



Legislation Details (With Text)

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**Title:** RESOLUTION NO. 55-17 URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO ENACT LEGISLATION TO MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE

**Sponsors:** City Clerk Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Res 55-17 Urging making texting while driving a primary offense (3)

| Date     | Ver. | Action By       | Action   | Result |
|----------|------|-----------------|----------|--------|
| 8/2/2017 | 1    | City Commission | approved |        |

**TO:** Mayor and Commissioners  
**FROM:** Katteri Johnson, City Clerk  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** August 2, 2017

RESOLUTION NO. 55-17 URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO ENACT LEGISLATION TO MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE

**Recommended Action:**

Motion to Approve Resolution No. 55-17 urging the Florida Legislature to enact legislation to make texting while driving a primary offense.

**Background:**

On May 7, 2013, this Commission passed Resolution 26-13 supporting a ban on texting while driving. Florida is among the five states that do not enforce texting while driving as a primary offense, but instead as a secondary offense. A secondary offense is an offense for which a law enforcement officer can issue a ticket only if a driver has been pulled over for committing another traffic violation. The Florida Legislature has considered bills that would make texting while driving a primary offense; however, to date, such bills have not been passed, allowing texting while driving to remain a secondary offense. The City Commission of the City of Delray Beach urges the Florida Legislature to enact legislation that would make texting while driving a primary offense.

**City Attorney Review:**

Approved as to form and legal sufficiency.