

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.

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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 shall 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 contribution shall be distributed to the Florida Council of the  
64 Blind.

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

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

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

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

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

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

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

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85 (j) A voluntary contribution of \$1 to the Ronald McDonald  
86 House, which shall be distributed each month to Ronald McDonald  
87 House Charities of Tampa Bay, Inc.

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

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

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

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

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

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

112 (q) A voluntary contribution of \$1 per applicant to

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113 Support Our Troops, which shall be distributed to Support Our  
114 Troops, Inc., a Florida not-for-profit organization.

115 (r) A voluntary contribution of \$1 per applicant, which  
116 shall be distributed to the AAA Foundation for Traffic Safety, a  
117 nonprofit organization.

118  
119 A statement providing an explanation of the purpose of the trust  
120 funds shall also be included. For the purpose of applying the  
121 service charge provided in s. 215.20, contributions received  
122 under paragraphs (b)-(r) ~~(b)-(q)~~ are not income of a revenue  
123 nature.

124 Section 4. This act shall take effect January 1, 2014.