

Senate Bill No. 358

An act relating to motor vehicles; requiring a report on motor vehicle accidents caused by all types of driver distractions; creating s. 316.0075, F.S.; preempting regulation of operator or passenger use of commercial mobile radio services to the state; providing an effective date.

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

Section 1. The Department of Highway Safety and Motor Vehicles shall collect data concerning motor vehicle accidents involving driver distractions beginning January 1, 2002. The department shall report such data accompanied by a report analyzing the data collected and the impact of driver distraction on crashes. The data and report are to be presented to the President of the Senate and the Speaker of the House of Representatives by February 28, 2003.

Section 2. Section 316.0075, Florida Statutes, is created to read:

316.0075 Operator use of commercial mobile radio services and electronic communications devices.—Regulation of operator or passenger use of commercial mobile radio services and other electronic communications devices in a motor vehicle is expressly preempted to the state.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor April 25, 2002.

Filed in Office Secretary of State April 25, 2002.