

1 A bill to be entitled
2 An act relating to motor vehicles; providing a
3 popular name; creating the "Road Rage Reduction
4 Act"; providing legislative intent; amending s.
5 316.081, F.S.; requiring operators of motor
6 vehicles to drive in the right-hand lane on
7 certain highways; providing exceptions;
8 providing penalties for violation; amending s.
9 322.27, F.S.; correcting a cross-reference;
10 providing for the assessment of points for
11 violating specified provisions that require
12 operators of motor vehicles to drive on the
13 right side of the road; requiring the
14 Department of Highway Safety and Motor Vehicles
15 to provide an educational awareness campaign;
16 providing a grace period when warnings and
17 educational literature may be issued by a law
18 enforcement officer; providing an effective
19 date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. This act may be cited as the "Road Rage
24 Reduction Act."

25 Section 2. It is the intent of the Legislature to
26 decrease the incidence of drivers interfering with the
27 movement of traffic, to reduce road rage and aggressive
28 driving, to minimize crashes, and to promote the orderly, free
29 flow of traffic on the roads and highways of the state.

30 Section 3. Effective January 1, 2006, section 316.081,
31 Florida Statutes, is amended to read:

1 316.081 Driving on right side of roadway;

2 exceptions.--

3 (1) Upon all roadways of sufficient width, a vehicle
4 shall be driven upon the right half of the roadway, except as
5 follows:

6 (a) When overtaking and passing another vehicle
7 proceeding in the same direction under the rules governing
8 such movement;

9 (b) When an obstruction exists making it necessary to
10 drive to the left of the center of the highway; provided any
11 person so doing shall yield the right-of-way to all vehicles
12 traveling in the proper direction upon the unobstructed
13 portion of the highway within such distance as to constitute
14 an immediate hazard;

15 (c) Upon a roadway divided into three marked lanes for
16 traffic under the rules applicable thereon. However, upon any
17 limited access roadway having two or more lanes for each
18 direction of travel, any vehicle driven in the left-most lane
19 shall yield right-of-way to any vehicle traveling at a higher
20 speed by moving to the nearest lane to the right at the first
21 practicable and safe opportunity; or

22 (d) Upon a roadway designated and signposted for
23 one-way traffic.

24 (2) Upon a two-lane roadway providing for two-way
25 movement of traffic, a vehicle ~~all roadways, any vehicle~~
26 ~~proceeding at less than the normal speed of traffic at the~~
27 ~~time and place and under the conditions then existing~~ shall be
28 driven in the right-hand lane ~~then~~ available for traffic or as
29 close as practicable to the right-hand curb or edge of the
30 roadway except when overtaking and passing another vehicle

31

1 proceeding in the same direction or when preparing for a left
2 turn at an intersection or into a private road or driveway.

3 (3) Upon any roadway having four or more lanes for
4 moving traffic and providing for two-way movement of traffic,
5 no vehicle shall be driven to the left of the centerline of
6 the roadway, except when authorized by official traffic
7 control devices designating certain lanes to the left side of
8 the center of the roadway for use by traffic not otherwise
9 permitted to use such lanes, or except as permitted under
10 paragraph (1)(b). However, this subsection shall not be
11 construed as prohibiting the crossing of the centerline in
12 making a left turn into or from an alley, private road, or
13 driveway.

14 (a) Upon a four-lane highway, an interstate highway,
15 or a highway with fully controlled access, or the Florida
16 Intrastate Highway System, a vehicle may not be driven in the
17 left-hand lane except when overtaking and passing another
18 vehicle.

19 (b) Paragraph (a) shall not apply:

20 1. When no other vehicle is directly behind the
21 vehicle in the left-hand lane;

22 2. When traffic conditions and congestion make it
23 impractical to drive in the right-hand lane;

24 3. When inclement weather conditions make it necessary
25 to drive in the left-hand lane;

26 4. When obstructions or hazards exist in the
27 right-hand lane;

28 5. When, because of highway design, a vehicle must be
29 driven in the left-hand lane when preparing to exit;

30 6. On toll highways when necessary to use Sun-Pass and
31 on toll and other highways when driving in the left-hand lane

1 is required to comply with an official traffic control device;

2 or

3 7. To law enforcement vehicles, ambulances, and other
4 emergency vehicles engaged in official duties and vehicles
5 engaged in highway maintenance and construction operations.

6 (4) A violation of this section is a noncriminal
7 traffic infraction, punishable as a moving violation as
8 provided in chapter 318.

9 Section 4. Paragraph (d) of subsection (3) of section
10 322.27, Florida Statutes, is amended to read:

11 322.27 Authority of department to suspend or revoke
12 license.--

13 (3) There is established a point system for evaluation
14 of convictions of violations of motor vehicle laws or
15 ordinances, and violations of applicable provisions of s.
16 403.413(6)(b) when such violations involve the use of motor
17 vehicles, for the determination of the continuing
18 qualification of any person to operate a motor vehicle. The
19 department is authorized to suspend the license of any person
20 upon showing of its records or other good and sufficient
21 evidence that the licensee has been convicted of violation of
22 motor vehicle laws or ordinances, or applicable provisions of
23 s. 403.413(6)(b), amounting to 12 or more points as determined
24 by the point system. The suspension shall be for a period of
25 not more than 1 year.

26 (d) The point system shall have as its basic element a
27 graduated scale of points assigning relative values to
28 convictions of the following violations:

- 29 1. Reckless driving, willful and wanton--4 points.
30 2. Leaving the scene of a crash resulting in property
31 damage of more than \$50--6 points.

- 1 3. Unlawful speed resulting in a crash--6 points.
- 2 4. Passing a stopped school bus--4 points.
- 3 5. Unlawful speed:
- 4 a. Not in excess of 15 miles per hour of lawful or
- 5 posted speed--3 points.
- 6 b. In excess of 15 miles per hour of lawful or posted
- 7 speed--4 points.
- 8 6. All other moving violations (including parking on a
- 9 highway outside the limits of a municipality)--3 points.
- 10 However, no points shall be imposed for a violation of s.
- 11 316.0741 or s. 316.2065(12).
- 12 7. Any moving violation covered above, excluding
- 13 unlawful speed, resulting in a crash--4 points.
- 14 8. Any conviction under s. 403.413(6)(b) ~~s.~~
- 15 ~~403.413(5)(b)~~--3 points.
- 16 9. Any conviction under s. 316.081--4 points.
- 17 Section 5. The Department of Highway Safety and Motor
- 18 Vehicles shall provide an educational awareness campaign
- 19 informing the motoring public about the Road Rage Reduction
- 20 Act. The department shall provide information about the Road
- 21 Rage Reduction Act in all newly printed driver license
- 22 educational materials after October 1, 2005, and in public
- 23 service announcements produced in cooperation with the Florida
- 24 Highway Patrol.
- 25 Section 6. Effective July 1, 2005, a driver of a motor
- 26 vehicle who does not violate the then-existing provisions of
- 27 section 316.081, Florida Statutes, but whose conduct would
- 28 violate those provisions as amended effective January 1, 2006,
- 29 may be issued a verbal warning and given educational
- 30 literature regarding the changes in this act by a law
- 31 enforcement officer.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Section 7. Except as otherwise expressly provided in
this act, this act shall take effect July 1, 2005.