

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2377**

1 Delete lines 4 through 28 of the printed bill and insert:

2 **“SECTION 1.** ORS 811.507 is amended to read:

3 **“811.507. (1) As used in this section:**

4 **“(a) ‘Hands-free accessory’ means an attachment or built-in feature**  
5 **for or an addition to a mobile communication device, whether or not**  
6 **permanently installed in a motor vehicle, that when used allows a**  
7 **person to maintain both hands on the steering wheel.**

8 **“(b) ‘Mobile communication device’ means a text messaging device**  
9 **or a wireless, two-way communication device designed to receive and**  
10 **transmit voice or text communication.**

11 **“[(1)] (2) A person [under 18 years of age] commits the offense of operating**  
12 **a motor vehicle while using a mobile communication device if the person,**  
13 **while operating a motor vehicle on a highway, uses a mobile communication**  
14 **device. [and the person holds:]**

15 **“(a) A provisional driver license issued under ORS 807.065;]**

16 **“(b) A special student driver permit issued under ORS 807.230; or]**

17 **“(c) An instruction driver permit issued under ORS 807.280.]**

18 **“(2) For purposes of this section, ‘mobile communication device’ means a**  
19 **text messaging device or a wireless, two-way communication device designed**  
20 **to receive and transmit voice or text communication.]**

21 **“(3) This section does not apply:**

22 **“(a) To a person who is summoning medical or other emergency help if**

1 no other person in the vehicle is capable of summoning help; [or]

2 “(b) To a person using a mobile communication device for the purpose of  
3 farming or agricultural operations[.];

4 **“(c) To a person operating an ambulance or emergency vehicle;**

5 **“(d) To a person 18 years of age or older who is using a hands-free  
6 accessory;**

7 **“(e) To a person operating a motor vehicle while providing public  
8 safety services or emergency services as a volunteer;**

9 **“(f) To a person operating a motor vehicle while acting in the scope  
10 of the person’s employment as a public safety officer, as defined in  
11 ORS 348.270;**

12 **“(g) To a person operating a motor vehicle in the scope of the per-  
13 son’s employment if operation of the motor vehicle is necessary for  
14 the person’s job;**

15 **“(h) To a person activating or deactivating the mobile communi-  
16 cation device or a function of the device; or**

17 **“(i) To a person using a function of the mobile communication de-  
18 vice that allows for only one-way voice communication while the per-  
19 son is:**

20 **“(A) Operating a motor vehicle in the scope of the person’s em-  
21 ployment;**

22 **“(B) Providing transit services to persons with disabilities or to  
23 senior citizens; or**

24 **“(C) Participating in public safety or emergency service activities.**

25 *“[(4) Notwithstanding ORS 810.410, a police officer may enforce this pro-  
26 vision only as a secondary action when a driver of a motor vehicle has been  
27 detained for a suspected traffic violation or some other offense.]*

28 *“[(5)] (4) The offense described in this section, operating a motor vehicle  
29 while using a mobile communication device, is a Class D traffic violation.”.*

30