

75th OREGON LEGISLATIVE ASSEMBLY - 2009 Regular Session
STAFF MEASURE SUMMARY
Senate Committee on Business and Transportation

MEASURE: HB 2235 A
CARRIER: Sen. Schrader

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure
Vote: 4 - 0 - 1
Yeas: George, Schrader, Starr, Metsger
Nays: -
Exc.: Verger
Prepared By: Jim Stembridge, Administrator
Meeting Dates: 4/30

WHAT THE MEASURE DOES: Authorizes Department of Transportation (ODOT) to enter private property, prior to notifying property owner, to cut and/or remove trees that are hazardous to a state highway. Requires ODOT to notify property owner within a reasonable amount of time after cutting and/or removing trees.

ISSUES DISCUSSED:

- Examples of emergency situations and tree hazards
- ODOT procedures for removing hazardous trees located on private property

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Under present practice, in cases where that are trees hazardous to highways are on private property, ODOT maintenance crews obtain the landowner's permission before going onto the property. In most cases, ODOT is granted permission, but there are times when the landowner cannot be identified or cannot be reached, so the department leaves the hazardous tree in place.

House Bill 2235A permits ODOT to enter private property and deal with potentially hazardous trees prior to obtaining permission from the landowner. Similar statutory authority is currently granted to counties to address hazards on county roads. House Bill 2235A requires notification to the landowner as soon as practicable after the action is taken and allows the department to determine, by rule, the process for notifying landowners.

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

Committee Services Form – 2009 Regular Session