

**OREGON TRANSPORTATION PLAN UPDATE**  
**Transportation Safety Issues**

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# OREGON TRANSPORTATION PLAN UPDATE

## Background Paper

### Transportation Safety Issues

#### Overview of Safety Problems

“Motor-vehicle crashes are the leading cause of death of Americans between the ages of 2 and 40.”<sup>1</sup> In terms of human and economic costs, experts say that the total annual cost of highway crashes in 2000 was \$231 billion.<sup>2</sup> Nationally, highway fatalities total almost 43,000 annually; more than three million people are injured each year. Although the fatality rate has significantly been lowered from 3.2 deaths per 100 million vehicle miles of travel (VMT) in 1980 to 1.51 in 2002, the number of deaths has risen because of the increase in population and miles traveled.

The U.S. Department of Transportation (USDOT) and the American Association of State Highway and Transportation Officials (AASHTO) have adopted a national goal of reducing the highway fatality rate to 1.0 per 100 million VMT by 2008. This reduction would save 9,000 lives per year from today’s levels.<sup>3</sup>

The number of crashes and fatalities in Oregon has declined to lower than the national average for the first time since the late 1950s. In 2002 Oregon had a fatality rate of 1.26 per 100 million VMT; 436 people were killed in motor vehicle crashes. The number of those injured in crashes dropped from 35,402 in 1997 to 26,972. That is a drop from 112.29 injuries per 100 million VMT in 1997 to 80.37 in 2002 in spite of the fact that during the same period the number of licensed drivers and number of vehicle miles traveled increased.

In 2002, 90 percent of Oregon drivers used safety belts, an improvement during the previous five years of 3.4 percent. According to an Oregon Department of Transportation (ODOT) Transportation Safety Division study, 97 percent of children under four years old were riding in some type of restraint system, but inspections revealed that only 14 percent of them were using proper types of restraints. Only 29 percent of children required to use booster seats were doing so.

Impaired driving and speed are major causes of fatalities in Oregon. Alcohol-related fatalities involve cars, trucks, motorcycles, bicyclists and pedestrians. The Transportation Safety Division reports that 2002 data from the Fatality Analysis Reporting System

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<sup>1</sup> Jeffrey Runge in *National Highway Safety Forum Proceedings*, American Association of State Highway and Transportation Officials, June 2003, p. 3.

<sup>2</sup> Ibid.

<sup>3</sup> Introduction, Ibid., p. 1.

(FARS), based on police, medical and other information, show that about 46 percent of all traffic fatalities were alcohol and/or drug-related.<sup>4</sup>

The Transportation Safety Division found that motorcycles were involved in 7.5 percent of the fatal crashes but only represented 2 percent of the total vehicles registered in 2002. Alcohol and other drugs were involved in almost 54 percent of motorcycle fatalities.<sup>5</sup>

About 13 percent of the nation's deaths on highways in 2002 were the result of crashes involving commercial motor vehicles. However, the number of truck-related deaths has decreased over the past five years. A disproportionate number of crashes involve companies new to the industry. Truckers also have a lower rate of using seatbelts.<sup>6</sup>

In Oregon, the 2001 crash rate for commercial motor vehicles was 0.635 per million VMT, an increase over the previous five years, but the number of fatalities involving commercial motor vehicles declined to 66. Commercial motor vehicles were involved in 1,036 crashes; 49 percent were caused by the truck driver; of these 3 percent were because of mechanical problems.

In 2002 bicyclists were in 658 crashes involving motor vehicles on Oregon roadways, almost 11 percent less than in 1998. Six bicyclists lost their lives in crashes. The number of children wearing bike helmets correctly declined from 56 percent in 1998 to 48 percent in 2003. Almost 600 pedestrians were injured and 48 were killed in motor vehicle crashes that year. Both numbers were down from those in 1998 and represented the lowest totals since 1944.

Twenty-five highway and rail at grade incidents occurred in 2002, a 24 percent decline from 1998. However, the number of collision incidents involving Oregon's four major public transit agencies in 2001 increased to 217.

Air travel is one of the safest modes of transportation available; however, one serious accident can result in a large number of fatalities. In 1999, major commercial airlines had an accident rate of 2.9 accidents per million flight hours in the U.S. General aviation accident rates were considerably higher with 64.1 accidents per million hours flown in the U.S. Oregon experienced 41 general aviation accidents in 1999, slightly below the average number of annual accidents from 1989 to 1997.

Reducing crashes and fatalities saves lives and reduces injuries and economic costs to families and society. Troy Costales, Administrator of the Transportation Safety Division, has estimated that each traffic fatality costs an average of \$1 million in lost wages, lost productivity and costs associated with the crash and death. Each traffic-crash injury costs an average of \$50,000 in lost productivity, medical bills, rehabilitation and other costs.

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<sup>4</sup> ODOT, Traffic Safety Division, *Oregon Traffic Safety Performance Plan, Fiscal Year 2004*, p. 27.

<sup>5</sup> *Ibid.*, p. 39.

<sup>6</sup> Annette Sandberg, *Forum Proceedings*, p. 5.

This paper examines safety programs and issues at the state level for the purpose of identifying policy gaps that can be addressed in the update of the Oregon Transportation Plan. The information is drawn from interviews with the ODOT safety program managers and associated Websites and published material.

Generally, safety countermeasures focus on drivers, vehicles, infrastructure changes, enforcement and emergency medical services. This paper will focus on the first four. The process begins with data.

## **Crash Data**

Identifying safety problems involving motor vehicles starts with the crash reports collected by the Accident Reporting & Insurance Verification Unit of the ODOT Driver and Motor Vehicles Division and data compiled by the Crash Data Unit of the Transportation Development Division.

### **Collection of Data at Driver and Motor Vehicles (DMV)**

The process for collecting crash data involving a motor vehicle begins when a driver or law enforcement officer reports on an accident. Until January 1, 2004, the threshold for reporting was defined as an accident where \$1,000 worth of damage was done to any one person's property or there was any injury or a death. The 2003 Legislature changed the reporting requirements so that the threshold is:

- Damage to the driver's vehicle over \$1,500;
- Injury (no matter how minor);
- Death;
- Damage to any one person's property over \$1,500; or
- Any vehicle involved in an accident where a vehicle is towed from the scene as a result of damages.

