

MEMORANDUM

Agenda Item No. 11(A)(7)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: March 18, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact Senate
Bill 1318, House Bill 501, or
similar legislation that would
prohibit a person from
operating a motor vehicle
while using a wireless
communications device in a
handheld manner

Resolution No. R-298-25

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/gh



MEMORANDUM (Revised)

TO: Honorable Chairman Anthony Rodriguez
and Members, Board of County Commissioners

DATE: March 18, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(7)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(7)
3-18-25

RESOLUTION NO. R-298-25

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENACT SENATE BILL 1318, HOUSE BILL 501, OR SIMILAR
LEGISLATION THAT WOULD PROHIBIT A PERSON FROM
OPERATING A MOTOR VEHICLE WHILE USING A
WIRELESS COMMUNICATIONS DEVICE IN A HANDHELD
MANNER

WHEREAS, the use of handheld wireless communications devices while operating a motor vehicle poses a significant risk to public safety, increasing the likelihood of accidents, injuries, and fatalities on Florida’s roadways; and

WHEREAS, numerous studies have demonstrated that distracted driving, particularly involving handheld devices, significantly impairs a driver’s ability to react to road conditions, traffic signals, and hazards, endangering both motorists and pedestrians; and

WHEREAS, in 2013, the Florida Legislature created section 316.305, Florida Statutes, the “Florida Ban on Texting While Driving Law”, which prohibits a person from texting, emailing, and instant messaging while driving for the purpose of nonvoice interpersonal communication; and

WHEREAS, in 2019, the Florida Legislature created section 316.306, Florida Statutes, prohibiting the use of a handheld wireless communications devices while driving in a designated school crossing, school zone, or work zone area where construction personnel are present or are operating equipment nearby; and

WHEREAS, this Board believes that current laws may not be sufficient to ensure public safety while driving, and that additional legislation is necessary to address the dangers of using handheld wireless communications devices while operating a motor vehicle; and

WHEREAS, House Bill (“HB”) 501 was filed on February 10, 2025, for consideration during the 2025 session of the Florida Legislature by Representative Allison Tant (D – Tallahassee); and

WHEREAS, Senate Bill (“SB”) 1318 was filed on February 26, 2025, for consideration during the 2025 session of the Florida Legislature by Senator Erin Grall (R – Fort Pierce); and

WHEREAS, HB 501 and SB 1318 would prohibit a person from operating a motor vehicle while using a wireless communications device in a handheld manner, except to activate, deactivate, initiate, or terminate a feature or function of the device, including a hands-free accessory; and

WHEREAS, the bills further provide that a person who uses a wireless communications device in a handheld manner while driving a motor vehicle commits a noncriminal traffic infraction, and provide for fines and the assessment of driving points for violations on any roadway while driving in a work zone area where construction personnel are present or are operating equipment nearby; and

WHEREAS, this Board wishes to urge the Florida Legislature to enact SB 1318, HB 501, or similar legislation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact SB 1318, HB 501, or similar legislation that would prohibit a person from operating a motor vehicle while using a wireless communications device in a handheld manner.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, the Senate President, the House Speaker, Senator Erin Grall, Representative Allison Tant, and the remaining Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County’s state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2025 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. It was offered by Commissioner **Roberto J. Gonzalez** , who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

	Anthony Rodriguez, Chairman	aye	
	Kionne L. McGhee, Vice Chairman	aye	
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	absent	Sen. René García	aye
Oliver G. Gilbert, III	aye	Roberto J. Gonzalez	aye
Keon Hardemon	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of March, 2025. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "NJB", is written over the text of the County Attorney's approval.

Narinah P. Jean-Baptiste
Michael J. Mastrucci