

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.

HOUSE COMMITTEE ON HUMAN RESOURCES

April 1, 1991Hearing Room D 1:30 p.m.Tapes 100 - 102

MEMBERS PRESENT:Rep. Mary Alice Ford, Chair Rep. Beverly Stein, Vice-Chair Rep. Jerry Barnes Rep. Cedric Hayden (arrived 2:00) Rep. John Meek (arrived 1:44) Rep. Hedy Rijken Rep. Jackie Taylor

STAFF PRESENT: Melanie Zermer, Committee Administrator Pamela Berger, Committee Assistant

MEASURES CONSIDERED: HB 3135 - Requires that disabled person parking decals be made of durable material - PUB HB 2494 - Authorizes use of special registration plates as disabled person parking permit - PUB HB 3198 Authorizes persons eligible for disabled parking permits to have as many permits as vehicles - PUB HB 3319 - Prohibits use or occupancy of marine facilities designated for disabled persons by other than disabled persons PUB

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TAPE 100, SIDE A

010 CHAIR FORD: Calls the meeting to order at 1:32 p.m.

PUBLIC HEARING: HB 3135 - Requires that disabled person parking decals be made of durable material - PUB Witnesses: Rep. Mary Alice Ford, District 8 Rep. Sam Dominy, District 44 Eugene Organ, Oregon Disabilities Commission Bev Bettis, Oregon Paralyzed Americans Peggy Collins, Building Codes Agency Emily Cederleaf, Multiple Family Housing Council Susan Schneider, City of Portland Kate Deane, City of Portland Kelly Taylor, Motor Vehicles Division Joan Plank, Motor Vehicles Division

Staff submits proposed amendments to HB 3135 from the Building Codes Agency

(EXHIBIT B) and from Michael Clark (EXHIBIT C).

010 REPRESENTATIVE MARY ALICE FORD, DISTRICT 8: Testifies in support of HB 313 5. - Received many phone calls regarding the 1989 disabled parking legislation. - The legislation went through Transportation Committee, not the Human Resources Committee. - Those calling about the legislation were not mobile and in the working community, they were the frail elderly citizens.

085 REPRESENTATIVE SAM DOMINY, DISTRICT 44: Submits and reads written testimony in favor of HB 3135 (EXHIBIT A). - Describes bill, section by section.

225 REPRESENTATIVE STEIN: A constituent mentioned problems regarding disabled veterans.

EUGENE ORGAN: That will be addressed later.

DOMINY: Another problem people had were the placement cards not being made out of durable products; can easily fall apart. They then had to pay replacement costs. The bill addresses that the card be made of a durable material.

CHAIR FORD: If that were not to remain in the bill, because of costs for lamination, we could suggest that people laminate the cards themselves.

DOMINY: The Transportation Department said they did have durable materials that would be able to be used, without additional costs.

REPRESENTATIVE BARNES: In the evening and/or in bad weather, signs or writing on pavement are not always visible. Did you address that issue?

DOMINY: That was not discussed. Not sure what costs would be for reflective paint. There could be an amendment to include that.

REPRESENTATIVE BARNES: Thinks that would be good idea.

CHAIR FORD: Agrees. - Should talk to Motor Vehicles Division (MVD) about that.

320 REPRESENTATIVE MEEK: Concerned about costs to taxpayers and the business

community.

336 DOMINY: The Building Codes Agency representative will address that concern. - Discusses Building Codes Agency regulations.

383 REPRESENTATIVE MEEK: Concerned about potential cost to do away with slopes, not costs for stripes.

DOMINY: Costs are unknown to me.

TAPE 101, SIDE A

- Not sure how many exemptions have been given for this.

010 REPRESENTATIVE MEEK: Certain areas near entrances were sloped so they moved handicapped spots to flatter areas, which were not near entrance.

DOMINY: Legislation indicated that spots were to be closest to entrance - some have used this as a way not to make disabled parking spaces near entrance. Knows of example where business has gone out-of-the way to do this. Don't think this was the intent of bill. Will have to have some sort of exemption. K-Mart doesn't even have parking in front of store, handicapped spots must be out in lot.

