



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

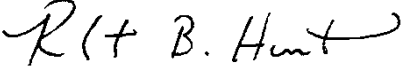
No. 246

H.P. 178

House of Representatives, February 3, 2015

**An Act To Prohibit the Handling of a Mobile Telephone While
Operating a Motor Vehicle**

Reference to the Committee on Transportation suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative MASTRACCIO of Sanford.
Cosponsored by Senator PATRICK of Oxford and
Representatives: BURSTEIN of Lincolnville, CAMPBELL of Newfield, DeCHANT of Bath,
GILBERT of Jay, RYKERSON of Kittery, STETKIS of Canaan, Senator: KATZ of Kennebec.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 29-A MRSA §2120** is enacted to read:

3 **§2120. Handling mobile telephone while operating motor vehicle; prohibition**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Mobile telephone" means a device used to access wireless telephone service.

7 B. "Handling" means manipulating, talking into or otherwise physically interacting
8 with a mobile telephone.

9 **2. Prohibition.** A person may not operate a motor vehicle while handling a mobile
10 telephone.

11 **3. Penalty.** The following penalties apply to violations of this section.

12 A. A person who violates this section commits a traffic infraction for which a fine of
13 not less than \$50 may be adjudged.

14 B. A person who violates this section after having been previously adjudicated as
15 violating this section commits a traffic infraction for which a fine of not less than
16 \$250 may be adjudged.

17 **4. Exceptions.** This section does not apply to the following persons operating a
18 motor vehicle within the scope of their employment:

19 A. Drivers of authorized emergency vehicles, as defined in section 2054, subsection
20 1, paragraph B;

21 B. Physicians;

22 C. Holders of commercial driver's licenses; and

23 D. Municipal public works personnel, Maine Turnpike Authority personnel and state
24 transportation personnel, including all employees and contractors of the department.

25 **SUMMARY**

26 This bill prohibits operating a motor vehicle while handling a mobile telephone. The
27 bill allows certain people to handle mobile telephones while driving within the scope of
28 their employment, including drivers of authorized emergency vehicles, holders of
29 commercial driver's licenses, physicians, municipal public works personnel, Maine
30 Turnpike Authority personnel and state transportation personnel, including all employees
31 and contractors of the Department of Transportation. The bill makes the offense a traffic
32 infraction.