

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; providing a short title; creating s. 316.307,  
4           F.S.; prohibiting a person younger than 18 years of  
5           age from operating a motor vehicle while using a  
6           wireless communications device; defining the term  
7           "wireless communications device" and including  
8           cellular telephones within that definition for  
9           purposes of the act; providing exceptions; providing a  
10          penalty; amending s. 322.08, F.S.; adding the AAA  
11          Foundation for Traffic Safety to the list of  
12          organizations on driver license application forms  
13          which may receive voluntary contributions; providing  
14          that such contributions are not considered income of a  
15          revenue nature for purposes of a service charge;  
16          providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

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20           Section 1. This act may be cited as the "Minor Traffic  
21 Safety Act."

22           Section 2. Section 316.307, Florida Statutes, is created to  
23 read:

24           316.307 Wireless communications devices prohibited; persons  
25 younger than 18 years of age.—

26           (1) A person younger than 18 years of age may not operate a  
27 motor vehicle while using a handheld or hands-free wireless  
28 communications device.

29           (2) As used in this section, the term "wireless

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30 communications device" means a cellular telephone or any other  
31 device that is designed or intended to receive or transmit text  
32 or character-based messages, access or store data, or connect to  
33 the Internet or any communications service as defined in s.  
34 812.15 which allows text communications.

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

37 (a) In a motor vehicle that is legally parked and that is  
38 not being operated; or

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

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

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

48 322.08 Application for license; requirements for license  
49 and identification card forms.—

50 (7) The application form for an original, renewal, or  
51 replacement driver license or identification card must include  
52 language permitting the following:

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

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

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

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

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

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

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

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

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

79 (j) A voluntary contribution of \$1 to the Ronald McDonald  
80 House, which shall be distributed each month to Ronald McDonald  
81 House Charities of Tampa Bay, Inc.

82 (k) Notwithstanding s. 322.081, a voluntary contribution of  
83 \$1 per applicant, which shall be distributed to the League  
84 Against Cancer/La Liga Contra el Cancer, a not-for-profit  
85 organization.

86 (l) A voluntary contribution of \$1 per applicant to Prevent  
87 Child Sexual Abuse, which shall be distributed to Lauren's Kids,

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88 Inc., a nonprofit organization.

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

93 (n) Notwithstanding s. 322.081, a voluntary contribution of  
94 \$1 per applicant to the state homes for veterans, to be  
95 distributed on a quarterly basis by the department to the State  
96 Homes for Veterans Trust Fund, which is administered by the  
97 Department of Veterans' Affairs.

98 (o) A voluntary contribution of \$1 per applicant to the  
99 Disabled American Veterans, Department of Florida, which shall  
100 be distributed quarterly to Disabled American Veterans,  
101 Department of Florida, a nonprofit organization.

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

105 (q) A voluntary contribution of \$1 per applicant to Support  
106 Our Troops, which shall be distributed to Support Our Troops,  
107 Inc., a Florida not-for-profit organization.

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

111 (s) Notwithstanding s. 322.081, a voluntary contribution of  
112 \$1 per applicant to aid the homeless. Contributions made  
113 pursuant to this paragraph shall be deposited into the Grants  
114 and Donations Trust Fund of the Department of Children and  
115 Families and used by the State Office on Homelessness to  
116 supplement grants made under s. 420.622(4) and (5), provide

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117 information to the public about homelessness in the state, and  
118 provide literature for homeless persons seeking assistance.

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

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123 A statement providing an explanation of the purpose of the trust  
124 funds shall also be included. For the purpose of applying the  
125 service charge provided under s. 215.20, contributions received  
126 under paragraphs (b)-(t) ~~(b)-(s)~~ are not income of a revenue  
127 nature.

128 Section 4. This act shall take effect July 1, 2015.