

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 161

H.P. 143

House of Representatives, January 12, 2007

An Act To Prohibit the Use of Cellular Telephones by Minors while Driving

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative HOGAN of Old Orchard Beach.
Cosponsored by Representative JACKSON of Allagash, Senator COURTNEY of York and
Representatives: BLANCHARD of Old Town, HANLEY of Gardiner, HOTHAM of Dixfield,
MacDONALD of Boothbay, MAZUREK of Rockland, PATRICK of Rumford, PIEH of
Bremen, SIMPSON of Auburn.

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

2 **Sec. 1. 29-A MRSA §1311, sub-§1, ¶A**, as enacted by PL 2003, c. 286, §4, is
3 amended to read:

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

7 **Sec. 2. 29-A MRSA §1311, sub-§1, ¶B**, as enacted by PL 2003, c. 286, §4, is
8 amended to read:

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

10 **Sec. 3. 29-A MRSA §1311, sub-§1, ¶C**, as enacted by PL 2003, c. 286, §4, is
11 repealed.

12 **Sec. 4. 29-A MRSA §2116** is enacted to read:

13 **§2116. Cellular telephone use by minor prohibited while operating motor vehicle**

14 **1. Prohibition.** A person who has not attained 18 years of age may not operate a
15 motor vehicle while using a cellular telephone. For the purpose of this section, “cellular
16 telephone” means a device used to access wireless telephone service.

17 **2. Penalty.** A person who violates this section commits a traffic infraction for which
18 a fine of not less than \$50 for the first violation and not less than \$250 for a 2nd or
19 subsequent violation may be adjudged.

20 **SUMMARY**

21 This bill prohibits a person who has not attained 18 years of age from using a cellular
22 telephone while operating a motor vehicle. The bill makes the offense a traffic infraction.