

By the Committee on Transportation; and Senators Atwater and Bennett

306-2499-04

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

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16 Be It Enacted by the Legislature of the State of Florida:

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

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

25 Section 3. Section 316.081, Florida Statutes, is
26 amended to read:

27 316.081 Driving on right side of roadway;
28 exceptions.--

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

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

4 (b) When an obstruction exists making it necessary to
5 drive to the left of the center of the highway; provided any
6 person so doing shall yield the right-of-way to all vehicles
7 traveling in the proper direction upon the unobstructed
8 portion of the highway within such distance as to constitute
9 an immediate hazard;

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

12 (d) Upon a roadway designated and signposted for
13 one-way traffic.

14 (2) Upon a two-lane roadway providing for two-way
15 movement of traffic, a vehicle ~~Upon all roadways, any vehicle~~
16 ~~proceeding at less than the normal speed of traffic at the~~
17 ~~time and place and under the conditions then existing shall be~~
18 driven in the right-hand lane ~~then~~ available for traffic or as
19 close as practicable to the right-hand curb or edge of the
20 roadway, except when overtaking and passing another vehicle
21 proceeding in the same direction or when preparing for a left
22 turn at an intersection or into a private road or driveway.

23 (3) Upon any roadway having four or more lanes for
24 moving traffic and providing for two-way movement of traffic,
25 no vehicle shall be driven to the left of the centerline of
26 the roadway, except when authorized by official traffic
27 control devices designating certain lanes to the left side of
28 the center of the roadway for use by traffic not otherwise
29 permitted to use such lanes, or except as permitted under
30 paragraph (1)(b). However, this subsection shall not be
31 construed as prohibiting the crossing of the centerline in

1 making a left turn into or from an alley, private road, or
2 driveway.

3 (a) Upon a four-lane highway, an interstate highway,
4 or a highway with fully controlled access, or the Florida
5 Intrastate Highway System, a vehicle may not be driven in the
6 left-hand lane except when overtaking and passing another
7 vehicle.

8 (b) Paragraph (a) shall not apply:

9 1. When no other vehicle is directly behind the
10 vehicle in the left-hand lane;

11 2. When traffic conditions and congestion make it
12 impractical to drive in the right-hand lane;

13 3. When inclement weather conditions make it necessary
14 to drive in the left-hand lane;

15 4. When obstructions or hazards exist in the
16 right-hand lane;

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

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

23 7. To law enforcement vehicles, ambulances, and other
24 emergency vehicles engaged in official duties and vehicles
25 engaged in highway maintenance and construction operations.

26 (4) A violation of this section is a noncriminal
27 traffic infraction, punishable as a moving violation as
28 provided in chapter 318.

29 Section 4. Paragraph (d) of subsection (3) of section
30 322.27, Florida Statutes, is amended to read:

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1 322.27 Authority of department to suspend or revoke
2 license.--

3 (3) There is established a point system for evaluation
4 of convictions of violations of motor vehicle laws or
5 ordinances, and violations of applicable provisions of s.
6 403.413(6)(b) when such violations involve the use of motor
7 vehicles, for the determination of the continuing
8 qualification of any person to operate a motor vehicle. The
9 department is authorized to suspend the license of any person
10 upon showing of its records or other good and sufficient
11 evidence that the licensee has been convicted of violation of
12 motor vehicle laws or ordinances, or applicable provisions of
13 s. 403.413(6)(b), amounting to 12 or more points as determined
14 by the point system. The suspension shall be for a period of
15 not more than 1 year.

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

19 1. Reckless driving, willful and wanton--4 points.

20 2. Leaving the scene of a crash resulting in property
21 damage of more than \$50--6 points.

22 3. Unlawful speed resulting in a crash--6 points.

23 4. Passing a stopped school bus--4 points.

24 5. Unlawful speed:

25 a. Not in excess of 15 miles per hour of lawful or
26 posted speed--3 points.

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

29 6. All other moving violations (including parking on a
30 highway outside the limits of a municipality)--3 points.

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1 However, no points shall be imposed for a violation of s.
2 316.0741 or s. 316.2065(12).

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

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

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

7 Section 5. The Department of Highway Safety and Motor
8 Vehicles shall provide an educational awareness campaign
9 informing the motoring public about the Road Rage Reduction
10 Act. The department shall provide information about the Road
11 Rage Reduction Act in all newly printed driver license
12 educational materials after October 1, 2004, and in public
13 service announcements produced in cooperation with the Florida
14 Highway Patrol.

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

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17 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
18 COMMITTEE SUBSTITUTE FOR
19 Senate Bill 2700

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21 This CS provides a popular name for the act, which shall be
22 known as the "Road Rage Reduction Act." In addition, the
23 Department of Highway Safety and Motor Vehicles is required to
24 conduct a public awareness campaign to inform the motoring
25 public about the act, and utilize, in cooperation with the
26 Florida Highway Patrol, public service announcements.

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