

# HOUSE BILL 843

E4, L6

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CF SB 635

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By: **Delegate Folden**

Introduced and read first time: February 3, 2017

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study the Adoption of Enforcement Tools to Record Video of**  
3 **Illegal Cell Phone Use While Driving**

4 FOR the purpose of establishing the Task Force to Study the Adoption of Enforcement Tools  
5 to Record Video of Illegal Cell Phone Use While Driving; providing for the  
6 composition, chair, and staffing of the Task Force; prohibiting a member of the Task  
7 Force from receiving certain compensation, but authorizing the reimbursement of  
8 certain expenses; requiring the Task Force to study and make recommendations on  
9 certain issues related to certain enforcement tools related to illegal cell phone use  
10 while driving; requiring the Task Force to report its findings and recommendations  
11 to the Secretary of Transportation, the chair of the Senate Judicial Proceedings  
12 Committee, the chair of the House Environment and Transportation Committee, and  
13 the General Assembly on or before a certain date; providing for the termination of  
14 this Act; and generally relating to the Task Force to Study the Adoption of  
15 Enforcement Tools to Record Video of Illegal Cell Phone Use While Driving.

16 Preamble

17 WHEREAS, Motor vehicle accidents are the third leading cause of death in the  
18 United States; and

19 WHEREAS, The National Safety Council estimates that nearly 25% of accidents are  
20 caused by motorists texting on a mobile phone; and

21 WHEREAS, It is estimated that texting while driving is 6 times more likely to cause  
22 an accident than driving drunk; and

23 WHEREAS, According to a AAA poll, 94% of teen drivers acknowledge the dangers  
24 of texting and driving, but 35% admit to doing it anyway; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Cell phone related accidents drive up the cost of insurance for all  
2 drivers; now, therefore,

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
4 That:

5 (a) There is a Task Force to Study the Adoption of Enforcement Tools to Record  
6 Video of Illegal Cell Phone Use While Driving.

7 (b) The Task Force consists of the following members:

8 (1) two members of the Senate of Maryland, appointed by the President of  
9 the Senate;

10 (2) two members of the House of Delegates, appointed by the Speaker of  
11 the House;

12 (3) the Secretary of Transportation, or the Secretary's designee; and

13 (4) the following members, appointed by the Governor:

14 (i) one representative of the insurance industry;

15 (ii) one representative of the American Automobile Association;

16 (iii) one representative of the University of Maryland Medical System  
17 Shock Trauma Center;

18 (iv) one representative of a national highway safety organization;

19 (v) one representative of Mothers Against Drunk Driving;

20 (vi) one representative of the Governor's Highway Safety  
21 Organization;

22 (vii) one representative of MedChi;

23 (viii) one registered nurse who has experience with motor vehicle  
24 accident victims;

25 (ix) one victim of an accident caused by the use of a cell phone;

26 (x) one parent of an individual killed or seriously injured in an  
27 accident caused by the use of a cell phone; and

28 (xi) one representative of the American Civil Liberties Union.

1 (c) The Governor shall designate the chair of the Task Force.

2 (d) The Office of the Governor shall provide staff for the Task Force.

3 (e) A member of the Task Force:

4 (1) may not receive compensation as a member of the Task Force; but

5 (2) is entitled to reimbursement for expenses under the Standard State  
6 Travel Regulations, as provided in the State budget.

7 (f) The Task Force shall:

8 (1) review and determine if State law should enable local jurisdictions to  
9 adopt a law enforcement tool that would record video of drivers using a cell phone while  
10 driving;

11 (2) research statistics related to accidents known or thought to be caused  
12 by the use of cell phones while driving;

13 (3) determine insurance costs and increases in insurance premiums related  
14 to distracted driving accidents;

15 (4) investigate the possibility of a county directing its own employees or  
16 authorizing a licensed private company to use a vehicle equipped with cameras capable of  
17 recording video of individuals talking or texting on cell phones while driving; and

18 (5) make recommendations regarding:

19 (i) how to best regulate an industry that involves local governments  
20 and private companies with capability to video record drivers texting or talking on cell  
21 phones;

22 (ii) whether to establish a civil offense related to the video recording  
23 of an individual using a cell phone illegally while driving;

24 (iii) protecting the privacy of individuals;

25 (iv) how to avoid incentivizing private companies that make video  
26 recordings of violations to profit by maximizing the number of citations issued; and

27 (v) reducing the number of fatal accidents related to the use of cell  
28 phones while driving.

29 (g) On or before December 1, 2017, the Task Force shall report its findings and  
30 recommendations to the Secretary of Transportation and, in accordance with § 2-1246 of  
31 the State Government Article, the chair of the Senate Judicial Proceedings Committee, the

1 chair of the House Environment and Transportation Committee, and the General  
2 Assembly.

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
4 1, 2017. It shall remain effective for a period of 1 year and, at the end of May 31, 2018, with  
5 no further action required by the General Assembly, this Act shall be abrogated and of no  
6 further force and effect.