

10 AN ACT CONCERNING

20 **Vehicle Laws - Use of Hand-Held Telephone While Driving - Prohibition**

30 FOR the purpose of prohibiting hand-held telephone usage in order to ensure the safety of all motorists;  
40 defining hand-held phones; explaining rationale behind hands-free option; granting exceptions to rule.

50 BY adding to  
60 Article - Transportation  
70 Section 21 - 1123  
80 Annotated Code of Maryland  
90

100 **Preamble**

110 WHEREAS: Hand-held cell phone usage seriously impairs the attention of motorists while they are  
120 driving, creating an unsafe driving atmosphere and a greatly increased risk of a motor  
130 vehicle accident; and,

140 WHEREAS: There are over 2 million drivers in Maryland that own cell phones with 85% utilizing their  
150 phones periodically while driving; and,

160 WHEREAS: Between October 2000 and June 2001 hand-held cell phones has been the leading  
170 contributor in 67 accidents; and,

180 WHEREAS: New York has instituted a prohibition on hand-held cell phones while driving except in  
190 emergencies, with many other states beginning to place restrictions on the same.

200 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That the laws of  
210 Maryland read as follows

220 **Article - Transportation**

230 § 21-1123. Use of Hand-Held Telephone While Driving - Prohibition

240 IT SHALL NOT BE LAWFUL FOR ANY MOTORIST TO OPERATE A HAND-HELD  
250 TELEPHONE WHILE THE VEHICLE IS IN MOTION.

260 A. EXEMPTIONS

270 (i) A DRIVER CALLING 911

280 (ii) A PUBLIC SAFETY AGENCY IN CONNECTION WITH AN EMERGENCY

290 (iii) AN EMPLOYEE OF AN ELECTRIC, GAS, OR TELEPHONE COMPANY (AS  
300 DEFINED IN § 1-101 OF THE PUBLIC UTILITY COMPANIES ARTICLE)  
310 MAKING A CALL IN CONNECTION WITH EMERGENCY COMMUNICATIONS

320 (iv) AN OPERATOR OF AN EMERGENCY VEHICLE ACTING IN AN OFFICIAL  
330 CAPACITY.

340 B. PENALTIES

350 (i) A VIOLATION IS A MISDEMEANOR PUNISHABLE BY A FINE OF NOT  
360 MORE THAN FIVE HUNDRED DOLLARS (\$500).

370 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect on January 1, 2003.

380 MANDATES: Congressman Robert Ehrlich  
390 Governor Parris N. Glendening  
400 Lt. Governor Kathleen Kennedy Townsend  
410 State Senator Nancy Jacobs  
420 Delegate Amick

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