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Yellow-Light Crusader Fined for Doing Math Without a License

By PATRICIA COHEN APRIL 30, 2017

Mats Jarlstrom acknowledges that he is unusually passionate about traffic signals — and that his zeal is not particularly appreciated by Oregon officials.

His crusade to make traffic lights remain yellow longer — which began after his wife received a red-light camera ticket — has drawn some interest among transportation specialists and the media. But among the power brokers in his hometown, Beaverton, it has elicited ridicule and exasperation.

“They literally laughed at me at City Hall,” Mr. Jarlstrom recalled of a visit there in 2013, when he tried to share his ideas with city counselors and the police chief.

Worse still was getting hit recently with a \$500 fine for engaging in the “practice of engineering” without a license while pressing his cause. So last week, Mr. Jarlstrom filed a civil rights lawsuit in federal court against the Oregon State Board of Examiners for Engineering and Land Surveying, charging the state’s licensing panel with violating his First Amendment rights.

“I was working with simple mathematics and applying it to the motion of a vehicle

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The lawsuit is the latest and perhaps most novel shot in the continuing campaign against the proliferation of state licensing laws that can require costly training and fees before people can work. Mr. Jarlstrom is being represented by the Institute for Justice, a libertarian organization partly funded by the billionaire brothers and activists Charles G. and David H. Koch.

Conservatives are not the only ones worried that willy-nilly licensing requirements for occupations from hair braiding to florists are constricting employment and economic growth. The Obama administration and labor economists across the political spectrum have also criticized what they see as unnecessary and expensive work restrictions.

Most of the lawsuits brought by the institute against state licensing boards argue that they are unconstitutionally interfering with individuals' right to earn a living. They complain that the boards are more interested in keeping out competition than protecting consumers against inept practitioners.

What is unusual about Mr. Jarlstrom's case is that it does not involve any commercial pursuits, advertising or other moneymaking efforts. Instead, he accuses the board members in his suit of interfering with free speech.

"These boards have become the new censors," said Wesley Hottot, an Institute for Justice lawyer who is representing Mr. Jarlstrom. "They think that the First Amendment does not apply to them."

Eric Engelson, communications coordinator for the Oregon board, said the board would not comment since the litigation was pending. The board, a semi-independent panel whose members are appointed by the governor, funds itself through licensing and registration fees.

Mr. Jarlstrom does not have an engineering license issued by the state board. He is a self-employed consultant who tests audio products and repairs, upgrades and calibrates test instruments. But he did earn a bachelor's degree in electronics engineering in Sweden, where he was born. He has also spent a couple of years

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Nonetheless, the Oregon board, after a nearly two-year investigation, assessed a \$500 civil penalty because Mr. Jarlstrom called himself “an excellent engineer” in one of several emails to the board and informed the Washington County sheriff that he “invented and publicly released a new extended solution” to the problem of yellow lights in traffic flow.

The board explained it had “opened a law enforcement case” against Mr. Jarlstrom “for the unlicensed practice of engineering,” and cited his attempts to publicize his review, critique and recalculations of the current formulas in use.

“This is a broad pattern of this board,” Mr. Hottot said, adding that he has seen similar actions other states.

Last year, for example, the Oregon board opened an investigation into Allen Alley, the Republican candidate for governor, because a political ad stated: “I’m an engineer and a problem solver.” Although Mr. Alley has a mechanical engineering degree from Purdue University and worked as an engineer for Ford and Boeing, the board said that he was not registered in Oregon as a professional engineer.

And in 2014, the board fined a retiree with 40 years experience in engineering \$500 for testifying on his daughter’s behalf in a property suit without saying his registration was in retirement status.

“They have tried to silence people like Mats who have critiqued engineering projects, and that’s dangerous,” Mr. Hottot said. “This board does not have a monopoly over the dictionary and cannot redefine the word ‘engineer.’”

Mr. Jarlstrom probably would never have become obsessed with traffic light algorithms had his wife, Laurie, not gotten a ticket in 2013 for driving her white Volkswagen through the intersection of Southwest Allen Boulevard and Lombard Street in Beaverton 12 one-thousandths of a second after the light turned red.

She promptly paid the \$260 fine, but Mr. Jarlstrom said he was intrigued by how the red-light camera operated. After extensive research, he concluded that the timing formula did not account for the extra moments it takes for a slowing car to

make a legal right turn. Yellow lights should be long enough for the driver to cross, he argues.

After being laughed out of City Hall, a determined Mr. Jarlstrom brought a federal lawsuit in 2014 against Beaverton, complaining that the too-short yellow lights endangered public safety. A judge dismissed the suit.

Undeterred, Mr. Jarlstrom continued his campaign, tirelessly writing to public officials, media outlets and transportation experts.

“It is a civic duty,” he said, explaining his persistence. “I don’t want any money. I just want information to be known about the traffic signals, and how I was treated.”

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