The non-damaged driver no longer has to file an accident report if none of the other reporting requirements are met (i.e. injury, death or towed vehicle).

Public transit vehicle, bicycle and rail crashes are required to be reported to ODOT only if the incident involves a motor vehicle. The same criterion applies to Segways and scooters. Bicycle-only crashes are not reported at all. Recreational vehicle accidents (ATV's and off-road motorcycles in recreational areas) need to be reported only if the vehicles were on a public roadway or property that is open to vehicle travel.

Oregon relies heavily on driver self-reporting while many other states rely more on law enforcement agencies for reporting accidents. Approximately two-thirds of all accident reports are obtained from self-reporting. Police reports are the other major source. Self-reporting inherently leads to some accidents not being reported, but it is hard to

determine accurately how many are missed. Studies, including some of Oregon data, estimate that as much as 50 percent of actual crashes are not reported. Most of these crashes are minor.<sup>7</sup>

Crash reports include information on accident time and location, the driver, the vehicle, insurance policies, other vehicles involved, crash characteristics and conditions, vehicle damage, and injury characteristics.

Once the Accident Reporting & Insurance Verification Unit of DMV receives an accident report, the information is processed:

- The Accident Reporting & Insurance Verification Unit sorts the accident reports by crash date and the county of crash location.
- The unit matches and codes accident reports and posts the applicable information to the individual driving record.
- The unit verifies possession of insurance through an insurance database that contains information from 80 to 90 percent of insurance companies. The unit sends a request for verification to the insurance company if insurance status cannot be verified from this database.
- The unit takes suspension action on those drivers involved in an accident who have not submitted their accident report to DMV. Drivers are notified that if they do not report and furnish insurance information within 30 days, their driving privileges will be suspended.
- Once all drivers involved in the accident have reported the necessary information, the accident files are sent to the Crash Data Unit for data capture and entry into ODOT databases. The process at DMV takes 45-60 days.
- When the Crash Data Unit has completed its work, the unit returns the accident files to DMV where they are maintained for 5 years.

All crash site verification and data additions are done while the files are at the Crash Data Unit.

### **Reporting Crash Data at the Transportation Development Division**

The main responsibility of the Crash Data Unit is coding and reporting information about motor vehicle crashes. The Crash Data Unit manages:

- The motor vehicle crash database
- A specialized truck database that can rate the safety of motor carriers
- The FARS database of fatal motor vehicle crashes

The Crash Data Unit receives the motor vehicle accident information that meets the reportable threshold from DMV and receives initial notice of fatal crashes with basic information from the Law Enforcement Data (LED) system. The unit collects additional

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<sup>7</sup> S. Malik, R.L. Bertini, C. Monsere, “Crash Data Reporting and Analysis—An Oregon Case Study,” Presented at the Annual Meeting of ITE, Seattle, WA. [date?]

information for fatal crashes from sources including medical examiner findings, death certificates, accident reconstruction, and ODOT district offices.

As the data are entered into the system, the Crash Data staff determines and assigns applicable codes reflecting what happened and who was at fault during the crash. A fatality is only considered a result of the crash if the death occurs within 30 days of the incident.

The unit collects crash information for all public roads, not just the state highway system. The state does not collect information on incidents that occur on private property including parking lots. State and local agencies, the legislature, the media and others use the information.

- **Policy Gaps, Concerns and Emerging Safety Issues**

In an interview,<sup>8</sup> Donna Damme, Accident Reporting Manager, and Cheryl Spicer, Technical Assistant of the Accident Reporting & Insurance Verification Unit, suggested that training for law enforcement officers and insurance agents in how to report accidents under the new reporting statute should be increased. A law enforcement task force has requested an electronic format for the crash report to make it easier to complete the report and for the ODOT offices to read the information.

### **ODOT Safety-Related Programs**

ODOT divisions have a wide spectrum of transportation safety responsibilities ranging from major responsibilities involving highway safety education, engineering and enforcement to indirect responsibility for public transit safety issues.

#### **Transportation Safety Division**

According to the draft 2004 Oregon Transportation Safety Action Plan, “The Transportation Safety Division organizes, plans and conducts a statewide transportation safety program by coordinating activities and programs with other state agencies, local agencies, non-profit groups, and the private sector. It serves as a clearinghouse for transportation safety materials and information, and cooperates and encourages research and special studies to support legislative and new programs.”

The division operates the following program areas:

- Statewide operations (information, education, planning and legislation)
- Field programs
- Bicyclist safety (information, education, support for local community efforts)

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<sup>8</sup> Carolyn Gassaway and Michael Rock, OTP staff, conducted all interviews from October to December 2003.

- Commercial vehicles (through Motor Carrier Transportation Division)
  - Driver education (support for driver education instruction, legislation, rules)
  - Employer safety (information and outreach to reduce at-work vehicle crashes)
  - Impaired driving (information, training, legislation and targeted enforcement)
  - Motorcycle safety (information, training and education)
  - Pedestrian safety (information, training and enforcement)
  - Police/traffic law enforcement (financial support for enforcement, training and, legislation)
  - Roadway safety (training, minor engineering projects and enforcement)
  - Safety belts (information, training, enforcement, and provision of child seats)
  - Safe communities (funding of community-level traffic safety programs)
  - Vehicle equipment and standards (information and state rule-making)
  - Work zone safety (education and enforcement)
  - Youth safety (information, education, legislation and training)
- **Process for Planning and Implementing the Program**

Guidance to the Transportation Safety Division comes from the five-member Governor-appointed Oregon Transportation Safety Committee, which is advisory to the Oregon Transportation Commission. The Committee is guiding the update of the Oregon Transportation Safety Action Plan (TSAP), a long-term plan for safety programs. Actions in the 1995 Transportation Safety Action Plan have implemented the Safety Policy in the Oregon Transportation Plan. The division is updating the 1995 Plan now because about 65 percent of its objectives have been completed or addressed, and the causes of injury and death due to transportation have changed over time. As a part of the update process, the division conducted meetings throughout the state from April to July 2003 to identify safety problem areas; the division expects to complete the plan in spring 2004.

