

Submitter: David Wall  
On Behalf Of: Mr Oregon OPPOSES HB 4092 A  
Committee: Senate Committee On Commerce and General Government  
Measure, Appointment or Topic: HB4092

I OPPOSE [HB 4092 A].

From the TEXT of [HB 4092 A],

"SECTION 1.

...(2) A retailer may not knowingly sell or offer for sale to a purchaser, and a retail platform operator may not knowingly permit a retailer to sell or offer for sale to a purchaser, a child safety system intended for use in a motor vehicle that does not meet the federal standard or standards the Department of Transportation adopts under ORS 815.055.

...3) A retail platform operator may not permit a retailer to advertise or offer for sale on the operator's retail platform a child safety system that is intended for use in a motor vehicle and is available for purchase and delivery to a purchaser unless the retailer affirmatively discloses in writing to the retail platform operator whether the child safety system complies with the federal standard or standards the Department of Transportation adopts under ORS 815.055."

Review [ORS 815.055 and ORS 815.080] below:

[[https://oregon.public.law/statutes/ors\\_815.055](https://oregon.public.law/statutes/ors_815.055)]

[[https://oregon.public.law/statutes/ors\\_815.080](https://oregon.public.law/statutes/ors_815.080)]

\*\*\*[HB 4092 A] attempts to protect child safety but allows at least one unacceptable gaping hole in the Legislation, the term 'Unknowing' or to be more specific, a 'Duty' to know the child safety system, "... complies with the federal standard or standards the Department of Transportation adopts under ORS 815.055..."

\*\*\*[HB 4092 A] permits 'NEGLIGENCE' (mistake) allowing the placement of a DEFECTIVE child safety system INTO THE STREAM OF COMMERCE that DOES NOT, "... complies with the federal standard or standards the Department of Transportation adopts under ORS 815.055..."

\*\*\* [HB 4092 A]'s intent is good BUT the purposed Legislation needs more work to maximize the safety of children in motor vehicles.

\*\*\*The dollar penalty is excessively low.

David S. Wall

Mr. Oregon Conkurs.