

By Senator Bennett

21-300-06

1 A bill to be entitled

2 An act relating to motor vehicles; providing

3 legislative intent; amending s. 316.081, F.S.;

4 requiring operators of motor vehicles to drive

5 in the right-hand lane on certain highways;

6 providing exceptions; providing penalties for

7 violations; amending s. 322.27, F.S.; providing

8 for the assessment of points for violating

9 specified provisions that require operators of

10 motor vehicles to drive on the right side of

11 the road; requiring the Department of Highway

12 Safety and Motor Vehicles to provide an

13 educational awareness campaign; providing a

14 grace period when warnings and educational

15 literature may be issued by a law enforcement

16 officer; providing an effective date.

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

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

23 reduce the incidence of drivers' interfering with the movement

24 of traffic, to reduce road rage and aggressive driving, to

25 minimize crashes, and to promote the orderly, free flow of

26 traffic on the roads and highways of the state.

27 Section 3. Effective January 1, 2007, section 316.081,

28 Florida Statutes, is amended to read:

29 316.081 Driving on right side of roadway;

30 exceptions.--

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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. However, upon any
15 limited access roadway having two or more lanes for each
16 direction of travel, any vehicle driven in the left-most lane
17 shall yield right-of-way to any vehicle traveling at a higher
18 speed by moving to the nearest lane to the right at the first
19 practicable and safe opportunity; or

20 (d) Upon a roadway designated and signposted for
21 one-way traffic.

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

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1 (3) Upon any roadway having four or more lanes for
2 moving traffic and providing for two-way movement of traffic,
3 no vehicle shall be driven to the left of the centerline of
4 the roadway, except when authorized by official traffic
5 control devices designating certain lanes to the left side of
6 the center of the roadway for use by traffic not otherwise
7 permitted to use such lanes, or except as permitted under
8 paragraph (1)(b). However, this subsection shall not be
9 construed as prohibiting the crossing of the centerline in
10 making a left turn into or from an alley, private road, or
11 driveway.

12 (a) A vehicle may not be driven in the left-hand lane
13 of a four-lane highway, an interstate highway, a highway with
14 fully controlled access, or the Florida Intrastate Highway
15 System except when overtaking and passing another vehicle.

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

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

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

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

23 4. When obstructions or hazards exist in the
24 right-hand lane;

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

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

30 or

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1 7. To law enforcement vehicles, ambulances, and other
2 emergency vehicles engaged in official duties and vehicles
3 engaged in highway maintenance and construction operations.

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

7 Section 4. Paragraph (d) of subsection (3) of section
8 322.27, Florida Statutes, is amended to read:

9 322.27 Authority of department to suspend or revoke
10 license.--

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

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

- 27 1. Reckless driving, willful and wanton--4 points.
28 2. Leaving the scene of a crash resulting in property
29 damage of more than \$50--6 points.
30 3. Unlawful speed resulting in a crash--6 points.
31 4. Passing a stopped school bus--4 points.

- 1 5. Unlawful speed:
- 2 a. Not in excess of 15 miles per hour of lawful or
- 3 posted speed--3 points.
- 4 b. In excess of 15 miles per hour of lawful or posted
- 5 speed--4 points.
- 6 6. A violation of a traffic control signal device as
- 7 provided in s. 316.074(1) or s. 316.075(1)(c)1.--4 points.
- 8 7. All other moving violations (including parking on a
- 9 highway outside the limits of a municipality)--3 points.
- 10 However, no points shall be imposed for a violation of s.
- 11 316.0741 or s. 316.2065(12).
- 12 8. Any moving violation covered above, excluding
- 13 unlawful speed, resulting in a crash--4 points.
- 14 9. Any conviction under s. 403.413(6)(b)--3 points.
- 15 10. Any conviction under s. 316.0775(2)--4 points.
- 16 11. Any conviction under s. 316.081--4 points.
- 17 Section 5. The Department of Highway Safety and Motor
- 18 Vehicles shall provide an educational awareness campaign
- 19 informing the motoring public about the Road Rage Reduction
- 20 Act. The department shall provide information about the Road
- 21 Rage Reduction Act in all newly printed driver's license
- 22 educational materials after October 1, 2006, and in public
- 23 service announcements produced in cooperation with the Florida
- 24 Highway Patrol.
- 25 Section 6. Effective July 1, 2006, a driver of a motor
- 26 vehicle who does not violate the then-existing provisions of
- 27 s. 316.081, Florida Statutes, but whose conduct would violate
- 28 those provisions as amended effective January 1, 2007, may be
- 29 issued a verbal warning and given educational literature
- 30 regarding the changes in this act by a law enforcement
- 31 officer.

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

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5 SENATE SUMMARY

6 Requires operators of motor vehicles to drive in the
7 right-hand lane on certain highways. Provides penalties
8 for violations. Provides for assessing points for
9 violating specified provisions that require operators of
10 motor vehicles to drive on the right side of the road.
11 Requires that the Department of Highway Safety and Motor
12 Vehicles provide an educational awareness campaign.
13 Provides a grace period when warnings and educational
14 literature may be issued by a law enforcement officer.
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