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HEADLINE: STONE TAKES UP ARNICK'S CAUSE;
HE VOWS TO PUSH BAN ON MOTORISTS' USE OF HAND-HELD CELLULAR PHONES

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BODY:

Democratic Sen. Norman R. Stone Jr. had two matters on his mind when he introduced a bill to ban hand-held cell phone use while driving: his serious car accident and a promise he made to the provision's longtime sponsor.

With his wife as a passenger, Stone's five-day-old car was totaled 18 months ago when a driver using a cell phone blew through a stop sign and smashed into the vehicle.

Since then, the General Assembly's chief past proponent of the cell phone bill - former Del. John S. Arnick of Dundalk - died. Stone, also from eastern Baltimore County, promised Arnick's family that he would take up his cause.

"For sentimental reasons, of course, I would love to see this bill be supported," Joanne Arnick, the delegate's widow, said during a Senate committee hearing yesterday on the legislation. "John fought so hard for it."

Arnick's ban on hand-held phones - introduced annually for several years - was killed repeatedly.

But Stone's proposal, one of two new measures that would prohibit the use of hand-held cell phones for drivers in Maryland, is being introduced to a General Assembly that is a quarter new and with mobile phone use booming nationwide.

Four states - California, Connecticut, New York and New Jersey - have similar bans on the books, as does the District of Columbia.

Others impose restrictions; Maryland prohibits drivers younger than 18 who hold a learner's permit or a provisional license from talking on a hand-held cell phone.

Stone's bill also would create penalties for distracted driving, which would include "reading, writing, performing personal grooming, interacting with animals, adjusting cargo" or engaging in any other activities that take attention from the road.

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Sen. Michael G. Lenett, a Montgomery County Democrat, is offering a similar bill this year - though his does not include a distracted-driving provision. Lenett's legislation would forbid the use of cell phones by adults with a learner's permit or provisional driver's license, or by school bus drivers en route with children on board.

Lenett's proposal - which does not apply if the driver is calling 911 - would impose a \$100 fine for the first offense and \$250 for a subsequent offense. The penalty could be waived if the driver proves he has purchased a hands-free accessory. Stone's bill carries a \$500 fine and a one-point driver's license penalty.

Lenett noted several studies yesterday indicating that drivers are more prone to accidents when chatting on cell phones. He said public safety dictates that drivers change their habits. "Hands-free cell phone devices are plentiful, convenient and cheap," he said. "People are getting used to them."

AAA Mid-Atlantic and the Montgomery County Police Department testified in favor of the legislation yesterday, while representatives for phone service providers Sprint and Nextel weighed in as opposed.

"A cell phone is a potential cause of distracted driving; so is a compact disc," said Gary Horewitz, a Sprint manager for government affairs.

Several senators said they were concerned that a distracted-driving provision could cover any number of more mundane activities; Republican Sen. Nancy Jacobs asked if lawmakers should regulate the eating of potato chips while driving.

"We're going to have police officers stopping women because they thought they saw them putting lipstick on," Jacobs said.

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GRAPHIC: Photo(s)

Sen. Norman R. Stone Jr. and Joanne Arnick, widow of Del John. S. Arnick, listen as members of the Judicial Proceedings Committee question Sen. Michael G. Lenett (not shown) in Annapolis.

KIM HAIRSTON : SUN PHOTOGRAPHER

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