

By Senator Margolis

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1 A bill to be entitled
2 An act relating to driving safety; creating s.
3 316.306, F.S.; prohibiting a driver from using a
4 cellular telephone or other wireless communications
5 device in a school zone, in a school crossing, or on
6 school district property; providing exceptions;
7 providing penalties; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Section 316.306, Florida Statutes, is created to
12 read:

13 316.306 Use of cellular telephone or wireless
14 communications device in school zone while operating a motor
15 vehicle; prohibition.-

16 (1) (a) A person may not operate a motor vehicle in a
17 legally posted school zone, in a designated school crossing, or
18 on school district property while using any type of cellular
19 telephone or wireless communications device to communicate by
20 speaking or listening or by sending or reading data, including,
21 but not limited to, texting, e-mailing, and instant messaging.
22 As used in this section, the term "wireless communications
23 device" has the same meaning as in s. 316.305.

24 (b) Paragraph (a) does not apply to a motor vehicle
25 operator who is:

26 1. Performing official duties as an operator of an
27 authorized emergency vehicle as defined in s. 322.01, a law
28 enforcement or fire service professional, or an emergency
29 medical services professional.

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30 2. Reporting an emergency or criminal or suspicious
31 activity to law enforcement authorities.

32 3. Receiving messages that are:

33 a. Related to the operation or navigation of the motor
34 vehicle;

35 b. Safety-related information, including emergency,
36 traffic, or weather alerts;

37 c. Data used primarily by the motor vehicle; or

38 d. Radio broadcasts.

39 4. Using a device or system for navigation purposes.

40 5. Operating an autonomous vehicle, as defined in s.
41 316.003, in autonomous mode.

42 (2) A person who violates this section commits a
43 noncriminal traffic infraction, punishable as a moving violation
44 as provided in chapter 318.

45 Section 2. This act shall take effect October 1, 2014.