

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Transportation

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BILL: SB 350

INTRODUCER: Senator DiCeglie

SUBJECT: Unlawful Speed

DATE: March 10, 2025

REVISED: \_\_\_\_\_

|    | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION             |
|----|---------|----------------|-----------|--------------------|
| 1. | Shutes  | Vickers        | TR        | <b>Pre-meeting</b> |
| 2. |         |                | CA        |                    |
| 3. |         |                | RC        |                    |

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**I. Summary:**

SB 350 authorizes a motor vehicle to operate on a flooded or inundated street at a speed slow enough it would otherwise be considered as unlawfully impeding the normal and reasonable movement of traffic, provided a local ordinance permits such operation.

The bill does not appear to have a fiscal impact to state or local governments.

This bill will take effect upon becoming a law.

**II. Present Situation:**

Florida law provides that person may not drive a vehicle on a highway at a speed greater than is reasonable and prudent under the existing conditions and having regard to actual and potential hazards. Vehicle speed must be controlled as necessary to avoid colliding with any person, vehicle, or other conveyance or object on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.<sup>1</sup>

On streets or highways, the maximum speed limits for all vehicles must be 30 miles per hour in business or residence districts, and 55 miles per hour at any time at all other locations.<sup>2</sup> However, with respect to a residence district, a county or municipality<sup>3</sup> may set a maximum speed limit of 20 or 25 miles per hour on local streets and highways after an investigation determines that such

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<sup>1</sup> Section 316.183(1), F.S.

<sup>2</sup> Pursuant to ch. 316, F.S., and Rule 14-15.010, F.A.C., the Florida Department of Transportation is authorized to establish speed limits on state highways up to the following maximums: 70 mph on Interstates, 65 mph on a four-lane divided highway outside an urban area (with a population of 5,000 or more), and 60 mph on other state highways.

<sup>3</sup> Section 316.008(1), F.S., authorizes local authorities to alter or establish speed limits with respect to streets and highways under their jurisdiction.

a limit is reasonable.<sup>4</sup> The minimum speed limit on all highways that are part of the National System of Interstate and Defense Highways and have not fewer than four lanes is 40 miles per hour, except that when the posted speed limit is 70 miles per hour, the minimum speed limit is 50 miles per hour.<sup>5</sup>

The operator of a vehicle must drive at an appropriately reduced speed when:

- Approaching and crossing an intersection or railway grade crossing;
- Approaching and going around a curve;
- Approaching a hill crest;
- Traveling upon any narrow or winding roadway; and
- Any special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.<sup>6</sup>

A person may not drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law.<sup>7</sup>

A violation of the unlawful speed provisions contained s. 316.183, F.S., is a noncriminal traffic infraction, punishable as a moving violation as provided in ch. 318, F.S. The statutory base fine is \$60, but with additional fees and court costs, the total fine may be up to \$158.<sup>8</sup>

### III. Effect of Proposed Changes:

The bill provides an additional exception to the prohibition on a person driving a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic. Specifically, the bill allows a motor vehicle to operate at what would normally be considered an impermissibly slow speed if the street is flooded or inundated and if there is a local ordinance permitting such operation.

The bill will take effect upon becoming a law.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

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<sup>4</sup> Section 316.183(2), F.S.

<sup>5</sup> *Id.*

<sup>6</sup> Section 316.183(4), F.S.

<sup>7</sup> Section 316.183(5), F.S.

<sup>8</sup> Florida Association of Clerks of Court, *2023 Distribution Schedule*, p. 42.

[https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023\\_Distribution\\_Schedule\\_e.pdf](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf)  
(last visited March 7, 2025).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not appear to have a fiscal impact on state or local governments.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends section 316.183 of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.