

## Chapter 472

(House Bill 196)

AN ACT concerning

### **Motor Vehicles – Use of Text Messaging Device While Driving – Prohibited Acts**

FOR the purpose of prohibiting a person from using a text messaging device to read a text message while operating a motor vehicle; clarifying that a certain prohibition against a person using a text messaging device to write, send, or read a text message while operating a motor vehicle includes a prohibition against writing, sending, or reading an electronic message; repealing a certain provision of law that applies the text messaging prohibition to an operator of a motor vehicle only if the motor vehicle is in motion; and generally relating to prohibited acts with respect to the use of a text messaging device while driving.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2010 Supplement)

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

#### **Article – Transportation**

21–1124.1.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “9–1–1 system” has the meaning stated in § 1–301 of the Public Safety Article.
- (3) “Text messaging device” means a hand held device used to send a text message or an electronic message via a short message service, wireless telephone service, or electronic communication network.

(b) Subject to subsection (c) of this section, a person may not use a text messaging device to write [or], send, **OR READ** a text message **OR AN ELECTRONIC MESSAGE** while operating a motor vehicle [in motion or] in the travel portion of the roadway.

- (c) This section does not apply to the use of:
  - (1) A global positioning system; or
  - (2) A text messaging device to contact a 9–1–1 system.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

**Approved by the Governor, May 19, 2011.**