

Senate Committee on Transportation
June 6, 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

June 6, 1991Hearing Room C
8:00 a.m.Tapes 103 - 104

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: HB 2879 - Enacts Boating Offense Compact. SJR12 -
Allows proceeds
from specially dedicated fuel tax to be used for state parks. HB 3135 -
Authorizes renewal by mail
of certain permits. HB 2904 - Allows use of farm vehicle registration or
farm vehicle proportional
registration when transporting straw that was not originally grown by
farmer on farmer's own land.
HB 3428 - Allows amber strobe lights as warning lights on mail delivery
vehicles. HB 2744 -
Authorizes restored registration plates for use on special interest
vehicles. HB 3249 - Establishes
regulations for use of tinted windows on vehicles. HJR 27 - Includes
traffic patrol by Department
of State Police within authorized uses of highway fund moneys, upon voter
approval of amendment
to Oregon Constitution at the next primary election.

WITNESSES:

Senator Jeannette Hamby, District 5
Representative Tom Novick, District 16
Representative Eldon Johnson, District 51
Senator Frank Roberts, District 9
Joan Plank, Motor Vehicles Division
Norm Meyers, Public Utility Commission
Don Schellenberg, Oregon Farm Bureau
Merle Gerke, Citizen
Sharon Schrenck, Citizen
Representative Bob Repine, District 49

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TAPE 103, SIDE A

CHAIR DUKES: Calls the meeting to order at 8:33.

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

PUBLIC HEARING ON HB 3428

SENATOR JEANNETTE HAMBY, DISTRICT 5: Submits and reviews the -3 and -4 amendments. (EXHIBITS A & B) We are amending HB 3428 to deal with the boom box problem.

CHAIR DUKES: Sen. Hamby's bill did pass through this committee before. On the floor it was sent to the Judiciary and it died there.

SEN. PHILLIPS: There needs to be coordination with the Senate President on this type of move.

CHAIR DUKES: We should not intentionally inflame the House members, which this is not. If this is a major problem it will come back.

REPRESENTATIVE TOM NOVICK, DISTRICT 16: We would like the House to look at this bill again. The urban growth boundary restricts the jurisdiction of this bill. There were hunters wanting to play music in the woods, so this answers their concerns.

SEN. SMITH: Do the -4 amendments deal with the urban growth boundary?

REP. NOVICK: Yes, they do.

REPRESENTATIVE ELDON JOHNSON, DISTRICT 51: I support the new amendments.

SEN. TIMMS: What was the vote that sent it to the Senate Judiciary Committee?

REP. NOVICK: 35 - 21. Several of those who voted to sent it there wanted some problems fixed and have it sent back out.

SEN. PHILLIPS: Is there any opposition to the amber lights in the House?

JOHNSON: None. It passed 59 - 0.

WORK SESSION ON HB 3428

MOTION: SENATOR SMITH MOVES THE -4 AMENDMENTS TO HB 3428.

VOTE: HEARING NO OBJECTION, CHAIR DUKES SO MOVES.

MOTION: SENATOR SMITH MOVES HB 3428 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. SENATOR MCCOY WAS ABSENT.

WORK SESSION ON HB 3135

LARSON: Reviews the status of HB 3135. Submits the -11, -13, -14, -16 amendments. (EXHIBITS C, D, E, F)

SENATOR FRANK ROBERTS, DISTRICT 9: I would like to see the -1, -12, -14 and the -16 amendments adopted. The -16 amendments are intended to make renewal subject to a physician's certification. They don't take out "permanent".

CHAIR DUKES: What would someone who is disabled and in a long recovery situation have to do?

SEN. ROBERTS: They would have to go back and renew every six months.

CHAIR DUKES: Under this bill there is a differentiation between permanently disabled or simply disabled.

252 JOAN PLANK, MOTOR VEHICLES DIVISION: Would you want a person who wasn't permanently disabled, but would be disabled over 6 months, to have to get a new doctor's certificate upon renewal?

CHAIR DUKES: I think that is reasonable.

PLANK: I think this will cause a lot of confusion. The public won't be sure what they are supposed to do. The doctor will have to figure it out. It is more difficult administratively to figure out what type is being renewed. The only situation where there would be a problem is when a person lies to us.

CHAIR DUKES: Isn't it possible to make a notation on the computer that a person is permanently disabled?

