

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

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

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

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

25 Section 3. Effective January 1, 2007, section 316.081,
 26 Florida Statutes, is amended to read:

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

28 (1) Upon all roadways of sufficient width, a vehicle shall

29 | be driven upon the right half of the roadway, except as follows:

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

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

38 | (c) Upon a roadway divided into three marked lanes for
39 | traffic under the rules applicable thereon. However, upon any
40 | limited access roadway having two or more lanes for each
41 | direction of travel, any vehicle driven in the left-most lane
42 | shall yield right-of-way to any vehicle traveling at a higher
43 | speed by moving to the nearest lane to the right at the first
44 | practicable and safe opportunity; or

45 | (d) Upon a roadway designated and signposted for one-way
46 | traffic.

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

56 | (3) Upon any roadway having four or more lanes for moving

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

66 (a) A vehicle may not be driven in the left-hand lane of a
67 four-lane highway, an interstate highway, a highway with fully
68 controlled access, or a highway that is part of the Florida
69 Intrastate Highway System except when overtaking and passing
70 another vehicle.

71 (b) Paragraph (a) does not apply:

72 1. When another vehicle is not directly behind the vehicle
73 in the left-hand lane;

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

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

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

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

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

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

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

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

93 322.27 Authority of department to suspend or revoke
 94 license.--

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

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

- 110 1. Reckless driving, willful and wanton--4 points.
- 111 2. Leaving the scene of a crash resulting in property
 112 damage of more than \$50--6 points.

- 113 3. Unlawful speed resulting in a crash--6 points.
- 114 4. Passing a stopped school bus--4 points.
- 115 5. Unlawful speed:
 - 116 a. Not in excess of 15 miles per hour of lawful or posted
 - 117 speed--3 points.
 - 118 b. In excess of 15 miles per hour of lawful or posted
 - 119 speed--4 points.
- 120 6. A violation of a traffic control signal device as
- 121 provided in s. 316.074(1) or s. 316.075(1)(c)1.--4 points.
- 122 7. All other moving violations (including parking on a
- 123 highway outside the limits of a municipality)--3 points.
- 124 However, no points shall be imposed for a violation of s.
- 125 316.0741 or s. 316.2065(12).
- 126 8. Any moving violation covered above, excluding unlawful
- 127 speed, resulting in a crash--4 points.
- 128 9. Any conviction under s. 403.413(6)(b)--3 points.
- 129 10. Any conviction under s. 316.0775(2)--4 points.
- 130 11. Any conviction under s. 316.081--4 points.

131 Section 5. The Department of Highway Safety and Motor

132 Vehicles shall provide an educational awareness campaign

133 informing the motoring public about the Road Rage Reduction Act.

134 The department shall provide information about the Road Rage

135 Reduction Act in all newly printed driver's license educational

136 materials after October 1, 2006, and in public service

137 announcements produced in cooperation with the Florida Highway

138 Patrol.

139 Section 6. Effective July 1, 2006, a driver of a motor

140 vehicle who does not violate the then-existing provisions of s.

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141 316.081, Florida Statutes, but whose conduct would violate those
142 provisions as amended effective January 1, 2007, may be issued a
143 verbal warning and given educational literature regarding the
144 changes in this act by a law enforcement officer.

145 Section 7. Except as otherwise expressly provided in this
146 act, this act shall take effect July 1, 2006.