

HOUSE BILL 1127

R5

71r2719

By: **Delegate Malone**

Introduced and read first time: February 16, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Distracted Driving**

3 FOR the purpose of prohibiting a person from driving a motor vehicle in an inattentive
4 manner resulting in the unsafe operation of the motor vehicle where the
5 inattention is caused by the person engaging in any activity that distracts the
6 person’s attention from the driving task; providing that a violation of this Act is
7 not a moving violation for the purpose of assessing certain points; authorizing a
8 police officer to enforce this Act only as a secondary offense; and generally
9 relating to distracted driving.

10 BY adding to

11 Article – Transportation
12 Section 21–901.3
13 Annotated Code of Maryland
14 (2006 Replacement Volume and 2006 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Transportation
17 Section 27–101(b)
18 Annotated Code of Maryland
19 (2006 Replacement Volume and 2006 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article - Transportation**

2 **21-901.3.**

3 (A) A PERSON IS GUILTY OF DISTRACTED DRIVING IF THE PERSON
4 DRIVES A MOTOR VEHICLE IN AN INATTENTIVE MANNER RESULTING IN THE
5 UNSAFE OPERATION OF THE MOTOR VEHICLE WHERE THE INATTENTION IS
6 CAUSED BY THE PERSON ENGAGING IN ANY ACTIVITY THAT DISTRACTS THE
7 PERSON'S ATTENTION FROM THE DRIVING TASK.

8 (B) A VIOLATION OF THIS SECTION IS NOT A MOVING VIOLATION FOR
9 THE PURPOSE OF ASSESSING POINTS UNDER § 16-402 OF THIS ARTICLE.

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

13 27-101.

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 effect
18 October 1, 2007.