

~~(2) ALL RESTRICTIONS OR STANDARDS IMPOSED BY THE LAWS, ORDINANCES, OR REGULATIONS OF A POLITICAL SUBDIVISION IN THE STATE THAT GOVERN THE USE OF AN INTERACTIVE WIRELESS COMMUNICATION DEVICE BY THE DRIVER OF A MOTOR VEHICLE ARE SUPERSEDED BY THIS SECTION.~~

~~27-101.~~

~~(a) It is a misdemeanor for any person to violate any of the provisions of the Maryland Vehicle Law unless the violation:~~

~~(1) Is declared to be a felony by the Maryland Vehicle Law or by any other law of this State; or~~

~~(2) Is punishable by a civil penalty under the applicable provision of the Maryland Vehicle Law.~~

~~(b) Except as otherwise provided in this section, any person convicted of a misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is subject to a fine of not more than \$500.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That from October 1, 2005 until the end of March 31, 2006, the provisions of § 21-1123 of the Transportation Article as enacted in Section 2 of this Act may be enforced only by the issuance of a warning that informs the offender of the requirements of § 21-1123 of the Transportation Article.~~

~~SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act may be construed to prevent a law enforcement officer from issuing a warning under this Act on or after April 1, 2006, if the law enforcement officer believes the warning would be in the public interest.~~

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "9-1-1 SYSTEM" HAS THE MEANING STATED IN § 1-301 OF THE PUBLIC SAFETY ARTICLE.

(3) "WIRELESS COMMUNICATION DEVICE" MEANS:

(I) A HANDHELD OR HANDS FREE DEVICE USED TO ACCESS A WIRELESS TELEPHONE SERVICE; OR

(II) A TEXT MESSAGING DEVICE.

(B) THIS SECTION DOES NOT APPLY TO THE USE OF A WIRELESS COMMUNICATION DEVICE TO CONTACT A 9-1-1 SYSTEM.

(C) A HOLDER OF A LEARNER'S INSTRUCTIONAL PERMIT OR A PROVISIONAL DRIVER'S LICENSE WHO IS UNDER THE AGE OF 18 YEARS MAY NOT USE A WIRELESS COMMUNICATION DEVICE WHILE OPERATING A MOTOR VEHICLE IF THE MOTOR VEHICLE IS IN MOTION.