

SB0321/563821/1

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 321
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “providing that a certain prohibition on the use of a wireless communication device by a holder of a learner’s instructional permit or a provisional driver’s license does not apply to the use of a certain wireless communication device to contact a parent;”; and after line 16, insert:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 21-1124

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“21-1124.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “9-1-1 system” has the meaning stated in § 1-301 of the Public Safety Article.
- (3) “Wireless communication device” means:
 - (i) A handheld or hands-free device used to access a wireless telephone service; or

(Over)

(ii) A text messaging device.

(b) This section does not apply to the use of a wireless communication device to contact:

(1) [a] A 9-1-1 system; OR

(2) A PARENT UNLESS THE WIRELESS COMMUNICATION DEVICE IS A TEXT MESSAGING DEVICE.

(c) A holder of a learner's instructional permit or a provisional driver's license who is under the age of 18 years may not use a wireless communication device while operating a motor vehicle.

(d) A police officer may enforce this section only as a secondary action when the police officer detains a driver for a suspected violation of another provision of the Code.

(e) (1) If the Administration receives satisfactory evidence that an individual has violated this section, the Administration:

(i) May suspend the individual's driver's license for not more than 90 days; and

(ii) May issue a restricted license for the period of suspension that is limited to driving a motor vehicle:

1. In the course of the individual's employment;

2. For the purpose of driving to or from a place of employment; or

3. For the purpose of driving to or from school.

(2) An individual may request a hearing as provided for a suspension or revocation under Title 12, Subtitle 2 of this article.”.

On page 2, in line 15, strike “AND”; in line 18, strike “AND” and substitute “OR”; and in line 19, after “PERSONNEL” insert “; OR”

(3) USE OF A HANDHELD TELEPHONE BY:

(I) A PARENT TO CONTACT A CHILD; OR

(II) A CHILD TO CONTACT A PARENT”.