

By Senator Clemens

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1 A bill to be entitled
2 An act relating to motor vehicles; providing a short
3 title; providing legislative intent relating to road
4 rage and traffic congestion; amending s. 316.003,
5 F.S.; defining the term "road rage"; amending s.
6 316.083, F.S.; requiring that an operator of a motor
7 vehicle yield the furthestmost left-hand lane when
8 being overtaken on a multilane highway; providing
9 exceptions; reenacting s. 316.1923, F.S., relating to
10 aggressive careless driving, to incorporate the
11 amendments made to s. 316.083, F.S., in a reference
12 thereto; requiring that the Department of Highway
13 Safety and Motor Vehicles provide information about
14 the act in driver license educational materials that
15 are newly published on or after a specified date;
16 providing an effective date.

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

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20 Section 1. This act may be cited as the "Florida Highway
21 Safety Act."

22 Section 2. The intent of the Legislature is to reduce road
23 rage and traffic congestion by reducing the incidence of crashes
24 and drivers' interferences with the movement of traffic and by
25 promoting the orderly, free flow of traffic on the roads and
26 highways of the state.

27 Section 3. Subsection (91) is added to section 316.003,
28 Florida Statutes, to read:

29 316.003 Definitions.—The following words and phrases, when

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30 used in this chapter, shall have the meanings respectively
31 ascribed to them in this section, except where the context
32 otherwise requires:

33 (91) ROAD RAGE.—The act of a driver or passenger to
34 intentionally or unintentionally, due to a loss of emotional
35 control, injure or kill another driver, passenger, bicyclist, or
36 pedestrian, or to attempt or threaten to injure or kill another
37 driver, passenger, bicyclist, or pedestrian.

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

41 316.083 Overtaking and passing a vehicle.—The following
42 rules shall govern the overtaking and passing of vehicles
43 proceeding in the same direction, subject to those limitations,
44 exceptions, and special rules hereinafter stated:

45 (3) (a) On a road, street, or highway having two or more
46 lanes that allow movement in the same direction, a driver may
47 not continue to operate a motor vehicle in the furthestmost left-
48 hand lane if the driver knows, or reasonably should know, that
49 he or she is being overtaken in that lane from the rear by a
50 motor vehicle traveling at a higher rate of speed.

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

53 1. The driver is in the process of overtaking a slower
54 motor vehicle in the adjacent right-hand lane for the purpose of
55 passing the slower vehicle before moving to the adjacent right-
56 hand lane;

57 2. Conditions preclude the driver from moving to the
58 adjacent right-hand lane;

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

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

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

65 Section 5. For the purpose of incorporating the amendment
66 made by this act to section 316.083, Florida Statutes, in a
67 reference thereto, section 316.1923, Florida Statutes, is
68 reenacted to read:

69 316.1923 Aggressive careless driving.—“Aggressive careless
70 driving” means committing two or more of the following acts
71 simultaneously or in succession:

72 (1) Exceeding the posted speed as defined in s.
73 322.27(3)(d)5.b.

74 (2) Unsafely or improperly changing lanes as defined in s.
75 316.085.

76 (3) Following another vehicle too closely as defined in s.
77 316.0895(1).

78 (4) Failing to yield the right-of-way as defined in s.
79 316.079, s. 316.0815, or s. 316.123.

80 (5) Improperly passing as defined in s. 316.083, s.
81 316.084, or s. 316.085.

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

84 Section 6. The Department of Highway Safety and Motor
85 Vehicles shall provide information about the Florida Highway
86 Safety Act in all driver license educational materials that are
87 newly printed on or after October 1, 2013.

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Section 7. This act shall take effect October 1, 2013.