

DRAFT

OREGON TRANSPORTATION SAFETY COMMITTEE
Wednesday, June 9th, 2021 Meeting Minutes
Teleconferencing Call
Salem, OR

Members via Phone/Teams: Chair Victor Hoffer, Vice-Chair Luis Ornelas, Jerry Cooper, Marian Owens

Liaisons and Guests via Phone/Teams: Lynn Zanto (NHTSA), Christina McDaniel-Wilson (HSEC), Bill Merrill (DMV), Kayla Hootsmans (Govt. Relations)

Staff via Phone: Amy Joyce, Traci Pearl, Brandy Anderson Gillock, Jeff Greiner, Dan Estes, Walt McAllister, Bill Warner, Colleen O'Hogan, Jody Raska

I. WELCOME AND INTRODUCTIONS

Chair Victor Hoffer called the teleconference meeting to order at 9:02 a.m. and reminded the group that they are here to promote highway safety, and then asked for a moment of silence to remember those who have lost their lives and/or family members due to crashes locally, nationally, and worldwide. He then held a roll call of introductions.

II. CONSENT CALENDAR AND MINUTES

Chair Hoffer called for a review and approval of the minutes from the May 2021 meeting and the Consent Calendar. Traci Pearl pointed out that the first adjustment request on the calendar was for the Transportation Safety Resource Prosecutor (TRSP) grant. She stated that there has not been an increase to this grant in the past three years and the additional increase of \$35,950 in 405d funds represents a cost of living adjustment. The second adjustment request was for a \$10,609 increase in 164 funds, in order to hire a part-time assistant to help manage the administrative needs at DPSST. The third proposal requested an increase of \$75,000 to provide another Drug Recognition Expert (DRE) school and an additional Advanced Roadside Impaired Driving Enforcement (ARIDE) course.

Jerry Cooper pointed out a necessary correction in the minutes. The last line on page one should read: "he said *he* would cover those updates."

MOTION: Marian Owens moved to approve the May 2021 minutes and Consent Calendar. Jerry Cooper seconded. Roll call of votes; Ms. Owens – aye; Mr. Cooper – aye; Vice-Chair Ornelas – aye; Chair Hoffer – aye. Motion passed unanimously.

III. MEMBER REPORTS

Mr. Cooper reported that he had attended the GAC-DUII meeting on June 4th and would report later in the meeting.

Vice-Chair Luis Ornelas had nothing to report.

Marian Owens said she wanted to be report that the construction crews are busy reinforcing the overpass at Exit 80, making it earthquake proof. There have been equipment theft issues and water was discovered while the crew was drilling for a post. Ms. Owens reported that people continue to speed and there has been a few crashes.

Chair Hoffer reported that he was still working on the highway safety project on Highway 214 in Mt. Angel and that he was able to save a life last night during his EMT shift.

IV. Low/No Income Subsidy

Jeff Greiner shared a [memo](#) drafted for the GAC-MS regarding the proposed low or no-income subsidy for motorcycle rider training. This proposal includes the request for approximately \$31,000 to cover the program. The driver education program currently offers a 35% reduction in rates for their low or no income subsidy program. The motorcycle rider training program is going to be offering an 11% reduction in rates.

Chair Hoffer called for any questions. There were no questions. He called for a motion to approve the proposed low/no income mandatory motorcycle rider training program.

MOTION: Ms. Owens made a motion to approve the low/no income subsidy for the mandatory motorcycle rider training program. Vice-Chair Ornelas seconded. Roll call of votes; Vice-Chair Ornelas – aye; Ms. Owens – aye; Mr. Cooper – aye; Chair Hoffer – aye. Motion passed unanimously.

V. TSD Report

Ms. Pearl reported on the transition from the Transportation Safety Division (TSD) to the Transportation Safety Office (TSO), which will be housed within the Driver and Motor Vehicles Services (DMV). This change will take effect July 1, 2021. The new integration will include a greater safety focus for the DMV. There is a lot of work going on in the background, including budgeting, expenses, accounting, and organizational charts that will need updates. The TSD is also recruiting a new manager. Stacey Johnson retired on June 1, 2021 after 31 years with ODOT. There were two management positions lost in the transition. The Office of Employee Safety Manager moved to Central Services and the TSD Administrator position was dissolved. Ms. Pearl and the new manager will take over the management of 21 staff members. The budget will remain the same through this new biennium. Amy Joyce has already met with the Governor's Highway Safety Association (GHSA) and the National Highway Traffic Safety Administration (NHTSA) Region 10 staff. Ms. Pearl reported that there has not been a response from the Governor's Office on the recruitment of the fifth OTSC member, though there have been applications received. The office is currently going through a NHTSA Management Review for 2019-2021 grant years. The policy and procedures of selected files will be reviewed for adequacy. It is currently scheduled in August of 2021, but Ms. Pearl is proposing to move the review to October in order to prepare adequately, as the TSO transition has required a lot of

additional time and energy. COVID may have an effect on the meeting of performance targets, because of the impacts it had on conducting planned activities and public events. All states are having the same issues. Many items were not accomplished nationwide due to the pandemic. Program managers are currently evaluating all of their projects and the new *match* policy, identifying the NHTSA eligible funds and ensuring the new *match* requirements are met. Ms. Pearl will be identifying the state funding that could be used for match if the federal funding falls short. She announced that Brandy Anderson Gillock has transitioned out of her 6-month probationary period and is now a permanent employee.

