
OREGON TRAFFIC SAFETY LEGISLATIVE SUMMARY

2003 Legislative Session



September 2003

**OREGON
TRAFFIC SAFETY
LEGISLATIVE SUMMARY**

2003 Legislative Session

**Transportation Safety Division
Oregon Department of Transportation
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Introduction

The following pages provide a summary of the Oregon Department of Transportation, Transportation Safety (ODOT-TSD) related legislation passed during the 2003 Legislative Session.

There were 2,922 bills, memorials and resolutions introduced in the 2003 Legislative Session. This compares to 3,297 bills introduced in the 2001 session. The Legislature passed 869 bills, memorials and resolutions in 2003. The Transportation Safety Division reviewed 307 bills and followed 134 bills that in some way affected transportation safety.

All legislative bills become law on January 1, 2004, unless otherwise noted. The new laws will be incorporated into the Oregon Revised Statutes (ORS) and ready for distribution in January 2004.

If you have questions, please contact one of the TSD safety program managers involved in 2003 legislative discussions:

Bicycle and Pedestrian Issues -----	Rick Waring-----	(503) 986-4196
Driver Education Issues -----	John Harvey -----	(503) 986-4413
Emergency Medical Services and Occupant Protection Issues -----	Carla Levinski -----	(503) 986-4199
Impaired Driving Issues-----	Gretchen McKenzie-----	(503) 986-4183
Motorcycle Safety and Vehicle Equipment and Safety Standards -----	Stan Porter-----	(503) 986-4198
Police Traffic Services, and Speed Control Issues -----	Steve Vitolo-----	(503) 986-4446
Roadway Safety and Work-Zone Safety Issues-----	Larry Christianson-----	(503) 986-4195
Youth and Impaired Driving Issues -----	Sue Riehl-----	(503) 986-4197

You may also contact ODOT's Government Relations office at (503) 986-3200. Many of the bills are listed simply to alert you that the law was changed. It does not contain the specific language or any law provisions.

If you would like additional copies of this summary, please contact Sandi Bertolani in the Transportation Safety Division at (503) 986-4193.

Thank you to all that were involved during the session and to all of you who will carry out these new programs.

Legislative Initiative Timeline

Sep-Dec 2001	Jan-Mar 2002	Apr-Jun 2002	Jul-Sep 2002	Oct-Dec 2002
<ul style="list-style-type: none"> - Identify, meet and establish Transportation Safety Division (TSD) issues list 	<ul style="list-style-type: none"> - Meet with Key Players - Safety Committee (OTSC) Approval/Concurrence with TSD Safety Initiatives - to ODOT Government to ODOT Government Relations Office 	<ul style="list-style-type: none"> - Meet with Key Players - ODOT Concepts submitted to Oregon Transportation Commission (OTC) - TSD/ODOT negotiations concepts forwarded to DAS - concepts forwarded to DAS 	<ul style="list-style-type: none"> - Meet with Key Players - OTC Approval of TSD legislative concepts - ODOT Government Relations/Governor's Office/ Legislative Counsel Bureau (LCB) negotiations on concepts and initiatives 	<ul style="list-style-type: none"> - Meet with Key Players - ODOT Government Relations/Governor's Office/ concepts and initiatives - Bill numbers assigned by LCB
Jan-Mar 2003	Apr-Jun 2003	Jul 2003	Aug 2003	Sep 2003
<ul style="list-style-type: none"> - Meet with Key Players - Governor's Actions on enrolled bills - 1/13/03-8/27/03 - Legislative Session 	<ul style="list-style-type: none"> - Meet with Key Players - Governor's Actions on enrolled bills - 1/13/03-8/27/03 - Legislative Session 	<ul style="list-style-type: none"> - Meet with Key Players - Governor's Actions on enrolled bills 	<ul style="list-style-type: none"> - Meet with Key Players - Governor's Actions on enrolled bills - 1/13/03-8/27/03 - Legislative Session 	<ul style="list-style-type: none"> - Governor signs/vetoes bills enrolled bills

Bill Activity and Tracking

	Number of <u>Bills</u>
<u>Transportation Safety Concepts:</u>	
Oregon Transportation Safety Committee Report to Oregon Transportation Commission	5
Oregon Transportation Commission Report to Governor and Governor Approved	4
Governor's Advisory Committee (DUII) Report To Oregon Transportation Commission	4
Oregon Transportation Commission Report to Governor and Governor Approved	4
<u>Transportation Safety Bills Passed:</u>	
Oregon Department of Transportation Pre-Filed	3
Governor's Advisory Committee Pre-Filed	0
Other Bills of Interest	23
Bills Vetoed by Governor	0
Bills for Voter Referral	0
General Tracking	134

Bill Summary

The following Bill Summary chapter represents each individual bill passed by the Legislature and signed into law. This listing reflects bill number, subject title, the actual "aye" votes cast by each house of the Legislature, and a short summary of bill content. (It should be noted that the highest potential number of votes for each house are 60 in the House and 30 in the Senate.)

