

By Senator Wilson

33-00095A-10

2010374

1 A bill to be entitled

2 An act relating to state uniform traffic control;  
3 prohibiting the use of electronic communication  
4 devices to send or receive text-based communications  
5 while operating a motor vehicle; providing exceptions;  
6 providing a penalty; providing an effective date.

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

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10 Section 1. Use of electronic communication devices in motor  
11 vehicles.-

12 (1) A person may not use an electronic communication device  
13 to compose, send, or read a text-based communication, including  
14 text messaging, e-mail, instant messaging, or paging, while  
15 operating a motor vehicle on a street or highway, as defined in  
16 s. 316.003(53), Florida Statutes.

17 (2) Subsection (1) does not apply to:

18 (a) A law enforcement officer or emergency medical services  
19 personnel in the performance of their official duties; or

20 (b) A person using such device to:

- 21 1. Report illegal activities;  
22 2. Summon medical or other emergency help; or  
23 3. Prevent injury or damage to a person or property.

24 (3) A violation of this section is a noncriminal traffic  
25 infraction, punishable by a fine of \$100 for each offense.

26 Section 2. This act shall take effect July 1, 2010.