HOUSE BILL 242

 R_5 7lr0756 HB 212/16 - ENV By: Delegates Turner, Atterbeary, Barkley, Brooks, Ebersole, Hill, Hixson, Jalisi, Lam, Pendergrass, B. Wilson, and C. Wilson Introduced and read first time: January 23, 2017 Assigned to: Environment and Transportation Committee Report: Favorable House action: Adopted Read second time: March 2, 2017 CHAPTER AN ACT concerning Vehicle Laws – Use of Handheld Telephone While Driving – Penalty FOR the purpose of repealing certain fines and increasing the maximum fine for a violation of certain prohibitions against using a handheld telephone while driving a motor vehicle; making certain stylistic changes; and generally relating to the prohibition against using a handheld telephone while driving a motor vehicle. BY repealing and reenacting, with amendments, Article – Transportation Section 21–1124.2 Annotated Code of Maryland (2012 Replacement Volume and 2016 Supplement) BY repealing and reenacting, without amendments, Article – Transportation Section 27-101(a) and (b) Annotated Code of Maryland (2012 Replacement Volume and 2016 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: **Article - Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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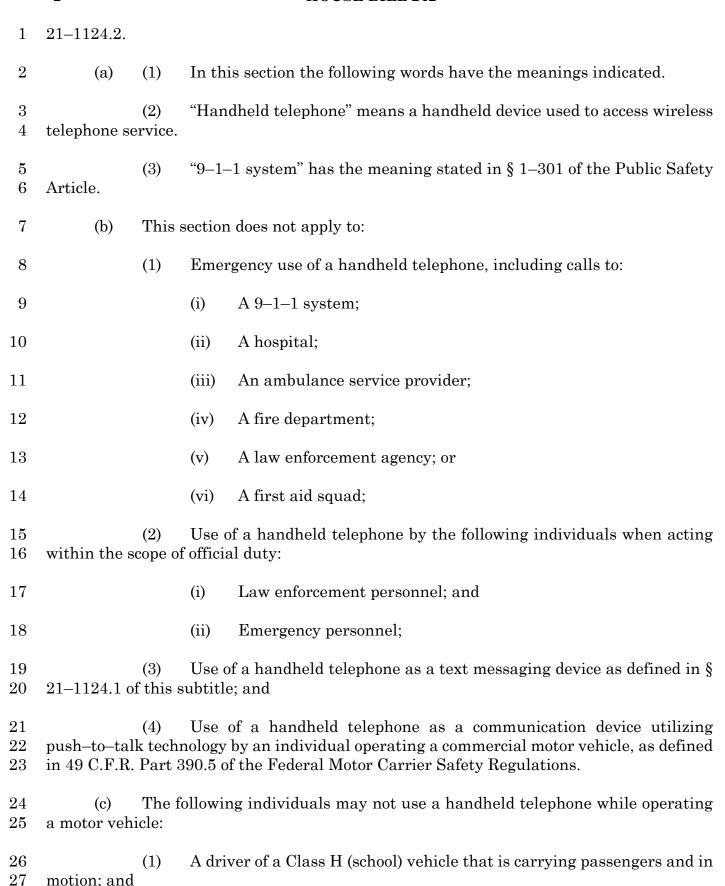
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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.





- 1 A holder of a learner's instructional permit or a provisional driver's (2)2 license who is 18 years of age or older. 3 (d) This subsection does not apply to an individual specified in subsection (c) of this section. 4 5 A driver of a motor vehicle that is in motion may not use the driver's 6 hands to use a handheld telephone other than to initiate or terminate a wireless telephone 7 call or to turn on or turn off the handheld telephone. 8 (e) A person convicted of a violation of this section is subject to the 9 following penalties: 10 For a first offense, a fine of not more than \$75; (i) For a second offense, a fine of not more than \$125; and 11 (ii) 12 For a third or subsequent offense, a fine of not more than \$175. (iii) 13 **(2)** Points may not be assessed against [the] AN individual under § 16–402 of this article unless [the offense] A VIOLATION OF THIS SECTION contributes to an 14 accident. 15 16 The court may waive [a] THE penalty [under subsection (e)] FOR A (f) 17 **VIOLATION** of this section for [a person] **AN INDIVIDUAL** who: 18 Is convicted of a first offense under this section; and (1) 19 (2) Provides proof that the [person] INDIVIDUAL has acquired a 20hands-free accessory, an attachment or add-on, a built-in feature, or an addition for the 21[person's] INDIVIDUAL'S handheld telephone that will allow the [person] INDIVIDUAL to 22operate a motor vehicle in accordance with this section. 2327-101.24It is a misdemeanor for any person to violate any of the provisions of the 25Maryland Vehicle Law unless the violation: 26 (1) Is declared to be a felony by the Maryland Vehicle Law or by any other
- 28 (2) Is punishable by a civil penalty under the applicable provision of the 29 Maryland Vehicle Law.

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law of this State; or

	(b) Except as othe misdemeanor for the violatic subject to a fine of not more t	on of any of the p		y person convicted of Iaryland Vehicle Law
C	SECTION 2. AND BE October 1, 2017.	E IT FURTHER E	ENACTED, That tl	nis Act shall take effe
A	Approved:			
_				Covernor

President of the Senate.

Speaker of the House of Delegates.

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