

SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 9

By JOINT COMMITTEE ON WAYS AND MEANS

July 6

1 On page 1 of the printed A-engrossed bill, line 2, delete “and” and before the period insert “;
2 and limiting expenditures”.

3 Delete lines 4 through 27.

4 On page 2, delete lines 1 through 20 and insert:

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

6 “811.507. (1) As used in this section:

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

10 “(b) ‘Mobile communication device’ means a text messaging device or a wireless, two-way com-
11 munication device designed to receive and transmit voice or text communication.

12 “(2) A person commits the offense of operating a motor vehicle while using a mobile communi-
13 cation device if the person, while operating a motor vehicle on a highway, uses a mobile communi-
14 cation device.

15 “(3) This section does not apply to a person who activates or deactivates a mobile communi-
16 cation device or a function of the device or who uses the device for voice communication if the
17 person:

18 “(a) Is summoning medical or other emergency help if no other person in the vehicle is capable
19 of summoning help;

20 “(b) Is using a mobile communication device for the purpose of farming or agricultural oper-
21 ations;

22 “(c) Is operating an ambulance or emergency vehicle;

23 “(d) Is 18 years of age or older and is using a hands-free accessory;

24 “(e) Is operating a motor vehicle while providing public safety services or emergency services;

25 “(f) Is operating a motor vehicle while acting in the scope of the person’s employment as a
26 public safety officer, as defined in ORS 348.270;

27 “(g) Is operating a tow vehicle or roadside assistance vehicle while acting in the scope of the
28 person’s employment;

29 “(h) Holds a valid amateur radio operator license issued or any other license issued by the
30 Federal Communications Commission and is operating an amateur radio;

31 “(i) Is operating a two-way radio device that transmits radio communication transmitted by a
32 station operating on an authorized frequency within the citizens’ or family radio service bands in
33 accordance with rules of the Federal Communications Commission;

34 “(j) Is operating a vehicle owned or contracted by a utility for the purpose of installing, re-
35 pairing, maintaining, operating or upgrading utility service, including but not limited to natural gas,

1 electricity, water or telecommunications, while acting in the scope of the person's employment; or

2 “(k) Is using a function of the mobile communication device that allows for only one-way voice
3 communication while the person is:

4 “(A) Operating a motor vehicle in the scope of the person's employment;

5 “(B) Providing transit services; or

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

7 “(4) The offense described in this section, operating a motor vehicle while using a mobile com-
8 munication device, is a Class [D] C traffic violation.

9 **“(5) The Department of Transportation shall place signs on state highways to notify
10 drivers that violation of this section is subject to a maximum fine of \$500.**

11 **“SECTION 2. Notwithstanding any other law limiting expenditures, the amount of
12 \$130,350 is established for the biennium beginning July 1, 2013, as the maximum limit for
13 payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts,
14 but excluding lottery funds and federal funds, collected or received by the Department of
15 Transportation for administrative and operating expenses incurred in carrying out the pro-
16 visions of this 2013 Act.”.**

17 In line 21, delete “2” and insert “3”.