



739236

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 1/RS/2R

.

04/15/2025 06:06 PM

.

.

Senator Ingoglia moved the following:

Senate Amendment (with title amendment)

Before line 14

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
assessed against his or her driver license as set forth in s.



739236

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, 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 program, the penalty specified in s. 318.18 and associated costs



739236

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) of section 318.1451, Florida Statutes, is 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).

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

And the title is amended as follows:

Delete lines 2 - 10

and insert:

An act relating to driver safety; amending s. 316.305,



739236

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 of Highway Safety and Motor Vehicles; 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. 318.1451, F.S.; requiring the department to create a specified driver improvement course related to distracted driving which driver improvement schools shall offer to certain persons; amending s. 322.095, F.S.; specifying the age at which an applicant for a driver license must complete a traffic law and substance abuse education course; amending s. 322.1615, F.S.; requiring an applicant for a learner's driver license to complete a certain driver education course approved by the department; providing an effective date.