RESOLUTION NO. 2012-05

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA RELATING TO LEGISLATIVE AGENDA; SUPPORTING THE PROPOSED BAN ON CELLULAR PHONE TEXTING OR INSTANT MESSAGING WHILE DRIVING AS PROPOSED IN SENATE BILL 416 (DETERT) AND HOUSE BILL 299 (PILON); IF ENACTED TEXTING WHILE DRIVING WOULD BE A SECONDARY OFFENSE. [Sponsored by Mayor Shelley Stanczyk].

WHEREAS, the Village of Palmetto Bay supports Senate Bill 416 and House Bill 299, which would make it a secondary offense to text or IM while driving; and,

WHEREAS, the proposed legislation would allow the use of wireless communication devises while parked and exempts navigation activities; and,

WHEREAS, the first violation would be a non-moving violation, subsequent offenses would be considered moving violations; and,

WHEREAS, if texting or instant messaging results in an accident, the offense would result in a six (6) point offense on one's driver's license; and,

WHEREAS, the Village is concerned with the safety of all drivers in the Village and supports the legislation to preclude texting while driving; and

WHEREAS, it is in the best interest of the Village and Community for the legislation to be enacted.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA AS FOLLOWS:

Section 1. The above whereas clauses are incorporated by reference herein.

Section 2. That the Village of Palmetto Bay supports Senate Bill 416 and House Bill 299.

Section 3. The Village Council directs the Village Clerk to forward a copy of this resolution to the Florida Legislature and our sister cities for review and support.

Section 4. This Resolution shall take effect immediately.

PASSED and ADOPTED this 9th day of January, 2012.

Attest:

Meighan Alexander
Village Clerk

Shelley Stanczyk
Mayor

APPROVED AS TO FORM:

Eve A. Boutsis,
FIGUEREDO & BOUTSIS, P.A., as Office of the Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	YES
Council Member Howard Tendrich	YES
Council Member Joan Lindsay	YES
Vice-Mayor Brian W. Pariser	YES
Mayor Shelley Stanczyk	YES