

Testimony of Charley Gee in Opposition to HB 3119

Good morning. My name is Charley Gee and I am an attorney in Portland. I focus my practice on the representation of injured bicyclists, pedestrians and other vulnerable roadway users. I also work statewide to educate all roadway users about the Oregon Rules of the Road.

Autonomous motor vehicles are the future of America's roadways. They are coming, and that should be embraced, not feared. Supplanting the comparatively slow average perception-reaction time of a second-and-a-half of a person with the almost instantaneous processing time of a computer will save lives. But it will take time and it will be a rocky start. Oregon is poised to become not just a testing and proving ground for the technology itself but for the laws governing the product.

I cannot support HB3119 in its current form.

HB3119 does not gradually wade Oregon into this new and novel technology. It takes us into the deep end.

It allows autonomous vehicles to operate without a person on board and prohibits local jurisdictions from prohibiting the operation of these vehicles anywhere in their cities or counties, including school zones, construction zones, or high pedestrian density areas.

The current bill is concerning because so many of Oregon's unique and progressive safety laws require a human interpretation of the scene unfolding through the windshield.

For instance, a vehicle operator is required to determine if any pedestrians present are children for the purpose of complying with the school zone speed limit and to see if a school crossing guard waving their flag to stop traffic without entering a crosswalk.

A vehicle operator is required to determine if a pedestrian is carrying a white cane or using a dog guide, which gives the blind pedestrian a higher degree of right-of-way when crossing a street.

Under Oregon's unique bicycle passing law, ORS 811.065, a vehicle operator has to determine the height of a bicyclist they are about to pass in order to give them the fall-over distance required under that statute.

These are only a few of the Oregon laws that require a human operator to make a decision based upon the characteristics of a pedestrian or bicyclist on the same street.

HB3119's allowance of unmanned autonomous vehicles combined with the preemption of local decision making is a dangerous combination.

Thank you.