

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	5 - 2 - 0
Yeas:	Bentz, Buckley, Read, Smith G., Beyer
Nays:	Gilman, Tomei
Exc.:	0
Prepared By:	Patrick Brennan, Administrator
Meeting Dates:	2/20, 2/21

WHAT THE MEASURE DOES: Allows pedestrians to move onto a roadway, or proceed along a roadway, with permit from applicable road authority. Permits road authorities to issue permits to move onto or proceed along roadways. Requires permit holders to meet signage, safety, and liability insurance requirements. Sunsets January 2, 2012. Declares an emergency and takes effect upon passage.

ISSUES DISCUSSED:

- “Fill the Boot” fundraiser
- Ability to institute additional safety requirements by rule
- Groups and individuals that could get permit
- Cost of signage and liability insurance
- Possibility of constitutionality challenge
- Safety of pedestrians in roadway
- Interaction with local ordinances

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Current Oregon law includes the offenses of a pedestrian with improper position on a roadway and a pedestrian improperly proceeding along a roadway when there is an adjacent usable sidewalk or shoulder. Exceptions are provided for members of groups who are participating in litter cleanup under “adopt-a-highway” programs and, in certain cases, for hitchhikers.

Each year, members of the International Association of Firefighters around the United States participate in a “fill the boot” fundraiser for the Muscular Dystrophy Association, where motorists are asked to drop a cash donation in a firefighter’s boot at specified locations. Under current law, firefighters participating in this fundraiser may be in violation of the offense of a pedestrian with improper position upon or along a highway.

Senate Bill 1084-A authorizes road authorities to issue permits to individuals or groups that wish to proceed on or along roadways under their jurisdiction. Permit holders would be required to meet safety requirements, including signage, visible clothing, and liability insurance. Additionally, the measure authorizes the Department of Transportation to adopt additional safety requirements by rule. The measure sunsets January 2, 2012, with no new permits to be issued after July 1, 2011.

2/21/2008 4:17:00 PM

This summary has not been adopted or officially endorsed by action of the committee.