

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 50

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Restrictions” and substitute “Learners’ Permits and Provisional Licenses - Prohibition”; strike beginning with “requiring” in line 4 down through “licensees” in line 7 and substitute “prohibiting the holder of a learner’s instructional permit or provisional driver’s license”; in line 7, strike “a”; in the same line, strike “interactive” and substitute “types of”; in the same line, strike “device” and substitute “devices”; in line 8, after the first “vehicle” insert “that is in motion”; strike beginning with “prohibiting” in line 8 down through “use;” in line 10; strike beginning with “establishing” in line 11 down through “Act;” in line 16 and substitute “authorizing a police officer to enforce this Act only as a secondary action when detaining a driver for another suspected violation of law; authorizing the Motor Vehicle Administration to suspend an individual’s driver’s license for a violation of this Act for up to a certain period of time; providing for certain hearings;”; in line 16, strike “prohibiting”; in the same line, strike “interactive”; in line 17, strike “in motor vehicles” and substitute “by holders of learners’ instructional permits or provisional drivers’ licenses”; and strike in their entirety lines 18 through 22, inclusive.

On pages 1 and 2, strike in their entirety the lines beginning with line 28 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 4 on page 2 through line 15 on page 6, inclusive.

On pages 6 and 7, strike in their entirety the lines beginning with line 18 on page 6 through line 23 on page 7, inclusive, and substitute:

“(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(Over)

(2) "9-1-1 SYSTEM" HAS THE MEANING STATED IN § 1-301 OF THE PUBLIC SAFETY ARTICLE.

(3) "WIRELESS COMMUNICATION DEVICE" MEANS:

(I) A HANDHELD OR HANDS FREE DEVICE USED TO ACCESS A WIRELESS TELEPHONE SERVICE; OR

(II) A TEXT MESSAGING DEVICE.

(B) THIS SECTION DOES NOT APPLY TO THE USE OF A WIRELESS COMMUNICATION DEVICE TO CONTACT A 9-1-1 SYSTEM.

(C) A HOLDER OF A LEARNER'S INSTRUCTIONAL PERMIT OR A PROVISIONAL DRIVER'S LICENSE WHO IS UNDER THE AGE OF 18 YEARS MAY NOT USE A WIRELESS COMMUNICATION DEVICE WHILE OPERATING A MOTOR VEHICLE IF THE MOTOR VEHICLE IS IN MOTION.

(D) A POLICE OFFICER MAY ENFORCE THIS SECTION ONLY AS A SECONDARY ACTION WHEN THE POLICE OFFICER DETAINS A DRIVER FOR A SUSPECTED VIOLATION OF ANOTHER PROVISION OF THE CODE.

(E) (1) IF THE ADMINISTRATION RECEIVES SATISFACTORY EVIDENCE THAT AN INDIVIDUAL HAS VIOLATED THIS SECTION, THE ADMINISTRATION MAY SUSPEND THE INDIVIDUAL'S DRIVER'S LICENSE FOR NOT MORE THAN 90 DAYS.

(2) AN INDIVIDUAL MAY REQUEST A HEARING AS PROVIDED FOR A SUSPENSION OR REVOCATION UNDER TITLE 16, SUBTITLE 2, OF THIS ARTICLE."

On page 7, in line 24, strike "5." and substitute "2.".