

By Representative Smith

1                                   A bill to be entitled  
2           An act relating to motor vehicles; requiring a  
3           report on motor vehicle accidents caused by all  
4           types of driver distractions; creating s.  
5           316.0075, F.S.; preempting regulation of  
6           operator or passenger use of commercial mobile  
7           radio services to the state; providing an  
8           effective date.

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10   Be It Enacted by the Legislature of the State of Florida:

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12           Section 1. The Department of Highway Safety and Motor  
13 Vehicles shall collect data on motor vehicle accidents  
14 involving distracted driving. For a period of 2 years,  
15 beginning January 1, 2002, the department shall report such  
16 data on the Quarterly Crash Data and Driver Distraction  
17 Overview. The quarterly reports for the years 2002 and 2003  
18 shall be provided to the President of the Senate and the  
19 Speaker of the House of Representatives by January 30, 2003  
20 and 2004, respectively.

21           Section 2. Section 316.0075, Florida Statutes, is  
22   created to read:

23           316.0075 Operator use of commercial mobile radio  
24 services and electronic communications devices.--Regulation of  
25 operator or passenger use of commercial mobile radio services  
26 and other electronic communications devices in a motor vehicle  
27 is expressly preempted to the state.

28           Section 3. This act shall take effect upon becoming a  
29   law.

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HOUSE SUMMARY

Directs the Department of Highway Safety and Motor Vehicles to collect data on motor vehicle accidents involving distracted drivers and to annually prepare a report on such data. Provides that the regulation of operator or passenger use of commercial mobile radio services and other electronic communications devices in a motor vehicle is expressly preempted to the state.