

By Senator Sachs

34-00414-14

2014322__

1 A bill to be entitled
2 An act relating to use of wireless communications
3 devices while driving; amending s. 316.305, F.S.;
4 removing provisions that limit law enforcement of the
5 Florida Ban on Texting While Driving Law to a
6 secondary action; providing an effective date.
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8 Be It Enacted by the Legislature of the State of Florida:
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10 Section 1. Subsections (2) and (5) of section 316.305,
11 Florida Statutes, are amended to read:

12 316.305 Wireless communications devices; prohibition.—

13 (2) It is the intent of the Legislature to:

14 (a) Improve roadway safety for all vehicle operators,
15 vehicle passengers, bicyclists, pedestrians, and other road
16 users.

17 (b) Prevent crashes related to the act of text messaging
18 while driving a motor vehicle.

19 (c) Reduce injuries, deaths, property damage, health care
20 costs, health insurance rates, and automobile insurance rates
21 related to motor vehicle crashes.

22 (d) Authorize law enforcement officers to stop motor
23 vehicles and issue citations ~~as a secondary offense~~ to persons
24 who are texting while driving.

25 ~~(5) Enforcement of this section by state or local law~~
26 ~~enforcement agencies must be accomplished only as a secondary~~
27 ~~action when an operator of a motor vehicle has been detained for~~
28 ~~a suspected violation of another provision of this chapter,~~
29 ~~chapter 320, or chapter 322.~~

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Section 2. This act shall take effect October 1, 2014.