

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.

MEASURES HEARD:
INFORMATIONAL
WS: SB 58
PH & WS: SB 193
PH: SB 74, SB 75

SENATE COMMITTEE ON
TRANSPORTATION

February 5, 1991Hearing Room 137
8:00 a.m.Tapes 12 & 13

MEMBERS PRESENT:Sen. Joan Dukes, Chair
Sen. William McCoy, Vice-Chair
Sen. Glenn Otto
Sen. Peter Brockman
Sen. Tricia Smith
Sen. Eugene Timms

MEMBERS EXCUSED:Sen. Paul Phillips

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

WITNESSES: Karl Krueger, Motor Vehicle Division
Joan Plank, Motor Vehicle Division
Joanne Peterson, Motor Vehicle Division
Dawn Hills, Public Utility Commission
Shirley Benson, Oregon State Snowmobile Assoc.
Lt. Glen Rader, Oregon State Police
Jim Howell, Oregon Assoc. of Railway Passengers
Ray Polani, Citizens for Better Transit
Fred NusSB aum, Citizens for Better Transit
David Stewart-Smith, Dept. of Energy
Paul DonHeffner, Marine Board

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TAPE 13, SIDE A

008 CHAIR DUKES: Calls meeting to order at 8:10 a.m. Senators McCoy, Phillips and Brockman are excused. They had other appointments but will be here shortly.

014 RUTH LARSON, COMMITTEE ADMINISTRATOR: Reminds members of the filing deadlines.

017 JIM HOWELL, OREGON ASSOCIATION OF RAILWAY PASSENGERS: Submits and reviews written testimony. Introduces LC 1984. (EXHIBIT A) (EXHIBIT B)

084 RAY POLANI, CITIZENS FOR BETTER TRANSIT: Reviews written testimony. (EXHIBIT B)
-Discusses problems with automobiles in regard to parking.
-There are more vehicles than people in the state.

137 FRED NUSSB AUM, CITIZENS FOR BETTER TRANSIT: There are twenty-four other states who allow use of motor vehicle tax for mass transportation.

159 SEN. TIMMS: What other areas are you working in to improve mass transit in regards to laws at the local level?

170 POLANI: Discusses parking lid in downtown Portland.

190 SEN. TIMMS: Are you actually down to the subsidy part of changing some ordinances to get people to use mass transit more?

-Discusses areas where population is decreasing and how highways are important to those districts.

-Why are we not trying to impact policy in the state of Oregon?

204 HOWELL: We are a citizen organization, and we do agree with you. The state has not done a good job with this issue.

-Discusses the new parking structure in front of the Capitol.

-We lobby constantly to get laws changed.

235 SEN. TIMMS: I have never heard anyone come in and propose anything on state buildings to eliminate the parking laws.

247 POLANI: Discusses the parking structure built by the Port of Portland.

255 MOTION: Senator Smith moves LC 1984 be introduced as a committee bill.

VOTE: HEARING NO OBJECTION THE MOTION IS ADOPTED.

287 DAVID STEWART-SMITH, NUCLEAR SAFETY & FACILITIES, DEPARTMENT OF ENERGY: Submits and reviews written testimony. (EXHIBIT C)

-Discusses trucking of waste versus rail.

-Explains safety devices in regards to shipping waste.

-Continues with written testimony.(EXHIBIT C)

TAPE 14, SIDE A

008 STEWART-SMITH: Continues with written testimony.(EXHIBIT C)

-Discusses first response team training programs.

076 SEN. TIMMS: How will you fund your programs?

082 STEWART-SMITH: Discusses program set up by the 1989 Legislature.

100 SEN. SMITH: How much of the response team will the state fund?

-Discusses communities that can not afford to pay for training.

112 STEWART-SMITH: That problem exists in a lot of areas. The 1989 Legislation does not provide funding for personnel.

119 SEN. SMITH: Discusses exclusive use of response teams.

123 STEWART-SMITH: Discusses Occupational Safety & Health Division guidelines.

-Explains the intent of the 1989 legislation.

