

Senate Committee on Transportation
May 2, 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.

SENATE COMMITTEE ON
TRANSPORTATION

May 2, 1991Hearing Room C
8:00 a.m.Tapes 79 - 81

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

MEMBERS EXCUSED:

VISITING MEMBER:

STAFF PRESENT: Ruth Larson, Committee Administrator
Scott Marshall, Committee Assistant

MEASURES CONSIDERED: SB 1003 - Changes criteria for allotment of certain moneys for streets in cities with population of 5,000 or fewer persons. SB 1201 - Authorizes variance permit for certain divisible loads. SB 1103 - Requires signed statement from applicant for the light vehicle trip permit that applicant has insurance covering vehicle. SB 663 - Requires covering of certain loads carried by motor vehicles.

WITNESS LIST:
Senator Paul Phillips
Tom Bradd, Oregon Highway Division
Bob Jacobson, Timber Products Trucking
Ron Curry, Willamette Industries
Senator Gene Timms
Bill Deist, City of John Day
Dick Townsen, League of Oregon Cities
Jim Hunter, Motor Vehicles Division
Del Isham, Automobile Club of Oregon
Mike Merideth, Oregon Trucking Association

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speaker's exact words.

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TAPE 78, SIDE A

008 CHAIR DUKES: Calls meeting to order at 8:17

012 RUTH LARSON, COMMITTEE ADMINISTRATOR: Explains the items on today's agenda.

PUBLIC HEARING ON SB 1201

020 SEN. PAUL PHILLIPS: Submits 1201-2 amendments (EXHIBIT A).

-Explains the intent of SB 1201 and the -2 amendments.

-With this bill we could reduce loads 40 to 50 percent, as a benefit to the hauler. The public

would benefit in the following ways; there would be fewer trucks on the road, payloads would

be maximized, fewer trips would be necessary, energy would be saved, and it would support

alternative products.

-Discusses secondary wood products as they have benefitted the Oregon economy.

120 TOM BRAD, OREGON HIGHWAY DIVISION: Reviews the -2 amendments.

-States the two cases of abuse of the current system.

030 SEN. MCCOY: What is the rebar you referred to?

035 BRAD: It is melted-down steel. This was used as an illustration only.

040 CHAIR DUKES: Please explain what they are doing with the product and what the effect of the bill would be.

045 SEN. PHILLIPS: It would be better to have the industry people address that question. This would allow for divisible loads to be hauled.

050 BOB JACOBSON, TIMBER PRODUCTS TRUCKING: Now shorter material cannot be combined to make a longer load.

055 CHAIR DUKES: What's the longest piece that you are considering?

060 JACOBSON: 66 feet.

065 CHAIR DUKES: So, would you like to take that 66 foot piece and then put something behind it?

070 JACOBSON: No. Using 60 foot as an example, that's the longest the load can be. If we have two 25 foot pieces, they cannot go aside the 60 foot piece. They have to be stacked on top of each other.

CHAIR DUKES: Why can't they be if your load is permitted to be 60 feet?

JACOBSON: Because it's a divisible load.

CHAIR DUKES: Can you get a permit to carry these pieces end-to-end?

JACOBSON: No. This bill would allow you to do this. You would have to have the longer piece on the load also.

SEN. SMITH: Is there an accident record with these divisible loads?

080 SEN. PHILLIPS: No.

085 SEN. SMITH: As long as there is the one non-divisible piece on the trailer, will the load be kept stable?

090 SEN. PHILLIPS: That's the theory.

SEN. MCCOY: What was the rationale for not having the two pieces placed together before?

RON CURRY, WILLAMETTE INDUSTRIES: The load is ordered together, but they are cut in 25 foot lengths.

