

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.

SENATE COMMITTEE ON  
TRANSPORTATION

May 14, 1991Hearing Room C  
8:00 a.m.Tapes 86-87

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

MEMBER EXCUSED:

VISITING MEMBER:

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

MEASURES CONSIDERED:SB 1064 - ,SB 859 - , HB 2864 - ,HB 2459 - ,

WITNESSES:

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TAPE 86, SIDE A

10CHAIR DUKES: Calls the meeting to order at 8:

RUTH LARSON, COMMITTEE ADMINISTRATOR: Reviews the agenda for today's meeting.

PUBLIC HEARING ON HB 2459

Harl Hoss, Circuit Judge: In favor of HB 2459. There has been a gradual growth of concern over the proceedings of the law field. I have had contact with solicited people, as an intrusion of privacy.

WORK SESSION ON SB 859

100 SEN. BUNN: Submits and reviews the -7 amendments to SB 859 (EXHIBIT A).

177 CHAIR DUKES: reference to stickers.

BUNN: scrap off the sticker is an offense. must remain. the number of vehicles stopped on second arrest.

193 JOAN PLANK, DMV: 13,000 vehicles affected. that many would receive stickers

212 BUNN: that alone indicated the size of the problem.

222 SEN. SMITH: refer to motor vehicle to sheriff.

BUNN: one of the major changes in the amendments. the county sheriffs are set up to deal with the seizures

SEN .SMITH: need to say which sheriff

BUNN: conceptual hand-engrossed version. if sheriff is sufficient

250 PLANK: it's doable. there will be provisions added to make people pay for new plates. we took a stab at the fiscal - 80,000 for processing, and 2-3 positions

DUKES: still have to notify people.

PLANK; additional work in dealing with prohibited sellers selling.

PHILLIPS: referral to another committee. the faster the better, this bill gets at the issue well.

DUKES: without the fiscal a little reluctant.

PHILLIPS: even if the max. fiscal - the bill is still well conceptually

SMITH: I agree with Phillips. I'm sure we will know the fiscal before it goes thru all the channels.

SMITH: how long will it take to get a fiscal?

PLANK: once we get the final draft, it's fast.

MCCOY: we already have an estimate.

motion: sen.phillips -7 amends to SB 859.

carries

391 wrk session on 1064

LARSON: explains status of SB 1064. Submits and reviews -2 amendments  
(EXHIBIT B)  
tape 87, side a

PAUL , ODOT: hazardous substance. ors . in addition to conducting the study  
the commision  
should get on with naming safe routes. the bill reflects the concerns  
expressed earlier.

AMCCOY: is the 10000 violation fine adequate?

PAUL: I think it is.

TIMMS: the defn of hazardous sub in ors ?

PAUL: 457, 458 references 457. we brought in federal defn. proposed sect 3  
deals with the  
transport of certian sub. we need feedback in interim.

86TIMMS:

96PAUL: allows for the flexibility that addresses your concern

TIMMS; nervous about administrative rules?

PAUL: we would rept back to the comittee,

SMITH: house comm. this interim.?

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DUFF: need to go to various locations in the state

PAUL: we agree.

SMITH: everybody is concerned.

PAUL: they were well attended. oiur fiscal

DUFF:

137 DUKES: are we goig to be restricted to those routes that you choose?

PAUL: ultimately, yes. next session we will find a way to inform the public  
of the designated  
routesa.

DFUKES: the signing

PAUL: it is unlawful to transport hazardous mat thru the tunnel on sunset.

DUKES: consider referral to judic.

motion: sen. smith adoption of -2 amendments moves to judic.

vote: carries

PAUL: it is an activity authorized by our rules. we are atill proceeding with the doc buying in to this. we are at 50-50 whether fed. funds are available.

DUKES: it would be additional less money in the road fund

yes

MCCOY: where did the 100000 figure come form

PAUL:

SMITH: these are temp. positons?

PAUL: correct.

work public hearing on HB 2864

TOM BRAD, state highway div.: submits and reviews testimony (EXHIBIT C).

DUKES: presently we require half mile access?

BRAD: yes.

SMITH: if this bill passes what will this bill allow? building road to permit access

BRAD: we are going to review the reasonable access of roads

SMITH: yoiu will designate which are safe?

BRAD: yes. also hwere they cannot go. there are three types - double, specialized - auto & boat transporters.

DUKES: youe will establish the procedures for determining the alowan\bles?

BRAD:

DUKES:

362 BRAD: antything we do by administrative rule can be reviewd anytime. we are addresssing the narrow issue of resonable acces

MCCOY: what do you mean b y the cities and counties got to together?

BRAD:

MCCOY: you met with the

BRAD: no. we met with the league of Oregopn cviteies

DUKES: what happens if we cont pass this?

BRAD: we wont be aSB ale to designate safe vs nonsafe.

DUKES:

TIMMS: explain the 1 mile?

BRAD: any location 1 mile have to provide access. this fed. requirement is for the state as well as the city and county.

tape 87, side b

PAT URLICK, LEAGUE OF OREGON CITIES: we ahve looked at the proposed leg. it has been endorsed by aloc.

WORK SESSION ON 2864

MOTION: duff moves to the floor with do pass

LARSON: explains

REP. BILL DWYER: stop ambulance chasing. in terms of voter registration - cnanot be used for commercaill purposes. has nothing to do with the first amendment rights. should not be sold for these purposes. In Florida, some get 30 letters.

EDWRD L. CLARK, LAWYER: It is a wicked business. People are imposed on during time of bereavement. We get personal injury case through personal contacts. Would be appropriate for leg. to halt this practice.

CHARLES BURT, OTLA: Submits testimony. (EXHIBIT D)

CHARLES WILLIAMSON: Submits article and Kahn's testimony (EXHIBIT E & F).

MCCOY: no amendments.

WILLIAMSON: tha acleo has some concerns we will try tpo

PHILLIPS: is there any other recoginize attornys in support?

WILL: defense. this deals with accident reports.

BILL BERHANZEL, : Submits testimony (EXHIBIT G).  
-Discusses the accident victims

SMITH: tv ads

BERHANZEL: letters are less intrusive.

SMITH: this bills deals with the government selling records.

BERHANZEL:

PHILLIPS: are you an attorney?

no

PHILLIPS: ?

BERHANZEL: generally insurance comp.

PHILLIPS:

BERHANZEL: working for ins. and attorneys - for public access.

tape 87, side b

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259 DUFF: any evidence ?

275 BERHANZEL: reduced rates at least 2

DUFF: any statistical evidence.

BER:

PHILLIPS: you felt across the board reductions - but

BERHANZEL:

PHILLIPS: new defn of supply and demand

DON REED: Discusses history in law. there are other ways to take care of this problem. represent a large majority of minorities and "wall flowers"

SMITH: protect the rights - if they have tv the y have attorneys telling them their opportunities.

REED: letter can be read slowly by esl folks. less educated or the shy. the big firms will not represent the low income cases. many are not aware of the rights under insurance policy. my letters are tasteful and serve a good role in society. there will be people who will not recieve help. I take on tough cases, the big firms generally wont.

MCCOY: who are you with an where are you from?

REED: Reed law firm in Tigard.

wrk session on HB 2459

SMITH moves to judic

DUFF: goes over letter

adjourns at 9:55