

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Transportation & Highway  
 2 Safety Subcommittee  
 3 Representative Raschein offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Subsections (92) and (93) are added to section  
 316.003, Florida Statutes, to read:

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

(92) SANITATION VEHICLE.—A motor vehicle that bears an  
 emblem that is visible from the roadway and clearly identifies  
 that the vehicle belongs to or is under contract with a person,  
 entity, cooperative, board, commission, district, or unit of

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17 local government that provides garbage, trash, refuse, or  
18 recycling collection.

19 (93) UTILITY SERVICE VEHICLE.—A motor vehicle that bears  
20 an emblem that is visible from the roadway and clearly  
21 identifies that the vehicle belongs to or is under contract with  
22 a person, entity, cooperative, board, commission, district, or  
23 unit of local government that provides electric, natural gas,  
24 water, wastewater, cable, telephone, or communications services.

25 Section 2. Section 316.126, Florida Statutes, is amended  
26 to read:

27 316.126 Operation of vehicles and actions of pedestrians  
28 on approach of an authorized emergency, sanitation, or utility  
29 service vehicle.—

30 (1) (a) Upon the immediate approach of an authorized  
31 emergency vehicle, while en route to meet an existing emergency,  
32 the driver of every other vehicle shall, when such emergency  
33 vehicle is giving audible signals by siren, exhaust whistle, or  
34 other adequate device, or visible signals by the use of  
35 displayed blue or red lights, yield the right-of-way to the  
36 emergency vehicle and shall immediately proceed to a position  
37 parallel to, and as close as reasonable to the closest edge of  
38 the curb of the roadway, clear of any intersection and shall  
39 stop and remain in position until the authorized emergency  
40 vehicle has passed, unless otherwise directed by a ~~any~~ law  
41 enforcement officer.

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42 (b) ~~If when~~ an authorized emergency vehicle displaying  
43 ~~making use of~~ any visual signals is parked on the roadside, a  
44 sanitation vehicle is performing a task related to the provision  
45 of sanitation services on the roadside, a utility service  
46 vehicle is performing a task related to the provision of utility  
47 services on the roadside, or a wrecker displaying amber rotating  
48 or flashing lights is performing a recovery or loading on the  
49 roadside, the driver of every other vehicle, as soon as it is  
50 safe:

51 1. Shall vacate the lane closest to the emergency vehicle,  
52 sanitation vehicle, utility service vehicle, or wrecker when  
53 driving on an interstate highway or other highway with two or  
54 more lanes traveling in the direction of the emergency vehicle,  
55 sanitation vehicle, utility service vehicle, or wrecker, except  
56 when otherwise directed by a law enforcement officer. If such  
57 movement cannot be safely accomplished, the driver shall reduce  
58 speed as provided in subparagraph 2.

59 2. Shall slow to a speed that is 20 miles per hour less  
60 than the posted speed limit when the posted speed limit is 25  
61 miles per hour or greater; or travel at 5 miles per hour when  
62 the posted speed limit is 20 miles per hour or less, when  
63 driving on a two-lane road, except when otherwise directed by a  
64 law enforcement officer.

65 (c) The Department of Highway Safety and Motor Vehicles  
66 shall provide an educational awareness campaign informing the  
67 motoring public about the Move Over Act. The department shall

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68 provide information about the Move Over Act in all newly printed  
69 driver ~~driver's~~ license educational materials ~~after July 1,~~  
70 ~~2002.~~

71

72 This section does not relieve the driver of an authorized  
73 emergency vehicle from the duty to drive with due regard for the  
74 safety of all persons using the highway.

75 (2) Every pedestrian using the road right-of-way shall  
76 yield the right-of-way until the authorized emergency vehicle  
77 has passed, unless otherwise directed by a law enforcement ~~any~~  
78 ~~police~~ officer.

79 (3) An ~~Any~~ authorized emergency vehicle, when en route to  
80 meet an existing emergency, shall warn all other vehicular  
81 traffic along the emergency route by an audible signal, siren,  
82 exhaust whistle, or other adequate device or by a visible signal  
83 by the use of displayed blue or red lights. While en route to  
84 such emergency, the emergency vehicle shall otherwise proceed in  
85 a manner consistent with the laws regulating vehicular traffic  
86 upon the highways of this state.

87 (4) This section does not ~~Nothing herein contained shall~~  
88 diminish or enlarge any rules of evidence or liability in any  
89 case involving the operation of an emergency vehicle.

90 (5) This section does ~~shall~~ not ~~operate to~~ relieve the  
91 driver of an authorized emergency vehicle from the duty to drive  
92 with due regard for the safety of all persons using the highway.

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93 (6) A violation of this section is a noncriminal traffic  
94 infraction, punishable pursuant to chapter 318 as either a  
95 moving violation for infractions of subsection (1) or subsection  
96 (3), or as a pedestrian violation for infractions of subsection  
97 (2).

98 Section 3. This act shall take effect July 1, 2014.  
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102 **T I T L E A M E N D M E N T**

103 Remove everything before the enacting clause and insert:  
104 An act relating to the Move Over Act; amending s. 316.003, F.S.;  
105 defining the term "utility service vehicle"; defining the term  
106 "sanitation vehicle"; amending s. 316.126, F.S.; requiring a  
107 driver to move over for a utility service vehicle on the  
108 roadside under certain circumstances; requiring a driver to move  
109 over for a utility service vehicle on the roadside performing a  
110 task related to the provision of utility services; making  
111 technical changes; providing an effective date