Year-to-year programs and projects are based on the more detailed Oregon Traffic Safety Performance Plan required by the federal grant programs. All program goals and performance measures must link to the priorities established in the TSAP. The Performance Plan is based on a detailed problem analysis involving a broad spectrum of state and local agencies and special interest groups. The analysis uses motor vehicle crash data, survey results, program analysis and other data to help identify problems. Programs and projects are designed to impact problems identified through this process. Then the division holds meetings on program development and project selection with professionals in the program areas as well as public meetings around the state. A selection panel and the division staff choose projects that respond to identified problems, have potential for impacting performance goals and meet other criteria.

- **Funding**

The Transportation Safety Division receives much of the funding for these programs from the National Highway Traffic Safety Administration (NHTSA) and Federal Highway Administration (FHWA). Revenues from state and other sources account for the remaining funding. Anticipated legislatively approved funding for Fiscal Year 2004

totals \$14.6 million; \$9.2 million of this comes from NHTSA and FHWA block grants. This funding level allows the Transportation Safety Division to address the “high peaks” of major safety issues in the state.

Under current funding, the division administers more than 550 grants and contracts each year. These grants and projects are independent of the Statewide Transportation Improvement Program. Some areas cannot be funded with current revenues, for example, a program for employers.

- **Policy Gaps, Concerns and Emerging Issues**

In an interview, Troy Costales, Administrator of the Transportation Safety Division, and Walt McAllister, Manager of the Transportation Safety Action Plan Update, identified a number of emerging safety issues:

1. There needs to be a more comprehensive safety database. Data linkages between departments (especially the emergency management system and law enforcement systems) would benefit analysis and enforcement. Additional data should be collected, a citation tracking system, for example.
2. Staff reduction in law enforcement agencies across the state has hurt transportation safety. By November 2003, Oregon fatality statistics were 35 deaths worse than during the last 4 or 5 years. One hypothesis is that a noticeable increase in crashes corresponds to cuts in the Oregon State Police and local law enforcement agencies.
3. Speed enforcement will be a key focus area in the future. Speed is a contributing factor to a large portion of highway crashes and will be a hot issue with legislation permitting speed limit changes.
4. An emerging rural issue, which may become an urban issue, is that emergency responders who are primarily volunteers face new demands and educational requirements that may result in many volunteers leaving service. Equipment in poor condition and higher standards for new equipment has meant increased expenses for many emergency service providers. This is primarily a human services issue at this point.
5. The federal reauthorization bills may increase federal control over safety issues. The federal government has identified some focus areas including reducing traffic crash deaths and increasing safety belt use.
6. AASHTO and other organizations are setting a goal of reducing motor vehicle fatalities to 1.0 per 100 million VMT. Some are looking at target zero policies as is done in Sweden (see page 22).

7. Funding at most levels will continue to be focused on road infrastructure improvements. It is important to continue to adequately fund other transportation safety programs.
8. The reauthorization of TEA-21 may require states to develop a Strategic Safety Plan. The existing 1995 Oregon Transportation Safety Action Plan puts Oregon in line with any federal funding or planning requirements that are likely to come out of the reauthorization process.

### **Bicyclist and Pedestrian Safety Program**

The bicyclist and pedestrian safety program operates as part of the Transportation Safety Division. Through the Bicyclist and Pedestrian grant program, the division awards about \$280,000 annually for education, enforcement and information from NHSTA funds.

The program encourages bicyclist and pedestrian safety through:

- Public information programs
- Information and education programs for targeted audiences including school presentations
- Law enforcement and law enforcement training
- Technical assistance to local and regional jurisdictions
- Grant programs

While there is always more that can be done to increase safety, bicyclist and pedestrian funding levels are better than they have been in the past.

The program focus is developed in the same process as that of the rest of the Transportation Safety Division. The Oregon Bicycle and Pedestrian Advisory Committee also comments on safety problems that should be addressed through the Bicyclist and Pedestrian Safety Program and grants.

Although the Transportation Safety Division looks at injury data to identify causes, hot spots and unsafe roadway characteristics, more analysis of bicyclist and pedestrian incidents is needed. Michael Ronkin, the Bicycle/Pedestrian Program Manager, is working on a GIS/field analysis of 5 years of bicyclist and pedestrian injuries and deaths on state highways to evaluate roadway design features in respect to these incidents. The Transportation Safety Division is working to obtain bicycle and pedestrian trip data.

#### **• Policy Gaps, Concerns and Emerging Issues**

In an interview, Rick Waring, Bicyclist/Pedestrian Safety Program Manager, discussed the following concerns:

1. The poor health status of the younger generation may lead to further stresses on the health care system. There may eventually be a public outcry to provide facilities that

enable healthy activities and lifestyles. ODOT, through the OTP, could take a proactive stance on this issue and establish a philosophy to encourage a change in this trend by “providing safe facilities for healthy activities.”

2. As other causes of injury are addressed, vehicle design issues are becoming more of a concern. Larger vehicles, such as SUVs and trucks, are very hazardous to bicyclists and pedestrians.
3. Oregon needs more marked pedestrian crossings where crossings could prevent crashes or save lives, but many jurisdictions are reluctant to install marked crosswalks due to liability concerns.

### **Driver and Motor Vehicles**

DMV is responsible for licensing drivers and vehicles and improving driver behavior in addition to collecting crash information. Potential drivers age 18 or older must pass a vision screening test, a driving knowledge test and a behind-the-wheel drive test in order to obtain a driver’s license. A person who is 16-17 years old can obtain a provisional driver’s license and drive with some restrictions. In addition to the above tests, the teen driver must have an instruction permit from Oregon or another state for at least six months, have at least 50 hours of supervised driving practice and complete an approved ODOT driver training course. Provisional licenses are restricted until the driver is 18 or has had the license for one year, whichever comes first. The restrictions apply to driving with passengers and driving at night.

All Oregon drivers are subject to the provisions of the Driver Improvement Program which has two tiers: the Adult Driver Improvement Program that applies to drivers age 18 and older, and the Provisional Driver Improvement Program that applies to drivers age 14 to 18.

“The goal of the Driver Improvement Program is to maintain the safety of Oregon roads by motivating people to drive safely and keeping unsafe drivers off the roads.”<sup>9</sup> These programs are designed to reduce the number of traffic violations and avoidable accidents.

