

By Senator Abruzzo

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1 A bill to be entitled
2 An act relating to the use of wireless communications
3 devices or telephones by persons younger than 18 years
4 of age while operating a motor vehicle; creating s.
5 316.3035, F.S.; prohibiting a person younger than 18
6 years of age from operating a motor vehicle while
7 using a wireless communications device; providing
8 exceptions; providing a penalty; providing an
9 effective date.

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

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13 Section 1. Section 316.3035, Florida Statutes, is created
14 to read:

15 316.3035 Wireless communications devices prohibited;
16 persons younger than 18 years of age.-

17 (1) (a) A person younger than 18 years of age may not
18 operate a motor vehicle while using a wireless communications
19 device or telephone, including the use of a hands-free device.

20 (b) As used in this section, the term "wireless
21 communications device" means any device that is designed or
22 intended to receive or transmit text or character-based
23 messages, access or store data, or connect to the Internet; or
24 any communications service as defined in s. 812.15 which allows
25 text communications.

26 (c) An individual who is in a motor vehicle that is legally
27 parked and that is not being operated is not subject to the
28 prohibition in this section.

29 (2) This section does not apply to a person using a

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30 wireless communications device for emergency purposes,
31 including, but not limited to, an emergency call to a law
32 enforcement agency, a health care provider, a fire department,
33 or any other emergency services agency or entity.

34 (3) A person who violates this section commits a
35 noncriminal traffic infraction, punishable as a moving violation
36 as provided in chapter 318.

37 Section 2. This act shall take effect July 1, 2013.