E4, L6 7lr2265 CF SB 635

By: Delegate Folden

Introduced and read first time: February 3, 2017 Assigned to: Environment and Transportation

A BILL ENTITLED

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1	AN	ACT	concerning

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Task Force to Study the Adoption of Enforcement Tools to Record Video of Illegal Cell Phone Use While Driving

4 FOR the purpose of establishing the Task Force to Study the Adoption of Enforcement Tools 5 to Record Video of Illegal Cell Phone Use While Driving; providing for the 6 composition, chair, and staffing of the Task Force; prohibiting a member of the Task 7 Force from receiving certain compensation, but authorizing the reimbursement of 8 certain expenses; requiring the Task Force to study and make recommendations on 9 certain issues related to certain enforcement tools related to illegal cell phone use while driving; requiring the Task Force to report its findings and recommendations 10 11 to the Secretary of Transportation, the chair of the Senate Judicial Proceedings 12 Committee, the chair of the House Environment and Transportation Committee, and 13 the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Adoption of 14 Enforcement Tools to Record Video of Illegal Cell Phone Use While Driving. 15

16 Preamble

- WHEREAS, Motor vehicle accidents are the third leading cause of death in the United States; and
- WHEREAS, The National Safety Council estimates that nearly 25% of accidents are caused by motorists texting on a mobile phone; and
- WHEREAS, It is estimated that texting while driving is 6 times more likely to cause an accident than driving drunk; and
- WHEREAS, According to a AAA poll, 94% of teen drivers acknowledge the dangers of texting and driving, but 35% admit to doing it anyway; and



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(xi)

$\frac{1}{2}$	WHEREAS, Cell phone related accidents drive up the cost of insurance for all drivers; now, therefore,						
3 4	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:						
5 6	(a) Video of Illeg	There is a Task Force to Study the Adoption of Enforcement Tools to Record gal Cell Phone Use While Driving.					
7	(b)	The T	ask Fo	orce consists of the following members:			
8	the Senate;	(1)	two m	nembers of the Senate of Maryland, appointed by the President of			
10 11	the House;	(2)	two n	nembers of the House of Delegates, appointed by the Speaker of			
12		(3)	the Se	ecretary of Transportation, or the Secretary's designee; and			
13		(4)	the fo	llowing members, appointed by the Governor:			
14			(i)	one representative of the insurance industry;			
15			(ii)	one representative of the American Automobile Association;			
16 (iii) one representative of the University of Maryl 17 Shock Trauma Center;				one representative of the University of Maryland Medical System			
18			(iv)	one representative of a national highway safety organization;			
19			(v)	one representative of Mothers Against Drunk Driving;			
20 21			(vi)	one representative of the Governor's Highway Safety			
22			(vii)	one representative of MedChi;			
23 24	accident vict	ims;	(viii)	one registered nurse who has experience with motor vehicle			
25			(ix)	one victim of an accident caused by the use of a cell phone;			
26 27	accident cau	sed by	(x) the us	one parent of an individual killed or seriously injured in an se of a cell phone; and			

one representative of the American Civil Liberties Union.

The Governor shall designate the chair of the Task Force. 1 (c) 2 The Office of the Governor shall provide staff for the Task Force. (d) A member of the Task Force: 3 (e) 4 (1) may not receive compensation as a member of the Task Force; but 5 is entitled to reimbursement for expenses under the Standard State 6 Travel Regulations, as provided in the State budget. 7 (f) The Task Force shall: 8 review and determine if State law should enable local jurisdictions to (1) adopt a law enforcement tool that would record video of drivers using a cell phone while 9 10 driving; 11 research statistics related to accidents known or thought to be caused 12 by the use of cell phones while driving; 13 determine insurance costs and increases in insurance premiums related to distracted driving accidents; 14 15 investigate the possibility of a county directing its own employees or 16 authorizing a licensed private company to use a vehicle equipped with cameras capable of 17 recording video of individuals talking or texting on cell phones while driving; and 18 (5)make recommendations regarding: 19 (i) how to best regulate an industry that involves local governments 20 and private companies with capability to video record drivers texting or talking on cell 21phones; 22 whether to establish a civil offense related to the video recording (ii) 23 of an individual using a cell phone illegally while driving; 24protecting the privacy of individuals; (iii) 25 (iv) how to avoid incentivizing private companies that make video 26 recordings of violations to profit by maximizing the number of citations issued; and 27 reducing the number of fatal accidents related to the use of cell (v) 28 phones while driving. 29 On or before December 1, 2017, the Task Force shall report its findings and

recommendations to the Secretary of Transportation and, in accordance with § 2–1246 of

the State Government Article, the chair of the Senate Judicial Proceedings Committee, the

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- 1 chair of the House Environment and Transportation Committee, and the General 2 Assembly.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017. It shall remain effective for a period of 1 year and, at the end of May 31, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.