

1 A bill to be entitled
 2 An act relating to driving safety; creating the "Ronshay
 3 Dugans Act"; designating Drowsy Driving Prevention Week;
 4 encouraging the Department of Highway Safety and Motor
 5 Vehicles and the Department of Transportation to educate
 6 the law enforcement community and the public about the
 7 relationship between fatigue and driving performance;
 8 creating s. 316.6152, F.S.; providing definitions;
 9 restricting use of mobile telecommunications devices by
 10 school bus drivers; providing exceptions; providing
 11 penalties; providing effective dates.

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

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 15 Section 1. This act may be cited as the "Ronshay Dugans
 16 Act."

17 Section 2. (1) The first week of September is designated
 18 as "Drowsy Driving Prevention Week" in this state.

19 (2) During Drowsy Driving Prevention Week, the Department
 20 of Highway Safety and Motor Vehicles and the Department of
 21 Transportation are encouraged to educate the law enforcement
 22 community and the public about the relationship between fatigue
 23 and driving performance and the research showing fatigue to be
 24 as much of an impairment as alcohol and as dangerous while
 25 operating a motor vehicle.

26 Section 3. Effective October 1, 2010, section 316.6152,
 27 Florida Statutes, is created to read:

28 | 316.6152 School bus driver; use of mobile
 29 | telecommunications device.--

30 | (1) For purposes of this section:

31 | (a) "Commercial mobile radio service" has the same meaning
 32 | as in 47 C.F.R. s. 20.3.

33 | (b) "Mobile telecommunications device" means a wireless
 34 | telephone or other device used to access the services of a
 35 | commercial mobile radio service for the purpose of sending or
 36 | receiving voice, text, or other data, including, but not limited
 37 | to, computer data, electronic mail, electronic messages, games,
 38 | music, images, and video. The term "mobile telecommunications
 39 | device" includes, but is not limited to, a cellular telephone,
 40 | cellular telephone accessory device, computer, game machine,
 41 | personal digital assistant, and text messaging device but does
 42 | not include a pager as defined in 47 C.F.R. s. 22.99.

43 | (2) (a) A person who is driving or in actual physical
 44 | control of a public or nonpublic school bus shall not use any
 45 | mobile telecommunications device.

46 | (b) This subsection does not apply:

47 | 1. When the school bus is stopped and the engine is not
 48 | running or when the school bus is stopped completely outside the
 49 | normal flow of traffic; or

50 | 2. When the person who is driving or in actual physical
 51 | control of the school bus is using the device to contact one of
 52 | the following regarding an emergency situation:

53 | a. A school administrator.

54 | b. A law enforcement agency.

55 | c. A firefighting service.

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- 56 | d. An emergency communications E911 system service.
57 | e. A hospital or emergency rescue service.
58 | (3) A person who violates paragraph (2) (a) commits a
59 | misdemeanor of the second degree, punishable as provided in s.
60 | 775.082 or s. 775.083.

61 | Section 4. Except as otherwise expressly provided in this
62 | act, this act shall take effect upon becoming a law.