

## RESOLUTION NO. 738

A RESOLUTION OF THE TOWN OF SEWALL'S POINT OF MARTIN COUNTY, FLORIDA, SUPPORTING THE ADOPTION OF A BAN ON TEXTING WHILE DRIVING; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Town of Sewall's Point of Martin County, Florida, (the "Town") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, according to the Insurance Institute for Highway Safety, drivers who use handheld devices while driving are four times as likely to get into crashes serious enough to injure themselves or others; and

**WHEREAS**, those who engage in dangerous highway safety behaviors, such as texting while driving, fear getting a ticket and fine significantly more than they do being injured or killed in a motor vehicle crash; and

**WHEREAS**, the act of composing, sending or reading text messages interrupts drivers' cognitive attention, causes vision to be directed away from the road, and compromises manual control of the vehicle; and

**WHEREAS**, the Town Commission of the Town of Sewall's Point, in order to promote highway safety and reduce injuries or death resulting from dangerous highway safety behaviors, hereby expresses its support for the adoption by the State of Florida of a statewide "ban on texting while driving law."

### **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

Section 1. The Town Commission of the Town of Sewall's Point hereby supports the adoption by the State of Florida of a "ban of texting while driving law." Such a ban would make it unlawful to manually type or enter multiple letters, numbers, symbols or other text in a wireless communication device, or send or read data in the device, for the purpose of non-voice interpersonal communication, including texting, e-mailing and instant messaging, while operating a motor vehicle in the travel portion of public streets, roads and highways.

Section 2. The Town Clerk is directed to forward a copy of this Resolution, upon adoption, to the Martin County, Florida legislative delegation, the Mayor and City Commission of the City of Stuart, and members of the Board of County Commissioners for Martin County.

Section 3. Severability. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.


Section 4. Conflicts. All resolutions or part of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 5. This Resolution shall take effect immediately upon adoption.

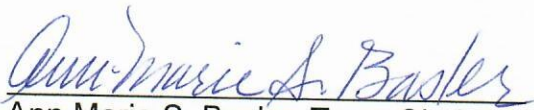
	<u>AYE</u>	<u>NAY</u>
JACQUI THURLOW-LIPPISCH, MAYOR	<u>✓</u>	<u>      </u>
TOM BAUSCH, VICE MAYOR	<u>✓</u>	<u>      </u>
PAMELA BUSHA, Commissioner	<u>✓</u>	<u>      </u>
PAUL LUGER, Commissioner	<u>✓</u>	<u>      </u>
PAUL SCHOPPE, Commissioner	<u>✓</u>	<u>      </u>

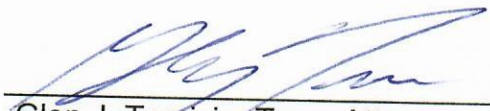
The Town Clerk thereupon declared this Resolution No. 738 approved and adopted by the Town Commission of the Town of Sewall's Point on this 25<sup>th</sup> day of October, 2011.

**TOWN OF SEWALL'S POINT, FLORIDA**

  
Jacquie Thurlow-Lippisch, Mayor

ATTEST:

  
Ann Marie S. Basler, Town Clerk

  
Glen J. Torcivia, Town Attorney  
Florida Bar No. 343374  
Approved as to form and legal sufficiency

