

By Representative Slosberg

1 A bill to be entitled
2 An act relating to state uniform traffic
3 control; creating s. 316.3046, F.S.;
4 prohibiting the use of a cellular telephone
5 while operating a motor vehicle unless the
6 operator uses a headset or hands-free device;
7 providing for rules; providing a penalty;
8 providing an 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. Section 316.3046, Florida Statutes, is
13 created to read:

14 316.3046 Use of cellular telephones.--

15 (1) No person shall operate a vehicle while using a
16 cellular telephone unless equipped with a headset or
17 hands-free device that only provides sound through one ear and
18 allows surrounding sound to be heard with the other ear.

19 (2) The Department of Highway Safety and Motor
20 Vehicles shall provide, by rule, for standards and
21 specifications for headset equipment and hands-free equipment
22 which is permitted under this section. The department shall
23 inspect and review all such devices submitted to it and shall
24 publish a list by name and type of approved equipment.

25 (3) A violation of this section is a noncriminal
26 traffic infraction punishable by a fine of \$50 as a nonmoving
27 violation.

28 Section 2. This act shall take effect January 1, 2003.
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HOUSE SUMMARY

Prohibits the operation of a motor vehicle while using a cellular telephone unless the operator uses a headset or a hands-free cellular telephone device. See bill for details.