

1                                   A bill to be entitled  
 2           An act relating to motor vehicles; creating the "Road Rage  
 3           Reduction Act"; providing legislative intent; amending s.  
 4           316.081, F.S.; requiring operators of motor vehicles to  
 5           drive in the right-hand lane on certain highways;  
 6           providing exceptions; providing penalties for violation;  
 7           amending s. 322.27, F.S.; providing for the assessment of  
 8           points for violating specified provisions that require  
 9           operators of motor vehicles to drive on the right side of  
 10          the road; requiring the Department of Highway Safety and  
 11          Motor Vehicles to provide an educational awareness  
 12          campaign; providing an effective date.

13  
 14 Be It Enacted by the Legislature of the State of Florida:

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 16           Section 1. Popular name.--This act may be known by the  
 17 popular name the "Road Rage Reduction Act."

18           Section 2. It is the intent of the Legislature to decrease  
 19 the incidence of drivers interfering with the movement of  
 20 traffic, to reduce road rage and aggressive driving, to minimize  
 21 crashes, and to promote the orderly, free flow of traffic on the  
 22 roads and highways of the state.

23           Section 3. Section 316.081, Florida Statutes, is amended  
 24 to read:

25           316.081 Driving on right side of roadway; exceptions.--

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

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

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

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

38 (d) Upon a roadway designated and signposted for one-way  
39 traffic.

40 (2) Upon a two-lane roadway providing for two-way movement  
41 of traffic, a vehicle ~~Upon all roadways, any vehicle proceeding~~  
42 ~~at less than the normal speed of traffic at the time and place~~  
43 ~~and under the conditions then existing~~ shall be driven in the  
44 right-hand lane ~~then~~ available for traffic or as close as  
45 practicable to the right-hand curb or edge of the roadway,  
46 except when overtaking and passing another vehicle proceeding in  
47 the same direction or when preparing for a left turn at an  
48 intersection or into a private road or driveway.

49 (3) Upon any roadway having four or more lanes for moving  
50 traffic and providing for two-way movement of traffic, no  
51 vehicle shall be driven to the left of the centerline of the  
52 roadway, except when authorized by official traffic control  
53 devices designating certain lanes to the left side of the center  
54 of the roadway for use by traffic not otherwise permitted to use  
55 such lanes, or except as permitted under paragraph (1)(b).

56 | However, this subsection shall not be construed as prohibiting  
 57 | the crossing of the centerline in making a left turn into or  
 58 | from an alley, private road, or driveway.

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

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

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

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

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

70 | 4. When obstructions or hazards exist in the right-hand  
 71 | lane;

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

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

77 | 7. To law enforcement vehicles, ambulances, and other  
 78 | emergency vehicles engaged in official duties and vehicles  
 79 | engaged in highway maintenance and construction operations.

80 | (4) A violation of this section is a noncriminal traffic  
 81 | infraction, punishable as a moving violation as provided in  
 82 | chapter 318.

83 Section 4. Paragraph (d) of subsection (3) of section  
 84 322.27, Florida Statutes, is amended to read:

85 322.27 Authority of department to suspend or revoke  
 86 license.--

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

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

- 102 1. Reckless driving, willful and wanton--4 points.
- 103 2. Leaving the scene of a crash resulting in property  
 104 damage of more than \$50--6 points.
- 105 3. Unlawful speed resulting in a crash--6 points.
- 106 4. Passing a stopped school bus--4 points.
- 107 5. Unlawful speed:
  - 108 a. Not in excess of 15 miles per hour of lawful or posted  
 109 speed--3 points.

110           b. In excess of 15 miles per hour of lawful or posted  
111 speed--4 points.

112           6. All other moving violations (including parking on a  
113 highway outside the limits of a municipality)--3 points.  
114 However, no points shall be imposed for a violation of s.  
115 316.0741 or s. 316.2065(12).

116           7. Any moving violation covered above, excluding unlawful  
117 speed, resulting in a crash--4 points.

118           8. Any conviction under s. 403.413(5)(b)--3 points.

119           9. Any conviction under s. 316.081--4 points.

120           Section 5. The Department of Highway Safety and Motor  
121 Vehicles shall provide an educational awareness campaign  
122 informing the motoring public about the Road Rage Reduction Act.  
123 The department shall provide information about the Road Rage  
124 Reduction Act in all newly printed driver license educational  
125 materials after October 1, 2004, and in public service  
126 announcements produced in cooperation with the Florida Highway  
127 Patrol.

128           Section 6. This act shall take effect October 1, 2004.