036 CHAIR FORD: The Hillsboro court house has no disabled parking spots. Also, there are other areas within the building that are not accessible to the disabled.

060 EUGENE ORGAN, OREGON DISABILITIES COMMISSION: Submits and reads written testimony on HB 3135 (EXHIBIT D). - This bill also addresses receiving a temporary parking permit, upon receiving a signed statement from a physician. - Another area addressed in the bill is that any physician can sign the statement; there has been problems in the past with some physicians unwilling to sign. 117 - Congress has allowed a disability accessibility credit, allowing up to \$3,500 for any business needing to remodel to be in compliance with disability accessibility codes. - Sloping and widths are not specified in the American Disabilities Act (ADA) but they are specified by the Oregon Building Code Agency.

160 KELLY TAYLOR, MOTOR VEHICLES DIVISION (MVD): Submits and reads written testimony on HB 3135 (EXHIBIT E). - Addresses durable material. - There is nothing in the law that prohibits a person from laminating their permit on their own, instead of increasing costs to MVD. - Currently, it costs MVD \$6.00 to issue a permit, costing the applicant \$4.00. - Will provide documentation on that. - Continues reading written testimony. - Provided a copy of federal guidelines to MELANIE ZERMER. 308 - There is no requirement that the permit be referenced to the license plate.

REPRESENTATIVE BARNES: Wonders if language should be changed so that a person borrowing a disabled person's vehicle would not be allowed to park in a disabled spot.

322 JOAN PLANK, MVD: The other side of the issue is that would create problems for those with young children who are disabled, if they were required to carry disabled identification card. 350 - If this bill were passed, it would cost an additional \$1.00 to MVD for durable materials; making the total costs to MVD \$7 for a disabled parking permit.

CHAIR FORD: If we let people laminate cards on their own, we won't need to send this bill to Ways and Means. - Discusses fiscal impact of bill.

PLANK: There was poor wording in our testimony regarding the fiscal impact; will re-write.

TAPE 100, SIDE B

009 PLANK: Discusses revenues to cover costs. Subsidizing from other areas cover loss costs, which are unidentifiable. In some cases highway

funds will kick in to cover difference. Although our policy is for fees to cover costs.

030 BEV BETTIS, OREGON PARALYZED AMERICANS: Testifies in support of HB 313 5. - Would like placards be made of durable materials. - In response to CHAIR FORD, it costs \$1.25 to self laminate. - MVD indicated they were set up to laminate this size of permit. - Supports language about any physician signing a statement; not a imposition to physicians, would be helpful. - Points out that the new parking structure at the Capitol does not have 9 feet wide disabled parking spots because of the poles. Suggests including language addresses that not barriers or any obstacles take up part of the 9 feet.

100 PEGGY COLLINS, BUILDING CODES AGENCY: Submits and reads written testimony in favor of HB 3135 (EXHIBIT F). - Submits and explains a hand engrossed version of proposed amendments to HB 3135 (EXHIBIT G).

164 EMILY CEDERLEAF, MULTIPLE FAMILY HOUSING COUNCIL: Testifies on HB 3135. - Concerned about language on page 3 which addresses re-painting parking lots. - Suggests that it address re-painting the next time it is needed or for newly created spaces. - Also concerned about language on page 4 addressing handicapped spaces for apartment buildings. Asks that it be amended to apply to new construction or take it out of the building codes. Each time a handicapped person moves into an apartment building, I can't envision sending plans back to the Building Codes Agency in order to get plans to re-stripe the parking lot.

210 SUSAN SCHNEIDER, CITY OF PORTLAND: Testifies in favor of HB 3135. - Disabled parking has been hard for the City to enforce. - Abuse, by the non-disabled, has been rampant. - As Representative Barnes indicated, the key is to tie the permit to the disabled person.

