



455768

LEGISLATIVE ACTION

Senate

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House

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Senator Soto moved the following:

**Senate Amendment (with title amendment)**

Between lines 594 and 595

insert:

Section 8. Section 316.3035, Florida Statutes, is created  
to read:

316.3035 Death caused by motor vehicle operator using a  
wireless communications device; criminal penalty.-

(1) As used in this section, the term "wireless  
communications device" has the same meaning as provided in s.  
316.305.



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12           (2) A person who causes the death of a human being or a  
13 viable fetus as provided in s. 782.071 while operating a motor  
14 vehicle and using a wireless communications device in violation  
15 of s. 316.305 commits a felony of the third degree, punishable  
16 as provided in s. 775.082, s. 775.083, or s. 775.084.

17  
18 ===== T I T L E   A M E N D M E N T =====

19 And the title is amended as follows:

20           Delete line 29

21 and insert:

22           attachments on windshields; creating s. 316.3035,  
23           F.S.; defining the term "wireless communications  
24           device"; providing a criminal penalty if a person  
25           operating a motor vehicle while using a wireless  
26           communications device causes the death of a human  
27           being or a viable fetus; amending s. 316.86, F.S.;