

Institute for Justice

Oregon Engineer Wins Traffic-Light Timing Lawsuit



Press Release | January 2, 2019

J. Justin Wilson

Senior Director of Communications

Arlington, Va.—On December 28, 2018, Magistrate Judge Stacie F. Beckerman of the U.S. District Court for the District of Oregon entered a judgment largely ruling for Mats Järnlström in his First Amendment lawsuit against Oregon’s engineering board. Mats sued the board in 2017, asserting that Oregon’s engineering-licensing law violated his First Amendment rights by banning him from speaking publicly about the math behind traffic lights and from describing himself, truthfully, as an “engineer.” The federal court entered a permanent injunction securing Mats’s rights both to speak freely about his traffic-light theories and to call himself an “engineer.” Citing the engineering board’s “history of overzealous enforcement actions,” the court also invalidated Oregon’s restriction on the title “engineer” as “substantially overbroad in violation of the First Amendment.”



[Read the Opinion and Order](#)

Mats’s interest in traffic-light timing was sparked in 2013, when his wife received a red-light-camera ticket in their hometown of Beaverton, Oregon. He began studying, writing and speaking publicly about how the standard mathematical formula for timing yellow lights should be tweaked. In his view, the standard formula is incomplete because it fails to capture the behavior of drivers making right turns. And after developing a modified formula—and even corresponding with one of the formula’s original creators—Mats started discussing his theory publicly.

People wanted to hear Mats’s ideas—traffic engineers expressed interest, local news covered his story and he presented his research at a national conference of the Institute of Transportation Engineers.

But things came to a screeching halt when Oregon’s engineering board got wind of Mats’s actions.

After a two-year investigation, the board fined Mats \$500 and said that he could not talk about traffic lights in public until he obtained a state-issued professional-engineer license. If Mats continued to “critique” traffic lights, he would face thousands of dollars in fines and up to one year in jail for the unlicensed practice of engineering. The board also said that Mats could not call himself an “engineer,” even though he has a degree in electrical engineering and decades of engineering experience. Like most engineers in Oregon, Mats is not a state-licensed “professional engineer,” and state law provided that only licensed professional engineers could legally use the title “engineer.”

“Last week’s ruling announces important protections, not just for Mats’s First Amendment rights, but for the First Amendment rights of thousands of engineers in Oregon,” said Sam Gedge, an attorney at the Institute for Justice (IJ), which represents Mats in the lawsuit. “Not only is Mats free to continue to share his theories, but thousands of Oregon engineers are now free to describe themselves—truthfully—as ‘engineers,’ without fear of government punishment. For years, Oregon’s engineering board has operated as if the First Amendment didn’t apply to it. As the court’s ruling confirms, that could not be more wrong.”

Under the law invalidated last week, Oregon-licensed professional engineers alone could legally describe themselves using the word “engineer.” And in recent years, the state’s engineering board enforced that law relentlessly. As last week’s ruling noted, the board “repeatedly targeted individuals for using the title ‘engineer’” in many different contexts, “including core political speech such as campaigning for public office and advocacy against a local ballot initiative.” In candid moments, the board even asserted that they could punish the hundreds of Intel employees who call themselves “engineers” without having a board-issued license.

Last week’s ruling held that the state cannot regulate speech in this way. “Courts have long recognized that the term ‘engineer’ has a generic meaning separate from ‘professional engineer,’” the court reasoned, and the word *engineer* “cannot become inherently misleading simply because a state deems it so.”

“The court’s ruling confirms what should already be obvious,” said IJ Senior Attorney Wesley Hottot, who also represents Mats. “In a free society, government agencies do not have the authority to rewrite the dictionary. Oregon cannot declare the word ‘engineer’ off-limits to the thousands of Oregonians who, like Mats, are engineers.”

“This case has always been about more than just me,” Mats said, “and I’m thrilled that the court has put a stop to some of the engineering board’s worst abuses. Oregonians need to be free to share ideas and free to say who they are. Being an engineer is a big part of my identity, as it is for many people. Thousands of Oregonians are ‘engineers’—even though we have no reason to be licensed as ‘professional engineers’—and we are now free to use the word ‘engineer’ to describe ourselves.”