



539458

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/16/2025	.	
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The Appropriations Committee on Transportation, Tourism, and Economic Development (Ingoglia) recommended the following:

Senate Amendment (with title amendment)

Before line 41
insert:

Section 1. Subsection (4) of section 316.305, Florida Statutes, is amended to read:

316.305 Wireless communications devices; prohibition.—

(4) (a) A ~~Any~~ person who violates paragraph (3) (a) commits a noncriminal traffic infraction, punishable as a moving ~~nonmoving~~ violation as provided in chapter 318, and shall have 3 points



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assessed against his or her driver license as set forth in s.
322.27(3)(d)8.

(b) A ~~Any~~ person who commits a second or subsequent
violation of paragraph (3)(a) within 5 years after the date of a
prior conviction for a violation of paragraph (3)(a) commits a
noncriminal traffic infraction, punishable as a moving violation
as provided in chapter 318, and shall have 4 points assessed
against his or her driver license for the purposes of s. 322.27.

(c) In lieu of the penalty specified in s. 318.18 and the
assessment of points, a person who violates paragraph (3)(a) may
elect to participate in a distracted driving safety program
approved by the department. Upon the person's completion of such
program, the penalty specified in s. 318.18 and associated costs
may be waived by the clerk of the court and the assessment of
points must be waived.

Section 2. Subsection (4) of section 316.306, Florida
Statutes, is amended to read:

316.306 School and work zones; prohibition on the use of a
wireless communications device in a handheld manner.—

(4)(a) A ~~Any~~ person who violates this section commits a
noncriminal traffic infraction, punishable as a moving
violation~~7~~, as provided in chapter 318, and shall have 3 points
assessed against his or her driver license as set forth in s.
322.27(3)(d)8. ~~For a first offense under this section,~~ In lieu
of the penalty specified in s. 318.18 and the assessment of
points, a person who violates this section may elect to
participate in a distracted ~~wireless communications device~~
driving safety program approved by the Department of Highway
Safety and Motor Vehicles. Upon the person's completion of such



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program, the penalty specified in s. 318.18 and associated costs may be waived by the clerk of the court and the assessment of points must be waived.

(b) The clerk of the court may dismiss a case and assess court costs in accordance with s. 318.18(12)(a) for a nonmoving traffic infraction for a person who is cited for a first time violation of this section if the person shows the clerk proof of purchase of equipment that enables his or her personal wireless communications device to be used in a hands-free manner.

Section 3. Subsection (1) and paragraph (d) of subsection (6) of section 318.1451, Florida Statutes, are amended to read:

318.1451 Driver improvement schools.—

(1)(a) The department shall approve and regulate the courses of all driver improvement schools, as the courses relate to ss. 318.14(9), 322.0261, and 322.291, including courses that use technology as a delivery method.

(b) The department shall create a 4-hour basic driver improvement course specifically related to distracted driving which must include, but need not be limited to, testimonials from people whose lives have been affected by death or injury caused by distracted driving and which driver improvement schools shall offer to persons electing to participate in a distracted driving safety program pursuant to s. 316.305(4)(c) or s. 316.306(4)(a).

(6) The department shall adopt rules establishing and maintaining policies and procedures to implement the requirements of this section. These policies and procedures may include, but shall not be limited to, the following:

(d) *Course content.*—The department shall set and modify



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course content requirements to keep current with laws and safety information. The department shall annually review changes made to major traffic laws of this state, including s. 316.126(1)(b), and shall require course content for courses referenced in this section to be modified in accordance with changes relevant to the courses. Course content includes all items used in the conduct of the course. All basic driver improvement courses must include at least 1 hour dedicated to distracted driving which must include, but need not be limited to, testimonials from people whose lives have been affected by death or injury caused by distracted driving.

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

And the title is amended as follows:

Delete line 3

and insert:

and Motor Vehicles; amending s. 316.305, F.S.;
revising penalties for the use of a wireless
communications device while operating a motor vehicle;
authorizing certain persons to participate in a
distracted driving safety program approved by the
department; authorizing the waiver of certain
penalties and associated costs, and requiring the
waiver of the assessment of points, upon completion of
such program; amending s. 316.306, F.S.; authorizing a
person to participate in a distracted driving safety
program, upon completion of which certain penalties
and associated costs may, and the assessment of points
must, be waived for certain offenses; amending s.



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98 318.1451, F.S.; requiring the department to create a
99 specified driver improvement course related to
100 distracted driving which driver improvement schools
101 shall offer to certain persons; requiring that all
102 basic driver improvement courses include certain
103 content relating to distracted driving; amending s.
104 319.24, F.S.;