

1.1 moves to amend H.F. No. 104 as follows:

1.2 Page 1, delete section 1 and insert:

1.3 "Section 1. Minnesota Statutes 2018, section 169.475, subdivision 2, is amended to read:

1.4 Subd. 2. **Prohibition on use; penalty.** (a) ~~Ne~~ When a motor vehicle is in motion or a
1.5 part of traffic, the person may operate a motor operating the vehicle while is prohibited
1.6 from using a wireless communications device to compose, read, or send an electronic
1.7 message, when the vehicle is in motion or a part of traffic. A person who violates this
1.8 paragraph for the first time is guilty of a misdemeanor and must pay a fine of \$150.

1.9 (b) A person who violates paragraph (a) a second ~~or subsequent~~ time is guilty of a
1.10 misdemeanor and must pay a fine of \$225, plus the amount specified in the uniform fine
1.11 schedule established by the Judicial Council \$300.

1.12 (c) A person who violates paragraph (a) a third or subsequent time is guilty of a
1.13 misdemeanor and must pay a fine of \$500.

1.14 (d) Notwithstanding section 609.101, subdivision 4, the Judicial Council may not add
1.15 a violation of this subdivision that is a third or subsequent violation to the Statewide Payables
1.16 List.

1.17 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes
1.18 committed on or after that date."