



SILVERTON POLICE DEPARTMENT

JEFF FOSSHOLM, CHIEF OF POLICE

MEDIA RELEASE

To: Valley Media Agencies
From: Tim Hein, Traffic Officer
Date: November 19, 2018
Subject: **2018 - 2019 Oregon Impact Distracted Driving Grant for Silverton Police**

The Silverton Police Department has been awarded a 2018 - 2019 Distracted Driving Grant through Oregon Impact. To meet the requirements of the grant, enforcement and education will occur throughout the year, but specifically during the month of April 2019 in coordination with the 6th National Distracted Driving Awareness Month. The intent of this grant is to reduce distracted driving in Silverton and raise awareness to the dangers of distracted driving. It is our hope this will change driver behavior resulting in less distracted driving crashes, fatalities and injuries.

Distracted Driving Law (Effective October 2017)

Oregon law states:

- 1) A person commits the offense of **driving** a motor vehicle while using a mobile **electronic** device if the person, while **driving** a motor vehicle on a highway or premise open to the public;
 - (a) Holds a **mobile electronic device** in the person's hand; or
 - (b) Uses a **mobile electronic device** for any purpose.
- 2) **"Driving"** means operating a motor vehicle on a highway or premises open to the public, and while temporarily stationary because of traffic, a traffic control device or other momentary delays.
- 3) **"Driving"** does not include when the motor vehicle has stopped in a location where it can safely remain stationary and:
 - (a) Is pulled over on the side of, or is pulled off, a roadway;
 - (b) Is in a designated parking space; or
 - (c) Is required to park in the roadway to conduct construction or utility maintenance work.
- 4) **"Mobile electronic device"** means an electronic device that is not permanently installed in a motor vehicle.

- 5) **“Mobile electronic device”** includes but is not limited to a device capable of text messaging, voice communication, entertainment, navigation, accessing the Internet or producing electronic mail.
- 6) **“Using a mobile electronic device”** includes but is not limited to using a mobile electronic device for text messaging, voice communication, entertainment, navigation, accessing the Internet or producing electronic mail.

Penalties:

- 1) For the person’s first conviction, a Class B traffic violation **(\$265 citation)**.
- 2) For a person’s first conviction if the commission of the offense contributes to an accident described in ORS 811.720, a Class A traffic violation **(\$440 dollar citation)**.
- 3) For a person’s second conviction within a 10-year period following the date of the person’s first conviction, a Class A traffic violation **(\$440 dollar citation)**.
- 4) For a person’s third or subsequent conviction within a 10-year period preceding the date of the person’s current conviction, a Class B misdemeanor **(\$2,500 dollar fine and up to six months in jail)**.

See ORS.811.507 for affirmative defenses.