

Members of the Committee,

As a ham radio operator, I fully support Mr. Core's testimony as submitted. But additionally, I am appalled at the reactionary, oppressive nature of not just this bill but of obsessive and overbearing regulatory practices of this sort in general. It comes as no surprise that ODOT, which never saw a restriction or regulation it didn't like, is a prime proponent of this bill, which is a "wish list" of restrictions and denials of every possible use of a grocery list of technology comprising anything which occurred to whoever wrote it at the moment.

Moreover ODOT, significantly, in their letter intones about "The Capabilities Of Today's Technology". Presumably then, they'll be back again apace, importuning future legislative sessions in endless flailing attempts to maintain pace with "Technology"?

Drivers can become "distracted" by all manner of influences - most of them having nothing to do with "Technology" of any sort. Children causing a ruckus in the back seat comes to mind as being probably the most common example. Even when some "device" is involved, the means of distraction is really incidental - almost anything can be distracting, even listening to a radio broadcast, and many activities other than operating a "mobile electronic device" can cause a person to remove their hand from the steering wheel. People remove one hand - or even, unwisely, both hands - from the steering wheel for all manner of things while driving - eating and drinking, adjusting controls within the vehicle, etc. - without requiring any sort of "Mobile" device to distract them. Operating dash controls - particularly entertainment system controls in modern high fidelity music systems - can be very distracting.

Today we have drivers playing video games, using tablet devices, and engaging in other arguably distracting activities with "Technology". In the not too distant future we will see fully automated self-driving cars, but even with those it will be necessary for the driver to be able to abruptly assume control of the vehicle should the automated system fail - and how, pray tell, does DOT propose to ensure that with more legislation?

For that matter, it's only marginally even significant whether the offending device is "mobile" or not (and I note that this legislation, almost laughably, seeks to further "nuance" whether someone is touching their cell phone without speaking into it). Some electronic devices which are now "mobile", will soon be found embedded in a vehicle's electronics package, safe from the attentions of this bill (at least until DOT shows up with another litany of complaints demanding still more legislation), but with far more sophisticated and accessible controls and with displays easily viewable by the driver - probably even in a "heads-up" holographic configuration on the windshield, as we see in aircraft today - and thereby becoming potentially even more distracting than they were in their previous, much dreaded and maligned "Mobile" configuration.

To top it all off, there are now many "Mobile Electronic Devices" - and more coming - which are worn for medical purposes, and which under the language of this bill will render the user subject to harassment and citation as though they had dared to touch a button on their cell phone. People with chronic medical conditions will be found wearing (the dreaded) "Mobile Communication

Devices" in various locations on their bodies, all networked together and feeding their (also dreaded) cell phone via a BlueTooth connection so that their condition can be continually monitored remotely by a medical facility - and yes, even when they're driving (although I suppose DOT could agitate for simply having such unfortunates banned from the road completely). And, these devices will eventually all be embedded in an "Internet of Things", rendering the (dreaded) communication function inseparable and indistinguishable from the sensing and monitoring functions - something which is likely to give the writer of future legislation of this sort a terrific headache when they try to further parse and refine the requirements.

This legislation is, in typical fashion, focused on the wrong thing - the physical objects involved in the misbehavior, rather than the behavior itself. The issue is whether the person is distracted and whether their ability to control the vehicle is impaired, not any particular physical object which may be involved. Distracted drivers cause accidents, and the fact that a driver allows themselves to become distracted, not the reason for their distraction, is what should be the focus of any legislation directed at this problem. Enhanced penalties or strict liability for those drivers who are actually cause problems - the ones who cause accidents, drive erratically, or obstruct traffic due to distracted driving - may very well be in order, but attempts to patch already flawed and overbearing legislation with endless tinkering with descriptions and fine-tuning of exceptions will simply deny all use of the listed technologies to everyone other than a small select group of people, meanwhile burdening the Courts with yet another tangled web of nuances and interpretations and depriving the public of valid - and sometimes essential - use of valuable technology.

Additionally, this legislation is a classic example of a "prior restraint" law - abridging the people's freedoms in anticipation of their doing something wrong, and thus treating us all like unruly children who can't be trusted to manage our own affairs and thus have to be restricted and controlled. That sort of approach - driven by a philosophy which I won't bother to name here but should be apparent to anyone who has been paying attention for the past few decades - in the end never solves the problems it purports to address, and serves only to continually erode our freedoms.

Thank You

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