

**KARIN POWER**  
**STATE REPRESENTATIVE**  
DISTRICT 41  
MULTNOMAH AND CLACKAMAS COUNTIES



## HOUSE OF REPRESENTATIVES

Chair Williamson, Vice Chair Gorsek, Vice Chair Sprenger, members of the committee,

My name is Karin Power, and I have the honor of representing House District 41. HB 2347 is the result of a constituent concern my office received a year ago, and I am pleased to bring you this bill today for your consideration.

My constituent delivers the *Oregonian* in Milwaukie. While delivering the paper in December 2017, the Milwaukie Police Department issued him a citation for not wearing a seat belt. However, ORS 811.215 lists circumstances under which someone is exempt from safety belt requirements. One of those exemptions is, “[a]ny person who is delivering newspapers or mail in the regular course of work.” ORS 811.215 (7). When my constituent was pulled over, the officer stated that the constituent was not on a delivery route. In an email to my office, the constituent asked for clarification on what activities are included in “course of work,” because the statute is silent on that matter.

Consequently, my office reached out to Legislative Counsel to clarify the “course of work” section of the statute. Legislative Counsel interpreted the law to mean that “course of work” applies between routes. Therefore, any time a newspaper delivery person is actively delivering papers, or moving from one route to the next, they are exempt from wearing a seatbelt. However, this interpretation has not been adopted by the courts. Consequently, when my constituent pleaded not guilty to the charge in Municipal Court, he was found guilty.

My constituent and other deliverers have been found in violation of safety belt requirements. HB 2347 clarifies the scope of “course of work” in the statute by articulating that the course of work provision applies between routes. This clarification will help avoid continued uncertainty and prevent newspaper deliverers from being unjustly burdened with fines.

Thank you for your consideration.

State Representative Karin Power

