

Senate Committee on Transportation  
January 20, 1991 - Page

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

SENATE COMMITTEE ON  
TRANSPORTATION

April 23, 1991Hearing Room C  
8:00 a.m.Tapes

MEMBERS PRESENT:Sen. Joan Dukes, Chair  
Sen. Peter Brockman  
Sen. Scott Duff  
Sen. Paul Phillips  
Sen. Tricia Smith  
Sen. Eugene Timms

MEMBER EXCUSED: Sen. William McCoy

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

WITNESSES:

MEASURES CONSIDERED: SB 724, SB 1026, SB 842, SB 954

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.

TAPE 70, SIDE A

008 CHAIR DUKES: Calls hearing to order at 8:12 a.m.

012 RUTH LARSON, COMMITTEE ADMINISTRATOR: Explains senate bills on agenda.

PUBLIC HEARING ON SB 724

Witnesses: Senator Jane Cease  
Karl Krueger, Motor Vehicle Division  
Joan Plank, Motor Vehicle Division

030 SENATOR JANE CEASE: Submits and reviews written testimony.(EXHIBIT A)  
-Reviews intent of SB 724.

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

114 CHAIR DUKES: Is the 800,000 for personnel?

115 KRUGER: That is correct.

117 CHAIR DUKES: What is the time frame invovled?

122 KRUEGER: Within in the first four months.

124 CHAIR DUKES: What happens if we go from four months to three months?

128 KRUGER: We would probably see less cancellations.

130 CHAIR DUKES: Could you look at two month and three months. We need to  
address the issue  
of uninsured motorists.

137 KRUGER: We feel 800,000 is a cheap way to go.  
-Disucsses how this process works in North Carolina.

141 CHAIR DUKES: What would vehicle registration need to be to cover this?

147 JOAN PLANK, DMV: Other than registration fees is the driver license fee.  
-1.5 million it would raise per biennium; a dollar increase in the fee.

158 CHAIR DUKES: How long would it take to get the money if you implemented  
this?

162 PLANK: tie in with the insurance related programs. 60,000 the first  
month.

171 SEN. SMITH: How would this work with a new vehicle?

174 KRUEGER: A new vehicle would not need to verify the insurance.

182 PLANK: The dealer would need to collect that information.  
-Explains how you can cover yourself with a new car purchase.

198 SEN. SMITH: I don't want to insure something I don't own.

203 SEN. SMITH: How would a used vehicle work?

205 PLANK: It would be the same thing. You would provide that directly to

DMV if you were  
buying it from an individual.

214 SEN. SMITH: Is there a mechanism within this law to provide you the  
information on the  
insurance without going through the dealer.

221 JOANNE PETERSON, MOTOR VEHICLE DIVISION: missed////

243 SEN. SMITH: My insurance would be for the car I am going to buy it would  
be for the current  
policy and car.

252 PLANK: Policies good for thirty days.

266 SEN. SMITH: Is there another way to do this?

268 PETERSON: Explains exemptions in current law regarding title transfers.

289 SEN. SMITH: Concerned about the way this is set up. Is it possible to  
make this apply to used  
vehicles and not new ones? I like this, but I don't want to pass out  
something that won't work.

301 PLANK: I believe it would be possible.

306 CHAIR DUKES: I think we will ha

312 SEN. TIMMS: How effective are the penalties and what are the penalties  
for an uninsured  
motorist?

319 KRUEGER: Suspension for 1 year; under the financial resp. law; proof of  
insurance for three  
years.

327 SEN. TIMMS: Before they can get back into an automobile? What if they  
get back into the car  
and get into another wreck?

334 KRUEGER: Explains accident while on suspension.

351 SEN. TIMMS: No sanctions other than that?

356 KRUEGER: That is correct.

360 CHAIR DUKES: Isn't suspension the most serious thing you have to offer?

365 KRUEGER: Habitual offender law.

370 SEN. SMITH: Discusses personal experience with being hit by an uninsured  
motorist.

388 CHAIR DUKES: With this bill, if they transfer title, they would have  
insurance for at least that  
day. If they canceled it they would be notified if////

408 KRUEGER: part of the cost would be verification.

TAPE 71, SIDE A

005 KRUEGER: Part of the accident scenario is that we verify all information on the accident report.

012 SEN. TIMMS:

027 SEN. SMITH: We are talking about a group of people who aren't particularly concerned about any of the consequences. I am not sure that these kinds of approaches are going to make a difference in these types of populations.

