

By Senator Bennett

21-749-05

See HB 157

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A bill to be entitled

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

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

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

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

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

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

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

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

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

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

15 (d) Upon a roadway designated and signposted for
16 one-way traffic.

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

26 (3) Upon any roadway having four or more lanes for
27 moving traffic and providing for two-way movement of traffic,
28 no vehicle shall be driven to the left of the centerline of
29 the roadway, except when authorized by official traffic
30 control devices designating certain lanes to the left side of
31 the center of the roadway for use by traffic not otherwise

1 | permitted to use such lanes, or except as permitted under
2 | paragraph (1)(b). However, this subsection shall not be
3 | construed as prohibiting the crossing of the centerline in
4 | making a left turn into or from an alley, private road, or
5 | driveway.

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

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

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

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

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

18 | 4. When obstructions or hazards exist in the
19 | right-hand lane;

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

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

26 | 7. To law enforcement vehicles, ambulances, and other
27 | emergency vehicles engaged in official duties and vehicles
28 | engaged in highway maintenance and construction operations.

29 | (4) A violation of this section is a noncriminal
30 | traffic infraction, punishable as a moving violation as
31 | provided in chapter 318.

1 Section 4. Paragraph (d) of subsection (3) of section
2 322.27, Florida Statutes, is amended to read:

3 322.27 Authority of department to suspend or revoke
4 license.--

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

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

- 21 1. Reckless driving, willful and wanton--4 points.
- 22 2. Leaving the scene of a crash resulting in property
23 damage of more than \$50--6 points.
- 24 3. Unlawful speed resulting in a crash--6 points.
- 25 4. Passing a stopped school bus--4 points.
- 26 5. Unlawful speed:
 - 27 a. Not in excess of 15 miles per hour of lawful or
28 posted speed--3 points.
 - 29 b. In excess of 15 miles per hour of lawful or posted
30 speed--4 points.

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1 6. All other moving violations (including parking on a
2 highway outside the limits of a municipality)--3 points.
3 However, no points shall be imposed for a violation of s.
4 316.0741 or s. 316.2065(12).

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

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

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

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

17 Section 6. This act shall take effect October 1, 2005.
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