

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0235/P2dn
ARG:wlj:rs

November 2, 2011

ATTN: Tim Fiocchi

Please review the attached draft carefully to ensure that it is consistent with your intent.

As discussed, the definition of “wireless telecommunications device” in this draft is the same as that appearing in 2011 AB 131. In reviewing this language more closely, and in reviewing the language of the texting ban passed last session (see s. 346.89 (3)), I’m not sure that retaining the “wireless telecommunications device” language in this draft does anything. The language in this draft was first developed a number of years ago, when the issue of cell phone bans was emerging. After giving the matter further attention, I suggest that you consider replacing the term “cellular telephone” with “mobile telephone” in the attached draft and then removing from the draft the “wireless telecommunications device” language, since 2009 Act 220 already banned texting while driving.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible “/1” draft.

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