

Bill No. CS for SB 732

Barcode 134694

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following amendment:

Senate Amendment (with title amendment)

On page 1, line 27, through
page 5, line 23, delete those lines

and insert:

Section 3. Effective January 1, 2006, section 316.081,
Florida Statutes, is amended to read:

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

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

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

(b) When an obstruction exists making it necessary to
drive to the left of the center of the highway; provided any
person so doing shall yield the right-of-way to all vehicles
traveling in the proper direction upon the unobstructed

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1 portion of the highway within such distance as to constitute
2 an immediate hazard;

3 (c) Upon a roadway divided into three marked lanes for
4 traffic under the rules applicable thereon. However, upon any
5 limited access roadway having two or more lanes for each
6 direction of travel, any vehicle driven in the left-most lane
7 shall yield right-of-way to any vehicle traveling at a higher
8 speed by moving to the nearest lane to the right at the first
9 practicable and safe opportunity; or

10 (d) Upon a roadway designated and signposted for
11 one-way traffic.

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

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

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

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

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

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

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

13 4. When obstructions or hazards exist in the
14 right-hand lane;

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

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

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

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

27 Section 4. Paragraph (d) of subsection (3) of section
28 322.27, Florida Statutes, is amended to read:

29 322.27 Authority of department to suspend or revoke
30 license.--

31 (3) There is established a point system for evaluation

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

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

- 16 1. Reckless driving, willful and wanton--4 points.
- 17 2. Leaving the scene of a crash resulting in property
 18 damage of more than \$50--6 points.
- 19 3. Unlawful speed resulting in a crash--6 points.
- 20 4. Passing a stopped school bus--4 points.
- 21 5. Unlawful speed:
 - 22 a. Not in excess of 15 miles per hour of lawful or
 23 posted speed--3 points.
 - 24 b. In excess of 15 miles per hour of lawful or posted
 25 speed--4 points.
- 26 6. All other moving violations (including parking on a
 27 highway outside the limits of a municipality)--3 points.
- 28 However, no points shall be imposed for a violation of s.
 29 316.0741 or s. 316.2065(12).
- 30 7. Any moving violation covered above, excluding
 31 unlawful speed, resulting in a crash--4 points.

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1 8. Any conviction under s. 403.413(6)(b) ~~s.~~

2 ~~403.413(5)(b)~~--3 points.

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

4 Section 5. The Department of Highway Safety and Motor
5 Vehicles shall provide an educational awareness campaign
6 informing the motoring public about the Road Rage Reduction
7 Act. The department shall provide information about the Road
8 Rage Reduction Act in all newly printed driver license
9 educational materials after October 1, 2005, and in public
10 service announcements produced in cooperation with the Florida
11 Highway Patrol.

12 Section 6. Effective July 1, 2005, a driver of a motor
13 vehicle who does not violate the then-existing provisions of
14 section 316.081, Florida Statutes, but whose conduct would
15 violate those provisions as amended effective January 1, 2006,
16 may be issued a verbal warning and given educational
17 literature regarding the changes in this act by a law
18 enforcement officer.

19 Section 7. Except as otherwise expressly provided in
20 this act, this act shall take effect July 1, 2005.

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23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 On page 1, line 15, after the semicolon,

26

27 insert:

28 providing a grace period when warnings and
29 educational literature may be issued by a law
30 enforcement officer;

31