

1 A bill to be entitled
 2 An act relating to traffic safety; providing a short
 3 title; amending s. 316.0075, F.S.; prohibiting the use
 4 of electronic communications devices by certain
 5 drivers; providing a definition; providing exceptions;
 6 providing penalties; amending s. 322.08, F.S.;
 7 providing for a voluntary checkoff on driver license
 8 applications to permit contributions to the AAA
 9 Foundation for Traffic Safety; providing that such
 10 contributions are not considered income of a revenue
 11 nature for purposes of a service charge; providing
 12 penalties; providing an effective date.

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

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 16 Section 1. This act may be cited as the "Minor Traffic
 17 Safety Act."

18 Section 2. Section 316.0075, Florida Statutes, is amended
 19 to read:

20 316.0075 Operator use of commercial mobile radio services
 21 and electronic communications devices.—

22 (1) Regulation of operator or passenger use of commercial
 23 mobile radio services and other electronic communications
 24 devices in a motor vehicle is expressly preempted to the state.

25 (2) (a) A person younger than 18 years of age who is
 26 driving or in actual physical control of a motor vehicle on the
 27 roads of this state may not use any type of mobile
 28 telecommunications device.

29 (b) "Mobile telecommunications device" means a wireless
30 telephone, computer, or other electronic device used to access
31 the facilities of a communications service as defined in s.
32 812.15 for the purpose of transmitting or receiving voice or
33 nonvoice communications or signals including, but not limited
34 to, computer data, electronic mail or messages, games, music,
35 pictures, sound, speech, text, or video. The term "mobile
36 telecommunications device" includes, but is not limited to, a
37 cellular telephone or cellular telephone accessory appliance,
38 computer or computer accessory appliance, game machine, personal
39 digital assistant, or text messaging device, or the functional
40 equivalent of any such device.

41 (c) This subsection does not apply:

42 1. If the motor vehicle is stopped and the engine is not
43 running or the motor vehicle is stopped completely outside the
44 normal flow of traffic.

45 2. If the person is contacting emergency communications
46 E911 system services or otherwise reporting an emergency or
47 criminal or suspicious activity to governmental authorities.

48 (d) A violation of this subsection is a noncriminal
49 traffic infraction, punishable as a nonmoving violation as
50 provided in chapter 318.

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

53 322.08 Application for license; requirements for license
54 and identification card forms.—

55 (7) The application form for an original, renewal, or
56 replacement driver license or identification card must include

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57 language permitting the following:

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

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

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

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

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

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

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

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

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

84 (j) A voluntary contribution of \$1 to the Ronald McDonald

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85 House, which shall be distributed each month to Ronald McDonald
86 House Charities of Tampa Bay, Inc.

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

91 (l) A voluntary contribution of \$1 per applicant to
92 Prevent Child Sexual Abuse, which shall be distributed to
93 Lauren's Kids, Inc., a nonprofit organization.

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

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

103 (o) A voluntary contribution of \$1 per applicant to the
104 Disabled American Veterans, Department of Florida, which shall
105 be distributed quarterly to Disabled American Veterans,
106 Department of Florida, a nonprofit organization.

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

111 (q) A voluntary contribution of \$1 per applicant to
112 Support Our Troops, which shall be distributed to Support Our

113 Troops, Inc., a Florida not-for-profit organization.

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

117 (s) Notwithstanding s. 322.081, a voluntary contribution
 118 of \$1 per applicant to aid the homeless. Contributions made
 119 pursuant to this paragraph shall be deposited into the Grants
 120 and Donations Trust Fund of the Department of Children and
 121 Families and used by the State Office on Homelessness to
 122 supplement grants made under s. 420.622(4) and (5), provide
 123 information to the public about homelessness in the state, and
 124 provide literature for homeless persons seeking assistance.

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

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 129 A statement providing an explanation of the purpose of the trust
 130 funds shall also be included. For the purpose of applying the
 131 service charge provided under s. 215.20, contributions received
 132 under paragraphs (b)-(t) ~~(b)-(s)~~ are not income of a revenue
 133 nature.

134 Section 4. This act shall take effect January 1, 2015.