

## Studded Tires House Bills 2277, 2278, 2397

Testimony for House Committee on Transportation and Economic Development, March 6, 2013, Peggy Woolsey, Tax Fairness Oregon

These three bills all address the cost of studded tire use.

### House Bill 2277

Directs the Oregon Department of Transportation to determine biennially the amount of damage from the use of studded tires and the number of drivers using them, requires a permit to use studded tires which bears the cost, and creates a traffic offense of operating motor vehicle with studded tires without a permit, punishable by a maximum fine of \$500.

Sponsor: Rep. Mitch Greenlick, D-Portland

**Pros:** This has the potential to make users pay if ODOT realistically assesses the true cost of studded tire damage. Lucy Moore, head of ODOT's Maintenance has told Jody Wiser, it's "probably \$500,000,000 in damage every year". If they use the "we repair \$11 million in damage every year", that's not the costs, that just what they spend. ODOT has backlogged over a billion dollars in studded tire damaged road maintenance. The system could be as simple as the snow-park permit. The fiscal is \$40 million.

It allows folks to choose whether their studded tires are worth using---the cost of purchasing, the cost of putting and removing each year and the cost of repairing their share of excess damage to Oregon's roadways. Some people may decide to explore how good snow tires are, since they will be less expensive.

They are good for salmon; they're good for streams down the middle of I-5.

**Con:** It doesn't address the lack of necessity for studded tires most of the 5 months they are in use, the risk to other drivers and the users when it is wet and they hydroplanie on the ruts. Drivers from out of state wouldn't pay, yet their studs damage our roads too.

**Conclusion:** Of the three bills this has the greatest **potential** to make studded tire users pay for the damage they cause and reduce the use of the studded tires.

### House Bill 2278

Imposes a per tire \$10 fee, collected by tire dealers when they sell a new tire with studs or install studs in a tire.

Sponsors: Rep. Mitch Greenlick, Rep. Michael Dembrow; and Sen. Elizabeth Steiner Hayward.

**Pro:** At least studded tire users are being forced to pay something.

**Con:** The charge is inadequate to cover damage or deter purchases. The bill doesn't apply to retractable studded tires. Does not charge the people who currently have studded tires. Drivers who buy studs in border states or

used tires on Craigslist would not pay the state fee. Drivers from out of state wouldn't pay. Out-of-state truckers pay for using our roads based on their damage and so should studded tire users.

**Conclusion:** This bill has too many drawbacks to be considered.

### **House Bill 2397**

Imposes a fee, collected by tire dealers when they sell a new tire with studs or install studs in a tire. The amount of fee is to be determined during the session.

Sponsors: Rep. Brad Witt, Rep. Jules Bailey, Rep. Peter Buckley, Rep. Chris Harker, Rep. Paul Holvey, Rep. Alissa Keny-Guyer.

**Pro:** Studded tire users are being asked to pay something. If the fee were \$300 or \$400 per set, (the cost of studless tires) then it has potential to incent drivers to choose something other than road damaging studded tires.

**Con:** Does not charge the people who currently have studded tires. One could buy studded tires in border states or used studded tires on Craigslist and avoid paying the state fee. Drivers from out-of- state wouldn't pay. Retractable studded tires should be included in the bill.

**Conclusion:** Over a time, and with a realistic fee, this bill would address some of the issue of damage from studded tires and the cost to repair the roads.

Rating the effectiveness of these attempts to put the cost of studded tire damage on the persons responsible for these burdensome costs, we much prefer HB 2277. Our second choice would be HB 2397 with a fee that responds significantly to likely cost of damage over the lifetime of the tire.

State law requires that people who compromise our roads pay for any damage for which they are responsible. It's time to enforce this law, whether or not tire manufacturers, the NW Tire Dealers Association, or other special interest groups like it.