

**HOUSE . . . . . No. 3399**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Bruce J. Ayers***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to increasing the fines and penalties for texting and driving.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>2/1/2021</i>

**HOUSE . . . . . No. 3399**

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By Mr. Ayers of Quincy, a petition (accompanied by bill, House, No. 3399) of Bruce J. Ayers for legislation to increase the fines and penalties for texting while driving. Transportation.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2955 OF 2019-2020.]

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
—————

An Act relative to increasing the fines and penalties for texting and driving.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 13B of chapter 90 of the General Laws is hereby amended by  
2 striking out the second sentence of subsection (a) and inserting in place thereof the following  
3 sentence:- For the purposes of this section, an operator shall not be considered to be operating a  
4 motor vehicle if the vehicle is stationary and not located in a part of the public way intended for  
5 travel but shall be considered to be operating a motor vehicle if the vehicle is stopped in traffic.

6           SECTION 2. Section 13B of said chapter 90, as so appearing, is hereby amended by  
7 striking out subsection (b) and inserting in place thereof the following subsection:-

8           (b) A violation of this section shall be punishable by a fine of \$250 and a permit or  
9 license suspension of 90 days for a first offense, by a fine of \$500 for a second offense and by a  
10 fine of \$750 for a third or subsequent offense.

11           SECTION 3. Section 24 of said chapter 90, as so appearing, is hereby amended by  
12 inserting after the word “both”, in line 737, the following words:- ; provided, however, that any  
13 conviction made pursuant to the provisions of this section resulting from a violation of section  
14 8M, 12A or 13B shall operate as a conviction for purposes of a registry of motor vehicles action  
15 and for purposes of the safe driver insurance plan established pursuant to section 113B of chapter  
16 175.