

HOUSE AMENDMENTS TO HOUSE BILL 2377

By COMMITTEE ON TRANSPORTATION

April 23

1 Delete lines 4 through 28 of the printed bill and insert:

2 **“SECTION 1.** ORS 811.507 is amended to read:

3 **“811.507. (1) As used in this section:**

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

7 **“(b) ‘Mobile communication device’ means a text messaging device or a wireless, two-way**
8 **communication device designed to receive and transmit voice or text communication.**

9 **“[(1)] (2) A person [under 18 years of age] commits the offense of operating a motor vehicle while**
10 **using a mobile communication device if the person, while operating a motor vehicle on a highway,**
11 **uses a mobile communication device. [and the person holds:]**

12 **“[(a) A provisional driver license issued under ORS 807.065;]**

13 **“[(b) A special student driver permit issued under ORS 807.230; or]**

14 **“[(c) An instruction driver permit issued under ORS 807.280.]**

15 **“[(2) For purposes of this section, ‘mobile communication device’ means a text messaging device**
16 **or a wireless, two-way communication device designed to receive and transmit voice or text communi-**
17 **cation.]**

18 **“(3) This section does not apply:**

19 **“(a) To a person who is summoning medical or other emergency help if no other person in the**
20 **vehicle is capable of summoning help; [or]**

21 **“(b) To a person using a mobile communication device for the purpose of farming or agricultural**
22 **operations[.];**

23 **“(c) To a person operating an ambulance or emergency vehicle;**

24 **“(d) To a person 18 years of age or older who is using a hands-free accessory;**

25 **“(e) To a person operating a motor vehicle while providing public safety services or**
26 **emergency services as a volunteer;**

27 **“(f) To a person operating a motor vehicle while acting in the scope of the person’s em-**
28 **ployment as a public safety officer, as defined in ORS 348.270;**

29 **“(g) To a person operating a motor vehicle in the scope of the person’s employment if**
30 **operation of the motor vehicle is necessary for the person’s job;**

31 **“(h) To a person activating or deactivating the mobile communication device or a func-**
32 **tion of the device; or**

33 **“(i) To a person using a function of the mobile communication device that allows for only**
34 **one-way voice communication while the person is:**

35 **“(A) Operating a motor vehicle in the scope of the person’s employment;**

1 **“(B) Providing transit services to persons with disabilities or to senior citizens; or**

2 **“(C) Participating in public safety or emergency service activities.**

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

6 “[(5)] (4) The offense described in this section, operating a motor vehicle while using a mobile
7 communication device, is a Class D traffic violation.”.

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