

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 192

H.P. 151

House of Representatives, January 21, 2003

An Act to Prohibit the Use of a Handheld Cellular Telephone While Driving

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative EDER of Portland.
Cosponsored by Representatives: PARADIS of Frenchville, SIMPSON of Auburn and
Representatives: BLISS of South Portland, HATCH of Skowhegan, PINGREE of North
Haven, PIOTTI of Unity, Senators: HATCH of Somerset, MAYO of Sagadahoc.

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

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

5 **§2115. Use of handheld cellular telephone while operating motor**
6 **vehicle**

7 **1. Prohibition.** A person may not operate a motor vehicle
8 **while using a handheld cellular telephone.**

9 **2. Penalty.** A person who violates this section commits a
10 **traffic infraction for which a fine of not less than \$50 for the**
11 **first violation and not less than \$250 for a 2nd or subsequent**
12 **violation committed within one year of the first violation may be**
13 **adjudged.**

14 **3. Exception.** This section does not apply to the following
15 **persons driving within the scope of their employment:**

16 **A. Law enforcement officers, corrections officers and**
17 **firefighters;**

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

19 **C. Holders of commercial driver's licenses;**

20 **D. Public transit personnel; and**

21 **E. Municipal public works personnel, Maine Turnpike**
22 **Authority personnel and state transportation personnel,**
23 **including all employees and contractors of the Department of**
24 **Transportation.**

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27 **SUMMARY**

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37 This bill prohibits the use of a handheld cellular telephone
38 while operating a motor vehicle. The bill clarifies that law
39 enforcement officers, corrections officers, firefighters, drivers
40 of authorized emergency vehicles, holders of commercial driver's
41 licenses, public transit personnel, municipal public works
42 personnel, Maine Turnpike Authority personnel and state
43 transportation personnel, including all employees and contractors
44 of the Department of Transportation, may use handheld cellular
45 telephones while driving within the scope of their employment.
46 The bill makes the offense a traffic infraction.