
By: **Delegates McComas, Anderson, Boutin, Leopold, Mandel, Menes,
Petzold, Shank, Trueschler, and F. Turner**

Introduced and read first time: February 13, 2004

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Use of Mobile Telephone by Driver Who Is a Minor -**
3 **Prohibition**

4 FOR the purpose of prohibiting a driver of a motor vehicle who is a minor from using
5 a mobile telephone while the vehicle is on a highway; providing an exception;
6 providing a penalty for the use of a mobile telephone under prohibited
7 circumstances; including hand-held and hands-free mobile telephones in the
8 prohibition; and generally relating to prohibiting a certain driver of a motor
9 vehicle from using a mobile telephone while the vehicle is on a highway.

10 BY adding to
11 Article - Transportation
12 Section 21-1123
13 Annotated Code of Maryland
14 (2002 Replacement Volume and 2003 Supplement)

15 BY repealing and reenacting, without amendments,
16 Article - Transportation
17 Section 27-101(a) and (b)
18 Annotated Code of Maryland
19 (2002 Replacement Volume and 2003 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Transportation**

23 21-1123.

24 (A) IN THIS SECTION, "MOBILE TELEPHONE" MEANS BOTH HAND-HELD AND
25 HANDS-FREE MOBILE TELEPHONE DEVICES.

1 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A DRIVER OF
2 A MOTOR VEHICLE WHO IS UNDER THE AGE OF 18 YEARS MAY NOT OPERATE A
3 MOBILE TELEPHONE WHILE THE MOTOR VEHICLE IS ON A HIGHWAY.

4 (C) SUBSECTION (B) OF THIS SECTION DOES NOT APPLY TO A DRIVER UNDER
5 THE AGE OF 18 YEARS CALLING THE 911 EMERGENCY TELEPHONE SYSTEM OR A
6 PUBLIC SAFETY AGENCY IN CONNECTION WITH AN EMERGENCY.

7 27-101.

8 (a) It is a misdemeanor for any person to violate any of the provisions of the
9 Maryland Vehicle Law unless the violation:

10 (1) Is declared to be a felony by the Maryland Vehicle Law or by any
11 other law of this State; or

12 (2) Is punishable by a civil penalty under the applicable provision of the
13 Maryland Vehicle Law.

14 (b) Except as otherwise provided in this section, any person convicted of a
15 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is
16 subject to a fine of not more than \$500.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
18 effect October 1, 2004.