

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

Amend the bill by striking out the title and substituting the following:

**'An Act To Prohibit the Use of Electronic Devices by Minors while Driving'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'**Sec. 1. 29-A MRSA §2116** is enacted to read:

**§ 2116. Use of electronic devices by minors while operating motor vehicles**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Handheld electronic device" means any handheld electronic device that is not part of the operating equipment of the motor vehicle, including but not limited to an electronic game, device for sending or receiving electronic mail, text messaging device or computer.

B. "Mobile telephone" means a device used to access a wireless telephone service.

C. "Using" means manipulating, talking into or otherwise interacting with a mobile telephone or handheld electronic device but does not include passively listening to music or other recorded sounds emanating from a handheld electronic device.

**2. Prohibition.** A person who has not attained 18 years of age may not operate a motor vehicle while using a mobile telephone or handheld electronic device.

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

**SUMMARY**

This amendment replaces the bill and amends the title to reflect the content of the amendment. This amendment retains the provision of the bill prohibiting a person who has not attained 18 years of age from operating a motor vehicle while using a mobile telephone, but expands that prohibition to include handheld electronic devices that are not part of the operating equipment of a motor vehicle.

**FISCAL NOTE REQUIRED**

**(See attached)**