1	L.D. 185
2	Date: (Filing No. S-
3	Reproduced and distributed under the direction of the Secretary of the Senate.
4	STATE OF MAINE
5	SENATE
6	127TH LEGISLATURE
7	FIRST REGULAR SESSION
8 9 10	SENATE AMENDMENT " " to COMMITTEE AMENDMENT "A" to S.P. 60, L.D. 185, Bill, "An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode"
11 12 13	Amend the amendment in section 1 in §2116 in subsection 4 in paragraph A in the last line (page 2, line 12 in amendment) by striking out the following: "\$250" and inserting the following: '\$75'
14 15	Amend the amendment in section 1 in §2116 in subsection 4 by striking out all of paragraph B (page 2, lines 13 to 25 in amendment) and inserting the following:
16 17 18	'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 \$150 must be adjudged.
19 20 21	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.'
22 23 24	Amend the amendment in section 2 in subsection 3 in paragraph A in the last line (page 2, line 40 in amendment) by striking out the following: "\$250 may" and inserting the following: '\$250 may \$75'
25 26	Amend the amendment in section 2 in subsection 3 by striking out all of paragraph B (page 3, lines 1 to 14 in amendment) and inserting the following:
27 28 29 30 31	'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 \$150 must 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:
32 33	(1) Thirty days, if the person has 2 adjudications for a violation of this section within a 3-year period;
34 35	(2) Sixty days, if the person has 3 adjudications for a violation of this section within a 3-year period; and

2	(3) Ninety days, if the person has 4 or more adjudications for a violation of this section within a 3-year period.
3	For the purposes of this paragraph, an adjudication has occurred within a 3-year
4	period if the date of the new conduct is within 3 years of the date of a docket entry of
5	adjudication of a violation of this section.'
6	SUMMARY
7	This amendment reduces the penalty for a first offense of using a mobile telephone or
8	handheld electronic device or text messaging while operating a motor vehicle from a fine
9	of \$250 to a fine of \$75. It also reduces the penalty for a subsequent violation within a 3-
10	year period from a fine of \$500 and a license suspension to only a fine of \$150.
11	SPONSORED BY:
12	(Senator KATZ)
13	COUNTY: Kennehec