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HOUSE OF REPRESENTATIVES

As you know, Tigard staff has been closely following the Access Management Committee for the last year as they met to develop legislation. The committee was very dedicated to the process and worked tirelessly over the past few weeks to develop text for the legislative committee. The culmination of their work appears in SB 264. The Senate Committee on Business, Transportation and Economic Development has scheduled a hearing on the bill for Tuesday, April 5.

Before the hearing, we wanted to share with you our thoughts on SB 264.

- The bill has many positives including,
 - o allowing more development along state highways,
 - o striking a more equal balance in decision-making between highway and property needs,
 - o informing developers earlier where they can get access,
 - o preventing ODOT from tying up the process with lengthy reviews.

- Conversely, the bill has its drawbacks such as,
 - o increasing the difficulty for ODOT to preserve smooth traffic flow along state highways,
 - o allowing more driveways because ODOT will have difficulty proving safety or operational problems,
 - o swinging the pendulum from ODOT to the other side, favoring developers at the expense of ODOT's ability to protect public safety and mobility,
 - o perpetuating the problem of access decisions being governed by hard-and-fast rules rather than common sense and good judgment.

Overall, SB 264 is a positive step forward. The legislation could be further strengthened by focusing more on maintaining a good neutral review board. Such a review board would give experts more latitude to make good decisions on a case-by-case basis.

