

By Senator Deutch

30-00230A-10

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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; providing certain
10 exceptions; prohibiting operators of school buses or
11 other public transportation vehicles from operating
12 such vehicle while using a wireless telephone;
13 providing penalties; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
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) A person may use a wireless telephone while driving

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30 a motor vehicle on the highways of this state if the telephone
31 is specifically designed to allow hands-free talking and
32 listening and is used in that manner while driving.

33 (b) Notwithstanding paragraph (a), a person who holds
34 learner's driver's license or who has held a driver's license
35 for less than 1 year may not drive a motor vehicle on the
36 highways of this state while using a wireless telephone.

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

40 (5) Any person who violates this section commits a
41 noncriminal moving traffic violation and shall pay a fine of
42 \$100 for the first offense, \$250 for the second offense, and
43 \$500 for the third or subsequent offense.

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