

By Senator Altman

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2016328__

1 A bill to be entitled
2 An act relating to wireless communications devices;
3 amending s. 316.305, F.S.; revising legislative intent
4 to authorize law enforcement officers to stop motor
5 vehicles and issue citations as a primary offense to
6 persons who are texting while driving; deleting the
7 requirement that specified provisions be enforced as a
8 secondary action by a law enforcement agency;
9 providing an 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. Paragraph (d) of subsection (2) and subsection
14 (5) of section 316.305, Florida Statutes, are amended to read:

15 316.305 Wireless communications devices; prohibition.-

16 (2) It is the intent of the Legislature to:

17 (d) Authorize law enforcement officers to stop motor
18 vehicles and issue citations as a primary ~~secondary~~ offense to
19 persons who are texting while driving.

20 ~~(5) Enforcement of this section by state or local law~~
21 ~~enforcement agencies must be accomplished only as a secondary~~
22 ~~action when an operator of a motor vehicle has been detained for~~
23 ~~a suspected violation of another provision of this chapter,~~
24 ~~chapter 320, or chapter 322.~~

25 Section 2. This act shall take effect October 1, 2016.