

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Prohibit the Use of Cellular Telephones by Minors while Driving**

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

**Sec. 1. 29-A MRSA §1311, sub-§1, ¶A,** as enacted by PL 2003, c. 286, §4, is amended to read:

A. Carry passengers other than immediate family members unless accompanied by a licensed operator who meets the requirements of section 1304, subsection 1, paragraph E; or

**Sec. 2. 29-A MRSA §1311, sub-§1, ¶B,** as enacted by PL 2003, c. 286, §4, is amended to read:

B. Operate a motor vehicle between the hours of 12 a.m. and 5 a.m.; ~~or~~

**Sec. 3. 29-A MRSA §1311, sub-§1, ¶C,** as enacted by PL 2003, c. 286, §4, is repealed.

**Sec. 4. 29-A MRSA §2116** is enacted to read:

### **§ 2116. Cellular telephone use by minor prohibited while operating motor vehicle**

**1. Prohibition.** A person who has not attained 18 years of age may not operate a motor vehicle while using a cellular telephone. For the purpose of this section, “cellular telephone” means a device used to access wireless telephone service.

**2. Penalty.** A person who violates this section commits a traffic infraction for which a fine of not less than \$50 for the first violation and not less than \$250 for a 2nd or subsequent violation may be adjudged.

### **SUMMARY**

This bill prohibits a person who has not attained 18 years of age from using a cellular telephone while operating a motor vehicle. The bill makes the offense a traffic infraction.