

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 95

H.P. 91

House of Representatives, January 11, 2001

An Act to Prohibit the Use of Handheld Devices While Operating a Motor Vehicle.

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BROOKS of Winterport.
Cosponsored by Representatives: BAKER of Bangor, BOUFFARD of Lewiston, FULLER of Manchester, LABRECQUE of Gorham, McKEE of Wayne, SHIELDS of Auburn.

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

4 Sec. 1. 29-A MRSA §2115 is enacted to read:

6 **§2115. Use of handheld electronic device while operating
motor vehicle**

8 **1. Handheld electronic device; defined.** For purposes of
10 this section, unless the context otherwise indicates, "handheld
12 electronic device" includes cellular telephones, computers,
citizens band radios, dictaphones, microphones and other
electronic devices that are held in a person's hand and that are
not essential to the operation of a motor vehicle.

14 **2. Prohibition; forfeiture.** Except as provided in
16 subsection 3, it is unlawful for a person operating a motor
18 vehicle to use a handheld electronic device. Violation of this
20 subsection is a traffic infraction subject to a forfeiture of not
less than \$100 for the first violation, \$200 for the 2nd
violation and \$250 for the 3rd and each subsequent violation
committed within one year.

22 **3. Exception.** This section does not apply to:

24 **A. Law enforcement and safety personnel;**

26 **B. Drivers of authorized emergency vehicles;**

28 **C. Holders of commercial driver's licenses driving within**
30 **the scope of their employment; or**

32 **D. Public transit personnel.**

34 **SUMMARY**

36 This bill prohibits a person from using a handheld
38 electronic device while operating a motor vehicle unless the
40 person is a law enforcement or safety officer, the driver of an
42 authorized emergency vehicle, the holder of a commercial driver's
license who is driving within the scope of the holder's
employment or public transit personnel. The bill makes the
offense a traffic infraction.