

SENATE BILL 98

R5
HB 380/08 – ENV

9lr0760
CF 9lr0705

By: ~~Senator Stone~~ **Senators Stone, Forehand, and Raskin** ~~Raskin~~, and Lenett
Introduced and read first time: January 15, 2009
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted with floor amendments
Read second time: March 13, 2009

CHAPTER _____

1 AN ACT concerning

2 ~~Motor Vehicles – Use of Text Messaging Device While Driving – Prohibition~~
3 **The Delegate John Arnick Electronic Communications Traffic Safety Act**

4 FOR the purpose of prohibiting a person from using a text messaging device to write,
5 send, or read a text message while operating a motor vehicle under certain
6 circumstances; defining a certain term; and generally relating to a prohibition
7 on the use of a text messaging device while driving.

8 BY adding to
9 Article – Transportation
10 Section 21–1124.1
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2008 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Transportation
15 Section 27–101(a) and (b)
16 Annotated Code of Maryland
17 (2006 Replacement Volume and 2008 Supplement)

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

20 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



1 **21-1124.1.**

2 **(A) IN THIS SECTION, "TEXT MESSAGING DEVICE" MEANS A HAND HELD**
3 **DEVICE USED TO SEND A TEXT MESSAGE OR AN ELECTRONIC MESSAGE VIA A**
4 **SHORT MESSAGE SERVICE, WIRELESS TELEPHONE SERVICE, OR ELECTRONIC**
5 **COMMUNICATION NETWORK.**

6 **(B) A PERSON MAY NOT USE A TEXT MESSAGING DEVICE TO WRITE,**
7 **SEND, OR READ A TEXT MESSAGE WHILE OPERATING A MOTOR VEHICLE IN**
8 **MOTION OR IN THE TRAVEL PORTION OF THE ROADWAY.**

9 27-101.

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

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

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

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2009.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.