

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WITHDRAWN	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: Commerce Committee  
2 Representative Hunschofsky offered the following:

**Amendment (with title amendment)**

Remove lines 57-237 and insert:

Section 2. Section 316.083, Florida Statutes, is amended to read:

316.083 Overtaking and passing a vehicle, a bicycle or other nonmotorized vehicle or an electric bicycle.—The following rules shall govern the overtaking and passing of vehicles, bicycles and other nonmotorized vehicles and electric bicycles, ~~proceeding in the same direction,~~ subject to those limitations, exceptions, and special rules hereinafter stated:

(1) The driver of a vehicle overtaking another vehicle proceeding in the same direction must ~~shall~~ give an appropriate signal as provided for in s. 316.156, must ~~shall~~ pass to the

Amendment No. 1

17 left thereof at a safe distance, and must ~~shall~~ not again drive  
18 to the right side of the roadway until safely clear of the  
19 overtaken vehicle.

20 (2) The driver of a vehicle overtaking a bicycle or other  
21 nonmotorized vehicle or an electric bicycle occupying the same  
22 travel lane must pass the bicycle or other nonmotorized vehicle  
23 or electric bicycle at a safe distance of not less than 3 feet  
24 or, if such movement cannot be safely accomplished, must remain  
25 at a safe distance behind the bicycle or other nonmotorized  
26 vehicle or electric bicycle until the driver can safely pass at  
27 a distance of not less than 3 feet and must safely clear the  
28 overtaken bicycle or other nonmotorized vehicle or electric  
29 bicycle.

30 (3) The driver of a vehicle overtaking a bicycle or other  
31 nonmotorized vehicle, or an electric bicycle, occupying a  
32 bicycle lane must pass the bicycle, other nonmotorized vehicle,  
33 or electric bicycle at a safe distance of not less than 3 feet  
34 between the vehicle and the bicycle, other nonmotorized vehicle,  
35 or electric bicycle.

36 (4) Subsections (2) and (3) do not apply when a bicycle or  
37 other nonmotorized vehicle, or an electric bicycle, occupies a  
38 separated bicycle lane.

39 (5)~~(2)~~ Except when overtaking and passing on the right is  
40 permitted, the driver of an overtaken vehicle must ~~shall~~ give  
41 way to the right in favor of the overtaking vehicle, on audible

Amendment No. 1

42 | signal or upon the visible blinking of the headlamps of the  
43 | overtaking vehicle if such overtaking is being attempted at  
44 | nighttime, and must ~~shall~~ not increase the speed of his or her  
45 | vehicle until completely passed by the overtaking vehicle.

46 | (6)(3) A person who violates ~~violation of~~ this section  
47 | commits ~~is~~ a noncriminal traffic infraction, punishable as a  
48 | moving violation as provided in chapter 318.

49 | (7) The department must provide an annual awareness and  
50 | safety campaign informing the public about the safety  
51 | precautions to be taken when overtaking a bicycle or other  
52 | nonmotorized vehicle, or an electric bicycle.

53 | Section 3. Section 316.0875, Florida Statutes, is amended  
54 | to read:

55 | 316.0875 No-passing zones.—

56 | (1) The Department of Transportation and local authorities  
57 | may ~~are authorized to~~ determine those portions of any highway  
58 | under their respective jurisdictions ~~jurisdiction~~ where  
59 | overtaking and passing or driving to the left of the roadway  
60 | would be especially hazardous and may, by appropriate signs or  
61 | markings on the roadway, indicate the beginning and end of such  
62 | zones. ~~and~~ When such signs or markings are in place and clearly  
63 | visible to an ordinarily observant person, a ~~every~~ driver of a  
64 | vehicle must ~~shall~~ obey the directions thereof.

65 | (2) Where signs or markings are in place to define a no-  
66 | passing zone as set forth in subsection (1), a ~~no~~ driver may

Amendment No. 1

67 not, shall at any time, drive on the left side of the roadway  
68 within ~~with~~ such no-passing zone or on the left side of any  
69 pavement striping designed to mark such no-passing zone  
70 throughout its length.

71 (3) This section does not apply to a driver who safely and  
72 briefly drives to the left of the center of the roadway only to  
73 the extent necessary to:

74 (a) Avoid ~~when~~ an obstruction;

75 (b) Turn ~~exists making it necessary to drive to the left~~  
76 ~~of the center of the highway, nor to the driver of a vehicle~~  
77 ~~turning~~ left into or from an alley, a private road, or a  
78 driveway; or

79 (c) Overtake and pass a bicycle or other nonmotorized  
80 vehicle or an electric bicycle pursuant to s. 316.083(2) or (3).

81 (4) A person who violates ~~violation of~~ this section  
82 commits ~~is~~ a noncriminal traffic infraction, punishable as a  
83 moving violation as provided in chapter 318.

84 Section 4. Section 316.151, Florida Statutes, is amended  
85 to read:

86 316.151 Required position and method of turning at  
87 intersections.—

88 (1) (a) Right turn.—The driver of a vehicle intending to  
89 turn right at an intersection onto a highway, public or private  
90 roadway, or driveway must ~~shall do so as follows:~~

91 1.(a) Make Right turn.—both the approach for a right turn

Amendment No. 1

92 and a right turn ~~shall be made~~ as close as practicable to the  
93 right-hand curb or edge of the roadway.

94 2. When overtaking and passing a bicycle proceeding in the  
95 same direction, give an appropriate signal as provided for in s.  
96 316.156 and make the right turn only if the bicycle is at least  
97 20 feet from the intersection, and is of such a distance that  
98 the driver of a vehicle may safely turn.

