

**STUDENT SENATE RESOLUTION 2019-105**

**TITLE: Resolution Honoring Patrick Wanninkhof and Urging the Florida Legislature to Enact Legislation Prohibiting All Drivers from Using Hand-held Electronic Communication Devices While Driving**

**AUTHOR(S): Mark Merwitzer, Judiciary Chairman Will Sandifer, Senator Branden Pearson**

**SPONSOR(S): Senator Olin Calvin**

**WHEREAS**, Patrick Wanninkhof, a 25-year-old University of Florida Alumni, was biking across America to raise money for Bike and Build, when a distracted driver killed him and critically injured his friend [1]; and,

**WHEREAS**, to honor their son, the Wanninkhof family have been vocal proponents of banning distracted driving in the State of Florida [1]; and,

**WHEREAS**, thousands of UF students ride bicycles to and from class, and it is vital that the Student Senate and State of Florida do everything it can to prevent another tragedy caused by distracted driving; and,

**WHEREAS**, in 2016, distracted driving claimed 3,450 lives in the United States, according to the National Highway Traffic Safety Administration (NHTSA) [2]; and,

**WHEREAS**, in 2016, there were 562 fatalities (NHTSA) and an estimated 30,000 injuries related to texting while driving in the United States [2]; and,

**WHEREAS**, the NHTSA reports that texting drivers take their eyes off the road for an average of 4.6 seconds, which at the speed of 55 mph, is equivalent to driving the length of a football field [2]; and,

**WHEREAS**, nearly 20,000 drivers under the age of 30 were involved in distracted driving accidents statewide in 2015 [3]; and,

**WHEREAS**, the National Safety Council reports that the risk of a crash is 8 times higher when a driver is distracted [4]; and,

**WHEREAS**, according to the Center for Disease Control, texting while driving is now one of the leading causes of death among teenagers across the nation — surpassing drinking and driving [12]; and,

**WHEREAS**, according to the Florida Department of Highway Safety and Motor Vehicles, texting while driving causes all three types of driver distraction including visual, manual, and cognitive distraction [4]; and,

**WHEREAS**, the degree of cognitive distraction associated with mobile phone use is so high that drivers using mobile phones exhibit greater impairment than legally intoxicated drivers, according to a University of Utah study [5]; and,

**WHEREAS**, of the 47 states that have banned texting while driving, all but four have made texting while driving a primary offense. Florida is among the four states that do not enforce texting while driving as a primary offense, but instead, as a secondary offense (an offense for which a law enforcement officer can issue a ticket only if a driver has been pulled over for committing another traffic violation) [6]; and,

**WHEREAS**, current Florida law is difficult to enforce as it requires proof of a driver manually typing or entering multiple letters, numbers, symbols, or other characters into a wireless communications device for the purpose of non-voice interpersonal communication [7]; and,

**WHEREAS**, laws prohibiting all drivers from using hand-held electronic communication devices while driving may be more effectively enforced; and,

**WHEREAS**, the concern of the American public over distracted driving has grown exponentially, resulting in the first-ever national distracted driving enforcement and advertising campaign as well as the recognition of April as Distracted Driving Awareness Month each year by the United States Department of Transportation [8]; and,

**WHEREAS**, the concern of Florida citizens has grown considerably, leading to the Florida Department of Transportation unveiling two campaigns: the Put It Down Campaign to raise awareness of the problem of distracted driving and Safe Phone Zones Campaign which designate spots throughout the state where drivers are encouraged to pull over to safely use their cellphones [9]; and,

**WHEREAS**, of the 15 states plus D.C. that have enacted “hands-free” laws, 13 of these states saw an average of 17.5% decrease in traffic fatalities within two years after passing and enforcing their new laws [10]; and,

**WHEREAS**, Georgia recently passed legislation prohibiting drivers from holding wireless telecommunication or standalone electronic devices to reduce distracted driving and traffic deaths have decreased by 10% [11]; and,

**WHEREAS**, there are currently two active bills filed in the Florida legislature, House Bill 107 by Representatives Toledo and Slosberg, and Senate Bill 76 by Senator Simpson, which ban distracted driving and classify it as a primary offense [13&14]; then,

**THEREFORE, LET IT BE RESOLVED** that the University of Florida Student Senate honors the life of Patrick Wanninkhof and respectfully urges the Transportation and Parking Services to dedicate a prominently used bicycle rack in his name.

**THEREFORE, LET IT FURTHER BE RESOLVED** that the University of Florida Student Senate recognizes the dangers associated with utilizing a hand-held electronic communication device while operating a motor vehicle.

**THEREFORE, LET IT FURTHER BE RESOLVED** that the University of Florida Student Senate supports the passage of House Bill 107 and Senate Bill 76, and urges the Florida Legislature to prohibit texting and driving by classifying the usage of hand-held electronic communication devices while driving as a primary offense.

**THEREFORE, LET IT FINALLY BE RESOLVED** that the University of Florida Student Senate requests to become a member of the FL DNT TXT N DRV Coalition.

*Proviso: A copy of this resolution shall be sent to the External Affairs Agency Head Emily Dempsey, Florida Governor Ron DeSantis, Florida Senate President Bill Galvano, Speaker of the Florida House of Representatives José Oliva, Senator Keith Perry, Representative Charles "Chuck" Clemons, Representative Clovis Watson, Jr. Representative Robert "Chuck" Brannan III, Florida DNT TXT N DRV Coalition Coordinator Keyna Cory.*

[1] <https://www.nbcmiami.com/news/local/Family-Pushes-for-Texting-Ban-After-Sons-Death-473861813.html>

[2] <https://www.nhtsa.gov/risky-driving/distracted-driving>

[3] <https://www.flhsmv.gov/2017/04/03/save-life-dont-drive-distracted/>

[4] <https://www.flhsmv.gov/safety-center/driving-safety/distracted-driving>

[5] [https://archive.unews.utah.edu/news\\_releases/hands-free-talking-texting-are-unsafe/](https://archive.unews.utah.edu/news_releases/hands-free-talking-texting-are-unsafe/)

[6] <http://www.ncsl.org/research/transportation/cellular-phone-use-and-texting-while-driving-laws.aspx>

[7] [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0300-0399/0316/Sections/0316.305.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0316/Sections/0316.305.html)

[8] <https://safetrec.berkeley.edu/news/april-national-distracted-driving-awareness-month>

[9] <http://www.fdotmiamidade.com/putitdown>

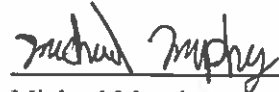
[10] <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812278>

[11] [http://www.house.ga.gov/Documents/CommitteeDocuments/2017/Distracted\\_Driving/Final\\_Report\\_DistractedDriving.pdf](http://www.house.ga.gov/Documents/CommitteeDocuments/2017/Distracted_Driving/Final_Report_DistractedDriving.pdf)

[12] [https://www.cdc.gov/motorvehiclesafety/teen\\_drivers/index.html](https://www.cdc.gov/motorvehiclesafety/teen_drivers/index.html)

[13] <https://www.flsenate.gov/Session/Bill/2019/00076>

[14] <https://www.flsenate.gov/Session/Bill/2019/00107>

  
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Michael Murphy                      2/18/19  
Senate President                      Date