VI. PROGRAM UPDATES

Work Zone Safety

Bill Warner reported on [Roadway and Work Zone Safety](#), and the two existing safety corridor projects. The counties are funding these projects with support from stakeholders. The Association of Counties recently had a meeting to discuss the updates and benefits of the safety corridor projects. They are hoping to increase the number of safety corridors in the near future. The transition to the intergovernmental agreements (IGA) should be completed by July 1. This is occurring because of the transition to TSO. Safety will no longer be providing support for these projects; the Delivery and Operations Division will handle billing for them moving forward, through direct project charging. All of the IGA templates were submitted in February for review by the Department of Justice (DOJ). There were five IGAs that went out this morning to Regions 1 and 2 that are about 90% complete. There were grant adjustments issued to the six vendors who weren't able to complete their projects before the direct project charging begins. The Commerce and Compliance in Motor Carriers update is that the safety office was granted permission to use Transportation Operation Funds (TOF) for maintenance projects to use law enforcement in work zones. There was a grant of \$500,000 awarded that will be issued bi-annually, and will be split between Motor Carrier and TSO. Motor carrier has funds set aside for high crash corridors and is excited about working with TSO on these safety corridors using the proven processes that have worked in the past. There are already work orders being written for projects to use the TOF funds for work zone enforcement starting July 1. The wildfire maintenance is being handled with the same work orders, with some modifications. The transition is going smoothly because the RTSCs are informed and energized, and ensuring good communications with our partners.

Impaired Driving

Dan Estes provided an update on the [Impaired Driving program](#). There are two new projects coming up. The Yamhill County DUII Deputy position was assigned yesterday. The deputy is also going to be applying to DRE School. Yamhill County desperately needs more DREs. The law enforcement spokesperson, the administrative assistant for OSP, and the TSRP grant funding were approved by the consent calendar. At this time, all grants are activated and no problems are anticipated. The GAC-DUII meeting approved the Impaired Driving Strategic Plan, which is the federal funding application for NHTSA. Oregon is at mid-range for impaired driving and

there are needs for improvements. There have been many changes in the laws to include the legalization of psilocybin, the decriminalization of drugs, and we now have more data on the effects of marijuana and impaired driving. Mr. Estes stated that drug-impaired fatalities are higher than alcohol-related fatalities and asked for feedback on how to create public awareness campaigns addressing the issue. Mr. Estes thanked the GAC-MS and Jeff Greiner for the partnership between the two committees. Vice-Chair Ornelas asked Mr. Estes about the article he had sent to him about the car that prevents drunk driving. Mr. Estes stated that it aligns with the HALT Act (Honoring Abbas Family Legacy to Terminate Drunk Driving), which mandate would interlock devices being installed in all new vehicles within 10 years. The bill is currently going through legislation. Both of the GACs have submitted letters in support of the HALT Act. This technology has been around for several years. Mr. Estes stated the OTSC may also want to submit a letter of support. He then shared an update on Ballot Measure 110. When it was passed, they had anticipated it would result in approximately 4,000 fewer *possession of controlled substance* (PCS) cases. To date, there have been 108 people who have called into the hotline number: 51 of them were either hang-ups or law enforcement asking for assistance; 24 of them were seeking treatment services without a citation; four people were already in treatment; and 29 people had been cited and were calling in for the screening and referral. Mr. Cooper asked if Mr. Estes had seen the May 28, 2021 *Oregonian* article on Janelle Bynum on racial equity, police reform, and Measure 11 reform and stated he would provide it for review.

VII. INTRODUCTION OF AMY JOYCE, DMV ADMINISTRATOR

Amy Joyce introduced herself as the new DMV Administrator, Tom McClellan's successor. She was previously the governor's representative for TSD and the Commerce and Compliance Division (Motor Carrier) for nine years. One of her passions is highway safety. She has learned about the programs and processes to inform and advocate for the right things. She has been in her role for seven months and has already begun joining meetings in preparation of the July 1 transition.

