

2009 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 2038 **STATUS:** Original
SUBJECT: Prohibits persons of any age from using a mobile communication device while driving and authorizes suspension of driving privileges for repeat offenses
GOVERNMENT UNIT AFFECTED: State agencies, local governments
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DATE: February 19, 2009

	<u>2009-2011</u>	<u>2011-2013</u>
EXPENDITURES: See Comments		

REVENUES:
See Comments

EFFECTIVE DATE: January 1, 2010

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: HB 2038 bans the use of mobile communication devices while driving, unless the driver is using a hands-free accessory. Current law bans the use of a mobile communications device if the driver is less than 18 years of age and operating the vehicle with a provisional license, a special student driver permit, or an instruction permit. This bill would expand the ban to all drivers. The bill also provides for the suspension of driving privileges for repeat violations.

State agencies estimate varying levels of impact from this bill. The impact ranges from no or minimal fiscal impact for most agencies, to an estimated impact of \$555,717 General Fund for the Judicial Department. The Judicial Department impact relates to an estimated 37,000 increase in traffic citations that could result from the bill, and the staff and judicial workload that could result from the additional citations. The increased citations could also generate additional revenue, which the Judicial Department is unable to estimate.

Municipal and Justice Courts could also see an increase in traffic citations.

The bill could also create some disruption in services for state and local workers who are required take time out from driving in order to initiate or respond to mobile communications. The bill does not mandate replacement of hands-on mobile communication devices. However, the Department of Transportation indicates that the bill could cost \$862,710 Other Funds in 2009-11, primarily to purchase and install hands-free accessories for its fleet, to avoid service disruptions.