

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 providing for primary enforcement of the Florida Ban
 5 on Texting While Driving Law for drivers age 18 or
 6 younger; requiring deposit of fines into the Emergency
 7 Medical Services Trust Fund; providing an effective
 8 date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Paragraph (d) of subsection (2) and subsection
 13 (5) of section 316.305, Florida Statutes, are amended, and
 14 subsection (6) is added to that section, 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 secondary offense~~ to persons
 19 who are texting while driving.

20 (5) Enforcement of this section by state or local law
 21 enforcement agencies may be accomplished as a primary action
 22 when an operator of a motor vehicle is 18 years of age or
 23 younger. Otherwise, such enforcement must be accomplished only
 24 as a secondary action when an operator of a motor vehicle has
 25 been detained for a suspected violation of another provision of

26 | this chapter, chapter 320, or chapter 322.

27 | (6) Notwithstanding s. 318.21, all proceeds collected
28 | pursuant to s. 318.18 for a violation of this section shall be
29 | remitted to the Department of Revenue for deposit into the
30 | Emergency Medical Services Trust Fund of the Department of
31 | Health.

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