095 CHAIR DUKES: Why haven't you done this before?

100 CURRY: The statute disallows for divisible loads.

105 SEN. PHILLIPS: This is a new product. Those statutes need to catch up with the products.

110 CHAIR DUKES: Is this the only thing to be carried under this new law?

115 SEN. PHILLIPS: Yes. That's why we wrote the amendments, which deal specifically with secondary wood products

120 SEN. TIMMS: It seems like we will get into other products.

125 SEN. PHILLIPS: This is pretty narrow. Someday a new product may bring people here asking for the same thing.

130 SEN. MCCOY: Will these beams conform to the weight limitations?

135 SEN. PHILLIPS: Yes.

140 LARSON: Will they be marked?

145 BRADD: Loads over 80 feet long are required to have a long load sign attached.

LARSON: Will the operator be able to see turn signal lights of other vehicles?

150 BRADD: Yes, they will be able to see turn signals and brake lights.

LARSON: What about the maneuvering of the loads?

BRADD: There are approved routes for long loads to travel on.

LARSON: What about securing the loads?

BRADD: We don't have any additional requirements dealing with the securing not of loads.

SEN. MCCOY: What are the allowable limits?

BRADD: I will issue a permit up to 90 feet on some two lane highways.

CHAIR DUKES: Is the map that we had earlier this session on triple trailers applicable?

BRADD: Yes. Those routes and a few more.

SEN. PHILLIPS: This bill does not change anything that pertains to height, weight or width.

WORK SESSION ON SB 1201

MOTION: SENATOR TIMMS MOVES THE -2 AMENDMENTS TO SB 1201, DATED 5/1/91.

VOTE: HEARING NO OBJECTION, CHAIR DUKES SO MOVES.

MOTION: SENATOR TIMMS MOVES SB 1201 AS AMENDED TO THE FLOOR WITH A "DO PASS" RECOMMENDATION.

VOTE: IN A ROLL CALL VOTE, THE MOTION CARRIES, WITH ALL MEMBERS VOTING AYE.

TAPE 80, SIDE A

PUBLIC HEARING ON SB 1003

LARSON: Reviews the intent of SB 1003.

SEN. GENE TIMMS: Goes through SB 1003.

BILL DEIST, CITY OF JOHN DAY: Submits and reviews testimony (EXHIBIT B).

DICK TOWNSEN, LEAGUE OF OREGON CITIES: We support this bill.

320 SEN. SMITH: The focus of the bill used to deal with unusual circumstances, but it now includes everyday wear and tear. If we adopt this bill what will assure us that a city won't wait to fix a street until they are eligible for state grant money?

325 SEN. TIMMS: These small towns have many worn streets. This money should be used for all the roadways applicable.

330 SEN. BROCKMAN: On line 20, do really want to take that section out?

335 SEN. TIMMS: The wording, as it is now, is nebulous. The new language would better serve the small communities.

340 BROCKMAN: Seemed as if you were narrowing the scope with this language.

345 MCCOY: The terminology, "heavy and unusual traffic" would have a broad interpretation. Is that what happened?

350 DEIST: That is what happened. This term is relative to the size of the community.

WORK SESSION ON SB 1003

MOTION: SENATOR TIMMS MOVES SB 1003 TO THE FLOOR WITH A "DO PASS" RECOMMENDATION.

VOTE: IN A ROLL CALL VOTE, THE MOTION CARRIES, WITH ALL MEMBERS VOTING AYE.

PUBLIC HEARING ON SB 1103

LARSON: Reviews the -1 and -2 amendments. (EXHIBITS C AND D)

JIM HUNTER, MOTOR VEHICLES DIVISION: Submits and reviews testimony. (EXHIBIT E)

SEN. KENNEMER: Submits an article concerning trip permits. (EXHIBIT F) Trip permits have been a long time concern. Many people misuse them. I support the amendments.

330 CHAIR DUKES: Explains and asks for comment on the amendments introduced by Senator Dukes.

335 SEN. KENNEMER: We need to cover the costs. As a deterrent we may want to raise the prices.
I have no preference.
-Cites DEQ example as a legitimate use of a trip permit.