If a driver has too many violations or avoidable accidents, DMV may restrict or suspend driving privileges. The types of offenses that fall under this program include convictions for speeding, running a red light and failure to signal a lane change. DMV’s Driver Safety Unit may evaluate crashes to determine whether they were avoidable or unavoidable to involved parties. If the crash is determined to be avoidable, that will count as a step in the Driver Improvement Program. The most severe sanction is a 30-day suspension for adults and a six-month suspension for provisional drivers each time they accumulate more than the program-allowed limit.<sup>10</sup> The DMV Driver Improvement Program is not linked to any court-required driver safety programs.

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<sup>9</sup> DMV Driver Licensing Website, [www.oregondmv.com/DriverLicensing/DriverImp.htm](http://www.oregondmv.com/DriverLicensing/DriverImp.htm).

<sup>10</sup> Ibid. and interview with Deana Hampton, January 30, 2004.

The Driver Improvement Program issued over 16,800 restrictions and almost 38,600 suspensions to adult drivers in 2002. Although individuals receiving restrictions and suspensions represented only 1.3 percent of all Oregon drivers in 2002, they received a high percentage of citations for careless driving, unsignaled lane changes, following too close and speeding.<sup>11</sup>

## **Traffic Management Section**

Engineering solutions are the focus of the Traffic Management Section and the Project Safety Management System. The Project Safety Management System is made up of the Hazard Elimination Program (HEP), the Safety Investment Program (SIP) and the Safety Priority Index System (SPIS).

The Traffic Management Section administers the Hazard Elimination Program to encourage engineering improvements that address identified safety needs. This federally funded program requires each state to identify hazardous locations on all public (state and local) roads, assign priorities for necessary corrections at these locations and establish a schedule of improvement projects. The goal of HEP is "to carry out safety improvement projects to reduce the risk, number, and/or severity of accidents at highway locations, sections, and elements on any public road."<sup>12</sup>

The objective of the Safety Investment Program (SIP) is to maximize the impact of money spent on state highway safety by targeting expenditures where they will be most cost-effective.

The Safety Priority Index System (SPIS) is the main tool for evaluating and identifying potential safety problems on state highways and identifying locations where SIP and other safety money may be spent with the highest benefit. A highway segment is determined to be a SPIS site if the location has had three or more crashes or one or more fatal crashes over a three-year period. The Traffic Management staff evaluates each SPIS site and gives it a score based on three years of crash data identifying crash frequency, crash rate and crash severity (including fatalities and injuries).

The Project Safety Management System generates annual reports on the top 10 percent of ranked SPIS sites for review by each ODOT region. The region evaluates the sites and considers any safety problems that may be contributing to the crash statistics. If a correctable problem is identified, staff conducts a cost/benefit analysis to determine project options and identify appropriate solutions. Then the projects are selected for inclusion in the Statewide Transportation Improvement Program (STIP).

Currently, an internal ODOT Highway Safety Engineering Committee is forming to evaluate engineering policies. It can often be difficult to quantify the safety results in large projects, but some follow-up can be done to evaluate outcomes, especially in targeted areas. It would take extensive effort to completely evaluate safety results on an

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<sup>11</sup> Memo and email from William Merrill, DMV, March 11, 2003 and April 2, 2003.

<sup>12</sup> ODOT Traffic Management, [www.odot.state.or.us/traffic/](http://www.odot.state.or.us/traffic/).

entire project. Because of this, national research is often used to evaluate best practices and safety solutions.

- **Funding**

Much of the Project Safety Management System and associated programs are funded with highway trust fund dollars. Approximately \$2 million in federal funds goes toward the Hazard Elimination Program annually. The SIP program is funded through the Statewide Transportation Improvement Program (STIP). In the 2002-2005 STIP, the SIP program receives about \$16 million annually. Program funding and resources are not adequate to meet all project needs.

- **Policy Gaps, Concerns and Emerging Issues**

In an interview, Doug Bish, Interim Traffic Control Engineer and Chris Monsere, Highway Safety Engineer of the Traffic Engineering Services Unit, mentioned the following issues regarding policy and process:

1. The project development process is geared toward STIP projects, which do not always focus on safety issues. Economic issues sometime prevail over safety issues in projects.
2. Database issues should be addressed where possible to increase the effectiveness of the safety management systems. Linking data such as data involving incidents, police citations and emergency responders would be beneficial.
3. It would be beneficial if data gathering methods used consistent referencing systems (i.e. milepoints vs. intersections). The ODOT Geographic Information Systems Unit is currently working on the “All Roads Initiative” to allow all management systems to work on the same base.
4. It would be beneficial to have vehicle crash records released more quickly to allow for prompt evaluation of potential hazards.
5. Oregon Highway Plan Policy 2F: Traffic Safety (Action 2F.2) is important to the Traffic Management Section’s work. It says, “Whenever safety improvement is the stated objective of the project, include goals and a process to evaluate the outcome and further refine the project selection and solution process.”
6. It is important to educate the elected bodies on the real costs of safety, crashes and the associated benefits of improved safety measures. In order to achieve this, Oregon needs to do a better job of quantifying safety issues and costs.
7. Oregon needs to adapt to the increasing numbers of older drivers and older pedestrians utilizing the transportation system in design standards such as FHWA’s guidelines for signs and illumination.

8. Cities and counties often do not utilize safety guidelines as much as the state, creating an issue for many public roads in Oregon. ODOT should provide expertise and assistance to local governments to improve safety on their roadways.
9. Work Zone and School Zone safety (including safe walkways and bikeways) are persistent gaps in the transportation system that should be addressed.

### **Motor Carrier Transportation Division**

The Motor Carrier Transportation Division's major responsibility is the regulation of commercial vehicles for registration, weight-mile tax payment, safety, and size and weight compliance.

The Motor Carrier Services Section is responsible for truck registration, insurance filings, tax and fee payments, and permitting over-dimension vehicles. When a company registers commercial motor vehicles for operation in Oregon, it has to obtain a permit for any oversized or overweight vehicle. Routes for large vehicles are often predetermined but can be tailored for specific situations. The division often permits over-dimension vehicle routes on behalf of local jurisdictions.

The Investigations, Safety and Federal Programs Section oversees the Green Light Program, truck and driver inspections, and inspection of hazardous materials (including shipments of radioactive materials). The Green Light pre-clearance program has been very successful for truck safety and size and weight enforcement. Transporter-equipped trucks are identified as they are weighed in motion and signaled to proceed without stopping if they successfully pass an instantaneous check of registration, road-use tax account status and safety records.

