

Enrolled
House Bill 2872

Sponsored by Representatives MACPHERSON, ESQUIVEL; Representatives DINGFELDER, C
EDWARDS, OLSON, ROSENBAUM, Senator GORDLY

CHAPTER

AN ACT

Relating to use of mobile communication device while driving.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2007 Act is added to and made a part of the Oregon Vehicle Code.

SECTION 2. (1) A person under 18 years of age commits the offense of operating a motor vehicle while using a mobile communication device if the person, while operating a motor vehicle on a highway, uses a mobile communication device and the person holds:

- (a) A provisional driver license issued under ORS 807.065;
- (b) A special student driver permit issued under ORS 807.230; or
- (c) An instruction driver permit issued under ORS 807.280.

(2) For purposes of this section, "mobile communication device" means a text messaging device or a wireless, two-way communication device designed to receive and transmit voice or text communication.

(3) This section does not apply:

(a) To a person who is summoning medical or other emergency help if no other person in the vehicle is capable of summoning help; or

(b) To a person using a mobile communication device for the purpose of farming or agricultural operations.

(4) Notwithstanding ORS 810.410, a police officer may enforce this provision only as a secondary action when a driver of a motor vehicle has been detained for a suspected traffic violation or some other offense.

(5) The offense described in this section, operating a motor vehicle while using a mobile communication device, is a Class D traffic violation.

Passed by House May 14, 2007

Repassed by House June 26, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate June 12, 2007

Repassed by Senate June 26, 2007

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President of Senate

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State