

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 120

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H.P. 88

House of Representatives, January 17, 2017

**An Act To Impose a Three-month Loss of a Driver's License for  
Driving While Texting**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative STANLEY of Medway.  
Cosponsored by Senator COLLINS of York and  
Representatives: HANINGTON of Lincoln, HARLOW of Portland, NADEAU of Winslow,  
SHERMAN of Hodgdon, TUCKER of Brunswick.

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

2 **Sec. 1. 29-A MRSA §2119, sub-§3**, as repealed and replaced by PL 2013, c. 188,  
3 §1, is amended to read:

4 **3. Penalties.** The following penalties apply to a violation of this section.

5 A. A person who violates this section commits a traffic infraction for which a fine of  
6 not less than \$250 may be adjudged, and the Secretary of State shall suspend the  
7 license of that person for 90 days without right to hearing.

8 B. A person who violates this section after previously having been adjudicated as  
9 violating this section within a 3-year period commits a traffic infraction for which a  
10 fine of not less than \$500 may be adjudged, and the Secretary of State shall suspend  
11 the license of that person for 90 days without right to hearing. ~~The minimum periods~~  
12 ~~of license suspension are:~~

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

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

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

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

22 **SUMMARY**

23 This bill increases the penalty for text messaging while operating a motor vehicle by  
24 requiring the Secretary of State to suspend the person's driver's license for 90 days for  
25 each offense.