

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2014-96

RESOLUTION OF THE CITY COMMISSION
PROCLAIMING THAT IT IS THE OFFICIAL POLICY
OF THE CITY OF CORAL GABLES TO ENFORCE THE
STATE OF FLORIDA CARELESS DRIVING STATUTE
WITH RELATION TO DANGEROUS AND UNSAFE
DRIVING CONDITIONS AND URGING THE FLORIDA
LEGISLATURE TO ALLOW LAW ENFORCEMENT
OFFICERS TO STOP MOTOR VEHICLES AND ISSUE
CITATIONS AS A PRIMARY OFFENSE TO PERSONS
WHO ARE TEXTING WHILE DRIVING.

WHEREAS, the Florida Legislature has declared “Careless Driving” as a punishable moving violation through Florida Statute Section 316.1925; and

WHEREAS, the Florida Legislature has declared that any person operating a vehicle upon the streets or highways within the state of Florida shall drive the same in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic, and all other attendant circumstances, so as not to endanger the life, limb, or property of any person; and

WHEREAS, the City of Coral Gables Commissioners wish to ensure and promote the safety and welfare of the residents of the City of Coral Gables against those drivers engaging in activities that lead to careless driving; and

WHEREAS, the City of Coral Gables Commission recognizes that typically those individuals who text and drive will be simultaneously engaging in careless driving, which is a serious offense that endangers the safety and well-being of the residents of Coral Gables as those drivers are not looking at the road while driving; and

WHEREAS, the City of Coral Gables Commission encourages the City of Coral Gables Police to strictly enforce Florida Statute Section 316.1925, “Careless Driving” when officers perceive an individual conducting a vehicle without regard for the width, grade, curves, corners, traffic, and all other attendant circumstances, so as to endanger the life, limb, or property, with particular focus on those individuals who are texting while driving; and

WHEREAS, during the 2013 Legislative Session, the Florida Legislature enacted Florida Statute Section 316.305, the “Florida Ban on Texting While Driving Law,” which made it a secondary offense to texting while driving; and

WHEREAS, the City of Coral Gables Commission strongly supports passage of legislation that would strengthen the “Florida Ban on Texting While Driving” by making texting while driving a primary offense;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission hereby encourages the City of Coral Gables Police Department to strictly enforce the Florida Careless Driving Statute to ensure that those motor vehicles operators drive with regard for the width, grade, curves, corners, traffic, and all other attendant circumstances, so as not to endanger the life, limb, or property of any person, with particular focus on those individuals who are texting while driving.

SECTION 3. That the City Commission hereby urges the Florida Legislature to pass legislation that would allow law enforcement officers to stop motor vehicles and issue citations as a primary offense to persons who are texting while driving.

SECTION 4. That nothing in this Resolution shall void, negate, or otherwise undermine the validity of any previously litigated matter.

SECTION 5. That said Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF MAY, A.D., 2014.

(Moved: Quesada / Seconded: Lago)

(Yeas: Keon, Lago, Quesada, Cason)

(Majority: (4-0) Vote)

(Absent: Kerdyk)

(Agenda Item: I-1)

APPROVED:

A handwritten signature in black ink, appearing to read "Jim Cason".

JIM CASON
MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read "Walter J. Foeman".

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to read "Craig E. Leen".

CRAIG E. LEEN
CITY ATTORNEY