

May 9, 2019

To: 2019 Oregon Legislative Joint Transportation Committee,

1053

Re: Testimony in support of SB ~~747~~ 2019 creation of an independent TriMet Oversight Committee.

December 1, 2015 I experienced a serious injury accident as the result of contact with a TriMet passenger bus while riding my bicycle. The accident occurred in Portland at the intersection of the Tilikum bike-ped path/TriMet dedicated bus slip lane and SE 11<sup>th</sup> Avenue as it transitioned to SE Milwaukie Avenue. The most serious injury sustained was a fracture at the neck of the femur of the right leg. This injury resulted in the insertion of three screws into the bone to draw the fractured segments together to allow for the bone fracture to heal. The immediate and long term pain was intense, the pain never was entirely relieved. I suffered reduced mobility post recovery that continues to this day. Three plus years later it was necessary to have that hip joint replaced due to bone necrosis resulting from compromised blood supply. It is extremely likely the cause of the need for the hip replacement was the injury caused by the collision between myself and the TriMet bus in December of 2015.

The day of the accident TriMet's involvement with me was minimal.

The first contact was with the driver, who I witnessed peeking around the front of the bus as I sat immobile on the asphalt pavement propped up against the side of the bus. The driver's involvement consisted of bellowing "you need to watch where you're going." She then disappeared from sight not to be seen again.

The second contact was with whom I presumed to be a Safety Supervisor who approached me and said, I am paraphrasing, "an ambulance has been called." I don't recall in detail any other conversation with this person.

The third contact was with a Transit Police Officer Road Supervisor, Bart Pflaum, who handed me his business card on which he had circled a telephone number for TriMet Claims. Officer Pflaum informed me to call the Claims number and then left the site.

Later, when I called TriMet Claims I was told to contact my insurance company, which I did. That was the last I heard from TriMet personnel.

Following my encounter with Officer Pflaum Fire Department Personnel and EMT Personnel arrived and ultimately transported me to the Emergency Room at Providence Hospital.

Much later I learned that my accident did not appear on the Portland Bureau of Transportation Vision Zero Accident Map, which was quite puzzling as mine was a serious injury accident that could have been fatal. It is generally assumed the intention of PBOT is to record all injury accidents on that map.

Following that awareness I learned the Portland Police do not receive/file an accident report for accidents involving TriMet equipment/personnel. Apparently there exists a tacit agreement between TriMet and the City of Portland that allows TriMet to self report and manage accidents involving TriMet equipment and personnel.

This is disturbing to me and raises several concerns.

- What is the mechanism, if there is one, for monitoring the driving performance of the vehicle operators?
  - Based upon my limited experience with the operator of the bus that hit me, no compassion was exhibited but rather an attitude of victim blaming.
  - Did this operator have previous incidents that may have led to either training to elicit better job performance, or loss of operator privileges? How would anyone know as no oversight currently exists?
  - An oversight committee should, as part of standard procedures, be able to review operator driving records on a regular basis to ensure the optimal safety environment for operators, passengers, and public.
- How many other injury accidents have occurred involving a TriMet vehicle that were never reported because of the tacit self reporting/managing understanding that exists between TriMet and the City of Portland?
  - Currently there is not a way to know if that data even exists.
  - This is not a tolerable condition for public safety.

Self reporting is a questionable practice that allows too much opportunity for abuse.

I strongly recommend the creation of a TriMet Oversight Committee to ensure the safety of the public as well as TriMet personnel.

Respectfully submitted,

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