

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Transportation &  
2 Infrastructure Subcommittee

3 Representative Stone offered the following:

4  
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsections (5) through (57) of section  
8 316.003, Florida Statutes, are renumbered as subsections (6)  
9 through (58); subsections (58) through (99) of section 316.003,  
10 Florida Statutes, are renumbered as subsections (60) through  
11 (101); and new subsections (5) and (59) are added to that  
12 section 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:

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17        (5) BICYCLE LANE.-A portion of a roadway or highway that  
18 has been designated by pavement markings and signs for the  
19 preferential or exclusive use by bicycles.

20        ~~(58)-(57) PRIVATE ROAD OR DRIVEWAY.-Except as otherwise~~  
21 ~~provided in paragraph (81)-(79)(b), any privately owned way or~~  
22 ~~place used for vehicular travel by the owner and those having~~  
23 ~~express or implied permission from the owner, but not by other~~  
24 ~~persons.~~

25        (59) PROTECTED BICYCLE LANE.-A bicycle lane that uses a  
26 physical barrier to separate bicycle and motor vehicle traffic.

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

29        316.083 Overtaking and passing a vehicle, bicycle, or  
30 pedestrian.-The following rules shall govern the overtaking and  
31 passing of vehicles proceeding in the same direction, subject to  
32 those limitations, exceptions, and special rules hereinafter  
33 stated:

34        (1) The driver of a vehicle overtaking another vehicle  
35 proceeding in the same direction must ~~shall~~ give an appropriate  
36 signal as provided for in s. 316.156, must ~~shall~~ pass to the  
37 left thereof at a safe distance, and must ~~shall~~ not again drive  
38 to the right side of the roadway until safely clear of the  
39 overtaken vehicle. ~~The driver of a vehicle overtaking a bicyele~~  
40 ~~or other nonmotorized vehicle must pass the bicycle or other~~  
41 ~~nonmotorized vehicle at a safe distance of not less than 3 feet~~

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42 ~~between the vehicle and the bicycle or other nonmotorized~~  
43 ~~vehicle.~~

44 (2) The driver of a vehicle overtaking a bicycle,  
45 pedestrian, or nonmotorized vehicle in the same travel lane must  
46 vacate the lane that the bicycle, pedestrian, or nonmotorized  
47 vehicle is in, or if such movement cannot be safely  
48 accomplished, the driver must stay at a safe distance behind the  
49 bicycle, pedestrian, or nonmotorized vehicle, until the driver  
50 can safely vacate the lane.

51 (3) The driver of a vehicle overtaking a bicycle or  
52 nonmotorized vehicle in a bicycle lane must pass the bicycle or  
53 nonmotorized vehicle at a safe distance of not less than 3 feet  
54 between the vehicle and the bicycle or nonmotorized vehicle.

55 (4) Subsections (2) and (3) do not apply when a bicycle or  
56 nonmotorized vehicle is driven within a protected bicycle lane.

57 (5) The department must provide an educational awareness  
58 campaign informing the motoring public about the safety  
59 precautions to be taken when overtaking a bicycle, pedestrian,  
60 or nonmotorized vehicle. The department must provide information  
61 about the safety precautions to be taken when overtaking a  
62 bicycle, pedestrian, or nonmotorized vehicle in all newly  
63 printed driver license educational materials. Furthermore, 20  
64 percent of the questions on each Class E Knowledge Exam must be  
65 on bicycle and pedestrian safety.

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66            ~~(6)(2)~~ Except when overtaking and passing on the right is  
67 permitted, the driver of an overtaken vehicle must ~~shall~~ give  
68 way to the right in favor of the overtaking vehicle, on audible  
69 signal or upon the visible blinking of the headlamps of the  
70 overtaking vehicle if such overtaking is being attempted at  
71 nighttime, and must ~~shall~~ not increase the speed of his or her  
72 vehicle until completely passed by the overtaking vehicle.

73            ~~(7)(3)~~ A violation of this section is a noncriminal  
74 traffic infraction, punishable as a moving violation as provided  
75 in chapter 318.

