



To: Members of the Senate Judiciary Committee

From: Kevin Campbell

On behalf of the Oregon Association Chiefs of Police &
Oregon State Sheriffs' Association

Date: February 23rd, 2018

Re: Support for HB 4116-A:

Operating a vehicle while using a mobile electronic device "Fix" Bill

Chair Prozanski and Members of the House Judiciary Committee. My name is Kevin Campbell and I am here today on behalf of the Oregon Association Chiefs of Police and the Oregon State Sheriffs' Association to support HB 4116-A.

As you know, during the 2017 Legislative Session, HB 2597 (Mobile Electronic Devices) was passed to address the impacts of a Court of Appeals ruling on ORS 811.507 (Mobile Communication Devices) in the case of State v, Rabanales-Ramos that was resulting in the dismissal of numerous citations in courts around the state.

The purpose of HB 4116 is to address a number of small fixes to the bill passed in 2017. I won't take time to address all of the changes but I would like to highlight one important provision that is included as part of the dash-1 amendment to the measure. The amendment clarifies the definition of "hands free accessory" by adding a definition for what constitutes activating and deactivating a mobile electronic device. The language would now read:

*"(b) 'Hands-free accessory' means an attachment or built-in feature for or an addition to a mobile electronic device that [when used] either gives a person the ability to keep both hands on the steering wheel at all times while using the device **or** requires only the minimal use of a finger, via a swipe or tap, to activate or deactivate a function of the device.*

We urge your support for HB 411-A. Thank you for your consideration!