The division is responsible for training and certifying all truck safety inspectors in Oregon. It manages the work of State Police and other law enforcement agencies participating in the Motor Carrier Safety Assistance Program and provides these partner agencies with necessary equipment, such as laptop computers. Under this program, State Police can receive compensation for conducting truck and driver inspections as they go about enforcing traffic laws.

Division staff also conduct comprehensive safety audits of selected companies, identify trends from all data collection methods and assist in truck crash investigations to determine accident factors.

Through 85 weigh stations and numerous inspection officers, the Field Motor Carrier Services Section oversees the enforcement of motor carrier requirements. The Motor Carrier Division has jurisdiction over any public roadway, but the focus for enforcement activity is on state highways, where the majority of commercial motor vehicles operate. One 1997 Oregon study found that overweight and oversized vehicles are more likely to be in a crash than other vehicles.

Enforcement of commercial motor vehicle regulations includes visual safety inspections, weigh station checks and rural enforcement patrols. Enforcement officers can help to identify wanted individuals or persons of interest or of potential security concern, including terrorist suspects.

Processing information for many division activities, an integrated computer network provides real-time data on permits, suspensions and citations for specific vehicles or operators.

- **Funding**

The majority of Motor Carrier Division funding comes from weight-mile taxes. The division has experienced declining resources in recent years. Staff has been reduced over 20 percent since 1993 although there has been no accompanying reduction in programs or workload. The number of Motor Carrier Enforcement Officers has declined from 140 to 96, stretching resources and staff across the state. Resources are reaching a critical point where either program cuts will need to be made or overall quality will slip and potential federal funding will be lost.

- **Policy Gaps, Concerns and Emerging Issues**

In an interview, Gregg Dal Ponte, Division Administrator; Ric Listella, Salem Motor Carrier Services Section Manager; Dave McKane, Investigations, Safety and Federal Programs Section Manager; Ed Scrivner, Field Motor Carrier Services Section Manager; and James Brock, Program Contributor, talked about these policy issues and concerns:

1. The focus of truck inspections should shift. In crashes involving trucks, the truck is at fault around half of the time. Mechanical problems cause only 3 percent of the crashes. Further increasing vehicle safety inspections will not lead to a decrease in truck at fault crashes. Rather, it is more important to inspect and remove disqualified drivers who cause 96 percent of truck at fault crashes. Oregon and national statistics are consistent in this area. The OTP can help improve safety measures by shifting the focus to drivers rather than equipment-only inspections and by monitoring outcome-based performance measures.
2. Drivers transporting explosive material who have to stop for food and rest do not have a legal place in Oregon to stop and leave the vehicle unattended. Such "Safe Havens" are usually provided by private entities.
3. An increasing number of radioactive material shipments pass through Oregon on the way to or from the Hanford Nuclear Site in Washington. Shipments are expected to increase from about 6 a month to 24, making it impossible for the Motor Carrier Division to check each shipment, as required by existing administrative rule. In March 2004, the division expects to complete rulemaking to change the requirement and allow discretion in determining when a truck, driver and shipment should be

inspected. Oregon inspectors may not need to check a shipment if, for example, the truck and driver have been found defect-free in an inspection in Washington within the preceding 48 hours. Nevertheless, the division may need additional staff resources to monitor and inspect these unusual shipments.

4. Some trucking companies misrepresent load information to avoid fees, transportation variance permits and associated costs of doing business. This has an impact on highway safety because without a permit an oversize and/or overweight truck does not have specific routing instructions and other safety-related directions. The truck may take a route that has weight-restricted bridges or a narrow road with sharp curves that cannot safely accommodate long loads. This complicates Motor Carrier Division efforts to enforce vehicle size, weight and length restrictions.
5. There is an industry trend toward use of larger vehicles and trailers. The highway infrastructure was built for smaller vehicles than what are commonly used today. For example, plant nurseries now routinely request permits for large, conventional trucks to go on 2-lane roads built for smaller vehicles. Limitations to highway infrastructure can create economic choke points. A recent economic modeling study of the effects of weight-restricted bridges on truck traffic shows that lowering truck weight limits would have a huge economic impact on the state.
6. The increasing number of weight-restricted bridges around the state requires Motor Carrier Division staff to spend more time monitoring and enforcing the restrictions, taking resources away from other truck size, weight and safety enforcement needs.

### **Public Transit Division**

The ODOT Public Transit Division administers a number of state and federal grant programs all of which help local jurisdictions provide rides to people whose mobility needs are not met by other transportation. The Public Transit Division, as well as its major funding agency, the Federal Transit Administration (FTA), does not have direct safety or security regulatory authority and does not have any bus safety programs other than at the point of purchase. All vehicles purchased through FTA funding must be certified by the grant recipient to meet all Federal Motor Vehicle Safety Standards (FMVSS). FTA, which funds Public Transit Division grants to local and special transit services, only has safety oversight responsibilities involving fixed rail systems. At ODOT, responsibility for overseeing fixed rail safety issues, currently involving Tri-Met light rail and several trolley services, belongs to the Rail Division (see below).

FTA, AASHTO, the American Public Transportation Association and other national organizations are currently developing a memorandum of understanding on transit safety and security issues. The state may implement the memorandum by asking public transportation grant recipients to voluntarily follow best management practices.

