It's The Law: Texting While Driving Is Illegal In Florida

September 27, 2013

INSURANCE INFORMATION INSTITUTE
Florida Press Office: (813) 480-6446, lynnem@iii.org [1]
New York Press Office: (212) 346-5500, media@iii.org [2]

TAMPA, Florida, September 27, 2013 ? On October 1, Florida joins 40 other states to prohibit texting while driving, one of the distracted driving behaviors responsible for 18 percent of fatalities nationwide. Texting while driving will also have financial consequences as drivers caught texting will get tagged with two moving violations?and that could eventually affect the cost of their auto insurance, said the Insurance Information Institute [3].

Of the 41 states with bans on texting while driving, Florida is one of only four states with a texting law [4] that makes it a secondary offense, meaning law enforcement must first witness another traffic infraction. Drivers pulled over for other traffic violations, who also appeared to be texting, could get two tickets: one for the first offense and another for texting.

Moving violations differ in severity, and there are points assessed for various driving offenses ranging from a minimum of three points to a maximum of six points. According to the new law on wireless communication [5], the first offense related to texting while driving is considered a nonmoving violation. It brings a penalty of $30, in addition to court fees. The second offense within five years is considered a moving violation that puts three points on the driver?s license. Tallying up 12 points within a 12-month period brings a license suspension of 30 days; 24 points within a 36-month period brings a license suspension of one year, according to the Florida Driver?s Handbook [6].

Drivers who break traffic laws get ticketed for things like speeding, running red lights and driving under the influence of alcohol or drugs?and now texting while driving is also illegal. Traffic tickets eventually show up on a driving record as a signal of a risky driver, and those drivers pay more for insurance,? said Lynne McChristian, Florida representative for the I.I.I. ?It?s a cost that is easily controlled by putting the phone down, focusing on driving and following the intent of the law, which is to save lives, prevent crashes and make roads safer.? In addition to the ban on texting while driving, the new texting ban charges six points against a driver?s license for a car crash that occurs as a result of using a cellphone. Unlawful use of a cellphone while committing a moving violation within a school safety zone adds two points to a driver?s record, in addition to the points for the moving violation.

Distraction.gov [7], a government website for distracted driving information, notes that drivers are 23 times more likely to be involved in a crash if they text and drive. ?Anything that takes your mind off driving, even for a few seconds, can certainly have deadly consequences,? McChristian said. ?Thinking
ahead about the financial consequences may be added incentive for drivers to put the phone down and keep both eyes on the road?

The Governors Highway Safety Association [8] offers 10 tips for managing common driving distractions:

1. **Turn it off and stow it.** Turn your phone off or switch it to silent mode before you get in the car. Then stow it away so that it’s out of reach.
2. **Spread the word.** Record a message on your phone that tells callers you’re driving and will get back to them when you’re off the road, or sign up for a service that offers this feature.
3. **Pull over.** If you need to make a call, pull over to a safe area first.
4. **Use your passengers.** Ask a passenger to make the call or respond to a text for you.
5. **X the Text.** Don’t ever text and drive, surf the web or read your email while driving. Even voice-to-text isn’t risk-free.
6. **Know the law.** Familiarize yourself with state and local laws [9] before you get in the car. Some states and localities prohibit the use of hand-held cellphones in addition to texting.
7. **Prepare.** If using a GPS device, enter your destination before you start to drive. If you prefer a map or written directions, review them in advance. If you need help while driving, ask a passenger to assist you or pull over to a safe location to change your GPS or review your map/direction.
8. **Secure your pets.** Unsecured pets can be a big distraction in the car.
9. **Mind the kids.** Pull over to a safe place to address situations involving children in the car.
10. **Focus on driving.** Multi-tasking behind the wheel is dangerous [9]. Refrain from eating, drinking, reading, grooming, smoking and any other activity that takes your mind and eyes off the road.

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Insurance Information Institute, 4775 E. Fowler Avenue, Tampa, FL 33617, (813) 480-6446
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