

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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**Legislative Document**

**No. 736**

S.P. 228

In Senate, February 18, 2011

### **An Act To Prohibit Texting while Driving**

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Received by the Secretary of the Senate on February 18, 2011. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed.

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator DIAMOND of Cumberland.

Cosponsored by Representative BEAUDOIN of Biddeford, Representative CEBRA of Naples and

Senators: COLLINS of York, McCORMICK of Kennebec, THOMAS of Somerset,  
Representatives: GILBERT of Jay, MAZUREK of Rockland, PARRY of Arundel, PEOPLES of Westbrook, ROSEN of Bucksport.

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

**Sec. 1. 29-A M RSA §2119** is enacted to read:

**§2119. Text messaging while operating motor vehicle; prohibition**

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

A. "Cellular telephone" means a device used to access wireless telephone service.

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.

**2. Prohibition.** A person may not operate a motor vehicle while engaging in text messaging.

**3. Penalty.** A person who violates this section commits a traffic infraction for which a fine of not less than \$100 may be adjudged.

## SUMMARY

This bill provides that a person may not operate a motor vehicle while engaging in text messaging.