

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SMG
R 013

MINORITY

Date: 4-12-11

(Filing No. S- 36)

TRANSPORTATION

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

125TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 228, L.D. 736, Bill, "An Act To Prohibit Texting while Driving"

Amend the bill by striking out the title and substituting the following:

'An Act To Specifically Prohibit Texting That Constitutes Distracted Driving'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 29-A MRSA §2118, sub-§1, as reallocated by RR 2009, c. 1, §18, is amended to read:

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Operation of a motor vehicle while distracted" means the operation of a motor vehicle by a person who, while operating the vehicle, is engaged in an activity, including but not limited to text messaging, that:

(1) ~~That is~~ Is not necessary to the operation of the vehicle; and

(2) ~~That actually~~ Actually impairs, or would reasonably be expected to impair, the ability of the person to safely operate the vehicle.

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

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

COMMITTEE AMENDMENT

SUMMARY

This amendment, which is the minority report, strikes and replaces the bill. The amendment specifically prohibits text messaging while driving but only if that text messaging actually impairs, or would reasonably be expected to impair, a person's ability to safely operate a motor vehicle.

FISCAL NOTE REQUIRED

(See attached)



125th MAINE LEGISLATURE

LD 736

LR 42(02)

An Act To Prohibit Texting while Driving

Fiscal Note for Bill as Amended by Committee Amendment "A" S-36

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

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

Correctional and Judicial Impact Statements

Increases the number of traffic infractions.

The collection of additional fines may also increase General Fund revenue by minor amounts.