DMV has over 900 employees throughout the state. Safety is already part of the mission statement of DMV. The DMV will have five service groups including Transportation Safety. Currently, Field Operations and Customer Service are the largest groups. Ms. Pearl has already begun participating in the DMV management and leadership team meetings. In July and August, the DMV strategic plan will evolve to include an even more robust safety focus. Ms. Joyce plans to integrate safety through the direct connection the DMV has to the majority of the public aged 15 and older. Safety messaging will be integrated into the webpage, driving manuals, mailings, and in-person contact at the field offices. The policies will include safety impact considerations, and the DMV has one of the most robust legislative processes. Ms. Joyce reported meeting weekly with Ms. Pearl to discuss the transition and resolve any potential issues. She has already met with all of the TSD staff members to get a sense of the programs and areas in need of improvement. She has spoken with each of the OTSC members and welcomes open dialogue. Ms. Joyce would like to hear ideas on how to decrease fatalities on

the roads. Vice-Chair Ornelas asked about the software update for the DMV. Ms. Joyce stated that the Service Transformation Program (STP) rollout was accomplished in two phases: (1) Vehicles and (2) Drivers. The vehicle segment rolled out in 2019 and the driver portion rolled out July 6, 2020. The new system has been in place for about one year and is much more efficient. Vice-Chair Ornelas asked if there were any solutions in the works regarding the delay in receiving current crash data. Ms. Joyce said that she considers this to be a top priority for the agency. This is an issue that needs to be resolved, as many parts of ODOT use crash data for safety, planning, and delivery and operations. She said there are a couple of teams working on receiving data more efficiently, and transferring the data to the Crash Analysis & Reporting Unit.

VIII. LIAISON UPDATES

National Highway Traffic Safety Administration (NHTSA) Region 10

Lynn Zanto reported that the “Click It or Ticket” mobilization had just finished. Oregon has already submitted the Highway Safety Plan (HSP). The deadline is July 1. There will be a 45-day formal review process. Ms. Zanto reported working on rescheduling the Management Review and offered support during the transition.

Driver and Motor Vehicle Services (DMV)

Bill Merrill reported that several bills have passed. HB2137 was signed by the Governor, which allows the waiving of the knowledge test for out-of-state drivers who already have a driver’s license. Most other states do not require a knowledge test either, so this places Oregon in alignment with the rest of the country. The bill also eliminated the secondary *safe practices knowledge test* for new drivers. Both eliminations allow time for other in-person visits to the DMV. Another bill passed that allows people who are deaf or hard of hearing to have an indication on their driver’s license, which will help law enforcement. There are many more online services being offered, such as online renewal of driver’s licenses. Licenses can be renewed online every other time.

GAC-DUII

Jerry Cooper reported that the GAC-DUII met on June 4 and Dan Estes had provided legislative updates at the meeting.

GAC-MS

Jeff Greiner reported that the GAC-MS met last month and heard from law enforcement liaisons who reported that the majority of crashes are due to speed and impairment. At the meeting, Hanna Braziel shared a presentation on DMV data: motorcycle registrations and endorsements. The committee co-signed on a letter of support of the passage of the HALT Act, they chose not to take a position on the proposed modification of laws related to ethanol content in gasoline, and a sub-committee formed to review Oregon’s Trauma Registry data specific to motorcycle crashes, provided by the Oregon Health Authority (OHA). He reported

that one committee member had resigned as a result of the Governor's choice regarding SB574. At the upcoming meeting they will review the ODOT Strategic Action Plan (SAP), review the motorcycle safety portion of the Transportation Safety Action Plan (TSAP), and listen to a presentation from a member about the outreach to women's rider groups in Oregon and their participation in the training program. Vice-Chair Ornelas asked which state is the model in regards to training and having the least amount of crashes. Mr. Greiner did not know the answer but said the Idaho Star Program training model is amazing. The Team Arizona Program is also exemplary, and focuses on student equity and providing safe practices. Ms. Owens asked if the fatality rate is increasing in other states like it has in Oregon. Mr. Greiner stated that it is a national issue. There are a couple of compounding factors, such as more exposure time with better weather, as seen in the 2018 data. The number of motorcycles sold last year is concerning, as with more motorcycles on the road, there will be an increase in fatalities. There is a 50-70% fatality rate with impaired riders, and as the state decriminalizes the use of drugs, the numbers will increase.

Highway Safety Engineering Committee (HSEC)

Christina McDaniel-Wilson stated that the committee has not met in over a year, as meetings were cancelled due to COVID. At the end of 2020, the All Roads Transportation Safety (ARTS) selection was taking place, which involves project selection and outreach. The ARTS meets once a month, similarly to HSEC for ODOT. The group is short-staffed due to retirements. The mission and vision for the committee needs to be revisited by defining a purpose and need, and identifying whether the committee is for information sharing or decision-making. They hope to expand the group to local community participation instead of being just an ODOT comprised committee. Vice-Chair Ornelas stated that he hopes the ARTS committee is focused on safety. Ms. McDaniel-Wilson stated that the committee focuses on safety to reduce fatal and serious injury crashes statewide.

