

1 A bill to be entitled
 2 An act relating to the Move Over Act; amending s.
 3 316.003, F.S.; defining the term "utility service
 4 vehicle"; amending s. 316.126, F.S.; requiring a
 5 driver to move over for a utility service vehicle on
 6 the roadside under certain circumstances; making
 7 technical changes; providing an effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Subsection (92) is added to section 316.003,
 12 Florida Statutes, to read:

13 316.003 Definitions.—The following words and phrases, when
 14 used in this chapter, shall have the meanings respectively
 15 ascribed to them in this section, except where the context
 16 otherwise requires:

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

23 Section 2. Section 316.126, Florida Statutes, is amended
 24 to read:

25 316.126 Operation of vehicles and actions of pedestrians
 26 on approach of an authorized emergency or utility service

27 vehicle.-

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

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

47 1. Shall vacate the lane closest to the emergency vehicle,
48 utility service vehicle, or wrecker when driving on an
49 interstate highway or other highway with two or more lanes
50 traveling in the direction of the emergency vehicle, utility
51 service vehicle, or wrecker, except when otherwise directed by a
52 law enforcement officer. If such movement cannot be safely

53 | accomplished, the driver shall reduce speed as provided in
 54 | subparagraph 2.

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

61 | (c) The Department of Highway Safety and Motor Vehicles
 62 | shall provide an educational awareness campaign informing the
 63 | motoring public about the Move Over Act. The department shall
 64 | provide information about the Move Over Act in all newly printed
 65 | driver ~~driver's~~ license educational materials ~~after July 1,~~
 66 | ~~2002.~~

67 |
 68 | ~~This section does not relieve the driver of an authorized~~
 69 | ~~emergency vehicle from the duty to drive with due regard for the~~
 70 | ~~safety of all persons using the highway.~~

71 | (2) Every pedestrian using the road right-of-way shall
 72 | yield the right-of-way until the authorized emergency vehicle
 73 | has passed, unless otherwise directed by a law enforcement ~~any~~
 74 | ~~police~~ officer.

75 | (3) An ~~Any~~ authorized emergency vehicle, when en route to
 76 | meet an existing emergency, shall warn all other vehicular
 77 | traffic along the emergency route by an audible signal, siren,
 78 | exhaust whistle, or other adequate device or by a visible signal

79 | by the use of displayed blue or red lights. While en route to
80 | such emergency, the emergency vehicle shall otherwise proceed in
81 | a manner consistent with the laws regulating vehicular traffic
82 | upon the highways of this state.

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

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

89 | (6) A violation of this section is a noncriminal traffic
90 | infraction, punishable pursuant to chapter 318 as either a
91 | moving violation for infractions of subsection (1) or subsection
92 | (3), or as a pedestrian violation for infractions of subsection
93 | (2).

94 | Section 3. This act shall take effect July 1, 2014.