

Changes to Oregon's Cell Phone Law

“Operating a Motor Vehicle While Using a Mobile Communication Device”

On January 1, 2010, Oregon's cell phone law (ORS 811.507) became effective. The law was modified effective January 1, 2012 to help make our roads safer for everyone. The law is a class D traffic violation and a primary offense, meaning that a police officer may stop a driver solely for using a cell phone without using a hands-free accessory. For purposes of the law:

- “Mobile communication device” is defined as a text messaging device or a wireless, two-way communication device designed to receive and transmit voice or text communication.
- “Hands-free accessory” is defined as an attachment or built-in feature that allows the person to maintain both hands on the steering wheel.

The new law limits the situations where drivers can use a handheld communications device for talking to two specific circumstances:

- You may use your phone without a hands-free accessory to summon medical or other emergency help **IF** no other person in the vehicle is capable of summoning help.
- If you are operating an ambulance or emergency vehicle, roadside assistance or tow vehicle, or if you are operating a utility vehicle while servicing a utility, you may use your cell phone without a hands-free accessory.

During 2010, Oregon State Police troopers cited over 1,000 drivers and warned more than 2,500 others for violation of ORS 811.507. During the first ten months of 2011, troopers cited 1,229 drivers and warned over 2,000 others. The minimum fine is \$110.

National studies continue to show that using a cell phone creates a distraction **and distracted driving is unsafe driving**. The Oregon State Police and Oregon Department of Transportation encourage drivers to focus on the task at hand: driving safely from one point to the next. Drivers should avoid any kind of distraction, not just mobile communication devices.

Remember the key elements of Oregon's cell phone law

- **You cannot text while driving.** No driver of any age is allowed to text while driving.
- **You cannot use a handheld mobile communications device while driving, EXCEPT** in these few cases: 1) drivers of roadside assistance or tow vehicles; 2) drivers of utility vehicles for the purpose of serving a utility; 3) drivers using a mobile communications device for the purpose of farming or agricultural operations; 4) drivers in an emergency when no one else is available to make the call.