

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: SB 9 – MR4**

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session  
Legislative Fiscal Office

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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**Measure Description:**

Provides that violation of offense of operating motor vehicle while using mobile communication device without a hands-free accessory to send or receive text messages is a Class B traffic violation.

**Government Unit(s) Affected:**

Oregon Department of Transportation, Judicial Department

**Summary of Expenditure Impact:**

Agency – Fund Type	2013-2015	2015-2017
Department of Transportation – Other Funds	\$130,350	----

**Summary of Revenue Impact:** See Legislative Revenue Office statement.

**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:**

The measure as introduced would change the offense of operating a motor vehicle while using a mobile communication device from a Class D traffic violation to a Class B violation that is subject to a maximum fine of \$1,000. The measure, as amended by the Minority Report, would change the offense to a Class B violation, with a maximum fine of \$1,000, when a person operating a motor vehicle uses a mobile communication device without a hands-free accessory to send or receive a text message. Additionally, the measure directs the Department of Transportation to place signs on “highways of this state” notifying drivers of the amount of the maximum fine for the violation.

The Oregon Department of Transportation (ODOT) assumes that placement of the signs on “highways of this state” is not specific to “state highways” and encompasses state highways, city streets, and county roads as defined by ORS 366.005. However, ODOT does not have authority to place signs on city or county property.

The sign design would be a one-time cost of approximately \$3,000. Cost of sign material and installation are estimated to be \$1,200 per sign. Additionally, the Department estimates minimal cost for updating Department of Motor Vehicles programming codes and the Guide to Oregon Driver Records manuals.

The total cost to ODOT would be dependent on the number of signs that were placed. At a minimum, ODOT assumes placement of approximately 100 signs at Oregon borders and other state highway locations throughout the state, for a total cost of \$120,000 Other Funds.

If ODOT is granted authority to place signs on city or county property, ODOT estimates placement of approximately 550 signs at a total cost of \$550,000 Other Funds.