

RESOLUTION No. 15-188

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION MAKING TEXTING WHILE DRIVING A PRIMARY OFFENSE; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in 2013, the State of Florida passed the “Florida Ban on Texting While Driving Law,” prohibiting any person from operating motor vehicle while manually typing an letters, numbers, symbols or character into a mobile device (“Texting Law”); and

WHEREAS, the Texting Law made its provisions enforceable only a secondary driving offense—that is enforceable only after the operator of a motor vehicle has been detained for suspected violation of another primary offense under Chapter 316, 320, and/or 322, Florida Statutes; and

WHEREAS, Florida is one of few states where texting and driving is not a primary offense; and

WHEREAS, texting while driving continues to be a dangerous, distracted-driver activity, which has increasingly been the cause of traffic delays and serious motor vehicle accidents, some leading to serious injury and death; and

WHEREAS, if texting while diving was classified as a primary offense, police officers would be better equipped to stop distracted, texting drivers, discouraging the behavior more broadly throughout the community; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Recommended Position. The Florida Legislature is hereby strongly urged to pass legislation making texting while driving a primary offense, allowing police officers to stop directly distracted drivers before such drivers can cause further traffic, accidents, and loss of life.

Section 3. Transmittal. The City Clerk is hereby directed to transmit this Resolution to the Speaker of the Florida House of Representatives, the President of the Florida Senate, the Governor of the State of Florida, and such individuals of the Florida legislature and staff as deemed appropriate by the City Manager, to ensure that the City's position with this regard is clearly received and understood.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Councilmember Rodriguez who moved its adoption. The motion was seconded by Councilmember Fraga and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED and ADOPTED this 13 day of October, 2015.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE USE OF THE CITY OF DORAL:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, PL
CITY ATTORNEY