

SB 1054

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/13/2013	.	
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The Committee on Transportation (Clemens) recommended the following:

**Senate Amendment (with title amendment)**

Before line 16  
insert:

Section 1. Section 2 through Section 6 of this act may be cited as the "Florida Highway Safety Act."

Section 2. The intent of the Legislature is to reduce road rage and traffic congestion by reducing the incidence of crashes and driver interference with the movement of traffic and by promoting the orderly, free flow of traffic on the roads and highways of this state.

Section 3. Subsection (91) is added to section 316.003,

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13 Florida Statutes, to read:

14 316.003 Definitions.—The following words and phrases, when  
15 used in this chapter, shall have the meanings respectively  
16 ascribed to them in this section, except where the context  
17 otherwise requires:

18 (91) ROAD RAGE.—The intentional or unintentional act of a  
19 driver or passenger, attributable to a loss of emotional  
20 control, which injures or kills another driver, passenger,  
21 bicyclist, or pedestrian, or in which the driver or passenger  
22 attempts or threatens to injure or kill another driver,  
23 passenger, bicyclist, or pedestrian.

24 Section 4. Present subsection (3) of section 316.083,  
25 Florida Statutes, is redesignated as subsection (4), and a new  
26 subsection (3) is added to that section, to read:

27 316.083 Overtaking and passing a vehicle.—The following  
28 rules shall govern the overtaking and passing of vehicles  
29 proceeding in the same direction, subject to those limitations,  
30 exceptions, and special rules hereinafter stated:

31 (3) (a) On a road, street, or highway that has two or more  
32 lanes that allow movement in the same direction, a driver may  
33 not continue to operate a motor vehicle in the furthestmost left-  
34 hand lane if the driver knows, or reasonably should know, that  
35 he or she is being overtaken in that lane from the rear by a  
36 motor vehicle traveling at a higher rate of speed.

37 (b) Paragraph (a) does not apply to a driver operating a  
38 motor vehicle in the furthestmost left-hand lane if:

39 1. The driver is in the process of overtaking a slower  
40 motor vehicle in the adjacent right-hand lane for the purpose of  
41 passing the slower vehicle before moving to the adjacent right-

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42 hand lane;

43 2. Conditions preclude the driver from moving to the  
44 adjacent right-hand lane;

45 3. The driver's movement to the adjacent right-hand lane  
46 could endanger the driver or other drivers;

47 4. The driver is directed by a law enforcement officer,  
48 road sign, or road crew to remain in the furthestmost left-hand  
49 lane; or

50 5. The driver is preparing to make a left turn.

51 Section 5. For the purpose of incorporating the amendment  
52 made by this act to section 316.083, Florida Statutes, in a  
53 reference thereto, section 316.1923, Florida Statutes, is  
54 reenacted to read:

55 316.1923 Aggressive careless driving.—“Aggressive careless  
56 driving” means committing two or more of the following acts  
57 simultaneously or in succession:

58 (1) Exceeding the posted speed as defined in s.

59 322.27(3)(d)5.b.

60 (2) Unsafely or improperly changing lanes as defined in s.  
61 316.085.

62 (3) Following another vehicle too closely as defined in s.  
63 316.0895(1).

64 (4) Failing to yield the right-of-way as defined in s.  
65 316.079, s. 316.0815, or s. 316.123.

66 (5) Improperly passing as defined in s. 316.083, s.  
67 316.084, or s. 316.085.

68 (6) Violating traffic control and signal devices as defined  
69 in ss. 316.074 and 316.075.

70 Section 6. The Department of Highway Safety and Motor

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71 Vehicles shall provide information about the Florida Highway  
72 Safety Act in all driver license educational materials that are  
73 newly printed on or after October 1, 2013.

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

76 And the title is amended as follows:

77 Delete lines 2 - 3

78 and insert:

79 An act relating to the Department of Highway Safety  
80 and Motor Vehicles; providing a short title; providing  
81 legislative intent relating to road rage and traffic  
82 congestion; amending s. 316.003, F.S.; defining the  
83 term "road rage"; amending s. 316.083, F.S.; requiring  
84 that an operator of a motor vehicle yield the  
85 furthestmost left-hand lane when being overtaken on a  
86 multilane highway; providing exceptions; reenacting s.  
87 316.1923, F.S., relating to aggressive careless  
88 driving, to incorporate the amendments made to s.  
89 316.083, F.S., in a reference thereto; requiring that  
90 the Department of Highway Safety and Motor Vehicles  
91 provide information about the act in driver license  
92 educational materials that are newly published on or  
93 after a specified date; amending s. 316.302, F.S.;