

HB 2721 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Whitney Perez, Counsel

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/7

WHAT THE MEASURE DOES:

Expands Assault in Third Degree to include intentionally, knowingly or recklessly causing physical injury to highway worker or flagger while worker or flagger is performing official duties. Creates Task Force on Road Worker Safety (task force). Sunsets task force on December 31, 2018. Declares emergency, effective on passage.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

There are four levels of assault in Oregon: Assault in the Fourth Degree, usually an A misdemeanor; Assault in the Third Degree, usually a C felony; Assault in the Second Degree, a B felony; and Assault in the First Degree, an A felony. Assault in the Fourth Degree is committed when a person intentionally, knowingly or recklessly causes physical injury to another.

There are a variety of acts included in Assault in the Third Degree, such as intentionally, knowingly or recklessly causing physical injury, by means other than a motor vehicle, to the operator of a taxi while the operator is in control of the taxi. House Bill 2721 expands Assault in the Third Degree to include intentionally, knowingly or recklessly causing physical injury to a flagger or highway worker while the flagger or worker is performing official duties. It also defines flagger and highway worker.

Finally, HB 2721 creates a Task Force on Road Worker Safety (task force). The task force would study ways to increase the safety of highway workers and flaggers. The task force would sunset on December 31, 2018.