220 KATE DEANE, CITY OF PORTLAND: Submits and reads written testimony in favor of HB 3135 (EXHIBIT H).

260 CHAIR FORD: Recesses the meeting at 2:50 p.m. - Re-convenes the meeting at 3:03 p.m.

PUBLIC HEARING: HB 3198 - Authorizes persons eligible for disabled parking permits to have as many permits as vehicles Witnesses: Kelly Taylor, MVD Kate Deane, MVD Emily Cederleaf, Multiple Family Housing Council Eugene Organ, Oregon Disabilities Commission Roger Robinson, Paralyzed Veterans of America

Staff submits a fiscal analysis of HB 3198 (EXHIBIT J).

170 KELLY TAYLOR, MVD: Submits and reads written testimony on HB 3198 (EXHIBIT K).

MELANIE ZERMER: Reads written testimony in favor of HB 3198, submitted for the record, from Rep. Greg Walden, District 56 (EXHIBIT L).

320 SUSAN SCHNEIDER, CITY OF PORTLAND: Testifies in opposition to HB 3198. - Tells story of one incident, before the 1989 reform, of a business person who abused the disabled parking placards.

340 KATE DEANE, CITY OF PORTLAND: Submits and reads written testimony in opposition to HB 3198 (EXHIBIT M).

402 EMILY CEDERLEAF, MULTIPLE FAMILY HOUSING COUNCIL: Testifies in opposition to HB 3198. - Received many calls in favor of the 1989 reform. - This bill would undue the 1989 legislation.

436 EUGENE ORGAN, OREGON DISABILITIES COMMISSION: Testifies in opposition to HB 3198. - The 1989 legislation alleviated a great deal of abuse. - If this passes, we are inviting additional abuse if we once again offer multiple placards.

464 ROGER ROBINSON, PARALYZED VETERANS OF AMERICA: Testifies in opposition to HB 3198. - Discusses consensus from group about misuse of placards and issuance of only one placard per disabled person.

(TAPE 101, SIDE B - BLANK)

TAPE 102, SIDE A

PUBLIC HEARING: HB 2494 - Authorizes use of special registration plates as disabled person parking permit - PUB Witnesses: Betsy Crick, Disabled Citizen Bill Seely, Motor Vehicles Division Eugene Organ, Oregon Disabilities Commission Roger Robinson, Paralyzed Veterans of America Susan Schneider, City of Portland Kate Deane, City of Portland

Submitted for the record, testimony in favor of HB 2494 from Elsie Hasting (EXHIBIT I).

MELANIE ZERMER: Explains bill.

050 BETSY CRICK, DISABLED CITIZEN: Testifies in support of HB 2494. - If I forget my placard after using one of my childrens' car, I will need to feed the meter all week. I ought to be able to take my disabled license plate.

BILL SEELY, MVD: Submits and reads written testimony on HB 2494 (EXHIBIT N).

100 EUGENE ORGAN, OREGON DISABILITIES COMMISSION: Submits and reads written testimony on HB 2494 (EXHIBIT O).

221 SUSAN SCHNEIDER, CITY OF PORTLAND: Testifies on HB 2494. - Enforcement is an issue.

230 KATE DEANE, CITY OF PORTLAND: Submits and reads written testimony on HB

249 4 (EXHIBIT P).

250 ROGER ROBINSON, PARALYZED VETERANS OF AMERICA: Testifies on HB 249 4. - Concurs that an I.D. card would be workable. Would support the bill if language stated that said you couldn't park in a disabled spot unless you had a disabled placard and disabled license plate.

PUBLIC HEARING: HB 3319 - Prohibits use or occupancy of marine facilities designated for disabled persons by other than disabled persons Witnesses: Rep. Tim Josi, District 3 Loren Simonds, Disabled Citizen Paul Donhefner, Oregon Marine Board

280 REP. TIM JOSI, DISTRICT 3: Submits and reads testimony in support of HB 331 9 (EXHIBIT Q).

CHAIR FORD: Would like a picture of handicapped accessible fishing areas. - Don't want to disqualify non-handicapped.

