§2118. Failure to maintain control of a motor vehicle

(REALLOCATED FROM TITLE 29-A, SECTION 2117)

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

A. "Operation of a motor vehicle while distracted" means the operation of a motor vehicle by a person who, while operating the vehicle, is engaged in an activity:

(1) That is not necessary to the operation of the vehicle; and

(2) That actually impairs, or would reasonably be expected to impair, the ability of the person to safely operate the vehicle. [PL 2009, c. 446, §1 (NEW); RR 2009, c. 1, §18 (RAL).]

[PL 2009, c. 446, §1 (NEW); RR 2009, c. 1, §18 (RAL).]

2. Failure to maintain control of a motor vehicle. A person commits the traffic infraction of failure to maintain control of a motor vehicle if the person:

A. Commits either a traffic infraction under this Title or commits the crime of driving to endanger under section 2413 and, at the time the traffic infraction or crime occurred, the person was engaged in the operation of a motor vehicle while distracted; or [PL 2009, c. 446, §1 (NEW); RR 2009, c. 1, §18 (RAL).]

B. Is determined to have been the operator of a motor vehicle that was involved in a reportable accident as defined in section 2251, subsection 1 that resulted in property damage and, at the time the reportable accident occurred, the person was engaged in the operation of a motor vehicle while distracted. [PL 2009, c. 446, §1 (NEW); RR 2009, c. 1, §18 (RAL).]

A person may be issued a citation or summons for any other traffic infraction or crime that was committed by the person in relation to the person's commission of the traffic infraction of failure to maintain control of a motor vehicle.

[PL 2009, c. 446, §1 (NEW); RR 2009, c. 1, §18 (RAL).]

SECTION HISTORY

PL 2009, c. 446, §1 (NEW). RR 2009, c. 1, §18 (RAL).

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