Senator Brockman returns at 8:50 a.m.

167 CHAIR DUKES: Are you encouraging the state to supply wages for salaries.

171 STEWART-SMITH: Discusses the State Fire Marshall budget.

187 SEN. SMITH: We have this program in place, but none of the communities can afford to buy this training.

194 STEWART-SMITH: Discusses the areas of the state where the response team program is working.

Senator McCoy enters the hearing at 9:00 a.m.

228 STEWART-SMITH: Continues with testimony. (EXHIBIT C)

WORK SESSION SB 58

278 CHAIR DUKES: Reviews SB 58. Our amendment was not accepted by

Legislative Counsel
because the State of Oregon cannot delegate authority to the Federal
Government. We can leave
it the way it is, or we can set our own limit.

396 SEN. SMITH: I think the federal government precludes a state from
setting a limit higher than
the limit they propose. I don't think that administrative rule making is
always the best way to
make decisions. Maybe we should set the limit at \$500.00 within statute
and then if the Marine
Board wants to move it again they could come back.

329 PAUL DONHEFFNER, MARINE BOARD: The current federal limit for property
damage is
\$500.00. We feel this is a minor technical change.

350 SEN. SMITH: What are the accidents reports used for?

352 DONHEFFNER: They are used to get a picture of trends in boating with
regards to accidents.
-We are not required to report to the federal government for amounts under
their threshold.

399 CHAIR DUKES: Two little scratches on a boat could cost up to \$400.00.
-We can give them the authority now with some restrictions.

428 SEN. SMITH: The federal government says we can't set a limit above
theirs, it doesn't say we
can't set a limit below it. If they set their limit at \$5,000.00 I'm not
sure we want ours set there.

447 SEN. TIMMS: I think this is fine and the Marine Board would not have to
come before us every
time they need to make a new rule. The guidelines are actually set by the
federal government
anyway.

450 MOTION: Senator Timms moves SB 58 to the Floor with a "DO PASS"
recommendation.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES WITH SENATORS
TIMMS, OTTO, SMITH AND DUKES VOTING AYE, AND SENATORS MCCOY,
BROCKMAN AND PHILLIPS EXCUSED. SENATOR SMITH WILL CARRY THE BILL.

TAPE 13, SIDE B

PUBLIC HEARING SB 193

020 SHIRLEY BENSON, SNOWMOBILE ASSOCIATION: Submits and reviews written
testimony. (EXHIBIT D)

057 LT. GLEN RADER, PATROL DIVISION: Submits and reviews written
testimony. (EXHIBIT
E)

065 SEN. TIMMS: Asks about the number of citations in 1990 with regards to
alcohol.

WORK SESSION SB 193

085 MOTION: Senator Timms moves SB 193 to the Judiciary Committee with a
"DO PASS"
recommendation.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES WITH SENATORS TIMMS,
OTTO, SMITH AND DUKES VOTING AYE, AND SENATORS MCCOY, BROCKMAN
AND PHILLIPS EXCUSED.

PUBLIC HEARING SB 74

099 JOANNE PETERSON, MOTOR VEHICLE DIVISION: Submits and reviews written
testimony. (EXHIBIT F)

204 CHAIR DUKES: What do our surrounding states do?

208 PETERSON: I think Washington State and California require registration.

213 DAWN HILLS, PUBLIC UTILITY COMMISSION: Discusses what the surrounding states do in regards to issuing citations for converter dollies.

223 CHAIR DUKES: If you have an Oregon plate then we have a reciprocal. Which one is more expensive?

229 HILL: The Oregon registration plate and title would be \$20.50 and California would be considerably more than that.

235 SEN. MCCOY: How much more would it be in California?

237 HILL: Discusses what SB 74 would allow.

250 PETERSON: Continues with written testimony. (EXHIBIT F)

405 HILL: Submits and reviews written testimony. (EXHIBIT G)

425 CHAIR DUKES: What states, that we cross borders with, do we not have a reciprocal agreement with?

430 HILL: California is the most significant of the states. When California joined the International Registration Plan it was their choice to nullify those agreements. We have a reciprocal farm agreement with Idaho. Their definition of farm is different than ours so there are some farmers here in Oregon who choose to proportionally register.

