

Dear Senator Prozanski, Members of Senate Committee On Judiciary,

I would like to call attention to my written testimony (4/11/17, exhibit 19, <https://olis.leg.state.or.us/liz/2017R1/Downloads/CommitteeMeetingDocument/121859>) regarding SB2. I have been watching the progress / revisions of SB2 and related HB2597. I have previously provided similar written testimony for HB2597, but have not found that my testimony has been added to the House record

I had hoped that my testimony would have fostered changes to the two proposed legislative bills; I have found none that focus in my basic concerns.

As I stated in my previous testimony, I am very concerned that non-OEM 'portable electronic devices' such as dash-mounted GPS navigation and satellite radio units, as described among a general class of devices in the bill, can and will be interpreted by law enforcement agencies and the courts as being in violation of the law if they are being 'used' (powered up and functioning). However 'using' OEM (built-in) auto console devices that provide the same navigation and entertainment functions (and much more) may not necessarily trigger a law violation, depending on the 'use' interpretation by each law enforcement officer, agency, or judge.

I recently voluntarily and proactively had an open discussion with a local law enforcement officer about this very uncertainty. This officer stated that the violation could be triggered if a driver is 'seen touching [using] the device', no matter where it may be mounted (or not). My conversation with the officer ended with some remaining uncertainty, albeit with possibility of officer and judge discretion, similar to my perceptions prior to the discussion. Leaving uncertainty as to whether or not various types of 'used' devices with driver actions are deemed violations may not promote the change in driver habits [mobile phone] that law-makers really want to make.

As a point of 'two hands on the steering wheel', all of my vehicles have manual [shift] transmissions which require me to drive with only one hand on the steering wheel much of the time during congested traffic. SB2 phrase use of 'ability to keep both hands on the steering wheel' seems overly broad for reasonable safe and normal operation of a motor vehicle with its varied set of operational OEM controls, including comfort, safety, operation, etc.

Please consider crafting the bill so that it focuses on the problem devices: hand-held and non-mounted mobile phone use while driving, which I am certain we all can agree is a huge safety issue.

Please add my additional comments to the Senate record and make it available for the Senate Committee on Judiciary work session scheduled for 5/24/17.

I welcome your comments and revisions to the bill.

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