76            Section 3. Section 316.0875, Florida Statutes, is amended  
77 to read:

78            316.0875 No-passing zones.-

79            (1) The Department of Transportation and local authorities  
80 may ~~are authorized to~~ determine those portions of any highway  
81 under their respective jurisdictions ~~jurisdiction~~ where  
82 overtaking and passing or driving to the left of the roadway  
83 would be especially hazardous and may, by appropriate signs or  
84 markings on the roadway, indicate the beginning and end of such  
85 zones. ~~and~~ When such signs or markings are in place and clearly  
86 visible to an ordinarily observant person, each ~~every~~ driver of  
87 a vehicle must ~~shall~~ obey the directions thereof.

88            (2) Where signs or markings are in place to define a no-  
89 passing zone as set forth in subsection (1), a ~~no~~ driver may  
90 not, ~~shall~~ at any time, drive on the left side of the roadway

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91 that has ~~with~~ such no-passing zone or on the left side of any  
92 pavement striping designed to mark such no-passing zone  
93 throughout its length.

94 (3) This section does not apply to a driver of a vehicle  
95 who safely and briefly drives to the left of the center of the  
96 roadway or pavement striping only to the extent necessary to:

97 (a) Avoid ~~When an obstruction; exists making it necessary~~  
98 ~~to drive to the left of the center of the highway, nor~~

99 (b) Turn ~~To the driver of a vehicle turning~~ left into or  
100 from an alley, private road, or driveway; or

101 (c) Comply with the requirements of s. 316.083(2) and (3)  
102 regarding a safe distance necessary to pass a bicycle,  
103 pedestrian, or nonmotorized vehicle.

104 (4) A violation of this section is a noncriminal traffic  
105 infraction, punishable as a moving violation as provided in  
106 chapter 318.

107 Section 4. Section 316.151, Florida Statutes, is amended  
108 to read:

109 316.151 Required position and method of turning at  
110 intersections.—

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

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114 ~~1.(a) Right turn.~~ Both the approach for a right turn and a  
115 right turn must ~~shall~~ be made as close as practicable to the  
116 right-hand curb or edge of the roadway.

117 2. When overtaking and passing a bicycle proceeding in the  
118 same direction, the driver of a motor vehicle must give an  
119 appropriate signal as provided for in s. 316.155 and may make  
120 the right turn only if the bicycle is at least 20 feet from the  
121 intersection onto a highway, public or private roadway, or  
122 driveway.

123 (b) Left turn.—The driver of a vehicle intending to turn  
124 left at an any intersection onto a highway, public or private  
125 roadway, or driveway must do so as follows:

126 1. The driver must ~~shall~~ approach the intersection in the  
127 extreme left-hand lane lawfully available to traffic moving in  
128 the direction of travel of such vehicle. Thereafter, and, after  
129 ~~entering the intersection,~~ the left turn must ~~shall~~ be made so  
130 as to leave the intersection in a lane lawfully available to  
131 traffic moving in such direction upon the roadway being entered.

132 2. A person riding a bicycle and intending to turn left in  
133 accordance with this section is entitled to the full use of the  
134 lane from which the turn may legally be made. Whenever  
135 practicable, the left turn must ~~shall~~ be made in that portion of  
136 the intersection to the left of the center of the intersection.

137 ~~(c) Left turn by bicycle.~~—In addition to the method of  
138 making a left turn described in paragraph (b), a person riding a

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139 bicycle and intending to turn left has the option of following  
140 the course described hereafter: The rider must ~~shall~~ approach  
141 the turn as close as practicable to the right curb or edge of  
142 the roadway; after proceeding across the intersecting roadway,  
143 the turn must ~~shall~~ be made as close as practicable to the curb  
144 or edge of the roadway on the far side of the intersection; and,  
145 before proceeding, the bicyclist must ~~shall~~ comply with any  
146 official traffic control device or police officer regulating  
147 traffic on the highway along which the bicyclist intends to  
148 proceed.

149 (2) The state, county, and local authorities in their  
150 respective jurisdictions may cause official traffic control  
151 devices to be placed within or adjacent to intersections and  
152 thereby require and direct that a different course from that  
153 specified in this section be traveled by vehicles turning at an  
154 intersection. When such devices are so placed, the ~~no~~ driver of  
155 a vehicle may not turn a vehicle at an intersection other than  
156 as directed and required by such devices.

