

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; creating s. 316.3035, F.S.; prohibiting a
4 person younger than 18 years of age from operating a
5 motor vehicle while using a wireless communications
6 device; defining the term "wireless communications
7 device" and including cellular telephones within that
8 definition for purposes of the act; providing
9 exceptions; providing a penalty; providing an
10 effective date.

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

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

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

18 (1) A person younger than 18 years of age may not operate a
19 motor vehicle while using a hand-held or hands-free wireless
20 communications device.

21 (2) As used in this section, the term "wireless
22 communications device" means a cellular telephone or any other
23 device that is designed or intended to receive or transmit text
24 or character-based messages, access or store data, or connect to
25 the Internet or any communications service as defined in s.
26 812.15 which allows text communications.

27 (3) This section does not apply to a person younger than 18
28 years of age who is:

29 (a) In a motor vehicle that is legally parked and that is

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30 not being operated; or

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

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

38 Section 2. This act shall take effect July 1, 2014.