

DATE: October 25, 2019

TO: Florida Law Enforcement Agencies  
Uniform Traffic Citation (UTC) Vendors

FROM: Richie C. Frederick, Chief *RF*  
Division of Motorist Services, Bureau of Records

SUBJECT: Wireless Communication Device Reporting

Section 316.305(5), Florida Statutes, requires a law enforcement officer to record the race and ethnicity of violators cited for improperly using a wireless communications device while operating a motor vehicle. Section 316.306(6), Florida Statutes, establishes a similar requirement for violators cited for improperly using a wireless device while in a designated school crossing, school zone, or an active work zone.

Additionally, these statutes require law enforcement agencies to report the race and ethnicity data, for the above violations, to the department. Beginning February 1, 2020, the department is responsible for compiling an annual report, which provides an analysis of this data, and submitting it to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

In order to accomplish these requirements, the department is currently developing enhancements to the Driver and Vehicle Information Database (DAVID), which will allow law enforcement agencies to electronically report the required information to the department. These changes will mirror the current process for reporting seat belt violations, which has similar data collection and reporting requirements.

The department is planning to deploy these changes by the end of 2019 and will provide further information as this project progresses. In the meantime, all law enforcement agencies should ensure they have a method to capture and report the required data. If you have questions about this new process, please contact me directly at 850-617-2702 or [RichieFrederick@flhsmv.gov](mailto:RichieFrederick@flhsmv.gov).