

ENROLLED

HB 157, Engrossed 2

2005 Legislature

1 A bill to be entitled

2 An act relating to motor vehicles; providing a popular
3 name; creating the "Road Rage Reduction Act"; providing
4 legislative intent; amending s. 316.081, F.S.; requiring
5 operators of motor vehicles in the left-most lane to yield
6 the right-of-way to vehicles moving faster on certain
7 highways; requiring operators of motor vehicles to drive
8 in the right-hand lane on certain highways; providing
9 exceptions; providing penalties for violation; amending s.
10 322.27, F.S.; providing for the assessment of points for
11 violating specified provisions that require operators of
12 motor vehicles to drive on the right side of the road;
13 requiring the Department of Highway Safety and Motor
14 Vehicles to provide an educational awareness campaign;
15 providing a grace period when warnings and educational
16 literature may be issued; providing effective dates.

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

19
20 Section 1. This act may be cited as the "Road Rage
21 Reduction Act."

22 Section 2. It is the intent of the Legislature to decrease
23 the incidence of drivers interfering with the movement of
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. Effective January 1, 2006, section 316.081,
28 Florida Statutes, is amended to read:

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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; however, upon any
 42 | limited access roadway having two or more lanes for each
 43 | direction of travel, any vehicle driven in the left-most lane
 44 | shall yield the right-of-way to any vehicle traveling at a
 45 | higher speed by moving to the nearest lane to the right at the
 46 | first practicable and safe opportunity; or
 47 | (d) Upon a roadway designated and signposted for one-way
 48 | traffic.
 49 | (2) Upon a two-lane roadway providing for two-way movement
 50 | of traffic, a vehicle ~~all roadways, any vehicle proceeding at~~
 51 | ~~less than the normal speed of traffic at the time and place and~~
 52 | ~~under the conditions then existing~~ shall be driven in the right-
 53 | hand lane ~~then~~ available for traffic or as close as practicable
 54 | to the right-hand curb or edge of the roadway except when
 55 | overtaking and passing another vehicle proceeding in the same

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56 | direction or when preparing for a left turn at an intersection
 57 | or into a private road or driveway.

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

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

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

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

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

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

79 | 4. When obstructions or hazards exist in the right-hand
 80 | lane;

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

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

86 7. To law enforcement vehicles, ambulances, and other
 87 emergency vehicles engaged in official duties and vehicles
 88 engaged in highway maintenance and construction operations.

89 (4) A violation of this section is a noncriminal traffic
 90 infraction, punishable as a moving violation as provided in
 91 chapter 318.

92 Section 4. Paragraph (d) of subsection (3) of section
 93 322.27, Florida Statutes, is amended to read:

94 322.27 Authority of department to suspend or revoke
 95 license.--

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

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

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- 111 | 1. Reckless driving, willful and wanton--4 points.
- 112 | 2. Leaving the scene of a crash resulting in property
- 113 | damage of more than \$50--6 points.
- 114 | 3. Unlawful speed resulting in a crash--6 points.
- 115 | 4. Passing a stopped school bus--4 points.
- 116 | 5. Unlawful speed:
- 117 | a. Not in excess of 15 miles per hour of lawful or posted
- 118 | speed--3 points.
- 119 | b. In excess of 15 miles per hour of lawful or posted
- 120 | speed--4 points.
- 121 | 6. All other moving violations (including parking on a
- 122 | highway outside the limits of a municipality)--3 points.
- 123 | However, no points shall be imposed for a violation of s.
- 124 | 316.0741 or s. 316.2065(12).
- 125 | 7. Any moving violation covered above, excluding unlawful
- 126 | speed, resulting in a crash--4 points.
- 127 | 8. Any conviction under s. 403.413 (6) ~~(5)~~ (b)--3 points.
- 128 | 9. Any conviction under s. 316.081--3 points.

129 | Section 5. The Department of Highway Safety and Motor

130 | Vehicles shall provide an educational awareness campaign

131 | informing the motoring public about the Road Rage Reduction Act.

132 | The department shall provide information about the Road Rage

133 | Reduction Act in all newly printed driver license educational

134 | materials after July 1, 2005, and in public service

135 | announcements produced in cooperation with the Florida Highway

136 | Patrol.

137 | Section 6. Effective July 1, 2005, a driver of a motor

138 | vehicle who does not violate the then-existing provisions of

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139 section 316.081, Florida Statutes, but whose conduct would
140 violate those provisions as amended effective January 1, 2006,
141 may be issued a verbal warning and given educational literature
142 regarding the changes in this act by a law enforcement officer.

143 Section 7. Except as otherwise provided herein, this act
144 shall take effect July 1, 2005.