038 CHAIR DUKES: Don't the states that have low uninsured motorist rates have a law similar to this?

042 KRUEGER: Explains what some other states have done.

049 CHAIR DUKES: Asks about the percentage of registered motorists that come up uninsured in the random sampling.

053 KRUEGER: Only registered vehicles that require insurance, so it is real selective with just those vehicles.

060 SEN. SMITH: What happens in the other states regarding canceled notification.

064 KRUEGER: Some of the states have other sanctions. Pick up plates etc.

071 SEN. SMITH: What happens in Oregon today?

073 KRUEGER: It is just sanctions against the driver license.

080 JOHN POWELL, STATE FARM INSURANCE AND NORTH PACIFIC INSURANCE:  
Discusses the meeting that happened during the interim.  
-Legislation HB 2568; which is related to this.  
-I don't know what happens when a vehicle changes hands.  
-SB 724 deals with financial responsibility law.  
-Explains the difficulty for insurance companies in terms of the notification issue in SB 724.

146 CHAIR DUKES: Asks about cancellations in regard to State Farm.

154 POWELL: Adm. of insurance is extremely costly.  
-Discusses their responsibility in regard to SB 724.  
-We do not believe that this bill would have a significant impact on the uninsured motorist of Oregon.  
-Discusses the diversity of the other states that have this type of law in comparison to the state of Oregon.

-Explains SR22 insurance in regard to cancellation.

207 SEN. DUFF: What is the costs of uninsured motorists to the insurance industry?

208 POWELL: I am not aware of any studies that have tagged that figure.

-Explains no fault insurance coverage and PIP coverage.  
-There are other bills in the process that do include stiffer penalties.

265 MARK NELSON, ALL STATE INSURANCE: Expresses concerns in regard to  
administration  
of SB 724.

-I don't think this bill will solve the problem.

283 CHAIR DUKES: Was it necessary to increase premiums to cover the cost  
when we did this last  
time.

291 POWELL: Very obviously that would require a large expenditure. It would  
be reflected in the  
administrative costs and probably be passed on.

318 CHAIR DUKES: Appoint a sub-committee to deal with this issue: Smith,  
Duff, and Timms.

PUBLIC HEARING ON SB 954

Witnesses: Senator Joan Dukes

346 SENATOR JOAN DUKES: Explains why she introduced this bill.

382 WALTER JOHNSON, MAYOR, SEASIDE OREGON: Submits and reviews written  
testimony. (EXHIBIT C)

TAPE 70, SIDE B

011 JOHNSON: Continues with written testimony. (EXHIBIT C)

045 ROY SIGURDSON, SEASIDE PLANNING COMMISSION: Discusses the progression of  
traffic along Highway 101 since the 1940's.

061 SEN. DUKES: Discusses the Access Oregon plan.  
-We need to treat 101 as one highway.  
-Needs to be a coordinated program with an overall focus.

087 SEN. PHILLIPS: Discusses problem with traffic in Washington Co.

104 SEN. BROCKMAN: How do you feel about toll roads?

107 JOHNSON: Expresses opinion on toll roads.

127 SEN. TIMMS: I have some questions for Bob Bothman.

137 SEN. TIMMS: The state highway division regarding plan.

133 BOB BOTHMAN, DEPT. OF TRANSPORTATION: We have a draft highway plan  
update.  
-Twenty years plan; update from 1984. Does not talk specific programs but  
does lay out  
priorities.

167 SEN. TIMMS: Who has a // // // // //

169 BOTHMAN: We mailed it to people who participated in the reviews.

172 SEN. TIMMS: It makes sense that we would be involved.

177 CHAIR DUKES: We asked that you try to get specific language inserted in the federal trans commission plan that you took back to d.c. ////

188 BOTHMAN: It is not included in the current legislation, but is in the Oregon position paper that we are working on.  
-More credit for the land area in Federal ownership; broader use of the money.

203 CHAIR DUKES: Can't we still do within the state of Oregon?

206 BOTHMAN: Some concept of the bill will pass.  
-Explains how the money comes proposed into specific categories.

226 SEN. TIMMS: Discusses federal money in regard to rural areas.

247 BOTHMAN: Flexibility in how the money is used.  
-SB 954 is consistent with the corridor bill we have outlined.  
-Discusses the Governor's Coastal Conference.

work session on SB 954

MOTION: SENATOR DUFF MOVES SB 954 TO THE FLOOR WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION CARRIES UNANIMOUSLY. SENATOR DUKES WILL CARRY.

