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LEGISLATIVE ACTION

Senate

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House

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04/21/2021 12:54 PM

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Senator Book moved the following:

Senate Amendment (with title amendment)

Delete 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



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12 limitations, exceptions, and special rules hereinafter stated:

13 (1) The driver of a vehicle overtaking another vehicle
14 proceeding in the same direction must ~~shall~~ give an appropriate
15 signal as provided for in s. 316.156, must ~~shall~~ pass to the
16 left thereof at a safe distance, and must ~~shall~~ not again drive
17 to the right side of the roadway until safely clear of the
18 overtaken vehicle.

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

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

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

38 (5) ~~(2)~~ Except when overtaking and passing on the right is
39 permitted, the driver of an overtaken vehicle must ~~shall~~ give
40 way to the right in favor of the overtaking vehicle, on audible



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

45 (6)(3) A person who violates violation of this section
46 commits is a noncriminal traffic infraction, punishable as a
47 moving violation as provided in chapter 318.

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

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

54 316.0875 No-passing zones.—

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

64 (2) Where signs or markings are in place to define a no-
65 passing zone as set forth in subsection (1), a no driver may
66 not, shall at any time, drive on the left side of the roadway
67 within ~~with~~ such no-passing zone or on the left side of any
68 pavement striping designed to mark such no-passing zone
69 throughout its length.



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

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

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

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

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

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

85 316.151 Required position and method of turning at
86 intersections.-

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

90 1. (a) Make Right turn.-both the approach for a right turn
91 and a right turn ~~shall be made~~ as close as practicable to the
92 right-hand curb or edge of the roadway.

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

98 (b) *Left turn.-*



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

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

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

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

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

125 (2) The state, county, and local authorities in their
126 respective jurisdictions may cause official traffic control
127 devices to be placed within or adjacent to intersections and



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128 thereby require and direct that a different course from that
129 specified in this section be traveled by vehicles turning at an
130 intersection. When such devices are so placed, a ~~no~~ driver of a
131 vehicle may not turn a vehicle at an intersection other than as
132 directed and required by such devices.

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

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

138 316.2065 Bicycle regulations.—

139 (5) (a) A ~~Any~~ person operating a bicycle upon a roadway at
140 less than the normal speed of traffic at the time and place and
141 under the conditions then existing must ~~shall~~ ride in the
142 bicycle lane marked for bicycle use or, if there is no bicycle
143 lane on the roadway ~~is marked for bicycle use~~, as close as
144 practicable to the right-hand curb or edge of the roadway except
145 under any of the following situations:

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

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

150 3. When reasonably necessary to avoid any condition or
151 potential conflict, including, but not limited to, a fixed or
152 moving object, parked or moving vehicle, bicycle, pedestrian,
153 animal, surface hazard, turn lane, or substandard-width lane,
154 which makes it unsafe to continue along the right-hand curb or
155 edge or within a bicycle lane. On roads that contain a
156 substandard-width lane, persons operating bicycles must ride



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157 single-file to maintain the minimum 3 feet of space for motor
158 vehicles to pass persons operating a bicycle as provided in s.
159 316.083. For the purposes of this subsection, a "substandard-
160 width lane" is a lane that is too narrow for a bicycle and
161 another vehicle to travel safely side by side within the lane.

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

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

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

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

187 And the title is amended as follows:

188 Delete lines 7 - 15

189 and insert:

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