380 PAUL DONHEFNER, OREGON MARINE BOARD: Submits and reads written testimony on HB 3319 (EXHIBIT R).

TAPE 102, SIDE B

CHAIR FORD: Will we get more handicapped accessibility signs?

DONHEFNER: Standards are presently being developed in response to federal legislation (ADA).

041 LOREN SIMONDS, DISABLED CITIZEN: Testifies in support of HB 3319. - The Deschutes River has an area which is handicap accessible for fishing and it is heavily used; as other spots which are easily accessible. - Many times I am the only one who is disabled using that area. - Non-disabled use those areas as a matter of convince. - Now those areas are overused and there are fewer fish in those areas. - There is an increasingly problem of abuse and a total disregard for the disabled. - Tells of disabled person whose dog was killed by an angry non-disabled fisherman. - Tells of fishing lines being cut by able bodied persons and abusive language used. - My father attempted once to find someone to enforce the law after I was abused. - Non profit agencies have developed these facilities for disabled use. - Tells non-disabled persons that areas are for disabled to use and they choose to ignore that. - Finds this offensive and something must be done.

152 REPRESENTATIVE BARNES: Suggests having a portion of these facilities set aside for the disabled. - Suggests letting the facility manager police the area. - Suggests setting a portion of time aside for disabled to use area.

163 JOSI: Concerned about under utilization causing problems.

REPRESENTATIVE BARNES: The manager does not have discretion - this bill does not address this. Suggests adding language which allows a 50' area be put aside for the handicapped.

190 JOSI: That is a valid point; interested in other members' views.

CHAIR FORD: The problem is who would enforce the law. - Asks REPRESENTATIVE BARNES and JOSI and others to work out amendments.

201 REPRESENTATIVE HAYDEN: What if a person in a wheelchair rolled into the water?

DONHEFNER: Liability is a concern. Not sure if I can address that. - The handicapped assessable fishing facilities I have seen have had railing installed on the docks. We are not into the fishing business, maybe the Department of Fish and Wildlife should address that.

SIMONDS: Thinks the Department of Fish and Wildlife should be included in discussions as well as the Oregon Marine Board.

REPRESENTATIVE TAYLOR: Voices interest in this bill. - Wonders how to provide this kind of facility with enforcement. - Wants to be involved with this project also.

JOSI: Enforcement is a problem. But we should not prevent the passage of this bill because of enforcement issues.

281 SIMONDS: Willing to take pictures of the Deschutes facility on my next fishing trip.

CHAIR FORD: Suggests that JOSI discuss concepts with the Department of Fish and Wildlife and other states.

REPRESENTATIVE MEEK: There is an ordinance in Washington county for Hick Lake which is strictly limited for the disabled. Only had one problem with enforcement.

CHAIR FORD: Asks Representative Taylor to check into that ordinance.

CHAIR FORD: Adjourns the meeting at 4:05 p.m.

Submitted by,

Reviewed by,

Pamela Berger

Melanie Zermer

EXHIBIT LOG: A - HB 3135 - Testimony - Dominy - 2 pp. B - HB 3135 - Proposed amendments - staff - 1 p. C - HB 3135 - Proposed amendments - staff - 2 pp. D - HB 3135 - Testimony - Organ - 3 pp. E - HB 3135 - Testimony - Taylor - 2 pp. F - HB 3135 - Testimony - Collins - 2 pp. G - HB 3135 - Proposed amendments - Collins - 4 pp. H - HB 3135 - Testimony - Deane - 1 p. I - HB 2494 - Testimony from Hasting - Staff - 1 p. J - HB 3298 - Fiscal analysis - staff - 1 p. K - HB 3198 - Testimony - Taylor - 1 p. L - HB 3198 - Testimony from Walden - staff - 1 p. M - HB 3198 - Testimony - Deane - 2 pp. N - HB 2494 - Testimony - Seely - 1 p. O - HB 2494 - Testimony - Organ 1 p. P - HB 2494 - Testimony - Deane - 3 pp. Q - HB 3319 - Testimony - Jois - 2 pp. R - HB 3319 - Testimony - Donhefner - 3 pp.