

**SB0321/913829/1**

BY: Delegate Smigiel

AMENDMENTS TO SENATE BILL 321  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 4 down through “vehicle” in line 16 and substitute “requiring the Maryland Insurance Commissioner, in cooperation with the Motor Vehicle Administration, the Department of State Police, and certain insurers, to establish and implement public awareness efforts to educate drivers about the dangers of using a handheld telephone while operating a motor vehicle; requiring the Commissioner to collect a certain assessment from certain insurers; requiring the Commissioner to deposit certain money into a special fund to be used only for a certain purpose; and generally relating to establishing and funding public awareness efforts concerning the dangers of using a handheld telephone while driving”; and strike in their entirety lines 17 through 21, inclusive, and substitute:

“BY adding to

Article - Insurance

Section 2-116

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 1 on page 2 through line 31 on page 3, inclusive, and substitute:

“Article – Insurance

**2-116.**

(Over)

(A) THE COMMISSIONER, IN COOPERATION WITH THE MOTOR VEHICLE ADMINISTRATION, THE DEPARTMENT OF STATE POLICE, AND INSURERS THAT ISSUE, SELL, OR DELIVER MOTOR VEHICLE LIABILITY INSURANCE POLICIES IN THE STATE, SHALL ESTABLISH AND IMPLEMENT PUBLIC AWARENESS EFFORTS TO EDUCATE DRIVERS ABOUT THE DANGERS OF USING A HANDHELD TELEPHONE WHILE OPERATING A MOTOR VEHICLE.

(B) THE COMMISSIONER SHALL:

(1) COLLECT AN ASSESSMENT FROM EACH INSURER THAT ISSUES, SELLS, OR DELIVERS MOTOR VEHICLE LIABILITY INSURANCE POLICIES IN THE STATE IN AN AMOUNT THAT THE COMMISSIONER DETERMINES NECESSARY TO ACCOMPLISH THE PURPOSE SPECIFIED FOR THE SPECIAL FUND ESTABLISHED UNDER ITEM (2) OF THIS SUBSECTION; AND

(2) DEPOSIT THE AMOUNTS COLLECTED UNDER THIS SUBSECTION INTO A SPECIAL FUND TO BE USED ONLY AS PROVIDED IN SUBSECTION (C) OF THIS SECTION.

(C) THE SPECIAL FUND ESTABLISHED UNDER SUBSECTION (B)(2) OF THIS SECTION SHALL BE USED ONLY FOR THE PURPOSE OF ESTABLISHING PUBLIC AWARENESS EFFORTS TO EDUCATE DRIVERS ABOUT THE DANGERS OF USING A HANDHELD TELEPHONE WHILE OPERATING A MOTOR VEHICLE.”