

HB0934/320519/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 934  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “McIntosh,” insert “G. Clagett, Conaway,”; in the same line, strike “Conaway,”; and in the same line, strike “and Weir” and substitute “Weir, Holmes, Norman, Serafini, Shewell, Sossi, and Stull”; strike line 2 in its entirety and substitute “Vehicle Laws – Commercial Vehicles – Handheld Telephones Utilizing Push-to-Talk Technology”; and strike beginning with “prohibiting” in line 3 down through “vehicle” in line 17 and substitute “creating an exception for the use of a handheld telephone utilizing push-to-talk technology by an individual operating a commercial motor vehicle to certain prohibitions against using a handheld telephone while driving a motor vehicle; making this Act subject to a certain contingency; and generally relating to handheld telephones utilizing push-to-talk technology in a commercial motor vehicle”.

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 12 on page 2, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 21-1124.2(b)

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_\_ (S.B. 321) of the Acts of the General Assembly of 2010)

BY repealing and reenacting, without amendments,

Article - Transportation

Section 21-1124.2(c) and (d)

Annotated Code of Maryland

(Over)

(As enacted by Chapter (S.B. 321) of the Acts of the General Assembly of 2010)”.

AMENDMENT NO. 2

On pages 2 through 7, strike in their entirety the lines beginning with line 15 on page 2 through line 18 on page 7, inclusive, and substitute:

“Article – Transportation

21-1124.2.

(b) This section does not apply to:

(1) Emergency use of a handheld telephone, including calls to:

(i) A 9-1-1 system;

(ii) A hospital;

(iii) An ambulance service provider;

(iv) A fire department;

(v) A law enforcement agency; or

(vi) A first aid squad;

(2) Use of a handheld telephone by the following individuals when acting within the scope of official duty:

(i) Law enforcement personnel; and

(ii) Emergency personnel; [and]

(3) Use of a handheld telephone as a text messaging device as defined in § 21-1124.1 of this subtitle; AND

**(4) USE OF A HANDHELD TELEPHONE AS A COMMUNICATION DEVICE UTILIZING PUSH-TO-TALK TECHNOLOGY BY AN INDIVIDUAL OPERATING A COMMERCIAL MOTOR VEHICLE, AS DEFINED IN 49 CFR PART 390.5 OF THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS.**

(c) The following individuals may not use a handheld telephone while operating a motor vehicle:

(1) A driver of a Class H (school) vehicle that is carrying passengers and in motion; and

(2) A holder of a learner's instructional permit or a provisional driver's license who is 18 years of age or older.

(d) (1) This subsection does not apply to an individual specified in subsection (c) of this section.

(2) A driver of a motor vehicle that is in motion may not use the driver's hands to use a handheld telephone other than to initiate or terminate a wireless telephone call or to turn on or turn off the handheld telephone.”.

**AMENDMENT NO. 3**

On page 7, strike lines 19 and 20 in their entirety and substitute:

**“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010, contingent on the taking effect of Chapter \_\_\_\_\_ (S.B. 321) of the Acts**

(Over)

of the General Assembly of 2010, and if Chapter (S.B. 321) does not become effective, this Act shall be null and void without the necessity of further action by the General Assembly.”.