

# HOUSE BILL 993

R5

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By: **Delegate Conaway**

Introduced and read first time: February 12, 2010

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Use of Wireless Communication Devices – Prohibition**

3 FOR the purpose of altering and expanding the scope of a certain provision of law  
4 prohibiting the use of a text messaging device while operating a motor vehicle  
5 under certain circumstances to prohibit the use of a wireless communication  
6 device while operating a motor vehicle under certain circumstances; repealing a  
7 certain exception; altering a certain exception to provide that this Act does not  
8 apply to a certain use of a wireless communication device; defining a certain  
9 term; and generally relating to a prohibition on the use of a wireless  
10 communication device while operating a motor vehicle.

11 BY repealing and reenacting, without amendments,  
12 Article – Transportation  
13 Section 21–1124(a)(3)  
14 Annotated Code of Maryland  
15 (2009 Replacement Volume and 2009 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Transportation  
18 Section 21–1124.1  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume and 2009 Supplement)

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

23 **Article – Transportation**

24 21–1124.

25 (a) (3) “Wireless communication device” means:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) A handheld or hands-free device used to access a wireless  
2 telephone service; or

3 (ii) A text messaging device.

4 21-1124.1.

5 (a) (1) In this section the following words have the meanings indicated.

6 (2) "9-1-1 system" has the meaning stated in § 1-301 of the Public  
7 Safety Article.

8 [(3) "Text messaging device" means a hand held device used to send a  
9 text message or an electronic message via a short message service, wireless telephone  
10 service, or electronic communication network.]

11 (3) **"WIRELESS COMMUNICATION DEVICE" HAS THE MEANING**  
12 **STATED IN § 21-1124(A) OF THIS SUBTITLE.**

13 (b) Subject to subsection (c) of this section, a person may not use a [text  
14 messaging device to write or send a text message] **WIRELESS COMMUNICATION**  
15 **DEVICE** while operating a motor vehicle in motion or in the travel portion of the  
16 roadway.

17 (c) This section does not apply to the use of[:

18 (1) A global positioning system; or

19 (2) A text messaging] **A WIRELESS COMMUNICATION** device to  
20 contact a 9-1-1 system.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2010.