

LOCAL NEWS

Job-Related Loophole Cited in Cell Phone Ban

(AP) -- Oregon police officers may hear some arguing when they pull motorists over for violating a new law banning them from talking on hand-held cell phones while driving.

The new law, which took effect Friday, exempts motorists who are on their hand-held cell phones "in the scope of the person's employ-

ment if operation of the motor vehicle is necessary for the person's job." The exemption was intended for taxi drivers, delivery trucks, tow trucks and the like.

Law enforcement officials are getting ready for some motorists to try to drive through that legal loophole by insisting, for example, that a call to a co-worker who also hap-

pens to be a friend is really for business purposes.

"There is a gray area," Oregon State Police Lt. Gregg Hastings said. "It doesn't clearly define what jobs fall under the exemption. Ultimately, maybe judges are going to have to clarify that."

With the new law, Oregon joins a half dozen other states that ban

drivers from talking on hand-held cell phones while driving. Police officers can pull someone over under the Oregon law and violators face a minimum fine of \$142.

However, the Insurance Institute for Highway Safety says that only Oregon has included such a broadly worded exemption. Other states that ban cell phones allow use by emer-

gency responders or tow truck drivers, the industry group says.

"It doesn't make sense to carve out this exemption if you want the law to have some bite," spokesman Russ Rader said. "You just make it more likely that drivers will believe that even if they are stopped by a police officer they can get out of getting a ticket."

Living Green

continued ▲ from Front

ing to St. Johns and eventually Kelly Point Park, where the Willamette meets the Columbia River.

The cost of trail is unclear, but will probably be in the millions, and money is tight at almost any layer of government. Also sizable chunks of the proposed trail extension are privately owned, including a stretch owned by Union Pacific Railroad that is marked with a "no trespassing" sign, and several Environmental Protection Agency Superfund sights are near the trail.

"It's tough right now at the moment," said Royce, who serves as the acting director of npGreenway. However, there are currently a couple of stretches along the proposed route for the trail that are more encouraging.

A completed portion of the trail begins in the industrial section alongside the Willamette River in north Portland just above the Rose Quarter, and ends in Swan Island near the offices of the Daimler Truckers. On a cloudy weekend afternoon, people toss tennis balls on the trail for dogs eager to fetch them while others fish sturgeon off the banks of the river. Royce, and her group, hopes to see similar scenes all along the banks of Willamette.

For Royce, the creation of the greenway is a matter of fairness. It will create access to walkable places in a part of town that has a large swath of the I-5 freeway running through it, she said. "It's a social equity trail," said Royce, who explained that having easy access to serene walkable spaces gives residents an opportunity to get exercise. Lenny Anderson, the manager of Swan Island Transportation Agency and member of npGreenway, has been taking a daily walk along the stretch of trail near his office for nearly 20 years. He said that in addition to providing a place for people to take breaks it could also serve as a means for people to make it to work, clearing up needed space on the road for freight vehicles. "You can't just have MAX lines," said Anderson of the need for differ-

ent transportation options.

The group experienced a setback last year when the city released a draft of the Portland Bicycle Plan for 2030 that designated the north greenway as a second tier project. Members of npGreenway were present at the public comment period, and Royce thinks they made enough of an impression to make it more of a priority in the final draft. But it might not even matter because there are other avenues for the creation of the trail. In 2005, Metro allocated nearly a half million dollars for a study that would create a comprehensive plan for the trail.

Metro Councilor Rex Burkholder said that work on the study will commence in the next fiscal year, and will provide a guiding document, which would be a big step.

He added that there are a couple other gears that are steadily churning on the trail's creation. Metro is looking into purchasing Baltimore Woods, a property along the river, and a bridge is being built between Chimney and Pier Parks, providing a crucial connection.

"That's how these things get built," said Burkholder of the piecemeal process. But one of the biggest opportunities to make the trail happen could be in the city's River Plan. The ambitious initiative aims to make the Willamette River the centerpiece of the city, and seeks to change the balance between industrial construction and environmental concerns. Diane Hale, an associate planner with the city, said that the River Plan could lay out the trail alignment, which would provide a solid foundation for its creation.

Royce's group seeks to persuade the city to help negotiate easements on properties along the Willamette allowing for construction of the trail.

Coasting along on his green mountain bike on the completed part of the trail, Maresh, a lifelong Portland resident, was skeptical of the idea when he first heard it.

"At the time it was a great pie-in-the-say idea, but it would never happen," he said.

He might be wrong.

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