OTC-ODOT Pre-Filed - Passed

SB 179

School Zone Speed Control Laws

Senate Vote: 23

House Vote: 52

Modifies definition of "school zone" for purposes of speed control laws. Makes application of the 20 miles per hour (MPH) limit for streets adjacent to a school dependent on surrounding speed zone: if the designated speed leading up to the school zone is 30 MPH or less, the school zone speed limit is 20 MPH at all times; if the speed leading up to the school zone is over 30 MPH, the school zone speed limit is 20 MPH either when lights are flashing or at specific times indicated by a sign. Defines school zone to include a highway segment with a crosswalk not adjacent to a school, but marked by school zone signs and a crosswalk. Makes 20 MPH the speed limit for such crosswalk segments either during posted times, when flashing lights are on, or when children are present.

Modifies definition of "when children are present" to be when children are in a crosswalk, waiting at a crosswalk, or when a crossing guard is present. Creates the offense of "violating the speed limit in a school zone" and removes the school zone speeding offense from the Basic Speed Rule statute.

Other Bills of Interest –Passed

HB 2041

2003 OR Transportation Investment Act (OTIA-III)

Senate Vote: 23

House Vote: 45

Authorizes the Department of Transportation to issue additional Highway User Tax revenue bonds to finance highway improvement projects. Limits net proceeds of new bonds to \$1.6 billion for state and local bridge repair/replacement and \$300 million for modernization projects. Increases vehicle title transaction fees (for issuance, transfers, duplicates) from \$30 to \$55 for cars and other light vehicles. Increases biennial registration fees from \$30 to \$54 for cars and light vehicles. Decreases biennial registration fees for hybrid electric vehicles from \$60 to \$54. Increases registration fees for motorcycles and other vehicle types. Increases registration fees for travel trailers, campers, and motor homes by 50 percent. Increases commercial truck registration fees by approximately 53 percent. Increases truck weight-mile taxes and flat fees by almost ten percent. Increases fees for driver licenses, instruction permits, license endorsements, driving tests, and written tests for both commercial and non-commercial drivers. Institutes a hazardous materials security check fee at \$50.

Uses of funds: Specifies use of bond proceeds: \$1.3 billion for bridges on the state system (including the interstates) and up to \$300 million for bridges on city and county routes. Requires the department to use \$100 million of the modernization bond proceeds for projects recommended by the Freight Advisory Committee or for projects that improve access to industrial land sites or sites where jobs can be created. Allows up to half of existing state modernization funds to be spent on projects of statewide significance. Requires ODOT to use \$200 million in Federal Advance Construction funds for modernization projects. Specifies distribution of revenues from the increased registration fees (except the recreational vehicle fees), title fees, and weight mile taxes as 57.53 percent to the state, 25.48 percent to ODOT for bond repayment for county bridges, and 16.99 percent to ODOT for bond repayment for city bridges. Allows revenue not needed for bond repayment for local bridges to be distributed to cities and counties for other road purposes. Requires Multnomah County to spend a majority of this distribution on bridges in the county and the remainder equitably within the county under an agreement with cities within the county. Specifies distribution of additional fees from driver license and testing fees to counties (60 percent) and to cities (40 percent) for purposes of road maintenance and preservation. Modifies county allocation method and moves \$250,000 from the general county allocation to the Special County program allocation to supplement Highway Fund distributions to those counties receiving the lowest levels of funding. Sunsets this additional allocation to the Special County program on July 1, 2008.

Truck engine tax credit: Provides for a personal or corporate income tax credit for purchase of low nitrogen-emitting truck engines in Oregon for use in Oregon registered vehicles. Specifies a graduated range of credit amounts from \$400 to \$925 per engine, with smaller truck fleets eligible for the larger per-engine credits. Caps the credit at \$80,000 for a taxpayer in any calendar year. Limits total of tax credits to \$3 million per calendar year. Allows credit to be claimed in tax years beginning on or after January 1, 2005 but prohibits use of tax credit in the determination of estimated tax prior to July 1, 2005. Sunsets tax credit at the end of 2007.

Miscellaneous: Repeals the sunset on the Freight Advisory Committee. Requires ODOT to repair damage to local highways that are designated for temporary detour routes during bridge construction work. Authorizes ODOT to exempt the bonded bridge contracts from bid security

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HB 3296

Crime of Fictitious Identification Possession

Senate Vote: 27

House Vote: 54

Creates the crime of unlawful possession of a personal identification device and classifies it as a Class C felony. A person commits the crime if the person, with the intent to commit a crime, possesses a device that is used to manufacture or print: (a) A driver license or permit; (b) An employee identification card; or (c) A credit or debit card.