PUBLIC HEARING ON SB 1026

WORK SESSION ON SB 1026

MOTION: SENATOR MCCOY MOVES SB 1026 TO THE FLOOR WITH A DO PASS RECOMMENDATION.

VOTE: THE MOTION CARRIES UNANIMOUSLY. SENATOR MCCOY WILL CARRY.

PUBLIC HEARING ON SB 842

012 DON BALLENTINE, OREGON FUNERAL DIRECTORS ASSOCIATION: Submits and reviews written testimony.(EXHIBIT  
-Explains why there is a need for SB 842.

032 CHAIR DUKES: So the past has just been done because of custom.  
-Arne't these leaders off duty police officers?

039 BALLENTINE: We don't always use police officers. We use other individuals.

043 CHAIR DUKES: Are these people trained to do this?

048 BALLENTINE: Discusses the vehicles.

051 CHAIR DUKES: questions????

077 BALLENTINE: Once we are out of the city limits of Portland we are illegal.

082 CHAIR DUKES: Are you legal in Portland in regard to traffic control.

088 SEN. MCCOY: Off duty police officers?

093 BALLENTINE: They are hired from an escort service.

096 SEN. MCCOY: These people have uniforms on with firearms.

101 BALLENTINE: We don't allow our people to use firearm.

106 SEN. PHILLIPS: Current customs does not comply with current law.

110 BALLENTINE: The main reason for this bill is that there have been several accidents over the years. Confusion of the people participating in the procession. Uniform law would help in safety of all motorists.

121 CHAIR DUKES: Incident in Eugene?

124 BALLENTINE: Explains the incident that occurred in Hillsboro.

140 CHAIR DUKES: Are there escort people in Washington Co. that would have been accepted if they had been cleared?

144 BALLENTINE: This particular situation in Hillsboro was an off duty police officer.

152 SEN. TIMMS: Who participated in the drafting of this bill?

159 BALLENTINE: Explains who participated in this and that it is based on a national model.

165 SEN. TIMMS: Limits liability of the Funeral home. What about costs for rural areas? Demanding additional equipment that they probably don't have.

174 BALLENTINE: Discusses rural funeral homes and their feeling on this issue.

179 SEN. TIMMS: What else does this bill require?

181 BALLENTINE: A red flashing light on the lead vehicle.

185 SEN. PHILLIPS: Who are the people representing all the funeral directors of the state.

191 BALLENTINE: Oregon city, Springfield, Hood River, and myself.

197 CHARLES WILLIAMSON, OREGON TRIAL LAWYERS ASSOCIATION: Concerned about section //does not apply to language we use in Oregon. -Suggests that section 29 be deleted.

216 SEN. MCCOY: Is that the only section you have a problem with?

219 WILLIAMSON: We don't have a position on the bill.

231 JIM IRVIN, OREGON FUNERAL ASSOCIATION: Sub committee that worked on this

issue

it did go to the full committee that is throughout the entire state. DMV has no objections to the bill and neither do the Oregon state police.

-Section 29 purpose is to remove liability of the procession, as it is moving through the jurisdiction. We do have some concern that a funeral procession following the form that is outlined in this bill, should clearly not be liable;

264 CHAIR DUKES: work with the trial lawyers. It seems to be evolving as a liability bill. How do you feel about going back to the original language.

286 IRVIN: We would be glad to do that.

296 SEN. PHILLIPS: If we pull section 29 out then there may not be a problem.

312 CHAIR DUKES: Why don't you outline the bill for us.

316 IRVIN: Concerns with section 29 insurance that the procession would be legal.

324 BALLENTINE: Clarifies SB 954.

341 CHAIR DUKES: Line 17 of SB 954; regarding red lights. That is no longer current language.

349 BALLENTINE: Continues with overview of SB 954.

370 SEN. BROCKMAN: Section 16, go over a bridge and ride a ferry.

379 BALLENTINE: Continues with overview of bill.

TAPE 72, SIDE A

006 BALLENTINE: Continues clarifying SB 954.

026 CHAIR DUKES: Is there any way to make this bill easier?

028 IRVIN: This was drafted by lc.

030 CHAIR DUKES: We don't have the time to get into all of the specifics today.

adjourns at 10:10 a.m.