- **Policy Gaps, Concerns and Emerging Issues**

Public transit safety and security issues overlap and involve transit operators, vehicles and passenger amenities. In an interview, Martin Loring, Public Transit Division Administrator, and Joni Bramlett, Capital Programs Manager, identified the following transit safety and security concerns and issues:

1. With the exception of Tri-Met, no transit agencies have service hour standards for transit drivers. The Tri-Met service hour standard is 18 hours, a long time for a driver to operate safely. While the state could establish laws or rules for service hours, another alternative would be a state recommendation that each transit agency have a service hour policy.
2. Oregon laws requiring criminal background checks for transit employees differ. Mass transit districts, including Tri-Met, have to do criminal background checks, but mass transit agencies run by cities and counties do not. A consistent requirement for background checks would improve safety standards.
3. All vehicles are required to meet FMVSS at purchase; however, there are no requirements for transit vehicle maintenance standards. The state could establish some realistic requirements for the safe operation and maintenance of basic systems like brakes and lifts in transit vehicles. The state grant programs currently provide the only mechanism to assure that vehicles are kept in safe working order. Offering insurance breaks for transit operators who establish safety and security standards is a potential tool for further compliance. A requirement for safety inspection and certification similar to other commercial vehicle inspections could be an improvement.
4. Transit users and other vehicle operators have to be aware of transit vehicles' differing operating procedures. For example, while motorists may pass transit vehicles when they are stopped, they must yield as the bus is pulling out into traffic when there is a flashing yield signal on the bus, a process different from school bus procedures.
5. Transit operators should anticipate the safety needs of the increasing numbers of elderly patrons, including the use of low floor buses to reduce tripping accidents while entering or exiting the vehicles.
6. Future bus rapid transit and light rail systems may travel in both directions on a one-way street (such as in Eugene and Springfield). Safety issues should be addressed before this practice is implemented.
7. Security issues around terrorist access to and through transit use is a topic of national discussion. Nationally, there is concern but few actions recommended or funded for public transit in rural or small urban areas.

## **Rail Division**

The ODOT Rail Division is responsible for the Rail Safety Program and the Grade Crossing Safety Program. The Rail Safety Program includes the Railroad Employee Safety Program, the Federal Safety Program and the Rail Transit Safety Oversight Program.

The Railroad Employee Safety Program enforces state laws, rules and regulations for trackside clearances, trackside walkways and sanitation requirements. Division staff members inspect at least half of the rail-served industries and all rail facilities each year.

The Federal Safety Program is a partnership with the Federal Railroad Administration (FRA). Track inspectors work with FRA to ensure that all railroad trackage within the state is inspected at least once annually. Other inspectors do safety assessments of railroad locomotives, freight cars and brake systems. Inspectors assure that hazardous materials are safely transferred between modes onto or off of rail cars. Other inspectors ride trains, interview crew and inspect documents to ensure proper procedures are followed in key areas including drug and alcohol testing, accident reporting, engineer certification, hours of service and communications. Rail-highway grade crossing signals are inspected to ensure proper operation and maintenance.

A FTA rule requires Oregon to establish a Rail Transit Safety Oversight Program to regulate certain aspects of transit districts with fixed rail systems. The division's program oversees the compliance of Tri-Met, Portland Streetcar, Astoria Trolley and Willamette Shore Trolley with safety rules and regulations. The operators of fixed rail systems must establish and maintain effective safety and security plans and conduct internal safety audits of their operations.

The Grade Crossing Safety Program regulates all safety aspects of highway-railroad crossings. The Rail Division has jurisdiction over new public crossing construction and alteration of existing public crossings. In the High Speed Rail Corridor from Eugene through Portland, the Rail Division has authority over both public and private crossings. State statute requires the division to eliminate crossings at grade wherever possible.

- **Funding**

Rail Division safety programs are funded through a fee charged to the railroads, except for the administration of the Crossing Safety Program, which is funded from highway revenues. The state receives federal HEP funds amounting to \$2 million annually for crossing safety improvement projects. This funding has remained the same since 1973; with inflation and increased project costs, the number of grade crossing projects has declined over the past three decades.

- **Policy Gaps, Concerns and Emerging Issues**

In an interview Claudia Howells, Rail Division Administrator; Howard Fegles, Rail Safety Manager; and Craig Reiley, Crossing Safety Manager, raised the following concerns and issues:

1. Many railroads have not implemented a good security program. Security programs and railroad police have been cut at many railroads due to limited revenues. Shortline railroads especially need the assistance of more local law enforcement for vandalism and trespassing problems.
2. As traffic has grown on both railroads and highways, rail-highway conflicts have increased. Existing rail crossings are difficult to close, and population growth and associated land uses increase pressure to add crossings. While grade separation projects are often the most desirable solution to reduce rail-highway conflicts, they are very expensive to construct and unlikely to be used in many situations.
3. Rail activities should be better integrated and evaluated in transportation plans and into the community. For example, a rail and pedestrian conflict was improved by the construction of the walkway along the rail tracks in Salem.
4. More funding for crossing inspectors is needed.
5. Railroads do not have to notify the Rail Division about accidents. This often puts the division a step behind in responding to the situation.
6. OTP policy language could read, “Maintain a high level of compliance with state and federal regulations.”

### **Department of Aviation Safety-Related Programs**

The Oregon Department of Aviation’s (ODA’s) primary interest is in ensuring that the existing and future airport system will be adequate to meet the needs of Oregon citizens and businesses for air mobility. ODA’s goals include the preservation, protection and safe operation of Oregon airports as well as support for economic development and improved accessibility. ODA owns and operates 28 public use airports and provides technical assistance to other airport owners. The Department of Aviation’s safety programs include the Tall Tower and Airspace Obstruction Program, airport site investigations, 5010 inspections, the general aviation grant program and the Pavement Maintenance Program. ODA also registers pilots and aircraft based in Oregon.

The Federal Aviation Administration (FAA) and the Transportation Security Administration (TSA) regulate safety and security at commercial and air carrier qualified

airports.<sup>13</sup> FAA's safety programs for all airports include pilot training and licensing, aircraft certification, development and enforcement of federal aviation regulations and regulation of airspace and air traffic. FAA conducts accident investigations, conducts airport parking apron checks and regulates other safety and security functions. FAA also sets aircraft regulations for safety and security compliance.

In the statewide Tall Tower and Airspace Obstruction Program, the Department of Aviation recommends marking and lighting potentially hazardous structures through advisories and coordination with FAA. Although the state generally has an advisory role over private general aviation, the state can restrict hazardous structures that violate airspace protection requirements through local jurisdictions and zoning ordinances.

ODA registers and licenses new and existing airports/heliports and performs site investigations at new airports/heliports to assure that they are able to operate safely. The state can restrict operations or certain activities if it is necessary for safety. Once a private use airport is built, it receives no additional safety checks.

The Department of Aviation, through an agreement with FAA, conducts 5010 inspections to look at airport obstructions, airport lighting, pavement conditions and other safety features at airports throughout Oregon. The state has limited enforcement authority after 5010 inspections. However, the department does notify FAA and the airport owner of any safety issues, and the airport is instructed to fix identified problems. The FAA conducts a similar inspection of general aviation airports at certain intervals and conducts safety inspections at commercial service ready airports.

