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**FLORIDA**

# **TEXTING BAN**

*What drivers need to know about recent changes to texting laws.*

LEGISLATION SPONSORED BY:

**Senator W. Simpson (R- Trilby)**

**Representative E. Slosberg (D-Delray Beach)**

**Representative J. Toledo (R-Tampa)**





## **WHAT HAS CHANGED IN THE NEW LAW?**

The new law against texting while driving went from secondary offense to a primary offense on July 1, 2019 and allows law enforcement to pull over drivers for texting while driving.

## **WHEN DOES THE LAW START?**

The new No Texting Law became effective July 1, 2019. You will receive a citation or warning for violating the law. Warning grace period ends January 1 st , 2020.

## **HOW MUCH DO TICKETS COST? ARE THERE POINTS ON MY LICENCE?**

First offense is a non-moving violation with no points + \$30 + court fees\*. A second offense within 5 years is 3 points + \$60 + court fees\*.

*\*(Court fees vary, but can reach \$150.00 +)*

## **CAN I TEXT OR USE SOCIAL MEDIA WHILE DRIVING?**

While in motion, drivers may not use a wireless communication device for texting (sending or receiving), e-mailing, and instant messaging. That includes manually typing or entering multiple letters, numbers, symbols or characters of any kind.

## **ARE THERE EXEMPTIONS TO THE TEXTING WHILE DRIVING BAN?**

Yes, exemptions include autonomous vehicles and emergency vehicles, reporting emergency situations or criminal activity. Additional exemptions exist while activating a hands-free function, receiving messages related to navigation, data used primary by vehicle, radio broadcasts, and alerts pertaining to safety including traffic and weather.

## **IS CONSENT OR A WARRANT REQUIRED FOR DEVICE ACCESS?**

Law enforcement cannot forcefully seize or search communication device without first obtaining driver consent or a warrant. They must inform the driver of their right to decline a search of their device. Warrants for device records are only obtainable when a driver is involved in a crash causing injury or a fatality.

## **ARE THERE SPECIAL PROVISIONS FOR SCHOOL + WORK ZONES?**

School zones and construction zones are considered hands-free. You may talk on your Bluetooth, but you can't pick up your device. First offense is 3 points + \$60 + court fees. First time offenders may opt to take a wireless communications device safety program to avoid 3 points + \$30 fine + court fees.

*\*(Court fees vary, but can reach \$150.00 +)*

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