Traffic Records Coordinating Committee (TRCC)

Walt McAllister reported that the committee met recently to discuss the traffic records strategic plan. An assessment of the program is complete and NHTSA will be renewing the strategic plan that is currently in place. A new plan will be implemented in January 2022. The TSAP contains the new plans for the TRCC strategic plan. The committee is providing input on the public review of the TSAP draft, which is time-consuming. Projects and applications are still being accepted. There was discussion on enhancing data sharing amongst other state agencies at the meeting, as well as a presentation on the effects of poverty and race on pedestrian injuries, progress updates on the project to integrate more crash databases, and a presentation by Ms. McDaniel-Wilson on fundamental data used to enhance roadway safety and engineering.

IX. 2021 LEGISLATIVE UPDATES

Jeff Greiner reviewed three bills for the GAC-MS. The committee continues to support the language change from *accident* to *crash* in the ORS. The committee chose to support the bill which adds psilocybin to the statues regarding impairment. The committee chose to take no position on the bill to modify ethanol in gasoline.

Dan Estes reviewed bills for the GAC-DUII. The third reading of SB 201-A, which is the fix to the *Guzman* and *Hedgpeth* court decisions dealing with the timing of administering an intoxilyzer test and accounting for out-of-state convictions with DUII, is today in the House. It has passed and is awaiting the final vote. HB 3140, which adds psilocybin to the impaired substance list that qualifies for a DUII elevated the conversation that Oregon does not having “any impairing substance” in legislation, which creates the need for updates. This bill passed the House and Senate and is waiting for the Governor’s approval. HB 3050 was part of a *gut and stuff* which added in the previous legislation about changing the word *accident* to *crash*. It was passed by the Joint Transportation Committee with no issues, then went to the House floor and passed overwhelmingly. The Senate sent it to the Rules Committee, where it currently sits. HB 3000-A deals with Cannabis and how it is defined. Delta-9 THC is the impairing substance found in Cannabis. Delta-8 THC is not defined in statute. This bill defines any substance derived from Cannabis as impairing. It currently sits with the Ways and Means subcommittee on Transportation and Economic Development awaiting action. Jerry Cooper asked if the veto of SB574 on lane splitting could be overturned. Kayla Hootsmans stated that any vetoed bill can be taken up again until the legislative session ends, but it is unlikely and she sees no indications that anything like that will happen. Ms. Hootsmans also addressed HB3050, stating that this bill has been referred to Rules by the Senate President because the Senate is requiring all measures to be read in full. It will need to go for votes.

For a full list of legislative updates, visit the [Oregon State Legislature \(OLIS\) website](#).

Ms. Owens asked how the Drivers Education program was going. Jody Raska stated that driver education is continuing. Private providers who have been ODOT approved are allowed to continue at their own discretion. Most private providers have continued operations by offering online and behind the wheel sessions. Pacific Community College (PCC) is not planning to reopen their program until January 2022. Rogue, Umpqua, and Linn-Benton Community Colleges are open. Some districts are waiting for guidance from the Department of Education. The statistics for 2020 on completion cards only decreased about 2.7% from 2019. 2021 is on pace to match that number. Support is being offered to providers to assist them with reopening. Ms. Owens said she had heard of children in her area wanting to take classes and not being able to. Ms. Raska stated that public providers have asked for private providers to step in and take their place and most of the backlog has been taken care of at this time.

X. NEXT MEETING & AGENDA BUILD

The next meeting will be held virtually on Wednesday, July 14, 2021 at 9:00 a.m.

Vice-Chair Ornelas said he would like to have Nick Fortey return to share updates, and asked to add that as a topic for a future agenda.

Chair Hoffer stated that OHA requires all EMTs to take 1-2 hours of equity and diversity training. He is working on presentations and researching information from all over the world. He would like someone from our Equity team to visit the OTSC.

Topics for consideration at future meetings include:

- *DMV License Testing (CDL, Class C)*
- *Rest Areas – Truck Parking*
- *Safety Aspects of Roadway Engineering*
- *Karl Citek, M.S., O.D., PhD, FAAQ (Nystagmus – Part 1)*
- *Tim Plummer, OSP (Nystagmus and the DRE Program – Part 2)*
- *ODOT Office of Social Equity (ASAP, per Chair)*
- *TSAP Approval (August)*
- *County Road Safety Corridor Pilot – Brian Worley (Association of Oregon Counties)*
- *Roundabouts – Christina McDaniel-Wilson*
- *Update by Nick Fortey*

IX. ADJOURN

With no further business brought before the Committee, Chair Hoffer officially adjourned the meeting at 11:11 a.m.