The General Aviation (GA) Entitlement Program is a federal program to implement various airport development projects, many of which are geared toward improving airport safety. Specific projects in Oregon include pavement work, automated weather systems and security fencing.

The Pavement Maintenance Program is a state funded and operated program designed to improve airport pavement conditions at core system airports designated by the 2000 Oregon Aviation Plan as having a significant role in the statewide aviation system. Reducing unsafe airport pavement conditions is a large part of this program.

The Department of Aviation can set minimum standards for airport tenants and operators at state-owned airports. One purpose of minimum standards is to enhance safety.

The NASA Small Aircraft Transportation System (SATS) program is a major national initiative dedicated to improving general aviation safety, accessibility, efficiency, reliability and affordability. This program seeks to improve the air transportation system through developing satellite navigation capability, airport infrastructure and advanced aircraft airframes and equipment.

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<sup>13</sup> Portland International, Eastern Oregon Regional at Pendleton, Eugene-Mahlon Sweet Field, Klamath Falls, North Bend Municipal, Redmond Municipal-Roberts Field and Rogue Valley International-Medford.

- **Funding**

Funding for the Department of Aviation comes from aviation fuel taxes, federal grants, airport leases, aircraft registration and other miscellaneous fees. Airports are charged a fee for site investigations performed by the department. In-house revenues provide the funding for the Tall Tower Program. 5010 inspections are funded as part of a larger FAA system plan grant on a per airport basis. The General Aviation Entitlement Program is funded at \$150,000 per qualifying airport per year (program extension is pending federal reauthorization). The Pavement Maintenance Program implemented at core system airports is funded at approximately \$1 million annually from aviation fuel revenues. The current funding levels are not adequate to meet all necessary safety and security project needs.

- **Policy Gaps, Concerns and Emerging Issues**

In an interview, Gary Viehdorfer, Chief Pilot/Aviation Programs Specialist for the Department of Aviation, noted that airports play an important role in the transportation system, including disaster coordination, emergency response and economic generation. He raised the following issues and concerns:

1. At both the state and national levels adequate pilot training is necessary. Many accidents can be attributed to pilot error and could be reduced with additional training.
2. New technology in the cockpit can make night and Instrument Meteorological Conditions flying safer.
3. There will be a discussion on general aviation security in the near future, but authorities cannot realistically secure all general aviation facilities. There are airport watch programs in effect to look out for suspicious or dangerous behavior at smaller airports. Fencing portions of airports and adding security lighting can help increase general aviation airport safety. Background checks are being done for many flight school students.
4. The state can assist airports in preparing for participation in the Small Aircraft Transportation System program. Airports may need updated instrument approaches and other landing aids as well as improved airside and passenger facilities. The state is coordinating with aviation businesses to promote Oregon's role in the program.
5. Airports are being surveyed for the development of Global Positioning Satellite (GPS) instrument approaches. This is important since currently in certain areas of Oregon a plane cannot land at an airport in bad weather, for example, between Portland and Hemiston.
6. ODOT and other agencies should coordinate with the local airport and the Oregon Department of Aviation when projects or land use changes take place near airports.

Wildlife issues, land use changes and new development can be major concerns for airports.

7. Possible OTP policy language could say, “Help ensure the safe operation and maintenance of public-use airports in Oregon.”

## **National and International Safety Directions**

### **Federal Initiatives**

The Bush Administration’s proposal for the reauthorization of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) is known as the Safe, Accountable, Flexible and Efficient Transportation Equity Act (SAFETEA). A key element is a comprehensive highway safety plan to be developed by each state based on its crash data.

FHWA Administrator Mary Peters has said FHWA’s specific initiatives focus on areas with the best opportunity to save lives:

- Reduce roadway departure fatalities. Possible improvements include more “forgiving” road shoulders and edges, rumble strips on road shoulders and increased nighttime visibility of the roadway.
- Reduce intersection fatalities. This includes improving intersection design.
- Reduce pedestrian fatalities. Reductions could be made through implementation of countermeasures based on engineering and intelligent transportation systems, pedestrian safety engineering/outreach, and public education and outreach.<sup>14</sup>

The priorities of the American Association of Motor Vehicle Administrators (AAMVA) are to improve the driver-licensing system and the means of collecting and sharing data. AAMVA is assessing an integrated driver-license information system, known as DRVeRS (Driver Record Information Verification System), that allows real-time information on drivers (data and photos) to be shared among states.<sup>15</sup>

### **International Directions**

In 2002, a United States team of safety professionals, including Troy Costales from ODOT, studied safety practices in Sweden, Germany, the Netherlands and Great Britain. The team found that these countries viewed highway safety as a public health or quality of life issue and made safety decisions based on a common philosophy or slogan. They took a proactive approach to highway safety that included a fully integrated and nationally accepted plan, usually with measurable and deliverable fatality and injury

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<sup>14</sup> Mary Peters, *Forum Proceedings*, p. 8.

<sup>15</sup> Berry Serian, *ibid.*, p. 9.

reduction targets. The plans were developed and implemented with strong national leadership and significant financial support as well as local participation.<sup>16</sup>

The safety programs had several similar elements, measures and focus areas:

- Required seat belt use for all passengers
- Low acceptable levels for driver blood alcohol content (often 0.05 and lower)
- Use of extensive public education campaigns on such issues as aggressive driving, alcohol-involved driving and speeding
- Substantial enforcement efforts, including use of automated enforcement (i.e., cameras) for red light running and speed
- Speed management measures, such as speed cameras, traffic-calming devices, interactive signing and variable speed limits
- Vehicle crash studies and crashworthiness considerations in crash analysis
- Focus on vulnerable road user protection and separation measures
- Application or consideration of novice and young driver training and licensing programs
- Route-based or area-wide safety improvement programs
- Road safety audits<sup>17</sup>

Washington State, Minnesota and Sweden have adopted a zero-death goal. Washington State has a Target Zero vision of a safe and efficient traffic system free of deaths and disabling injuries by the year 2030.<sup>18</sup> Sweden's Vision Zero "philosophy is based on the idea that highway fatalities are not acceptable and that a fatality is a shared failure of the interacting entities within that system. These interacting entities include policy makers and politicians, planners, drivers and road users, police agencies, highway agencies and road managers, driving educators, and vehicle manufacturers."<sup>19</sup>

