WEBBER: If this were any other area of the law you wouldn't be  
here to get this changed.

196 PLANK: Explains how they determine when they need a statutory  
change through the legislature.

205 SEN.WEBBER: Asks about a uniform or reciprocal act.

208 UNGER: That doesn't deal with the testing issue.

212 SEN. WEBBER: There are so many laws in statute in this area that it makes it hard to administer and it's time consuming.

217 UNGER: Yes that is true.

221 SEN. KINTIGH: If they have one that is still valid what happens?

225 UNGER: It would be a knowledge test only.

227 SEN. YIH: This would make it the same as Oregonians under the same circumstances?

230 UNGER: Yes, this would be consistent with Oregon residents.

235 SEN. LIM: They could continue to drive one year in our state?

238 UNGER: Explains current Oregon law regarding a valid license in possession and explains the connection to the residency issue.

252 SEN. LIM: I see that this would reduce the tests dramatically. What will happen to the positions?

258 UNGER: It would mean reducing the work force by two employees.

274 BRIAN DELASHMUTT, OREGON NURSES ASSOCIATION: Submits and explains intent of HB 2188-A3 amendments.

308 JULIE GIES, OREGON NURSING ASSOCIATION: Testifies in support of HB 2188-A3. (EXHIBIT D)

326 SEN. SMITH: This would match the law to the practice.

331 DELASHMUTT: Explains how medicine and physician's practices have changed.

339 SEN. LIM: Asks about physician assistants and what their qualifications are.

351 GIES: Explains what training and certification a physician assistant must have.

WORK SESSION ON HB 2188:

MOTION: Senator Lim moves HB 2188-1 amendments to HB 2188.

VOTE: Motion adopted.

MOTION: Senator Lim moves HB 2188, as amended, to the floor with a "DO PASS" recommendation.

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

excused. Senator Smith will carry.

PUBLIC HEARING ON HB 2338: Relating to forest protection vehicles.

MIKE MILLER, ASSOCIATED OREGON LOGGERS BOB RUSSELL, PUC

398 MIKE MILLER, ASSOCIATED OREGON LOGGERS: Testifies in support of HB 233 8.

012 SEN. SMITH: Is this a truck that the logging companies own?

014 MILLER: Yes that is true. -Continues with review of HB 2338.

TAPE 101, SIDE B

040 MILLER: Explains federal and state requirements in regard to HB 2338.

047 BOB RUSSELL, PUC: We don't have a problem with this bill.

WORK SESSION ON HB 2338:

MOTION: Senator Kintigh moves HB 2338 to the floor with a "DO PASS" recommendation.

VOTE: In a roll call vote the motion carries with Senators J. Bunn, Kintigh, T. Smith, Webber and Yih voting AYE and Senator Lim voting NAY with Senator Dukes excused. Senator Kintigh will carry. 067 SEN LIM: If there isn't any registration how do you know how many trucks are involved.

069 SEN. SMITH: Well you don't Senator. At least PUC doesn't. I assume who ever it is that requires you to have these trucks keeps track of how

many are out there.

062 MILLER: Explains requirement in the state of Oregon, -There are between 12-18,000 notifications of operations. -They are only required during the summer months and there are

approximately 2,000 logging contractors in the state. It's rare to find one without a fire truck.

073 SEN. LIM: Concerned about no record of registration.

076 MILLER: Discusses insurance requirements. -Logging contractors do carry liability that covers all of their

equipment.

083 SEN. SMITH: DMV and insurance companies do have records.

087 SEN. LIM: What about the license plate or number?

089 MILLER: Explains current fire suppressant vehicle operation laws.

103 SEN. LIM: What happens if there is an accident?

104 MILLER: Covered by general liability.

110 SEN. LIM: Have there been problems with not having them registered?

116 MILLER: There have been no problems since 1990 and I'm not familiar with any problems prior to that.

123 SEN. WEBBER: What kind of insurance is required?

125 MILLER: Under this specifically there is no requirement.

130 JOANNE PETERSON, DMV: Explains insurance requirements in Oregon. -This only applies to fire suppression activity. -The intent is to enable these vehicles to go to a fire without worrying about these other things.

146 SEN. WEBBER: What kind of insurance does that truck have?

149 PETERSON: Explains current requirements.

157 SEN. LIM: How do you know there is insurance if there isn't a registration?

156 PETERSON: Basically we don't know. -Currently a person doesn't prove that they have insurance but rather

they sign something that is certifying that they have insurance. -This would be enforced through accident reports and random sample

checks. 165 SEN. KINTIGH: Asks about the lengthy forms that logging contractors are required to submit.

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

WORK SESSION ON HB 2339:

MOTION: Senator J. Bunn moves HB 2339-A3 amendments to HB 2339A.

VOTE: Motion adopted.

MOTION: Senator J. Bunn moves HB 2339A, as amended, to the floor with a "DO PASS" recommendation.

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

WORK SESSION ON HB 2185:

MOTION: Senator J. Bunn moves HB 2185 to the floor with a "DO PASS" recommendation.

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

225 VICE-CHAIR SMITH: Adjourns meeting at 4:45 p.m.

Submitted by, Reviewed by,

Shannon Gossack, Ruth Larson, Assistant Administrator

EXHIBIT LOG: A - HB 2339, Norman Meyers, 4 pgs. B - HB 2339-A3, Don Schellenberg, 1 pg. C - HB 2185, Doug Gyllenskog, 3 pgs. D - HB 2188-1 amendments, staff, 2 pgs. E - HB 2188, Michael Unger, 2 pgs.