



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation
Transportation Safety Division
235 Union St NE
Salem, OR 97301-1054
(503) 986-4190
1-800-922-2022
FAX (503) 986-4341

DATE: April 16, 2007
TO: House Transportation Committee
FROM: Troy E. Costales
Transportation Safety Division
SUBJECT: HB 2873

Introduction

House Bill 2873 prohibits drivers under the age of 21 from using a mobile communication device while operating a motor vehicle on a highway. This bill would restrict young employees of the Department from using our radio communication system. This bill has the potential to hamper the effectiveness of our maintenance and other safety crews, or add costs. However, we anticipate being able to work around the restriction for the few employees we have under age 21.

Discussion

ODOT has a statewide radio communication system used by maintenance and construction staff for a variety of purposes. ODOT has four dispatch centers that communicate by radio with the maintenance fleet on the highway system across the state. Vehicle operators also communicate among one another to coordinate work. HB 2873 would impair maintenance operations by restricting our young employees' ability to communicate, or require the department to take measures that will increase costs.

However, the maintenance office usually has very few employees under the age of 21. To comply with the law, we could simply work around the requirements by ensuring that our under-21 staff are never driving alone in a vehicle. In that way, someone not driving will always be available to use the 2-way radio.

ODOT's preference, to accommodate those few instances in which we do have young employees, is to add an exemption for radio communications by operators of public maintenance vehicles in the performance of their official duties. Such an exemption makes sense not only from a cost perspective, it's also true that unlike cell phone conversations, ODOT's radio communications are very brief, and use codes for brevity. Therefore the safety concerns that are behind the bill are not present in the type of communications ODOT utilizes. Therefore the Department asks that if the Committee moves this bill, that you adopt an amendment for that exemption.

Summary

In its current form HB 2873 would require ODOT maintenance office to make small adjustments to the way we deploy under-21 staff. An exemption for operators of public maintenance vehicles would do away with the need for such adjustments.