

RESOLUTION NO. 18-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY  
OF FORT LAUDERDALE, FLORIDA, URGING THE FLORIDA  
LEGISLATURE TO ENACT LEGISLATION THAT WOULD  
MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE.

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

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

WHEREAS, according to NHTSA, distracted driving claimed 3,477 lives in 2015;  
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 four times more likely 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, according to a University of Utah study, 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; and

WHEREAS, of the forty-seven states that have banned texting while driving, all but four have made texting while driving a primary offense; of which 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 traffic citation 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 has grown considerably, leading to the Florida Department of Transportation unveiling two campaigns: the "Put It Down" Campaign which raises awareness of the problem of distracted driving and "Safe Phone Zones" which designate sixty-four spots throughout the State where drivers are encouraged to pull into to safely use their cellphones; and

WHEREAS, the Florida Police Chiefs Association has via FPCA Resolution 2017-2, urged the Florida Legislature to make distracted driving a primary offense.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission hereby encourages the Florida Legislature to pass legislation making distracted driver, including but not limited to texting while driving, a primary offense, thereby allowing law enforcement officers to use the legislation as a tool to make the streets and highways within the City of Fort Lauderdale and the State as a whole safer for our citizens and visitors.

SECTION 2. The City Clerk is hereby directed to transmit a certified copy of this Resolution to the Governor of the State of Florida, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, and any other interested party.

ADOPTED this the \_\_\_\_ day of \_\_\_\_\_, 2018.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JEFFREY A. MODARELLI