



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 120

H.P. 88

House of Representatives, January 17, 2017

**An Act To Impose a Three-month Loss of a Driver's License for
Driving While Texting**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STANLEY of Medway.
Cosponsored by Senator COLLINS of York and
Representatives: HANINGTON of Lincoln, HARLOW of Portland, NADEAU of Winslow,
SHERMAN of Hodgdon, TUCKER of Brunswick.

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

2 **Sec. 1. 29-A MRSA §2119, sub-§3**, as repealed and replaced by PL 2013, c. 188,
3 §1, is amended to read:

4 **3. Penalties.** The following penalties apply to a violation of this section.

5 A. A person who violates this section commits a traffic infraction for which a fine of
6 not less than \$250 may be adjudged, and the Secretary of State shall suspend the
7 license of that person for 90 days without right to hearing.

8 B. A person who violates this section after previously having been adjudicated as
9 violating this section within a 3-year period commits a traffic infraction for which a
10 fine of not less than \$500 may be adjudged, and the Secretary of State shall suspend
11 the license of that person for 90 days without right to hearing. ~~The minimum periods~~
12 ~~of license suspension are:~~

13 ~~(1) Thirty days, if the person has 2 adjudications for a violation of this section~~
14 ~~within a 3-year period;~~

15 ~~(2) Sixty days, if the person has 3 adjudications for a violation of this section~~
16 ~~within a 3-year period; and~~

17 ~~(3) Ninety days, if the person has 4 or more adjudications for a violation of this~~
18 ~~section within a 3-year period.~~

19 For the purposes of this paragraph, an adjudication has occurred within a 3-year
20 period if the date of the new conduct is within 3 years of the date of a docket entry of
21 adjudication of a violation of this section.

22 **SUMMARY**

23 This bill increases the penalty for text messaging while operating a motor vehicle by
24 requiring the Secretary of State to suspend the person's driver's license for 90 days for
25 each offense.