

**By** the Committee on Communications, Energy, and Public Utilities; and Senators Garcia, Campbell, and Perry

579-02185-17

2017144c1

1                   A bill to be entitled  
2           An act relating to the use of wireless communications  
3           devices while driving; amending s. 316.305, F.S.;  
4           revising the legislative intent relating to the  
5           authorization of law enforcement officers to stop  
6           motor vehicles and issue citations to persons who are  
7           texting while driving; deleting a provision requiring  
8           that enforcement of the Florida Ban on Texting While  
9           Driving Law be accomplished only as a secondary  
10          action; requiring deposit of fines into the Emergency  
11          Medical Services Trust Fund; providing an effective  
12          date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Paragraph (d) of subsection (2) and subsection  
17           (5) of section 316.305, Florida Statutes, are amended to read:

18           316.305 Wireless communications devices; prohibition.—

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

20           (d) Authorize law enforcement officers to stop motor  
21           vehicles and issue citations ~~as a secondary offense~~ to persons  
22           who are texting while driving.

23           (5) Notwithstanding s. 318.21, all proceeds collected  
24           pursuant to s. 318.18 for a violation of this section shall be  
25           remitted to the Department of Revenue for deposit into the  
26           Emergency Medical Services Trust Fund of the Department of  
27           Health ~~Enforcement of this section by state or local law~~  
28           ~~enforcement agencies must be accomplished only as a secondary~~  
29           ~~action when an operator of a motor vehicle has been detained for~~

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30 ~~a suspected violation of another provision of this chapter,~~  
31 ~~chapter 320, or chapter 322.~~

32 Section 2. This act shall take effect October 1, 2017.