

## Comments on SB 978, Amendment-1

I am opposed to the gut and stuff Amendment -1 to SB 978.

The provisions of the amendment regarding firearm storage would make it impossible to have a firearm available for protection in a person's home or business.

The provisions requiring firearms be transferred with a trigger lock, and imposing strict personal liability on the transferor for failure to do so is a plaintiff's lawyer's dream – what proof will be required to establish that the transferor did comply with the requirement? There will be lawyers who will routinely drag the firearm transferor into lawsuits looking for a “deep pocket” whenever there is a firearm related injury, regardless of whether or not a locking device accompanied the original transfer. How does the imposition of strict personal liability on the transferor for actions taken by others (perhaps not even the original transferee) pass constitutional muster? As a society we do not impose strict liability on a person who sells a car to a person with a known substance abuse problem that later results in property damage, injury or death. Should we impose strict liability on the automobile dealer who sells a car to someone with a DUI in their past, unless it is equipped with an alcohol lockout device?

In addition, the sheer number of provisions that can result in a firearm owner committing a crime merely by misunderstanding the provisions is a trap for the gun owner. Since the provisions apply to already owned firearms, how will gun owners learn about the rules, unless they purchase another firearm?

Finally, the addition of the emergency clause is a bald-faced end run around Oregon citizens' right for a referendum on the law.

Please do not pass SB 978 as amended.

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