§2119. Text messaging while operating motor vehicle; prohibition

1. Definitions.

[PL 2019, c. 486, §9 (RP).]

2. Prohibition. A person may not operate a motor vehicle on a public way while engaging in text messaging, including but not limited to when the motor vehicle is temporarily stationary because of traffic, a traffic light or a stop sign.

A person may engage in text messaging while in the operator's seat of a motor vehicle if the person has pulled the motor vehicle over to the side of, or off, a public way and has halted in a location where the motor vehicle can safely remain stationary.

Nothing in this section prohibits a person employed as a commercial driver or a school bus driver from using a handheld electronic device or mobile telephone within the scope of the person's employment as permitted under Federal Motor Carrier Safety Administration regulations.

[PL 2019, c. 486, §9 (AMD).]

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. [PL 2013, c. 188, §1 (NEW).]

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. [PL 2013, c. 188, §1 (NEW).]

[PL 2013, c. 188, §1 (RPR).]

SECTION HISTORY


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