450 CHAIR DUKES: I'd asked for someone from Revenue because this bill has a referral to Ways & Means. It also has a fiscal impact statement that says there isn't one. It also has a revenue impact that isn't clear.

TAPE 14, SIDE B

041 SEN. SMITH: What does the Public Utility estimate the impact would be?

043 BOB RUSSELL, WEIGHT/MILE TAX DIVISION, PUBLIC UTILITY COMMISSION: From our perspective the impact will be virtually nothing.

PUBLIC HEARING SB 75

061 KARL KRUEGER, MOTOR VEHICLE DIVISION: Submits and reviews written testimony. (EXHIBIT H)

WORK SESSION SB 74

099 JIM SCHERZINGER, LEGISLATIVE REVENUE: Bills won't generally go to Revenue unless there is a huge effect and it doesn't look like SB 74 will have much of an impact.

122 SEN. MCCOY: I didn't fully understand the bill. I don't think we should be working out changes in fees.

131 CHAIR DUKES: We will hold on to this then.

PUBLIC HEARING SB 75

137 KRUEGER: Continues with written testimony. (EXHIBIT H)

142 CHAIR DUKES: I don't want to get into the Judiciary aspect of this bill, but I would like to know your process for suspending a youth and what impact that has on the provisional drivers license.

146 KRUEGER: Discusses the provisional law in regards to age.

171 CHAIR DUKES: Under provisional law, these offenses, if committed by a juvenile, do not cause loss of a provisional license?

174 KRUEGER: Only up to the age of eighteen.

175 CHAIR DUKES: Doing it under the adult court it is a longer loss of license?

176 KRUEGER: They would receive the same sanction that an adult would.

181 CHAIR DUKES: We put some strong parameters in the provisional license law.

188 JOAN PLANK, MOTOR VEHICLE DIVISION: Discusses the changes in SB 75. -It gives a stronger penalty for these criminal offenses.

194 CHAIR DUKES: Don't we have something else that crosses over like this. All of the provisional things end at eighteen.

195 PLANK: Discusses the Juvenile Denial Law.

210 SEN. SMITH: If these criminal offenses are dealt with in a juvenile court can the penalties be carried over after the age of eighteen? Can a juvenile court sentence a juvenile to ten years in prison?

222 CHAIR DUKES: What you're asking is if we are giving special authority under the DMV rules that juvenile court doesn't have.

225 KRUEGER: This would only apply to the Motor Vehicle code.

251 PLANK: All this bill does is say that if you are convicted in a juvenile court of one of these criminal offenses your going to get the same suspension as if you were convicted in an adult court. It doesn't change anything about how juvenile courts operate.

265 SEN. MCCOY: Discusses criminal offenses in regards to incarceration. How many cases are we talking about?

276 SEN. SMITH: I would like to know whether or not this law would extend beyond what the court can do in any other case.

287 KRUEGER: Discusses numbers of cases to be affected.

312 SEN. MCCOY: Could we please see an opinion from the Attorney General's office.

332 CHAIR DUKES: This bill goes to Judiciary Committee where the legal aspect can be worked out. We just deal with the suspension process.

338 CHAIR DUKES adjourns meeting at 10:00 a.m.

Submitted by:Reviewed by:

Shannon GossackRuth Larson
AssistantAdministrator

EXHIBIT LOG:

A - Jim Howell, LC 1984, 2 pgs.
B - Ray Polani, Testimony LC 1984, 8 pgs.
C - David Stewart-Smith, Testimony, 29 pgs.
D - Shirley Benson, Testimony SB 193, 1 pg.
E - Glen Rader, Testimony SB 193, 3 pgs.
F - Joanne Peterson, Testimony SB 74, 5 pgs.
G - Dawn Hill, Testimony SB 74, 2 pgs.

H - Karl Krueger, Testimony SB 75, 1 pg.