

# Senate Bill 167

Sponsored by Senator BOQUIST (at the request of Darin Campbell) (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows taxicab driver to use mobile communication device while driving.

## A BILL FOR AN ACT

Relating to taxicabs; creating new provisions; and amending ORS 811.507.

**Be It Enacted by the People of the State of Oregon:**

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

811.507. (1) As used in this section:

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

(b) "Mobile communication device" means a text messaging device or a wireless, two-way communication device designed to receive and transmit voice or text communication.

(2) A person commits the offense of operating a motor vehicle while using a mobile communication device if the person, while operating a motor vehicle on a highway, uses a mobile communication device.

(3) This section does not apply to a person who activates or deactivates a mobile communication device or a function of the device or who uses the device for voice communication if the person:

(a) Is summoning medical or other emergency help if no other person in the vehicle is capable of summoning help;

(b) Is using a mobile communication device for the purpose of farming or agricultural operations;

(c) Is operating an ambulance or emergency vehicle;

(d) Is 18 years of age or older and is using a hands-free accessory;

(e) Is operating a motor vehicle while providing public safety services or emergency services;

(f) Is operating a motor vehicle while acting in the scope of the person's employment as a public safety officer, as defined in ORS 348.270;

(g) Is operating a tow vehicle or roadside assistance vehicle while acting in the scope of the person's employment;

(h) Holds a valid amateur radio operator license issued or any other license issued by the Federal Communications Commission and is operating an amateur radio;

(i) Is operating a two-way radio device that transmits radio communication transmitted by a station operating on an authorized frequency within the citizens' or family radio service bands in accordance with rules of the Federal Communications Commission;

(j) Is operating a vehicle owned or contracted by a utility for the purpose of installing, repairing, maintaining, operating or upgrading utility service, including but not limited to natural gas, elec-

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 tricity, water or telecommunications, while acting in the scope of the person's employment; [or]

2 (k) Is using a function of the mobile communication device that allows for only one-way voice  
3 communication while the person is:

4 (A) Operating a motor vehicle in the scope of the person's employment;

5 (B) Providing transit services; or

6 (C) Participating in public safety or emergency service activities[.]; **or**

7 **(L) Is operating a taxicab that:**

8 **(A) Is a passenger vehicle with a passenger seating capacity that does not exceed seven;**

9 **(B) Carries passengers for hire where destination and route traveled may be controlled  
10 by a passenger and the fare is calculated on the basis of any combination of an initial fee,  
11 distance traveled or waiting time; and**

12 **(C) Is operated under a license or permit issued by a city, county or other unit of local  
13 government if a license or permit is required for the operation of a taxicab.**

14 (4) The offense described in this section, operating a motor vehicle while using a mobile com-  
15 munication device, is a Class C traffic violation.

16 (5) The Department of Transportation shall place signs on state highways to notify drivers that  
17 violation of this section is subject to a maximum fine of \$500.

18 **SECTION 2. The amendments to ORS 811.507 by section 1 of this 2015 Act apply to of-  
19 fenses occurring on or after the effective date of this 2015 Act.**

20