

House Bill 3189

Sponsored by Representative SCOTT (at the request of Brian Burke)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates offense of operating motor vehicle while using mobile communication device. Applies to persons under 18 years of age. Punishes by maximum fine of \$90.

A BILL FOR 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 but does not use a hands-free accessory.

(2) For purposes of this section:

(a) "Hands-free accessory" means an attachment or built-in feature for or an addition to a mobile communication device, whether or not permanently installed in a motor vehicle, that when used allows a person to maintain both hands on the steering wheel.

(b) "Mobile communication device" means a text messaging device or a wireless, two-way communication device designed to receive and transmit voice communication.

(3) This section does not apply to:

(a) A person operating an ambulance or emergency vehicle; or

(b) A person summoning medical or other emergency help if no other person in the vehicle is capable of summoning help.

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

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.