

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 3 - 2 - 0

Yeas: Prozanski, Walker, Burdick

Nays: Beyer, Kruse

Exc.: 0

Prepared By: Bill Taylor, Counsel

Meeting Dates: 5/24, 5/29

WHAT THE MEASURE DOES: Increases the penalty for careless driving when the driver causes physical injury or death to a vulnerable user of a public way. Defines “vulnerable user of a public way” as a pedestrian, a person riding an animal, a highway worker, or a person operating any of the following on a public way, crosswalk or shoulder of a highway: (A) Farm vehicle without an enclosed shell; (B) Skateboard; (C) Roller skates; (D) In-line skates; (E) Scooter; or (F) Bicycle.

Requires the careless driver to complete a traffic safety course and perform between 100 to 200 hours of community service related to driver improvement. Requires the court to impose a sentence suspending the person’s driving privileges and impose a fine of up to \$12,500, but suspend the sentence.

Sets a hearing one year from the date of sentencing for the purpose of determining if the person has complied with the sentencing conditions. Allows the court to dismiss the penalties imposed if the person has completed driver education and community service. Allows the court to grant extension for good cause shown. Requires police officer issuing the traffic citation to note on the citation that the driver contributed to the serious physical injury or death of a vulnerable user of a public way.

ISSUES DISCUSSED:

- Injuries to bicyclists caused by drivers of cars and trucks
- Inclusion of handicapped persons operating scooters

EFFECT OF COMMITTEE AMENDMENT: Replaces the bill.

BACKGROUND: ORS 161.015 defines “serious physical injury” as physical injury that creates a substantial risk of death or which causes serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ. It is a Class A traffic infraction to operate a motor vehicle upon a highway in a manner that endangers or would be likely to endanger any person or property (ORS 811.135). A person commits the offense of careless driving if the person drives any vehicle upon a highway or other premises in a manner that endangers or would be likely to endanger any person or property.