



Eyes on the Road, Not on the Phone

*An informative piece on Florida's new driving law
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If you respond to that text, then you may be next.

Next to receive a ticket from law enforcement, that is.

Florida Statute 316.305 officially went into effect on January 1, 2020 and ushered in a hopeful new era of safe driving here in the Sunshine State. Commonly cited as the “Florida Ban on Texting While Driving Law”, the statute now grants law enforcement the authority to pull over a vehicle and issue a citation if they see a driver texting on a device while driving, regardless of whether they are committing any other driving infractions. Here are some key takeaways from the new law that you will want to familiarize yourself with before you head out on the road:

- **The Law Covers Any Wireless Communications Device.** It is not exclusive to cell phones, as the statute states that you can be cited for using any sort of handheld device that allows you to manually input text. While they are not directly referenced in the statute, devices such as tablets, mp4 players, and handheld gaming consoles would all fall into that respective classification.

- **The Law is Not Specific to Only the Act of Texting.** Any variation of nonvoice interpersonal communications on a device while driving is considered an infraction and will lead to an almost guaranteed citation. That statute specifically references the likes of emailing and instant messaging as alternative infractions.
- **The Law Only Applies if You Are Actually Driving.** For the purpose of transparency, it must be noted that per the statute, “a motor vehicle that is stationary is not being operated and is not subject to the prohibition.” However, both experts and nonexperts alike would likely agree that you should just wait until you arrive at your destination to respond to that notification. If it’s an emergency, then it may be in your best interest to pull over to a safe location and then proceed with your intended course of action.

All in all, while some may find the new law to be an inconvenience of sorts, it is rooted in a vision for safer roadways. The state’s aim is to prevent crashes, as well as reduce injuries, deaths and property damage that often stem from distracted driving. According to the Florida Department of Highway Safety and Motor Vehicles crash reports, there were 52,129 accidents statewide that were attributed to distracted driving in 2018. When calculated, that translates to a car accident somewhere across the state every 10 minutes, just from distracted driving alone.

The beneficiaries of the new law are not exclusively those in vehicles either, as pedestrians and bicyclists can now breath a collective sigh of relief knowing that there will be less distracted drivers sharing the roadways with them. If that reasoning doesn’t sway any negative opinions that you may have concerning

the new law, then just be aware that there is a \$30 fine for first time offenders, which morphs into a \$60 fine and three-points on your license each time after.

