

Community Law

METROPOLITAN PUBLIC DEFENDER

On behalf of the Community Law Department at the Metropolitan Public Defender Office, I submit this testimony in opposition of HB 4081.

Community Law attorneys and legal assistants work with clients who are facing barriers due to their involvement with the criminal legal system. We provide barrier reduction services including criminal expungement, driver's license navigation, immigration services, eviction defense representation, fines and fee reduction advocacy, and various other services. We serve thousands of clients every year and appear in courts throughout Oregon.

HB 4081 is not the way to address the very real concerns of highway safety for frontline transportation workers.

We are opposed to this bill because rather than meaningfully and effectively addressing safety concerns it creates another avenue to saddle communities experiencing poverty and communities of color with debt that they will never be able to pay, and it directs the Department Of Transportation to contract with a company to provide automated radar surveillance that will include "clear digital images that show the motor vehicle, registration plate, date, time, location, recorded speed and individual driving the vehicle," with insufficient assurances regarding how that information will be protected.

We are deeply concerned about the expansion of automated surveillance and data collection under this bill. These systems would collect detailed images and information about drivers, vehicles, license plates, locations, and travel patterns. That data would be processed through private vendors and government systems and stored over time. Many Oregonians are already uneasy and on edge about how their personal information is collected and shared. There are unanswered questions about who ultimately controls this data, how long it is kept, and how it may be used in the future. Once large databases like this exist, they are difficult to contain.¹ This information could be accessed by federal agencies, used in immigration enforcement, shared across systems, or repurposed in ways that were never originally intended. The privacy and mass surveillance risks of HB 4081 may be particularly acute, given that liability does not attach to the vehicle, but rather to the driver. This might lead to a desire for longer retention of images or increased use of AI or facial recognition. As this Legislature is well aware, these risks are not hypothetical or conspiratorial. We have seen in other contexts how surveillance tools expand beyond their initial purpose.²

¹ Senator Ron Wyden, Letter to Flock Safety Regarding Data Privacy and Law Enforcement Use (2024), raising concerns about retention, access, and secondary use of automated license plate and surveillance data.

² Aimee Green, *Some Oregon Cities Are Turning Off Plate-Scanning Cameras Over ICE Fears*, The Oregonian (Nov. 2025), documenting concerns about data sharing with federal immigration authorities and resulting local policy changes.

Community Law

METROPOLITAN PUBLIC DEFENDER

These concerns are unfolding in a broader climate of deep public distrust in government institutions. Ongoing national controversies involving political leaders, high-profile investigations, and immigration enforcement have left many communities feeling anxious, targeted, and skeptical about how government power is used.³ In this climate, expanding automated monitoring risks reinforcing the belief that government is watching people more closely than it is helping them. For many of our clients, particularly those in mixed-status families or with prior system involvement, that fear is real. They worry that routine driving activity could generate data that later affects their immigration status, employment, or family stability. By removing the requirement for visible officers and replacing it with remote enforcement, the bill creates what many people experience as an “invisible” surveillance system. Drivers often do not know when they are being monitored, how often their data is collected, or who is reviewing it. This lack of transparency undermines public trust and instead makes people feel surveilled rather than protected.

HB 4081 would significantly expand automated speed enforcement and route these citations through circuit courts. In practical terms, this means more tickets, more court fees, and more people facing financial penalties. For many of the people we work with, even a relatively small fine can create serious hardship. A few hundred dollars in tickets and fees can mean choosing between paying the court and paying rent, buying groceries, or covering medical expenses. When people fall behind, late fees and collections follow, and licenses are often suspended. We see this cycle every day. Once someone loses their license, it becomes harder to get to work, harder to keep a job, and harder to support their family. That often leads to more court involvement and more debt. These consequences are especially concentrated in low-income communities and communities of color, where people are more likely to be financially vulnerable and less likely to have savings to absorb unexpected costs. In these communities, there exists a history of underinvestment in transportation infrastructure and many other government services. This lack of investment may have inadvertently created roadways where vehicle speeds have not been moderated through engineering solutions.⁴ The bill’s “may” language allows ODOT to choose where to establish enforcement zones. Without strict criteria, this could lead to revenue-motivated deployment or disproportionate enforcement in specific geographic areas, without clear OJD oversight or input from stakeholders.⁵ Ultimately, expanding automated enforcement will almost certainly increase uncollectable debt and suspended licenses. While the focus of this

³ Partnership for Public Service, *The State of Public Trust in Government 2025*, reporting declining public confidence in government institutions and increasing public skepticism.

⁴ Governors Highway Safety Association, *Automated Enforcement in a New Era: Addressing Equity and Safety* (2023) (report funded by State Farm), discussing how underinvestment in roadway infrastructure can contribute to disproportionate impacts of automated enforcement in marginalized communities.

⁵ Equity & Enforcement Working Group, *Report of Recommendations* (2023), documenting disproportionate financial impacts of automated enforcement in Black and low-income communities and recommending clear placement criteria, transparency, and equity safeguards.

Community Law

METROPOLITAN PUBLIC DEFENDER

bill is to solve a real issue, it risks exacerbating long-term instability for people who are already struggling.

We are not experts in traffic safety. But in our research, physical safety measures and infrastructure improvements are widely recognized as more reliable ways to protect workers than enforcement alone. Barriers, improved site design, and clear traffic management plans may do more to prevent harm than issuing thousands of tickets after the fact.⁶ Given the financial and administrative and societal costs of this program, it is fair to ask whether Oregon's resources could be better spent on solutions that directly address dangerous conditions. Before expanding a program that relies heavily on surveillance and financial penalties, this Legislature should carefully examine whether it will accomplish its stated safety goals. In addition, there has not been an adequate clarification of how this program will affect Black, Indigenous, and other communities of color, as well as low-income communities. Existing traffic enforcement practices already have disproportionate impacts on these populations. Expanding automated enforcement risks reinforcing those disparities by increasing debt, license suspensions, and court involvement in the same communities that are already overrepresented in the legal system. Without clear evidence of effectiveness and without a thorough equity analysis, HB 4081 risks creating long-term harm without delivering meaningful safety benefits. We urge this Legislature to seek additional data and consider alternatives that prioritize both worker safety and community stability.

Members of the committee, I urge you to pause and consider the significant consequences this bill could cause. Thank you for the opportunity to submit written testimony.

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⁶ Centers for Disease Control and Prevention (CDC), National Institute for Occupational Safety and Health (NIOSH), *Hierarchy of Controls – Total Worker Health*, identifying engineering and infrastructure controls as more effective safety measures than administrative enforcement.