### **Advocacy Recommendations for Changes in Oregon**

The Advocates for Highway and Auto Safety, an alliance of consumer, health and safety groups and insurance companies and agents, has analyzed the existence of certain safety laws in each state and provided a list of needed laws. The organization recognizes Oregon for having the following highway safety laws:

- Open container law (Complies with TEA-21 provisions)
- Standard enforcement safety belt law
- .08 BAC *Per Se* law (Complies with federal .08 Blood Alcohol Content *per se* law)
- Graduated drivers licensing: passenger restriction, 30-50 hours of supervised driving, six-month holding period (Passenger restriction limits the number of teenage passengers that ride with a teen driver driving without adult supervision. A 30-50 hours of supervised driving law says a novice driver must receive 30-50 hours of

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<sup>16</sup>Dwight Bower et al., *Managing and Organizing Comprehensive Highway Safety in Europe*, 2003, p. x.

<sup>17</sup> Ibid.

<sup>18</sup> *Forum Proceedings*, p. 11.

<sup>19</sup> Dwight Bower et al., *Highway Safety in Europe*, p. vii.

behind-the-wheel training with an adult licensed driver. A six-month holding period law says that a novice driver must be supervised by an adult licensed driver at all times for six months.)

- All-rider motorcycle helmet law
- Booster seat law

Oregon law now addresses the other issues raised by the Advocates except for laws involving unattended children. The organization recommends that a child who is 8 years old or younger not be left in a motor vehicle without supervision from a person who is 14 years of age or older.<sup>20</sup>

### **Recommendations for OTP Policy Changes**

Changes in statewide safety policy should include modifications to the present OTP Safety Policy as well as consideration of the above information. Some of the above suggestions for policy language might be appropriate to include in the Transportation Safety Action Plan (TSAP) that is currently being updated. The following are possible changes to the current OTP Safety Policy and Actions (new or changed language is underlined):

#### ***POLICY 1G – Safety***

*It is the policy of the State of Oregon to improve continually the safety of all facets of statewide transportation for system users including operators, passengers, pedestrians, recipients of goods and services, and property owners.*

##### ***ACTION 1G.1***

*Develop a Strategic Transportation Safety Plan addressing air, land and water transportation to reduce fatal, injury and property damage crashes among system users.*

##### ***ACTION 1G.2***

*Improve state and local enforcement of transportation safety laws and regulations intended to reduce injury and property damage. Emphasize*

- *Enforcement of laws and regulations involving excessive speed, alcohol and other drug use,*
- *Use of safety belts, occupant protection and use of helmets for motorcycle drivers and passengers and bicyclists, and*
- *Work zone and school zone safety.*

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<sup>20</sup> Advocates for Highway & Auto Safety, [www.saferoads.org/state/st\\_lawchart.htm](http://www.saferoads.org/state/st_lawchart.htm), pp. 4-5.

### ***ACTION 1G.3***

*Develop and deliver a comprehensive safety awareness, education and training program for all system users.*

### ***ACTION 1G.4***

*Improve the safety in design, construction and maintenance of new and existing systems and facilities for the users and benefactors including the use of techniques to reduce conflicts between modes using the safe facility or corridor. Target resources to dangerous routes and locations in cooperation with local and other state agencies.*

### ***ACTION 1G.5***

*Support improvements to the delivery of emergency medical services to transportation-related crashes, particularly in rural areas.*

### ***ACTION 1G.6***

*Increase interagency cooperation among federal, state and local governments and private enterprises in order to implement more effective community-based safety programs.*

### ***ACTION 1G.7***

*Develop and implement a comprehensive and coordinated transportation records and crash reporting program to manage and evaluate transportation safety. Improve the links between safety-related databases within ODOT and among state agencies.*

### ***ACTION 1G.8***

*Develop effective efforts to reduce the number of alcohol and other drug impaired and high-risk operators.*

### ***ACTION 1G.9***

*Build, operate and regulate the transportation system so that users feel safe and secure as they travel. Adopt design specifications and standards for infrastructure and public-use vehicles that consider the special needs of the young, the aged, and the disabled.*

### ***ACTION 1G.10***

*Promote high safety standards for commercial motor vehicles, drivers and operators.*

- *Work with national transportation organizations to accurately determine the safety implications of alternative truck sizes, weights and configurations.*
- *Develop a program to address driver behavior related to safety violations. Continue to develop and institute a mobile enforcement plan to provide more effective weight enforcement utilizing weigh-in-motion, automatic vehicle identification and other Intelligent Vehicle Highway System technologies.*
- *Take action to minimize roadway conflicts between trucks, automobiles and recreational vehicles.*
- *Encourage development of “Safe Haven” rest areas for trucks carrying explosive material.*

### ***ACTION 1G.11***

*Enforce high safety and compliance standards for operation, construction and maintenance of the rail system OR Maintain a high level of compliance with state and federal regulations for operation, construction and maintenance of the rail system.*

### ***ACTION 1G.12***

*Reduce navigational conflicts on waterways between commercial and recreational users, including windsurfers, in cooperation with the U.S. Coast Guard. OR Coordinate with rail and highway user groups in the design and operation of river-crossing facilities and structures to eliminate hazards to navigation on waterways.*

### **Policy Additions**

The following additions to the Policy should also be considered:

1. Increase the reporting of transportation crash information.
  - Require railroads to report crashes to ODOT in a timely manner.
  - Increase public awareness of reporting requirements.
  - Consider improvements that would allow electronic reporting by citizens and police agencies.

2. Support development of marked pedestrian crossings and facilities where appropriate in urban areas.
3. Whenever safety improvement is a stated objective of the project, include goals and a process to evaluate the outcome and further refine the project selection and solution process. (Highway Plan Policy 2F)
4. Encourage establishment of safety standards for public transit operation and vehicles.
5. Encourage the use of safety-related technology and infrastructure at public-use airports in Oregon.
6. Help ensure the safe operation and maintenance of public-use airports in Oregon.
7. Support lowering the acceptable level for driver blood alcohol content.

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