

By Senator Villalobos

37-1473-02

1                                   A bill to be entitled  
2           An act relating to traffic control; amending s.  
3           316.191, F.S.; increasing the penalty for the  
4           offense of racing on highways; providing an  
5           effective date.

6  
7 Be It Enacted by the Legislature of the State of Florida:

8  
9           Section 1. Section 316.191, Florida Statutes, is  
10 amended to read:

11           316.191 Racing on highways.--

12           (1) No person shall drive any vehicle in any race,  
13 speed competition or contest, drag race or acceleration  
14 contest, test of physical endurance, exhibition of speed or  
15 acceleration, or for the purpose of making a speed record, and  
16 no person shall in any manner participate in any such race,  
17 competition, contest, test, or exhibition.

18           (2) "Drag race" is defined as the operation of two or  
19 more vehicles from a point side by side at accelerating speeds  
20 in a competitive attempt to outdistance each other, or the  
21 operation of one or more vehicles over a common selected  
22 course, from the same point to the same point, for the purpose  
23 of comparing the relative speeds or power of acceleration of  
24 such vehicle or vehicles within a certain distance or time  
25 limit.

26           (3) "Racing" is defined as the use of one or more  
27 vehicles in an attempt to outgain, outdistance, or prevent  
28 another vehicle from passing, to arrive at a given destination  
29 ahead of another vehicle or vehicles, or to test the physical  
30 stamina or endurance of drivers over long-distance driving  
31 routes.

1           (4) This section does not apply to licensed or duly  
2 authorized racetracks, drag strips or other designated areas  
3 set aside by proper authorities for such purposes.

4           (5) A person who violates this section commits a  
5 felony of the third degree, punishable as provided in s.  
6 775.082, s. 775.083, or s. 775.084.~~A violation of this~~  
7 ~~section is a noncriminal traffic infraction, punishable~~  
8 ~~pursuant to chapter 318 as either a pedestrian violation or,~~  
9 ~~if the infraction resulted from the operation of a vehicle, as~~  
10 ~~a moving violation.~~

11           Section 2. This act shall take effect July 1, 2002.

12  
13                           \*\*\*\*\*

14   SENATE SUMMARY

15           Increases the penalty for racing on a highway from a  
16 noncriminal traffic infraction to a third-degree felony.