

RESOLUTION 2017-011

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 2015 there were 476 fatalities and estimated 30,000 injuries related to texting while driving in the United States, according to the National Highway Traffic Safety Administration (NHTSA); and

WHEREAS, texting while driving is a form of distracted driving; and

WHEREAS, distracted driving claimed 3,477 lives in 2015, according to the NHTSA; and

WHEREAS, according to the Florida Department of Highway Safety and Motor Vehicles, texting while driving requires all three types of driver distraction including visual, manual, and cognitive distraction; and

WHEREAS, the National Safety Council reports that the risk of a crash is 4 times more when a cell phone is in use; and

WHEREAS, the NHTSA reports that texting drivers take their eyes off the road for an average of 4.6 seconds, which at the speed of 55 mph is equivalent to driving the length of a football field; and

WHEREAS, drivers who text while driving endanger not only themselves but other motorists, bicyclists, and pedestrians in their proximity; and

WHEREAS, the degree of cognitive distraction associated with mobile phone use is so high that drivers using mobile phones exhibit greater impairment than legally intoxicated drivers, according to a University of Utah study; and

WHEREAS, of the 47 states that have banned texting while driving, all but four have made texting while driving a primary offense, while Florida is among the four states that do not enforce texting while driving as a primary offense, but instead as a secondary offense; and

WHEREAS, 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; and

WHEREAS, the concern of the American public over distracted driving has grown exponentially, resulting in the first-ever national distracted driving enforcement and advertising campaign as well as the recognition of April as Distracted Driving Awareness Month each year by the United States Department of Transportation; and

WHEREAS, Florida citizens' concern over distracted driving has grown considerably, leading to the Florida Department of Transportation unveiling two campaigns: the Put It Down Campaign to raise awareness of the problem of distracted driving and Safe Phone Zones which designate 64 spots throughout the state where drivers are encouraged to pull in to safely use their cellphones.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, THAT:

Section 1. The Town Council urges the Florida Legislature to enact legislation that would make texting while driving a primary offense.

Section 2. The Town Council hereby directs the Town Clerk to transmit a certified copy of this resolution to the governor of Florida, President of the Florida Senate, Speaker of the Florida House of Representatives, and the Lake County State Legislative Delegation.

Section 3. If any section, subsection, clause or provision of this resolution is held invalid, the remainder shall not be affected by such invalidity.

Section 4. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 5. This resolution shall take effect immediately upon adoption.

PASSED AND RESOLVED this ____ day of October, 2017, by the Town Council of the Town of Howey-in-the-Hills, Florida.

ATTEST:

Christian Sears
Mayor

Dairian Burke
Interim Town Clerk