



06March2017

Representative Jeff Barker
Chair, House Judiciary Committee
RE: HB 2598

Dear Chair Barker and Members of the Committee:

I am a motorcyclist who is very concerned about my safety and the safety of other riders and passengers. I am asking you to support HB 2598 which amends the current Vehicular Assault Statute to include motorcycle riders and their passengers. Currently in Oregon, motorcyclists do not have the same protections as bicyclists and pedestrians when a reckless driver hits a motorcycle rider or passenger, even though the injuries are often just as serious as those suffered by bicyclists and pedestrians.

My story: My boyfriend and I had planned on starting our 10 day motorcycle journey on Saturday morning, 05SEP2015. In the early evening of Friday, 04SEP2015, I set my out of office email, packed up my motorcycle, and left my apartment in NE Portland to head to my boyfriend's home in SE Portland. I decided to head East to my boyfriend's home via E. Burnside St instead of I-84, and while riding on E. Burnside St I was struck by an inattentive and reckless driver. When the driver was driving westbound on E. Burnside St she attempted to take a sharp left on to SE 44th Ave, she failed to yield to oncoming traffic, and she hit me with her van. As my motorcycle and I were launched away from her vehicle, she continued driving on to SE 44th Ave and parked several blocks away. Should we consider this traumatic accident a competitive event, the driver certainly won. After this event, my life has not and will never be the same; I am figuratively and literally scarred for life. The driver that hit me paid \$955.00 in tickets, and otherwise was not impacted by this event. See Attachment A for a summary of and images related to the accident.

My family and friends, Oregon motorcyclists, and I are asking that, when a driver recklessly injures a motorcyclist or a motorcycle passenger, the driver be held accountable by minimally being charged with a Class A Misdemeanor. While such conduct may be already illegal in Oregon, it is hoped that by affirmatively protecting motorcyclists and their passengers, drivers will become more aware of a motorcyclist's vulnerability to reckless driving behavior. These protections are more important than ever with the dramatic increase in distracted driving in Oregon. Please take action in supporting the safety of motorcycle riders and their passenger in our great state, and support HB 2598.

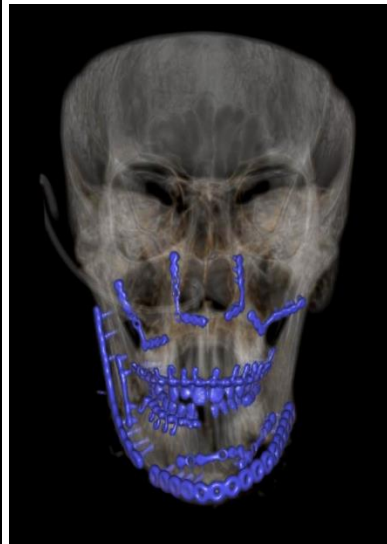
Thank you,

Rena M. Walsh
3942 SE 115th Ave.
Portland, OR 97266



Attachment A: Summary of Accident and Images, pages 2 - 4

| | Driver | Motorcyclist (Me) |
|------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Day of Accident – Status of Driver and Motorcyclist | Unlicensed and uninsured driver of a van. Smoked marijuana earlier in the day; her blood THC levels were under legal maximum limit. Leaves accident uninjured. | Licensed and insured motorcycle rider. Leaves accident in ambulance in critical condition for 3 week stay at OHSU. Despite safety gear and full face helmet, event results in: 1) moderate to severe TBI, 2) severely broken upper and lower jaws w/ minor skull fractures, 3) loss of ~3.5 pints of blood, 4) severely damaged and lost teeth, 5) 10 broken ribs, 6) bruised bladder, 7) damaged abducens nerve causing crossed L eye, 8) severed marginal mandibular branch facial nerve that controls L side of lower lip, 9) permanent decrease in hearing in left ear due to skull vs. eardrum, 10) short and long-term results of TBI, and 11) mini-stroke in R. cerebellum. |
| Charges | 1) Careless driving contributing to an accident, 2) Operating a vehicle without driving privileges, and 3) Driving Uninsured | None |
| Financial Impact | 1) \$955.00 in tickets, and 2) Cost to repair or replace her van due to colliding with my body and motorcycle | 1) 2015, 2016, and 2017 insurance deductibles, 2) Cost of out-of-network medical treatment, 3) Cost of “cosmetic” treatment resulting from facial trauma, 4) Potential cost of dental treatment, unless insurance coverage appeal process is unnecessary or successful. I still need 4 teeth replaced / implanted; this service alone is ~25k. NOTE: I moved from WA to OR in May 2015. My 2015 OR state income tax was a few dollars less than the ticket amount owed by Driver. |
| Quality of Life Impact | None | Negative impact to 1) Physical and mental health, 2) Physical appearance, and 3) Job performance and career growth (e.g., was on disability from Sep 2015 to Feb 2016; went from exceeds to meets in annual reviews; went from career growth goals to career maintenance goals). |





**Pre vs.
Post-
Trauma**



REGISTER OF ACTIONS
CASE No. 15VII52246

State of Oregon vs [REDACTED]

§
§
§
§
§

Case Type: **Offense Violation**
 Subtype: **Driver**
 Date Filed: **10/28/2015**
 Location: **Multnomah**

PARTY INFORMATION

Defendant

[REDACTED]

[REDACTED]

Attorneys

Plaintiff

State of Oregon

CHARGE INFORMATION

| Charges: | Statute | Level | Date |
|---------------------------------------------------|------------|-------------------|------------|
| 1. Careless Driving Contributing to an Accident | 811.135(2) | Violation Class A | 10/22/2015 |
| 2. Operating a Vehicle Without Driving Privileges | 807.010(1) | Violation Class B | 10/22/2015 |
| 3. Driving Uninsured | 806.010 | Violation Class B | 10/22/2015 |

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

- 12/14/2015 **Disposition** (Judicial Officer: Authority, Administrative)
 1. Careless Driving Contributing to an Accident
 Convicted
 Created: 12/14/2015 1:43 PM
- 12/14/2015 **Disposition** (Judicial Officer: Authority, Administrative)
 2. Operating a Vehicle Without Driving Privileges
 Convicted
 Created: 12/14/2015 1:43 PM
- 12/14/2015 **Disposition** (Judicial Officer: Authority, Administrative)
 3. Driving Uninsured
 Convicted
 Created: 12/14/2015 1:43 PM

OTHER EVENTS AND HEARINGS

- 10/28/2015 **Citation**
 Created: 10/30/2015 7:30 AM
- 12/14/2015 **Closed**
 Created: 12/14/2015 1:54 PM
- 12/14/2015 **Judgment - Violation General** (Judicial Officer: Authority, Administrative)
 Created: 12/14/2015 2:10 PM

FINANCIAL INFORMATION

| | | | |
|------------|-------------------------------------|------------------------|-------------|
| | Total Financial Assessment | | 955.00 |
| | Total Payments and Credits | | 955.00 |
| | Balance Due as of 02/28/2017 | | 0.00 |
| 10/30/2015 | Transaction Assessment | | 955.00 |
| 12/11/2015 | Phone Payment | Receipt # 2015-1626867 | (500.00) |
| 12/11/2015 | Phone Payment | Receipt # 2015-1627427 | (455.00) |