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Date: (Filing No. H-)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 408, L.D. 589, Bill, “An Act To Strengthen the Law Regarding Texting and 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Sec. 1. 29-A MRSA §2119, sub-§3, as amended by PL 2011, c. 654, §7, is repealed and the following enacted in its place:

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

A. A person who violates this section commits a traffic infraction for which a fine of not less than \$250 may be adjudged.

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

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

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

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

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

COMMITTEE AMENDMENT

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SUMMARY

This amendment, which replaces the bill, removes the upper limit on the fine for the first offense of the prohibition against engaging in text messaging while driving.

The amendment increases the fine for a 2nd or subsequent offense within a 3-year period of the prohibition against engaging in text messaging while driving from not less than \$250 and not more than \$500 to not less than \$500. The amendment also directs the Secretary of State to suspend the license of a person who has been previously adjudicated for a violation of the prohibition against engaging in text messaging while driving within a 3-year period.

FISCAL NOTE REQUIRED

(See attached)