

Dear Chair, Vice Chair and Members, Senate Judiciary Committee:

I understand you will be considering SB2 which would amend ORS 811.507, removing several of the specific exemptions from the definition of the distracted driving offense. The problem overall in the electronic device world is cell phones and Ipads being used by drivers. I am writing to urge that you vote to preserve the exemption in 3(h).

I am an amateur radio operator involved in disaster communications for Lincoln County. I have been operating a mobile radio in my car since becoming licensed over a decade ago. There is a vast difference between operating a phone and my radio. I do not take my eyes from the road when I pick up the mic. I do not take my eyes or attention from the road when I press the "talk" button and speak, and then listen. A mic, if it has a keypad, the use of which is limited to a toggle switch to change frequency - again, is done by feel, without taking my eyes off the road.

It is also the case there are almost no ready made, hands-free radio equipment, what exists is from a single manufacturer, and it is a very expensive radio. It would be unduly burdensome for mere volunteers to go out and buy a special radio to comply with this proposed law.

I take driving safety very seriously. I am acutely aware my 5,0000 SUV is a dangerous device. I am also acutely aware that using a radio has possibly never been a cause of an accident. I have seen nearly occur and nearly been in accidents because of others using their cell phones illegally.

I urge your committee to not remove subsection 3(h) related to exempting FCC licensed amateur radio operators from ORS 811.507.

It is difficult enough to recruit volunteers for disaster communications and train them, without limiting their ability to practice those communications in exercises and in every day life. Please vote to retain 3(h).

Thank you. I am including below the text from an e-mail from one of my volunteers to Representatives Gomberg and Roblin for further elaboration on this issue.

Douglas Holbrook  
N7KNK  
Lincoln County Auxiliary Communication Service  
Government Liaison

Dear Honorable Senator Robian and Representative Gomberg:

Below is an email from one of my piers and Representative Gomberg's reply. I thank Representative Gomberg's for his appreciation of our service. I also agree that there is major problem with distracted driving. However, I think this problem needs to be put into perspective.

Since World WarTwo this has not been a major problem. Policemen, firemen, ambulance drivers, truck drivers, cab drivers and amateur radio operators all used their radios without it being considered "distracted driving." They simply reached down, grabbed their microphone,

pushed the button on that microphone and talked. As far as I know most of those people still do just that without endangering themselves or others. When operating our vehicles we routinely shift, turn on lights, signal, change the radio station, talk to others, etc. This is not considered "distracted driving."

Our service is effective because of the simplicity of our equipment. We pay for it ourselves and practice extensively to insure that we will be ready for a real emergency. This legislation would require the use of bluetooth connectivity to be hands free. Bluetooth is not available generally in any amateur radio equipment and is rare. This legislation would turn an entire industry upside down and require us to replace all of our equipment. We can't afford it and neither can you.

Yes, there are idiots who insist on texting, dialing, playing games, etc. Representative Gomberg's staff member was rear-ended by such an idiot. These distractions are done on cell phones not amateur radio equipment. We amateur radio operators are not part of that group. To quote an old cliché; "Don't throw out the baby with the bathwater."

Sincerely,

Joe Joncas

Joe Joncas WA7MHB  
NGO Liaison  
Lincoln County Auxiliary Communications Service, LCACS