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State refines rules of the road

Driving - New laws affecting motorists target gridlock, talkative teen drivers and child car seats

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Oregon lawmakers handed communities a couple of new anti-gridlock weapons -- a \$180 fine for failing to move cars off the road after a fender-bender, and more power to tow abandoned vehicles.

The new laws are aimed at keeping traffic moving after minor crashes or stalls.

"This is a common-sense but significant tool for us to reduce gridlock," said Portland City Commissioner Sam Adams, who lobbied hard for the new laws.

These are the biggest changes for drivers from a legislative session that only lightly touched the traffic laws. Other highlights include more photo radar, banning cell phone use by teen drivers, and new child seat requirements. But there were no fees or taxes, and no highway funding or major transportation policy shifts.

Adams teamed up with Portland State University to look into a traffic jam he experienced shortly after taking over the city's transportation office last summer. The report, dubbed "Autopsy of a Crash," analyzed a two-car, noninjury crash on Interstate 5 near the Skidmore exit. The report found that it took 72 minutes to clear the two left lanes and an additional 30 minutes for the built-up traffic jam to clear.

The economic cost to other motorists delayed that morning from this minor crash: \$150,000.

Crashes and stalls account for about one-fourth of all congestion delay. There are about 250 noninjury incidents on Portland's freeways each month.

"We can reduce the cost of congestion without spending a single penny on construction," Adams said in testimony before the Legislature.

Drivers involved in minor crashes are often under the misconception that they are not supposed to move their cars until the police come and take a report. Police don't respond to noninjury accidents in Portland. And moving your car has no effect on an insurance claim.

House Bill 2936 makes it clear that motorists must move their cars off the roadway if they can, or face a \$180 fine.

Senate Bill 567 deals with a different aspect of the problem -- what to do about stalled or abandoned cars on the freeway. Under current law, the Oregon Department of Transportation can without delay tow vehicles left on the freeway shoulder only during rush hour; otherwise, ODOT must affix a red tag on the vehicle giving owners 24 hours' notice. The new law gives ODOT the authority to tow cars off the freeway at any time.

"I'm sorry, but a car parked on the side of Terwilliger curves needs to be moved immediately," Adams said.

Parked cars are involved in about 25 crashes a year on Portland freeways --including six fatal crashes in the past 10 years.

Adams and a group of regional transportation officials are working on other ideas to help clear the roads after crashes. One is to station tow trucks on the freeway system so they can respond more quickly.

As usual, lawmakers made life harder for teenagers. Under House Bill 2872, drivers under 18 cannot use a "communication device" while driving. But in a compromise, the Legislature reduced the fine to \$90, the lowest possible, and said police could not use cell phone use as a the initial reason to stop teen drivers.

Lawmakers also gave police more high-tech weapons, allowing any city with a population of more than 30,000 to operate red light cameras, and adding Milwaukie, Oregon City and Gladstone to the list of cities allowed to issue photo radar speeding tickets.

Cyclists were also winners this session. The Legislature created a new violation aimed at dangerous passing of bicycles, and beefed up penalties when careless driving results in serious injuries or death of "vulnerable users" of the roadway.

Almost all the new laws will take effect Jan. 1. One exception is a new child seat law. Beginning July 1, children who weigh more than 40 pounds must use booster seats until they reach age 8, or a height of 4 feet 9 inches. Current law releases them from use of booster seats once they reach age 6 or 60 pounds.

The new law also requires parents to strap infants younger than 1 year and weighing less than 20 pounds into rear-facing child-safety seats. Current law does not require rear-facing seats.

Safety advocates have been after Oregon and other states to make these changes since air bags were

introduced, said David House, a spokesman for Drivers and Motor Vehicle Services.

House said the 2007 legislative session was the lightest he has seen when it came to changing life for drivers in Oregon.

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