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S.P. 228

In Senate, February 18, 2011

An Act To Prohibit Texting while Driving

Received by the Secretary of the Senate on February 18, 2011. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator DIAMOND of Cumberland.

Cosponsored by Representative BEAUDOIN of Biddeford, Representative CEBRA of Naples and

Senators: COLLINS of York, McCORMICK of Kennebec, THOMAS of Somerset,
Representatives: GILBERT of Jay, MAZUREK of Rockland, PARRY of Arundel, PEOPLES of Westbrook, ROSEN of Bucksport.

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

2 **Sec. 1. 29-A MRSA §2119** is enacted to read:

3 **§2119. Text messaging 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. "Cellular telephone" means a device used to access wireless telephone service.

7 B. "Portable electronic device" means any portable electronic device that is not part
8 of the operating equipment of a motor vehicle, including but not limited to an
9 electronic game, device for sending or receiving e-mail, text messaging device,
10 cellular telephone and computer.

11 C. "Text messaging" means reading or manually composing or sending electronic
12 communications, including text messages, instant messages and e-mails, using a
13 portable electronic device. "Text messaging" does not include using a global
14 positioning or navigation system.

15 **2. Prohibition.** A person may not operate a motor vehicle while engaging in text
16 messaging.

17 **3. Penalty.** A person who violates this section commits a traffic infraction for which
18 a fine of not less than \$100 may be adjudged.

19 **SUMMARY**

20 This bill provides that a person may not operate a motor vehicle while engaging in
21 text messaging.