HOUSE BILL 42

 R_5 8lr0692 HB 242/17 - ENV (PRE-FILED) By: Delegate Turner Requested: September 27, 2017 Introduced and read first time: January 10, 2018 Assigned to: Environment and Transportation Committee Report: Favorable House action: Adopted Read second time: March 6, 2018 CHAPTER AN ACT concerning Vehicle Laws – Use of Handheld Telephone While Driving – Penalty FOR the purpose of repealing certain fines and increasing the maximum fine for a violation of certain prohibitions against using a handheld telephone while driving a motor vehicle; making certain stylistic changes; and generally relating to the prohibition against using a handheld telephone while driving a motor vehicle. BY repealing and reenacting, with amendments, Article – Transportation Section 21–1124.2 Annotated Code of Maryland (2012 Replacement Volume and 2017 Supplement) BY repealing and reenacting, without amendments, Article – Transportation Section 27–101 Annotated Code of Maryland (2012 Replacement Volume and 2017 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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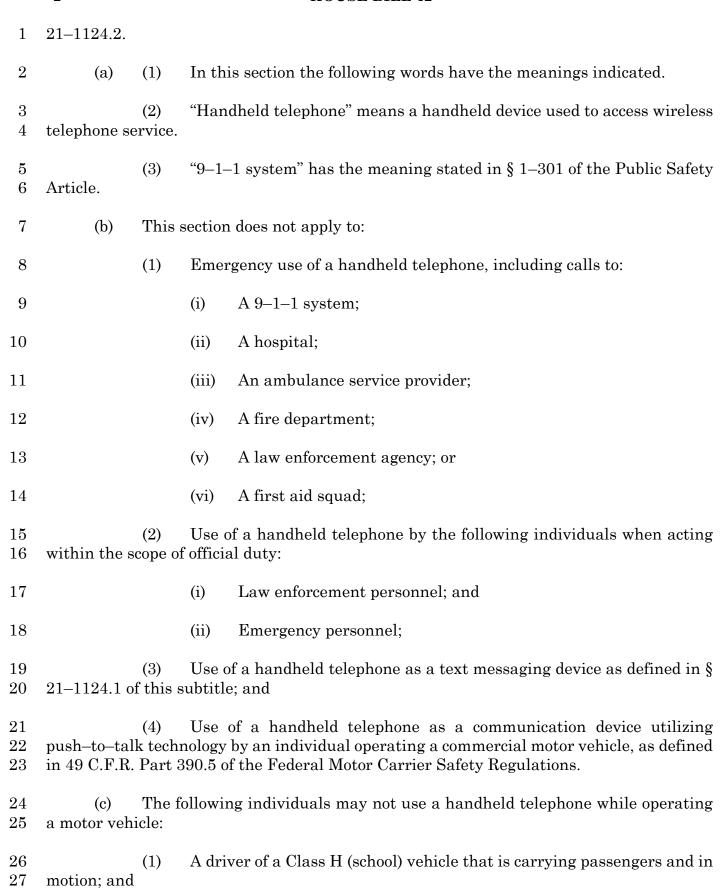
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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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(2)



A holder of a learner's instructional permit or a provisional driver's

- 3 1 license who is 18 years of age or older. 2 This subsection does not apply to an individual specified in subsection (d) (1) 3 (c) of this section. 4 (2)A driver of a motor vehicle that is in motion may not use the driver's 5 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. 6 7 A person convicted of a violation of this section is subject to the 8 following penalties: 9 (i) For a first offense, a fine of not more than \$75; 10 (ii) For a second offense, a fine of not more than \$125; and 11 For a third or subsequent offense, a fine of not more than \$175. (iii) 12 **(2)** Points may not be assessed against [the] AN individual under § 16–402 13 of this article unless [the offense] A VIOLATION OF THIS SECTION contributes to an 14 accident. 15 (f) The court may waive [a] THE penalty [under subsection (e)] FOR A 16 VIOLATION of this section for [a person] AN INDIVIDUAL who: 17 Is convicted of a first offense under this section; and (1)Provides proof that the [person] INDIVIDUAL has acquired a 18 (2)19 hands-free accessory, an attachment or add-on, a built-in feature, or an addition for the 20 [person's] INDIVIDUAL'S handheld telephone that will allow the [person] INDIVIDUAL to 21 operate a motor vehicle in accordance with this section. 22 27-101.23A person who violates a provision of the Maryland Vehicle Law is guilty of a 24misdemeanor unless the violation: 25Is a felony under the Maryland Vehicle Law; or (1)
- 28 Except as otherwise provided in the Maryland Vehicle Law, a person convicted 29 of a misdemeanor for the violation of a provision of the Maryland Vehicle Law is subject to 30 a fine not exceeding \$500.

Is punishable by a civil penalty under the applicable provision of the

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(2)

Maryland Vehicle Law.

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SECTION October 1, 2018.	2. AND	BE IT	FURTHER	ENACTED,	That	this A	act shall	take	effect
Approved:									
							Govern	or.	
				Speaker of	the Ho	ouse of	Delegat	es.	
]	Presid	ent of	the Sena	te.	