TAPE 79, SIDE B

HUNTER: Another example deals with a new Oregon resident who is titling their vehicles and must utilize a trip permit while they wait for the necessary paperwork to be processed.

SEN. DUFF: May this be used as a way to avoid DEQ?

SEN. KENNEMER: I'm trying to close that loophole.

CHAIR DUKES: The loophole that this bill tries to close deals only with uninsured motorists.

HUNTER: This bill would not change the limitations. We have had an inability to track the trip permits.

SEN. MCCOY: How far are you from being able to do this tracking?

HUNTER: The initial implementation take 2-3 years. The overall plan is set for 6 years.

44SEN. SMITH: What is an example of a legitimate use of a 120 day permit?

SEELY: A new resident that has the title of their car held by an out-of-state bank might need this amount of time to recover the title. The limits that were set well-knowing that the DMV or the Senate Transportation Committee at that time knew little about the uses of trip permits.

SEN. SMITH: Are we still unsure of how many legitimate uses exist?

SEELY: The main one is dealing with an out-of-state bank.

SEN. SMITH: What is the process for title transference for an individual who moves form one state to another?

SEELY: The title is sent to the DMV, then we issue an Oregon title and give it to the owner. There can only be one title to a vehicle at a time.

SEN. PHILLIPS: How are the trip permits effected by this legislation?

SEELY: The report that you are referring to showed the results of our surveys concerning trip permits.

SEN. PHILLIPS: Does the division feel there needs to be changes in the trip permit process?

HUNTER: Yes, we do. We need to find a way to allow for the legitimate uses, and restrict the abuses. This will be a good first step.

CHAIR DUKES: I think you will be in here asking for more restrictions later.

SEELY: This is a complex issue.

SEN. MCCOY: The delay in the update of computer is quite bothersome.

HUNTER: We need to start addressing this problem. One of the reasons is because the software is obsolete. It needs to be redesigned.

CHAIR DUKES: Will you still need 3 permanent staff positions?

HUNTER: The division feels that there will be a reduction in the number of trip permits issued. Depending on the extent of these reductions, we may be able to reduce staff numbers. We will not automatically hire these people.

229 SEN. SMITH: I would like to see how this plan has been implemented.

HUNTER: I will plan to come back next session.

DEL ISHAM, AUTOMOBILE CLUB OF OREGON: Trip permits should be used in extraordinary instances only. The concern we have deals with insurance. In the -1 amendments, section 2, we would like at the words "insurance policy" insert "or insurance binder". Insurance policy binders serve as a temporary proof of insurance.

SEN. SMITH: This might throw us back to same problem. If you can get a binder to satisfy the law, then we still haven't assured that these people stay insured.

CHAIR DUKES: Do you have any comment on a fee raise?

ISHAM: I think the trip permit should be discouraged.

CHAIR DUKES: We already have sufficient fees to handle all costs. Do you have any feelings as to the raising of the fees?

ISHAM: They should at least cover the costs.

SEELY: We have the authority to take binders.

WORK SESSION ON SB 1103

MOTION: SEN. SMITH MOVES THE -2 AMENDMENTS TO SB 1103.

VOTE: HEARING NO OBJECTION, CHAIR DUKES SO MOVES.

MOTION: SENATOR SMITH MOVES THE -1 AMENDMENTS TO SB 1103.

VOTE: HEARING NO OBJECTION, CHAIR DUKES SO MOVES.

MOTION: SENATOR SMITH MOVES SB 1103 AS AMENDED TO THE FLOOR WITH A "DO PASS" RECOMMENDATION.

VOTE: IN A ROLL CALL VOTE, THE MOTION CARRIES, WITH ALL MEMBERS PRESENT VOTING AYE.

PUBLIC HEARING ON SB 663

450 SEN. DUKES: Reviews SB 663. Submits and reviews the -2 amendments. (EXHIBIT G)

-The legislature should be involved with the restricting of longer combination vehicles. Citizens have a concern about the vehicles allowed on the road.