PLANK: That is possible. It will take more time for the customer to get through the process.

CHAIR DUKES: Are the computers used when a person comes in to get a permit renewed?

PLANK: We make sure that there is something on file. This bill allows for a non-photo ID card issued by the Motor Vehicles that assists those that are unable to get to a DMV office.

CHAIR DUKES: How do we get to the point of using the computer?

PLANK: The new computer system is coming along. The reality is we don't have that information at our fingertips.

CHAIR DUKES: In order to allow permanently disabled persons to not have to go to the doctor every time for renewal, must we require people who may not be permanently disabled to renew every six months?

PLANK: Yes.

SEN. ROBERTS: There are two kinds of permits - one for permanently disabled with a doctor's certification and a second provided for in HB 3135 which allows the issuance of a permit to a temporarily disabled person.

TAPE 104, SIDE B

SEN. ROBERTS: We can leave the existing language in and they can renew every 3 months.

LARSON: Currently, a person can get a temporary permit for 6 months. With a doctor's okay, that person can get a 3 month extension. Under this bill, the 3 month extension would be eliminated.

SEN. ROBERTS: Can the 6 month permit be extended under this provision?

PLANK: Yes. You must apply for another temporary permit.

SEN. ROBERTS: The permanent classification is the one that needs to be renewed every 4 years. If the disability has been certified as permanent by a doctor you don't have to see the doctor again.

CHAIR DUKES: I thought we had a category of people who were not permanently disabled that didn't have to go in every six months.

SEN. ROBERTS: We don't have one like that. It would be difficult without a doctor's verification.

CHAIR DUKES: It seems a notation on the computer would work.

SEN. ROBERTS: On page 2, we could add an extension with a doctor's certificate of some period of time. If the person is only temporarily disabled, he needs to be checked intermittently.

PLANK: Prior to the legislation passed last session doctors were verifying the person's state.

SEN. ROBERTS: It has been proposed that in the original application a person checks whether they are temporarily or permanently disabled.

LARSON: Will you require the doctor to check one of those two?

PLANK: The doctor must indicate.

CHAIR DUKES: Where is the money for the computer?

PLANK: Our budget includes about \$6 million to start the computer program. It has passed both Houses and has been signed by the governor.

SEN. ROBERTS: The -14 amendments are the towing provisions. They provide for an alternative, that one can have arrangements with a towing company or one can deputize citizens to patrol.

SEN. DUFF: A parking facility owner must be aware that they have the two options.

SEN. ROBERTS: Recites the clause relating to this option.

SEN. DUFF: Another concern is ensuring that the lot owner is aware of who are the volunteers.

SEN. ROBERTS: I don't think that is necessary. It would be up to the jurisdiction to inform the public.

SEN. DUFF: Don't you think it is necessary that the owner of the lot is contacted?

CHAIR DUKES: That could be done conceptually.

SEN. ROBERTS: The language could be inserted.

SEN. TIMMS: What is the definition of a parking facility?

JOSE MATA: ORS 447.210, subsection 9, defines public buildings.

SEN. TIMMS: My concerns are that for the smaller communities a volunteer force may be scarce, and that there may not be a local towing service. Who will hire the volunteer patrol?

SEN. ROBERTS: The local police.

JOSE MATA: There are certain size requirements. The location must have at least 4,000 square feet, and they must have from 6 - 25 parking spaces.

MOTION: CHAIR DUKES MOVES THE -1 AMENDMENTS TO HB 3135.

VOTE: HEARING NO OBJECTION, CHAIR DUKES SO MOVES.

LARSON: Explains the -14 amendments.

MOTION: CHAIR DUKES MOVES THE -14 AMENDMENTS TO HB 3135.

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

CHAIR DUKES; Explains the -12 amendments.

SEN. TIMMS: Does current law require a sign in a lot with 6 - 25 spaces?

MATA: Yes.

MOTION: CHAIR DUKES MOVES THE -12 AMENDMENTS TO HB 3135.

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

MATA: Explains the -15 and the -16 amendments.

TAPE 103, SIDE B

SEN. ROBERTS: The purpose of the -15 is to keep the permanently disabled from having to go back to the doctor a second time.

MOTION: SENATOR SMITH MOVES THE -16 AMENDMENTS TO HB 3135.

VOTE: HEARING NO OBJECTION, CHAIR DUKES SO MOVES.

