

1                   A bill to be entitled  
 2           An act relating to traffic safety; providing a short  
 3           title; amending s. 316.0075, F.S.; prohibiting the use  
 4           of electronic communications devices by certain  
 5           drivers; providing a definition; providing exceptions;  
 6           providing penalties; amending s. 322.08, F.S.;  
 7           providing for a voluntary checkoff on driver license  
 8           applications to permit contributions to the AAA  
 9           Foundation for Traffic Safety; providing that such  
 10          contributions are not considered income of a revenue  
 11          nature for purposes of a service charge; providing  
 12          penalties; providing an effective date.

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

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 16           Section 1.   This act may be cited as the "Minor Traffic  
 17           Safety Act."

18           Section 2.   Section 316.0075, Florida Statutes, is amended  
 19           to read:

20           316.0075   Operator use of commercial mobile radio services  
 21           and electronic communications devices.—

22           (1)   Regulation of operator or passenger use of commercial  
 23           mobile radio services and other electronic communications  
 24           devices in a motor vehicle is expressly preempted to the state.

25           (2) (a)   A person younger than 18 years of age who is  
 26           driving or in actual physical control of a motor vehicle on the  
 27           roads of this state may not use any type of mobile  
 28           telecommunications device.

29           (b) "Mobile telecommunications device" means a wireless  
 30 telephone, computer, or other electronic device used to access  
 31 the facilities of a communications service as defined in s.  
 32 812.15 for the purpose of transmitting or receiving voice or  
 33 nonvoice communications or signals including, but not limited  
 34 to, computer data, electronic mail or messages, games, music,  
 35 pictures, sound, speech, text, or video. The term "mobile  
 36 telecommunications device" includes, but is not limited to, a  
 37 cellular telephone or cellular telephone accessory appliance,  
 38 computer or computer accessory appliance, game machine, personal  
 39 digital assistant, or text messaging device, or the functional  
 40 equivalent of any such device.

41           (c) This subsection does not apply:

42           1. If the motor vehicle is stopped and the engine is not  
 43 running or the motor vehicle is stopped completely outside the  
 44 normal flow of traffic.

45           2. If the person is contacting emergency communications  
 46 E911 system services or otherwise reporting an emergency or  
 47 criminal or suspicious activity to governmental authorities.

48           (d) A violation of this subsection is a noncriminal  
 49 traffic infraction, punishable as a nonmoving violation as  
 50 provided in chapter 318.

51           Section 3. Subsection (7) of section 322.08, Florida  
 52 Statutes, is amended to read:

53           322.08 Application for license; requirements for license  
 54 and identification card forms.—

55           (7) The application form for an original, renewal, or  
 56 replacement driver license or identification card must include

57 language permitting the following:

58 (a) A voluntary contribution of \$1 per applicant, which  
59 contribution shall be deposited into the Health Care Trust Fund  
60 for organ and tissue donor education and for maintaining the  
61 organ and tissue donor registry.

62 (b) A voluntary contribution of \$1 per applicant, which  
63 shall be distributed to the Florida Council of the Blind.

64 (c) A voluntary contribution of \$2 per applicant, which  
65 shall be distributed to the Hearing Research Institute,  
66 Incorporated.

67 (d) A voluntary contribution of \$1 per applicant, which  
68 shall be distributed to the Juvenile Diabetes Foundation  
69 International.

70 (e) A voluntary contribution of \$1 per applicant, which  
71 shall be distributed to the Children's Hearing Help Fund.

72 (f) A voluntary contribution of \$1 per applicant, which  
73 shall be distributed to Family First, a nonprofit organization.

74 (g) A voluntary contribution of \$1 per applicant to Stop  
75 Heart Disease, which shall be distributed to the Florida Heart  
76 Research Institute, a nonprofit organization.

77 (h) A voluntary contribution of \$1 per applicant to Senior  
78 Vision Services, which shall be distributed to the Florida  
79 Association of Agencies Serving the Blind, Inc., a not-for-  
80 profit organization.

81 (i) A voluntary contribution of \$1 per applicant for  
82 services for persons with developmental disabilities, which  
83 shall be distributed to The Arc of Florida.

84 (j) A voluntary contribution of \$1 to the Ronald McDonald

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85 House, which shall be distributed each month to Ronald McDonald  
86 House Charities of Tampa Bay, Inc.

87 (k) Notwithstanding s. 322.081, a voluntary contribution  
88 of \$1 per applicant, which shall be distributed to the League  
89 Against Cancer/La Liga Contra el Cancer, a not-for-profit  
90 organization.

91 (l) A voluntary contribution of \$1 per applicant to  
92 Prevent Child Sexual Abuse, which shall be distributed to  
93 Lauren's Kids, Inc., a nonprofit organization.

94 (m) A voluntary contribution of \$1 per applicant, which  
95 shall be distributed to Prevent Blindness Florida, a not-for-  
96 profit organization, to prevent blindness and preserve the sight  
97 of the residents of this state.

98 (n) Notwithstanding s. 322.081, a voluntary contribution  
99 of \$1 per applicant to the state homes for veterans, to be  
100 distributed on a quarterly basis by the department to the State  
101 Homes for Veterans Trust Fund, which is administered by the  
102 Department of Veterans' Affairs.

103 (o) A voluntary contribution of \$1 per applicant to the  
104 Disabled American Veterans, Department of Florida, which shall  
105 be distributed quarterly to Disabled American Veterans,  
106 Department of Florida, a nonprofit organization.

107 (p) A voluntary contribution of \$1 per applicant for  
108 Autism Services and Supports, which shall be distributed to  
109 Achievement and Rehabilitation Centers, Inc., Autism Services  
110 Fund.

111 (q) A voluntary contribution of \$1 per applicant to  
112 Support Our Troops, which shall be distributed to Support Our

113 Troops, Inc., a Florida not-for-profit organization.

114 (r) A voluntary contribution of \$1 or more per applicant,  
 115 which shall be distributed to the Auto Club Group Traffic Safety  
 116 Foundation, Inc., a not-for-profit organization.

117 (s) Notwithstanding s. 322.081, a voluntary contribution  
 118 of \$1 per applicant to aid the homeless. Contributions made  
 119 pursuant to this paragraph shall be deposited into the Grants  
 120 and Donations Trust Fund of the Department of Children and  
 121 Families and used by the State Office on Homelessness to  
 122 supplement grants made under s. 420.622(4) and (5), provide  
 123 information to the public about homelessness in the state, and  
 124 provide literature for homeless persons seeking assistance.

125 (t) A voluntary contribution of \$1 per applicant, which  
 126 shall be distributed to the AAA Foundation for Traffic Safety, a  
 127 nonprofit organization.

128  
 129 A statement providing an explanation of the purpose of the trust  
 130 funds shall also be included. For the purpose of applying the  
 131 service charge provided under s. 215.20, contributions received  
 132 under paragraphs (b)-(t) ~~(b)-(s)~~ are not income of a revenue  
 133 nature.

134 Section 4. This act shall take effect January 1, 2015.