

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)

SME
L.D.S.

L.D. 185

Date: 4/23/15

(Filing No. S- 5 \)

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

STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to S.P. 60,
L.D. 185, Bill, "An Act To Prohibit the Use of a Mobile Telephone When Operating a
Motor Vehicle Except in Hands-free Mode"

Amend the amendment in section 1 in §2116 in subsection 4 in paragraph A in the
last line (page 2, line 12 in amendment) by striking out the following: "\$250" and
inserting the following: '\$75'

Amend the amendment in section 1 in §2116 in subsection 4 by striking out all of
paragraph B (page 2, lines 13 to 25 in amendment) and inserting the following:

'B. A person who violates this section after previously having been adjudicated as
violating this section within a 3-year period commits a traffic infraction for which a
fine of \$150 must be adjudged.

For the purposes of this paragraph, an adjudication has occurred within a 3-year
period if the date of the new conduct is within 3 years of the date of a docket entry of
adjudication of a violation of this section.'

Amend the amendment in section 2 in subsection 3 in paragraph A in the last line
(page 2, line 40 in amendment) by striking out the following: "\$250 may" and inserting
the following: '\$250 may \$75'

Amend the amendment in section 2 in subsection 3 by striking out all of paragraph B
(page 3, lines 1 to 14 in amendment) and inserting the following:

~~'B. A person who violates this section after previously having been adjudicated as
violating this section within a 3-year period commits a traffic infraction for which a
fine of not less than \$500 may \$150 must be adjudged, and the Secretary of State
shall suspend the license of that person without right to hearing. The minimum
periods of license suspension are:~~

~~(1) Thirty days, if the person has 2 adjudications for a violation of this section
within a 3-year period;~~

~~(2) Sixty days, if the person has 3 adjudications for a violation of this section
within a 3-year period; and~~

SENATE AMENDMENT

1 ~~(3) Ninety days, if the person has 4 or more adjudications for a violation of this~~
2 ~~section within a 3-year period.~~

3 For the purposes of this paragraph, an adjudication has occurred within a 3-year
4 period if the date of the new conduct is within 3 years of the date of a docket entry of
5 adjudication of a violation of this section.'

6 **SUMMARY**

7 This amendment reduces the penalty for a first offense of using a mobile telephone or
8 handheld electronic device or text messaging while operating a motor vehicle from a fine
9 of \$250 to a fine of \$75. It also reduces the penalty for a subsequent violation within a 3-
10 year period from a fine of \$500 and a license suspension to only a fine of \$150.

11 **SPONSORED BY:** 

12 (Senator KATZ)

13 COUNTY: Kennebec

FISCAL NOTE REQUIRED
(See attached)



127th MAINE LEGISLATURE

LD 185

LR 148(04)

An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S-51)

Sponsor: Sen. Katz of Kennebec

Fiscal Note Required: Yes

Fiscal Note

Minor revenue decrease - General Fund

Correctional and Judicial Impact Statements

Lowers penalties from \$250 to \$75 for first offenses and from \$500 to \$150 for subsequent offenses.

The incremental impact of reducing penalties will be a reduction of the minor General Fund revenue increase that had been expected from the bill as amended by committee A. Overall as amended here, a small net revenue increase is still expected.