

HB0042/393720/1

BY: Senator Kagan

AMENDMENTS TO HOUSE BILL 42  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Telephone” insert “or Text Messaging Device”; in the same line, strike “– Penalty”; in line 3, after “of” insert “altering the circumstances under which an individual who is operating a motor vehicle is prohibited from using a text messaging device to write, send, or read a text message;”; in line 6, after “telephone” insert “or a text messaging device”; and in line 9, after “Section” insert “21–1124.1 and”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“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 handheld 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, an individual may not use a text messaging device to write, send, or read a text message or an electronic message [while]:

(1) WHILE operating a motor vehicle [in the travel portion of the roadway] THAT IS IN MOTION; OR

(Over)

**(2) IN A WAY THAT IMPEDES THE FLOW OF TRAFFIC.**

(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.

(d) (1) If the Administration receives satisfactory evidence that an individual who is under the age of 18 years has violated this section, the Administration:

(i) May suspend the individual's driver's license for not more than 90 days; and

(ii) May issue a restricted license for the period of suspension that is limited to driving a motor vehicle:

1. In the course of the individual's employment;

2. For the purpose of driving to or from a place of employment; or

3. For the purpose of driving to or from school.

(2) An individual may request a hearing as provided for a suspension or revocation under Title 12, Subtitle 2 of this article."