

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND ELEVEN

S.P. 228 - L.D. 736

An Act To Prohibit Texting while Driving

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

Sec. 1. 29-A MRSA §2119 is enacted to read:

**§2119. Text messaging while operating motor vehicle; prohibition**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Cellular telephone" means a device used to access wireless telephone service.

B. "Portable electronic device" means any portable electronic device that is not part of the operating equipment of a motor vehicle, including but not limited to an electronic game, device for sending or receiving e-mail, text messaging device, cellular telephone and computer.

C. "Text messaging" means reading or manually composing electronic communications, including text messages, instant messages and e-mails, using a portable electronic device. "Text messaging" does not include using a global positioning or navigation system.

**2. Prohibition.** A person may not operate a motor vehicle while engaging in text messaging.

**3. Penalty.** A person who violates this section commits a traffic infraction for which a fine of not less than \$100 may be adjudged.

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In House of Representatives, ..... 2011

Read twice and passed to be enacted.

..... Speaker

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In Senate, ..... 2011

Read twice and passed to be enacted.

..... President

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Approved ..... 2011

..... Governor