157 (3) A violation of this section is a noncriminal traffic  
158 infraction, punishable as a moving violation as provided in  
159 chapter 318.

160 Section 5. Subsections (1), (5), and (6) of section  
161 316.2065, Florida Statutes, are amended to read:

162 316.2065 Bicycle regulations.—

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163 (5) (a) Any person operating a bicycle upon a roadway at  
164 less than the normal speed of traffic at the time and place and  
165 under the conditions then existing must ~~shall~~ ride in the  
166 bicycle lane marked for bicycle use or, if there is no bicycle  
167 lane in the roadway ~~is marked for bicycle use~~, as close as  
168 practicable to the right-hand curb or edge of the roadway except  
169 under any of the following situations:

170 1. When overtaking and passing another bicycle or vehicle  
171 proceeding in the same direction.

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

174 3. When reasonably necessary to avoid any condition or  
175 potential conflict, including, but not limited to, a fixed or  
176 moving object, parked or moving vehicle, bicycle, pedestrian,  
177 animal, surface hazard, turn lane, or substandard-width lane,  
178 which makes it unsafe to continue along the right-hand curb or  
179 edge or within a bicycle lane. For the purposes of this  
180 subsection, a "substandard-width lane" is a lane that is too  
181 narrow for a bicycle and another vehicle to travel safely side  
182 by side within the lane.

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

186 (6) (a) Persons riding bicycles upon a roadway or in a  
187 bicycle lane may not ride more than two abreast except on



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188 bicycle paths or parts of roadways set aside for the exclusive  
189 use of bicycles. Persons riding two abreast may not impede  
190 traffic when traveling at less than the normal speed of traffic  
191 at the time and place and under the conditions then existing and  
192 must ~~shall~~ ride within a single lane.

193 (b) When stopping at a stop sign, persons riding bicycles  
194 in groups, after coming to a full stop and obeying all traffic  
195 laws, may proceed through the stop sign in a group of 10 or  
196 fewer at a time and motor vehicle operators must allow that  
197 group of 10 or fewer to travel through the intersection before  
198 moving forward.

199 Section 6. This act shall take effect July 1, 2018.

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**T I T L E A M E N D M E N T**

Remove everything before the enacting clause and insert:  
An act relating to bicycle and pedestrian safety; amending  
s. 316.003, F.S.; defining "bicycle lane" and "protected  
bicycle lane;" amending s. 316.083, F.S.; revising  
provisions relating to the overtaking and passing of a  
vehicle, bicycle or pedestrian; requiring the driver of a  
motor vehicle overtaking a bicycle, pedestrian, or  
nonmotorized vehicle in the same travel lane to vacate or  
stay at a safe distance behind the bicycle, pedestrian, or

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213 nonmotorized vehicle until the driver of the motor vehicle  
214 can safely pass; requiring the driver of a motor vehicle  
215 overtaking a bicycle or nonmotorized vehicle in a bicycle  
216 lane to pass the bicycle or nonmotorized vehicle at a  
217 specified safe distance; providing that the driver of a  
218 motor vehicle overtaking a bicycle or nonmotorized vehicle  
219 driving in a protected bicycle lane does not need to vacate  
220 the lane or move over a specified distance; requiring the  
221 Department of Highway Safety and Motor Vehicles to provide  
222 an educational awareness campaign on bicycle and pedestrian  
223 safety; a specified number of questions on the driver  
224 license exam to be on bicycle and pedestrian safety;  
225 amending s. 316.0875, F.S.; revising provisions relating to  
226 no-passing zones; authorizing the driver of a motor vehicle  
227 to cross over a no-passing zone in order to safely pass a  
228 bicycle, pedestrian, or nonmotorized vehicle; amending s.  
229 316.151, F.S.; revising provisions relating to required  
230 position and method of turning at intersections; requiring  
231 the driver of a motor vehicle making a right turn in front  
232 of a bicycle to turn a certain distance from the bicycle;  
233 amending s. 316.2065, F.S.; revising provisions relating to  
234 bicycle regulations; requiring persons riding bicycles in  
235 groups to come to a full stop at a stop sign and proceed  
236 through the stop sign in certain size groups; providing an  
237 effective date.

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