

MAINE STATE LEGISLATURE

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DATE: 5-14-03

(Filing No. S-159)

TRANSPORTATION

Reported by:

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STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 477, L.D. 1439, Bill, "An Act To Protect Young Drivers and Passengers"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 29-A MRSA §1304, sub-§1, ¶I is enacted to read:

I. A person who has been issued an instruction permit may not operate a motor vehicle while using a mobile telephone. For the purpose of this paragraph, "mobile telephone" means a device used to access a wireless telephone service.

A person who violates this paragraph commits a traffic infraction.'

Further amend the bill in section 3 in that part designated "§1311." by striking out all of subsection 1 and inserting in its place the following:

'1. Restricted license. A person under 18 years of age who has been issued a driver's license may not:

A. Carry passengers other than immediate family members unless accompanied by a licensed operator who meets the requirements of section 1304, subsection 1, paragraph E;

B. Operate a motor vehicle between the hours of 12 a.m. and 5 a.m.; or

C. Operate a motor vehicle while using a mobile telephone.

For the purpose of this paragraph, "mobile telephone" means a device used to access a wireless telephone service.'

Further amend the bill in section 4 by striking out all of subsection 2 and inserting in its place the following:

'2. **Suspension terms.** If a person is convicted or adjudicated of a moving motor vehicle violation that occurred during the period of the provisional license, the Secretary of State shall suspend the license without right to hearing:

A. For 60 30 days on the 1st offense;

B. For 90 60 days on the 2nd offense; and

~~C. To the 2nd birthday following the date of issue or for 120 days, whichever is longer,~~ For 90 days on the 3rd offense.

~~A person whose provisional license is suspended may request a hearing pursuant to section 2483.'~~

Further amend the bill in section 5 by striking out all of subsection 2 and inserting in its place the following:

'2. **Suspension terms for moving violations.** If a person who has not yet attained the age of 21 years is convicted or adjudicated of a moving motor vehicle violation that occurred within ~~the first year from the date of issue of a juvenile provisional license issued prior to August 1, 1998 or within 2 years from the date of issue of a juvenile provisional license issued after July 31, 1998,~~ the Secretary of State shall suspend the license without right to hearing:

A. For 60 30 days on the 1st offense;

B. For 90 60 days on the 2nd offense; and

~~C. To the 2nd birthday following the date of issue or for 120 days, whichever is longer,~~ For 90 days on the 3rd offense.

~~A person whose juvenile provisional license is suspended may request a hearing pursuant to section 2483.'~~

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

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6 This amendment prohibits a person who has been issued an
instruction permit or an intermediate driver's license from
8 driving while using a mobile telephone. The amendment also
reduces the periods of suspension for violations during the term
of provisional licenses.

FISCAL NOTE REQUIRED
(See attached)



121st Maine Legislature
Office of Fiscal and Program Review

LD 1439

An Act To Protect Young Drivers and Passengers

LR 1939(02)

Fiscal Note for Bill as Amended by Committee Amendment *AS-159*

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements:

Establishes a new traffic infraction.