

By Senator Deutch

30-01072A-10

20102514

1 A bill to be entitled
2 An act relating to the use of wireless communications
3 devices in motor vehicles; prohibiting reading,
4 writing, or using a wireless communications device for
5 text messaging while driving a motor vehicle;
6 providing exceptions; prohibiting the use of a
7 wireless telephone while driving a motor vehicle
8 unless the telephone is designed and used for hands-
9 free talking and listening; prohibiting operators of
10 school buses or other public transportation vehicles
11 from operating such vehicles while using a wireless
12 telephone; providing penalties; providing an effective
13 date.

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

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17 Section 1. Wireless telephone use in motor vehicles.-

18 (1) Except as provided in subsection (2), a person may not
19 drive a motor vehicle on the highways of this state while
20 reading, manually writing, or sending a text message on a
21 wireless communications device.

22 (2) Subsection (1) does not apply to a person driving:

23 (a) An authorized emergency vehicle; or

24 (b) A moving motor vehicle while using an electronic
25 wireless communications device to:

26 1. Report illegal activities;

27 2. Summon medical or other emergency help; or

28 3. Prevent injury or damage to a person or property.

29 (3) A person may not drive a motor vehicle on the highways

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30 of this state while using a wireless telephone, unless the
31 telephone is specifically designed to allow hands-free talking
32 and listening and is used in that manner while driving.

33 (4) The operator of a school bus or other vehicle used for
34 public transportation may not operate such vehicle on the
35 highways of this state while using a wireless telephone.

36 (5) Any person who violates this section commits a
37 noncriminal moving traffic violation and shall pay a fine of
38 \$100 for the first offense, \$250 for the second offense, and
39 \$500 for the third or subsequent offense.

40 Section 2. This act shall take effect July 1, 2011.