

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Deckert, George L., Monnes Anderson, Starr, Metsger
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Janet Adkins, Administrator
<b>Meeting Dates:</b>	4/12

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**WHAT THE MEASURE DOES:** Permits a road authority to immediately take custody of a car or light truck that is abandoned, disabled, or left parked unattended on a highway in such a location that it is a hazard or obstruction to traffic regardless of the time of day.

**ISSUES DISCUSSED:**

- Hazard posed by vehicles parked in the shoulder
- Time costs of accidents and blockages
- Current ability to tow in clear hazard situations
- Relative hazard posed by towing cars and heavy trucks
- Flexibility to road authorities to tow as necessary

**EFFECT OF COMMITTEE AMENDMENT:** Applies the authority at any time of day just to cars and light trucks; for trucks over 26,000 pounds keeps the current language regarding times of day when authority to take custody is explicit (on freeways within city limits between the hours of 7 a.m. and 9 a.m. and 4 p.m. to 6 p.m.).

**BACKGROUND:** Under current law (ORS 819.120), road authorities are authorized to have vehicles towed when the vehicle constitutes a hazard or obstruction to traffic. This is defined in the statute to include, but not be limited to, vehicles that extend into the travel lane, vehicles that extend onto a shoulder or bike lane of any freeway within a city during commuting hours (7-9 a.m. and 4-6 p.m.) within 1,000 feet of an exit or entrance ramp, or on any highway at night (between sunset and sunrise) if the vehicle presents a clear danger. The statute makes an exception for temporarily parking when using hazard lights, raised hood, or emergency flares.

While the “but not be limited to” language arguably gives jurisdictions the authority to take vehicles creating blockages and hazards into custody at any time of day, attorneys for the City of Portland are seeking more explicit statutory authority to have vehicles removed from the shoulder of freeways at other than commute times and at night. A recent Portland State University study of Portland area freeways noted that 268 crashes involving a parked vehicle occurred between 1995 and 2005, resulting in six fatalities and 102 injuries. Senate Bill 567-A is part of a larger strategy for improving incident management and keeping traffic moving.