

CHAMBER ACTION

1 The Committee on Transportation recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to motor vehicles; creating the "Road Rage
7 Reduction Act"; providing legislative intent; amending s.
8 316.081, F.S.; requiring operators of motor vehicles to
9 drive in the right-hand lane on certain highways;
10 providing exceptions; providing penalties for violation;
11 amending s. 322.27, F.S.; providing for the assessment of
12 points for violating specified provisions that require
13 operators of motor vehicles to drive on the right side of
14 the road; requiring the Department of Highway Safety and
15 Motor Vehicles to provide an educational awareness
16 campaign; providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Popular name.--This act may be known by the
21 popular name the "Road Rage Reduction Act."

22 Section 2. It is the intent of the Legislature to decrease
23 the incidence of drivers interfering with the movement of

HB 1341

2004
CS

24 traffic, to reduce road rage and aggressive driving, to minimize
 25 crashes, and to promote the orderly, free flow of traffic on the
 26 roads and highways of the state.

27 Section 3. Section 316.081, Florida Statutes, is amended
 28 to read:

29 316.081 Driving on right side of roadway; exceptions.--

30 (1) Upon all roadways of sufficient width, a vehicle shall
 31 be driven upon the right half of the roadway, except as follows:

32 (a) When overtaking and passing another vehicle proceeding
 33 in the same direction under the rules governing such movement;

34 (b) When an obstruction exists making it necessary to
 35 drive to the left of the center of the highway; provided any
 36 person so doing shall yield the right-of-way to all vehicles
 37 traveling in the proper direction upon the unobstructed portion
 38 of the highway within such distance as to constitute an
 39 immediate hazard;

40 (c) Upon a roadway divided into three marked lanes for
 41 traffic under the rules applicable thereon; or

42 (d) Upon a roadway designated and signposted for one-way
 43 traffic.

44 (2) Upon a two-lane roadway providing for two-way movement
 45 of traffic, a vehicle ~~Upon all roadways, any vehicle proceeding~~
 46 ~~at less than the normal speed of traffic at the time and place~~
 47 ~~and under the conditions then existing~~ shall be driven in the
 48 right-hand lane ~~then~~ available for traffic or as close as
 49 practicable to the right-hand curb or edge of the roadway,
 50 except when overtaking and passing another vehicle proceeding in

51 | the same direction or when preparing for a left turn at an
52 | intersection or into a private road or driveway.

53 | (3) Upon any roadway having four or more lanes for moving
54 | traffic and providing for two-way movement of traffic, no
55 | vehicle shall be driven to the left of the centerline of the
56 | roadway, except when authorized by official traffic control
57 | devices designating certain lanes to the left side of the center
58 | of the roadway for use by traffic not otherwise permitted to use
59 | such lanes, or except as permitted under paragraph (1)(b).
60 | However, this subsection shall not be construed as prohibiting
61 | the crossing of the centerline in making a left turn into or
62 | from an alley, private road, or driveway.

63 | (a) Upon a four-lane highway, an interstate highway, or a
64 | highway with fully controlled access, or the Florida Intrastate
65 | Highway System, a vehicle may not be driven in the left-hand
66 | lane except when overtaking and passing another vehicle.

67 | (b) Paragraph (a) shall not apply:

68 | 1. When no other vehicle is directly behind the vehicle in
69 | the left-hand lane;

70 | 2. When traffic conditions and congestion make it
71 | impractical to drive in the right-hand lane;

72 | 3. When inclement weather conditions make it necessary to
73 | drive in the left-hand lane;

74 | 4. When obstructions or hazards exist in the right-hand
75 | lane;

76 | 5. When, because of highway design, a vehicle must be
77 | driven in the left-hand lane when preparing to exit;

78 6. On toll highways when necessary to use Sun-Pass and on
 79 toll and other highways when driving in the left-hand lane is
 80 required to comply with an official traffic control device; or

81 7. To law enforcement vehicles, ambulances, and other
 82 emergency vehicles engaged in official duties and vehicles
 83 engaged in highway maintenance and construction operations.

84 (4) A violation of this section is a noncriminal traffic
 85 infraction, punishable as a moving violation as provided in
 86 chapter 318.

87 Section 4. Paragraph (d) of subsection (3) of section
 88 322.27, Florida Statutes, is amended to read:

89 322.27 Authority of department to suspend or revoke
 90 license.--

91 (3) There is established a point system for evaluation of
 92 convictions of violations of motor vehicle laws or ordinances,
 93 and violations of applicable provisions of s. 403.413(6)(b) when
 94 such violations involve the use of motor vehicles, for the
 95 determination of the continuing qualification of any person to
 96 operate a motor vehicle. The department is authorized to suspend
 97 the license of any person upon showing of its records or other
 98 good and sufficient evidence that the licensee has been
 99 convicted of violation of motor vehicle laws or ordinances, or
 100 applicable provisions of s. 403.413(6)(b), amounting to 12 or
 101 more points as determined by the point system. The suspension
 102 shall be for a period of not more than 1 year.

103 (d) The point system shall have as its basic element a
 104 graduated scale of points assigning relative values to
 105 convictions of the following violations:

HB 1341

2004
CS

- 106 | 1. Reckless driving, willful and wanton--4 points.
- 107 | 2. Leaving the scene of a crash resulting in property
- 108 | damage of more than \$50--6 points.
- 109 | 3. Unlawful speed resulting in a crash--6 points.
- 110 | 4. Passing a stopped school bus--4 points.
- 111 | 5. Unlawful speed:
- 112 | a. Not in excess of 15 miles per hour of lawful or posted
- 113 | speed--3 points.
- 114 | b. In excess of 15 miles per hour of lawful or posted
- 115 | speed--4 points.
- 116 | 6. All other moving violations (including parking on a
- 117 | highway outside the limits of a municipality)--3 points.
- 118 | However, no points shall be imposed for a violation of s.
- 119 | 316.0741 or s. 316.2065(12).
- 120 | 7. Any moving violation covered above, excluding unlawful
- 121 | speed, resulting in a crash--4 points.
- 122 | 8. Any conviction under s. 403.413(5)(b)--3 points.
- 123 | 9. Any conviction under s. 316.081--4 points.
- 124 | Section 5. The Department of Highway Safety and Motor
- 125 | Vehicles shall provide an educational awareness campaign
- 126 | informing the motoring public about the Road Rage Reduction Act.
- 127 | The department shall provide information about the Road Rage
- 128 | Reduction Act in all newly printed driver license educational
- 129 | materials after October 1, 2004, and in public service
- 130 | announcements produced in cooperation with the Florida Highway
- 131 | Patrol.
- 132 | Section 6. This act shall take effect October 1, 2004.