SEN. TIMMS: During the interim will we be restricting the LCV's?

SEN. DUKES: It's not likely.

CHAIR MCCOY: We could insert something into the bill that requires them to come to the interim committees.

SEN. DUKES: There are many legislators not on an interim committee who wanted to be involved in this legislation.

582 SEN. SMITH: We are dealing with different combinations of trucks. Why was this limited to length?

580 SEN. DUKES: I didn't include width, because I didn't think of it. And, we already have the weight tables in the statutes.

SEN. SMITH: It seems that 810.060 allows for lengths exceeding the limitations set forth in the statute.

DUKES: In specific situations over-width permits are available. My concern is that people are able create new combinations of vehicles without our consent.

BRADD: We adopted administrative rules to cover our permit process. This measure will limit our rule-making authority.

SEN. SMITH: What we are talking about is different than something that is currently permitted.

SEN. DUKES: Is there a need for the division to allow longer loads than are currently allowed?

BRADD: Yes, there is a need for permitting longer loads than are allowed by statute.

SEN. SMITH: The intent of the bill is to limit the rule-making authority to go any further.

SEN. SMITH: Through statute there are parameters even on permits. This doesn't interfere with permit process, but it attempts to keep the department from going beyond these limits.

SEELY: In section 3, page 5, line 3, our permitting ability starts.

SEN. DUKES: If you are currently able to issue a permit, then under this bill you will still be able to do so.

SEN. PHILLIPS: It seems that this bill is saying that legislature knows best. This decisions should be on a practical level, not a political.

CHAIR DUKES: The reason we had a hearing scheduled by ODOT on Rocky Mountain Doubles and Turnpike Doubles is because there was a deal cut between the Trucking Association and ODOT that if the trucking association gave their agreement on a bill, then ODOT would look in the interim at allowing these vehicles.

SEN. PHILLIPS: The system worked and you were able to stop this from happening.

CHAIR DUKES: It worked because I wasn't on vacation.

SEN. MCCOY: The people in the agencies do what is requested by the public through the legislature.

SEN. SMITH: I think it's appropriate to put these restrictions in place. I still wonder why we don't include weight and width requirements.

MIKE MERIDETH, OREGON TRUCKING ASSOCIATION: The current system works. There was no deal was cut between Trucking Association and ODOT. We are not interested in Turnpike Doubles. The weights are capped in statute at 105.5. The only way to change the limit is through legislation. The trucking industry is not interested in Turnpike Doubles.

SEN. DUKES: That won't stop what might come next.

ISHAM: I think that this is a reasonable proposal. Most legislatures in other states have control over the length of trucks.

TAPE 80, SIDE A

MOTION: SENATOR DUKES MOVES THE -2 AMENDMENTS TO 663

VOTE: HEARING NO OBJECTION, CHAIR DUFF SO MOVES.

MOTION: SENATOR DUKES MOVES SB 663 AS AMENDED TO THE FLOOR WITH A "DO PASS" RECOMMENDATION, WITH A REQUEST FOR RESCISSION OF THE SUBSEQUENT REFERRAL TO THE JUDICIARY COMMITTEE.

VOTE: IN A ROLL CALL VOTE, THE MOTION CARRIES, WITH SENATOR PHILLIPS VOTING NAY, SENATOR TIMMS AND BROCKMAN EXCUSED.

CHAIR DUFF: Adjourns the meeting at 10:14.

Submitted by,

Reviewed by,

Scott Marshall Ruth Larson
Committee Assistant Committee Administrator

EXHIBIT LOG
A - Senator Phillips, 1 page.

- B - Bill Deist, 1 page.
- C - Motor Vehicles Division, 1 page.
- D - Senator Dukes, 1 page.
- E - Jim Hunter, 2 pages.
- F - Senator Kennemer, 2 pages.
- G - Senator Dukes, 6 pages.