

**Item #45**

(Replacement Exhibit 1 to correct a Scrivener's Error)

# **ADDITIONAL MATERIAL**

**Regular Meeting**

**DECEMBER 11, 2018**

**SUBMITTED AT THE REQUEST OF**

**OFFICE OF THE COUNTY ATTORNEY**

**PROPOSED**

RESOLUTION NO. 2018-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, SUPPORTING HOUSE BILL 45 AND SENATE BILL 76, WHICH SEEK TO PREVENT CRASHES RELATED TO THE USE OF WIRELESS COMMUNICATION DEVICES WHILE DRIVING, IMPROVE ROADWAY SAFETY, AND REDUCE INJURIES, DEATHS, AND PROPERTY DAMAGE RESULTING FROM THE USE OF SUCH DEVICES; DIRECTING THE COUNTY ADMINISTRATOR TO TRANSMIT COPIES OF THE RESOLUTION TO THE BROWARD LEGISLATIVE DELEGATION AND ALL STATE LEGISLATORS REPRESENTING BROWARD COUNTY RESIDENTS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Florida has a ban on texting while driving that can only be enforced as a secondary offense if the law enforcement officer stops a motorist on a suspected violation of a primary offense of the uniform traffic laws;

WHEREAS, according to the National Highway Safety Administration, on average, sending or reading a text message takes a person's eyes off the road for five seconds, which, driving at a speed of 55 miles per hour, is the equivalent of driving the length of a football field with one's eyes closed;

WHEREAS, the use of wireless devices while driving has resulted in injury and death to pedestrians, drivers, and passengers;

WHEREAS, students walking to and from school face an increased risk of injury, disfigurement, or death from inattentive drivers operating wireless devices through school zones;

WHEREAS, House Bill 45 and Senate Bill 76 seek to prevent crashes related to the use of wireless communication devices, as well as injuries and deaths incidental thereto by prohibiting the use of wireless communication devices while driving;

1           WHEREAS, the Broward County Board of County Commissioners (the "Board")  
2 supports increased roadway safety and a stronger ban on texting while driving, NOW,  
3 THEREFORE,

4  
5           BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
6 BROWARD COUNTY, FLORIDA:

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8           Section 1.   The Board hereby encourages the Florida Legislature to adopt  
9 House Bill 45 and Senate Bill 76.

10  
11          Section 2.   The Board hereby directs the County Administrator to transmit a copy  
12 of this Resolution to all members of the Broward Delegation and to all Florida legislators  
13 representing Broward County residents.

14  
15          Section 3.   Severability.

16          If any portion of this Resolution is determined by any court to be invalid, the invalid  
17 portion will be stricken, and such striking will not affect the validity of the remainder of this  
18 Resolution.  If any court determines that this Resolution, in whole or in part, cannot be  
19 legally applied to any individual, group, entity, property, or circumstance, such  
20 determination will not affect the applicability of this Resolution to any other individual,  
21 group, entity, property, or circumstance.

