

HOUSE BILL 196

R5

1lr1179
CF SB 424

By: **Delegates Malone, Kach, ~~and F. Turner~~ F. Turner, Bobo, Cane, Carr, Glenn, Holmes, Kipke, Niemann, S. Robinson, Stein, Weir, and Wilson**

Introduced and read first time: January 28, 2011

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2011

CHAPTER _____

1 AN ACT concerning

2 **Motor Vehicles – Use of Text Messaging Device While Driving – Prohibited**
3 **Acts**

4 FOR the purpose of prohibiting a person from using a text messaging device to read a
5 text message while operating a motor vehicle; clarifying that a certain
6 prohibition against a person using a text messaging device to write, send, or
7 read a text message while operating a motor vehicle includes a prohibition
8 against writing, sending, or reading an electronic message; repealing a certain
9 provision of law that applies the text messaging prohibition to an operator of a
10 motor vehicle only if the motor vehicle is in motion; and generally relating to
11 prohibited acts with respect to the use of a text messaging device while driving.

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 21–1124.1
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2010 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Transportation**

20 21–1124.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) (1) In this section the following words have the meanings indicated.

2 (2) "9-1-1 system" has the meaning stated in § 1-301 of the Public
3 Safety Article.

4 (3) "Text messaging device" means a hand held device used to send a
5 text message or an electronic message via a short message service, wireless telephone
6 service, or electronic communication network.

7 (b) Subject to subsection (c) of this section, a person may not use a text
8 messaging device to write [or], send, **OR READ** a text message **OR AN ELECTRONIC**
9 **MESSAGE** while operating a motor vehicle [in motion or] in the travel portion of the
10 roadway.

11 (c) This section does not apply to the use of:

12 (1) A global positioning system; or

13 (2) A text messaging device to contact a 9-1-1 system.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.