



## TESTIMONY

### Senate Committee on Judiciary

Friday, February 23, 2018

### Oregon Farmers and Ranchers Support HB 4116A

Our coalition of agricultural interests appreciates the opportunity to provide testimony in support of HB 4116A. This clarification to HB 2597 (2017) will help ensure safety when moving farm equipment or hauling livestock along public roadways. HB 4116A unanimously passed the Oregon House of Representatives on February 21, 2018.

Passed into law in 2017, HB 2597 eliminated an affirmative defense for farmers and ranchers who use handheld communication devices “for the purpose of farming or agricultural operations.” The prohibition on using mobile electronic devices when operating a vehicle now applies broadly to agricultural operators—from large swathers moving between grass seed fields to smaller tractors driving between fruit orchards.

Over the last six months, we have heard from many farmers and ranchers who are concerned about the safe movement of farm equipment and livestock. HB 4116 offers a much-needed fix to address these concerns. The bill provides an important exception to the 2017 distracted driving law for family farmers, ranchers, and pilot car drivers to help ensure safe travel when:

- operating a tractor or other implement of husbandry that is wider than the lane of travel;
- transporting livestock due to their dynamic shifting loads; or
- operating a slow-moving vehicle (ORS 815.110).

This exemption would make it that clear that livestock transportation, wide loads, and slow-moving vehicles, and those vehicles that are assisting in such transport, are exempt from the prohibition on using a mobile electronic device while driving if the communication is being used for the safe movement of these vehicles. This also aligns with the current requirement for constant, two-way radio communication between pilot car drivers and oversize loads.

Producers play a prominent role in promoting rural road safety, and HB 4116A will help ensure the safe movement of agricultural vehicles on public roadways. We appreciate the work of Senator Floyd Prozanski and Representative Ron Noble to provide this technical fix to HB 2597 (2017) and respectfully ask for your support of HB 4116A.