99 (b) Left turn.—

100 1. The driver of a vehicle intending to turn left at an  
101 any intersection onto a highway, public or private roadway, or  
102 driveway must ~~shall~~ approach the intersection in the extreme  
103 left-hand lane lawfully available to traffic moving in the  
104 direction of travel of such vehicle, and must make, ~~after~~  
105 ~~entering the intersection,~~ the left turn ~~shall be made~~ so as to  
106 leave the intersection in a lane lawfully available to traffic  
107 moving in such direction upon the roadway being entered.

108 2. A person riding a bicycle and intending to turn left in  
109 accordance with this section is entitled to the full use of the  
110 lane from which the turn may legally be made. The person must:

111 a. Whenever practicable, make the left turn ~~shall be made~~  
112 in that portion of the intersection to the left of the center of  
113 the intersection; or.

114 ~~(c) Left turn by bicycle. In addition to the method of~~  
115 ~~making a left turn described in paragraph (b), a person riding a~~  
116 ~~bicycle and intending to turn left has the option of following~~

Amendment No. 1

117 ~~the course described hereafter: The rider shall~~

118 b. Approach the turn as close as practicable to the right  
119 curb or edge of the roadway; after proceeding across the  
120 intersecting roadway, make the turn ~~shall be made~~ as close as  
121 practicable to the curb or edge of the roadway on the far side  
122 of the intersection; and, before proceeding, ~~the bicyclist shall~~  
123 comply with any official traffic control device or police  
124 officer regulating traffic on the highway along which the person  
125 ~~bicyclist~~ intends to proceed.

126 (2) The state, county, and local authorities in their  
127 respective jurisdictions may cause official traffic control  
128 devices to be placed within or adjacent to intersections and  
129 thereby require and direct that a different course from that  
130 specified in this section be traveled by vehicles turning at an  
131 intersection. When such devices are so placed, a ~~no~~ driver of a  
132 vehicle may not turn a vehicle at an intersection other than as  
133 directed and required by such devices.

134 (3) A person who violates ~~violation of~~ this section  
135 commits ~~is~~ a noncriminal traffic infraction, punishable as a  
136 moving violation as provided in chapter 318.

137 Section 5. Subsections (5), (6), and (19) of section  
138 316.2065, Florida Statutes, are amended to read:

139 316.2065 Bicycle regulations.—

140 (5) (a) A ~~Any~~ person operating a bicycle upon a roadway at  
141 less than the normal speed of traffic at the time and place and

Amendment No. 1

142 under the conditions then existing must ~~shall~~ ride in the  
143 bicycle lane marked for bicycle use or, if there is no bicycle  
144 lane on the roadway is marked for bicycle use, as close as  
145 practicable to the right-hand curb or edge of the roadway except  
146 under any of the following situations:

147 1. When overtaking and passing another bicycle or vehicle  
148 proceeding in the same direction.

149 2. When preparing for a left turn at an intersection or  
150 into a private road or driveway.

151 3. When reasonably necessary to avoid any condition or  
152 potential conflict, including, but not limited to, a fixed or  
153 moving object, parked or moving vehicle, bicycle, pedestrian,  
154 animal, surface hazard, turn lane, or substandard-width lane,  
155 which makes it unsafe to continue along the right-hand curb or  
156 edge or within a bicycle lane. On roads that contain a  
157 substandard-width lane, persons operating bicycles must ride  
158 single-file to maintain the minimum 3 feet of space for motor  
159 vehicles to pass persons operating a bicycle as provided in s.  
160 316.083. For the purposes of this subsection, a "substandard-  
161 width lane" is a lane that is too narrow for a bicycle and  
162 another vehicle to travel safely side by side within the lane.

163 (b) A ~~Any~~ person operating a bicycle upon a one-way  
164 highway with two or more marked traffic lanes may ride as near  
165 the left-hand curb or edge of such roadway as practicable.

166 (6) (a) Persons riding bicycles upon a roadway or in a

Amendment No. 1

167 bicycle lane may not ride more than two abreast except on a  
168 bicycle path ~~paths or parts of roadways set aside for the~~  
169 ~~exclusive use of bicycles~~. Persons riding two abreast may not  
170 impede traffic when traveling at less than the normal speed of  
171 traffic at the time and place and under the conditions then  
172 existing and must ~~shall~~ ride within a single lane. Where bicycle  
173 lanes exist, persons riding bicycles may ride two abreast if  
174 both are able to remain within the bicycle lane. If the bicycle  
175 lane is too narrow to allow two persons riding bicycles to ride  
176 two abreast, the persons must ride single-file and within the  
177 bicycle lane. On roads that contain a substandard-width lane as  
178 defined in subparagraph (5) (a)3., persons riding bicycles may  
179 temporarily ride two abreast only to avoid hazards in the  
180 roadway or to overtake another person riding a bicycle.

181 (b) When stopping at a stop sign, persons riding bicycles  
182 in groups, after coming to a full stop and obeying all traffic  
183 laws, may proceed through the stop sign in a group of 10 or  
184 fewer at a time. Motor vehicle operators must allow one such  
185 group to travel through the intersection before moving forward.

186

187

188

189

190

-----

**T I T L E   A M E N D M E N T**

Remove lines 7-15 and insert:



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 605 (2021)

Amendment No. 1

191 other nonmotorized vehicle or an electric bicycle; providing  
192 exceptions; providing a penalty; requiring the Department of  
193 Highway Safety and Motor Vehicles to provide an annual awareness  
194 and safety campaign regarding certain safety precautions;  
195 amending s. 316.0875, F.S.; exempting a motor vehicle driver  
196 from certain provisions relating to no-passing zones when  
197 overtaking a bicycle or other nonmotorized vehicle or an  
198 electric bicycle; making