SEN. ROBERTS: There is a problem dealing with disabled motorcyclists. The placards are susceptible to thievery.

PLANK: We can issue a plate or a sticker. Last session plates were taken away due to potential abuse.

MOTION: SENATOR SMITH MOVES HB 3135 AS AMENDED TO THE FLOOR WITH A "DO PASS" RECOMMENDATION.

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

SEN. BROCKMAN: Gives notice of a possible minority report.

WORK SESSION ON HB 2879

123 LARSON: We have requested amendments that puts an effective date of June 30, 1992.

MOTION: SENATOR PHILLIPS MOVES THE CONCEPTUAL AMENDMENTS WITH THE EFFECTIVE DATE OF JUNE 30, 1992.

VOTE: HEARING NO OBJECTION, CHAIR DUKES SO MOVES.

MOTION: SENATOR PHILLIPS MOVES HB 2879 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. SENATOR BROCKMAN WAS ABSENT.

WORK SESSION ON SJR12

SEN. PHILLIPS: Submits and explains the -1 and -2 amendments. (EXHIBITS H & I)

MOTION: SENATOR PHILLIPS MOVES THE -2 AMENDMENTS TO SJR12.

VOTE: HEARING NO OBJECTION, CHAIR DUKES SO MOVES.

MOTION: SENATOR PHILLIPS MOVES SJR12 AS AMENDED TO THE FLOOR WITH A "DO PASS" RECOMMENDATION WITH A REQUEST TO RESCIND THE SUBSEQUENT REFERRAL TO REVENUE.

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

PUBLIC HEARING ON HB 2904

LARSON: Explains the intent of HB 2904.

243 NORM MEYERS, PUBLIC UTILITY COMMISSION: Submits and reviews testimony. (EXHIBIT J)

DON SCHELLENBERG, OREGON FARM BUREAU: Submits and reviews testimony. (EXHIBIT K)

SEN. SMITH: When you start hauling with exemptions you are entering into a different business.
Why should you be allowed to haul under different rules?

SCHELLENBERG: This type of hauling is allowed, but only in exchange for some equipment work. This bill opens it up to grain or straw.

MERLE GERKE, CITIZEN: We work together in order to survive. Farm equipment is expensive. This is a barter system that allows us to stay in business.
-Cites case of PUC citation for hauling of potatoes in exchange for products.

TAPE 104, SIDE B

GERKE: We can't hire the trucking industry to haul potatoes, because they don't have potato trucks.

SCHELLENBERG: We are dealing with other products in addition to straw.

SEN. DUFF: This legislation is needed to clarify the situation.

SCHELLENBERG: Continues reading through testimony.

SHARON SCHRENCK, CITIZEN: We don't own the land on which we grow the straw, but it is our straw.

PUBLIC HEARING ON HB 2744

LARSON: Explains the intent of HB 2744.

PLANK: We support the bill. Submits testimony. (EXHIBIT L)

REPRESENTATIVE BOB REPINE, DISTRICT 49: Vintage plates can be acquired through a variety of sources. Our law does not allow for anyone besides the state to produce, in a sense, these plates.

CHAIR DUKES: I thought that the old plates could not be retained.

PLANK: They would only be allowed on special interest vehicles.

CHAIR DUKES: What is a special interest vehicle?

PLANK: It is 25 or more years old, sanctioned as a special interest vehicle by an established organization, and its uses are restricted to certain activities.

WORK SESSION ON HB 2744

MOTION: SENATOR PHILLIPS MOVES HB 2744 TO THE FLOOR WITH A "DO PASS" RECOMMENDATION.

VOTE: IN A ROLL CALL VOTE, THE MOTION CARRIES, WITH ALL MEMBERS PRESENT VOTING AYE. SENATORS DUFF AND SMITH WERE ABSENT.

CHAIR DUKES: Adjourns the meeting at 10:09.

Submitted by, Reviewed by,

Scott Marshall Ruth Larson
Committee Assistant Committee Administrator

EXHIBIT LOG

- A - Sen. Jeannette Hamby, 3 pages.
- B - " " " " " ", 3 pages.
- C - staff, 1 page.
- D - staff, 3 pages.
- E - staff, 1 page.
- F - staff, 3 pages.

G - staff, 2 pages.
H - staff, 1 page.
I - Norman Meyer, 2 page.
J - Don Schellenberg, 2 pages.
K - Joan Plank, 1 page.