



Oregon

Kate Brown, Governor

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DATE: April 29, 2015

TO: House Committee on Transportation and Economic Development

FROM: Amy Joyce
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SUBJECT: SB 167 – cell phone exception for taxi drivers

INTRODUCTION

The law prohibiting use of cell phones while operating a motor vehicle contains a few exceptions that consistently address the type of vehicle operator and the purpose for using the phone. SB 167 would add taxi drivers. Amendments may be appropriate to maintain consistency across the various exceptions.

DISCUSSION

The current law generally prohibiting use of a handheld mobile communication device has been in place since 2007 and has been amended several times since then. Current exceptions for cell phone use include, for example: summoning emergency help if no one else is available to make the call; using it for the purpose of agricultural operations; operating the vehicle while providing emergency services. Senate Bill 167 would allow a taxi driver to use a handheld mobile communication device – such as a cell phone – while operating the taxi.

The department understands the committee may consider the -1 amendment, allowing this exception only when there are no passengers in the vehicle. The bill may be further improved - making it more consistent with other exceptions in statute - by requiring that it apply only when the use is related to a work purpose. Using a cell phone without a hands-free device can be dangerous. By limiting the exception only to the business of operating the taxi, the bill would be in line with the other exemptions in law, which acknowledge jobs that take place in a vehicle but do not allow the exception for non-work purposes.

SUMMARY

The bill would add to a growing list of exceptions to the general prohibition on using a cell phone while operating a vehicle. Those exceptions would remain relatively consistent if the bill limited the exception to work-related calls.