Creates the crime of unlawful possession of fictitious identification. A person commits the crime if the person possesses a personal identification card with fictitious person with the intent to use it to commit a crime.

HB 3363

Drug Court Program

Senate Vote: 26

House Vote: 54

Defines "drug court program" as: (1) a program in which individuals are before the court to obtain treatment for substance abuse issues; and (2) a local drug court team monitors the individuals who participate.

Allows the counties in which a drug court exists to establish fees to be paid by individuals who participate in drug court and may include in that fee additional charges to assist in paying for those who are indigent. Allows a court to order a participant in drug court to pay a fee. Exempts from public disclosure treatment, counseling and medical records of persons participating in the program.

Allows court program personnel to submit reports to court and district attorney on the success or failure of the person in the program. Prohibits drug court records and communications between the participant and drug court program coordinator from being used as evidence in a trial. Requires that drug court records be maintained separately from other court records.

HB 5077

ODOT Budget for 2003/2005

Senate Vote: 19

House Vote: 40

This budget funds various agencies, ODOT, and Transportation Safety Division for the next biennium.

SB 81

Oregon Law Housekeeping Bill

Senate Vote: 28

House Vote: 55

Makes technical changes to Oregon law. Specifically, adjusts grammar and punctuation; deletes obsolete provisions; conforms language to existing statutes; inserts omitted provisions and adjusts Oregon Revised Statutes (ORS) series references.

SB 245

Suspension and Revocation Delineation

Senate Vote: 24

House Vote: 55

Breaks a long statute dealing with suspension and revocation of driving privileges into several parts.

SB 289

Low Vision Drivers

Senate Vote: 25

House Vote: 51

Requires the Department of Transportation (ODOT) to issue a special limited vision learner's permit, instructional permit, or driver's license to someone with limited vision (between 20/80 and 20/200) who uses a bioptic telescopic lens, if applicant meets conditions. Specifies conditions, including certification by a vision specialist that the person's vision will not

Bill Summary

cities with populations of 300,000 or more to have such cameras at up to 12 intersections. Requires yellow light at intersections equipped with such cameras to stay yellow for at least the time recommended by Institute of Transportation Engineers.

SB 787

Personal Mobility Devices

Senate Vote: 26

House Vote: 52

Permits the operation of electric personal assistive mobility devices by persons sixteen years of age or older on bicycle lanes, bicycle paths, and sidewalks, and on highways with posted speeds of 35 miles per hour (mph) or less. Allows a local jurisdiction to regulate or prohibit use of the devices. Exempts the devices from compliance with vehicle title, vehicle registration, and liability insurance requirements. Exempts operators of the devices from driver license and helmet requirements. Specifies lighting equipment requirements.

Creates the offense of unsafe operation of an electric personal assistive mobility device for: operating on a road that is posted over 35 mph and not in a bicycle lane; riding on a road or bike path over 15 mph; operating with another person aboard; operating carelessly on a sidewalk; failing to yield to a pedestrian; or failing to give an audible warning to a pedestrian when overtaking the pedestrian. Classifies the offense as a Class D traffic violation with a maximum fine of \$75. Creates a separate offense for operating in violation of equipment requirements for the devices, also a Class D traffic violation.

SB 795

Helmet Requirements for Skateboard and Scooter Users

Senate Vote: 25

House Vote: 48

Requires persons under the age of 16 to wear protective headgear when skateboarding, riding a scooter, or using in-line skates. Specifies a maximum fine of \$25 for a violation.

SB 946

Graduated Driver License – Rule Revision

Senate Vote: 27

House Vote: 50

Allows a licensed driver who is 16 or 17 years old to drive a vehicle carrying passengers under 20 years of age who are not immediate family members if the driver's parent or stepparent, who is also licensed to drive, is in the vehicle.

Conclusion

Many representatives of interested groups participated prior to and during the 2003 Legislative Session. To name a few, we would like to give sincere thanks to:

Alliance for Community Traffic Safety (ACTS)
Governor's Advisory Committee - DUII
Governor's Advisory Committee - Motorcycle Safety
Law Enforcement for Traffic Safety (LETS)
Mothers Against Drunk Driving Oregon (MADD-Oregon)
Oregon Association of Chiefs of Police (OACP)
Oregon Health Division (OHD)
Oregon Liquor Control Commission (OLCC)
Oregon State Police (OSP)
Oregon State Sheriffs Association (OSSA)
Oregon Traffic Safety Education Association (OTSEA)
Oregon Transportation Safety Committee (OTSC)
Trauma Nurses Talk Tough (TNTT)

We would also like to thank the many individuals who came forward to share their experiences and concerns. The 2003 session was productive for traffic safety, added with the 2001 session, almost 70 pro-safety bills have been enacted.