

HB 537

2016

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.

10  
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.