By Senator Gainer

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

Section 1. Section 316.128, Florida Statutes, is created to read:

316.128 Obstruction of traffic during a protest or demonstration.—

(1) A person may not obstruct or interfere with the regular flow of vehicular traffic on a public road, street, or highway during a protest or demonstration for which a public assembly permit or other applicable special event permit has not been issued by a county or municipality. A person who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) A motor vehicle operator who unintentionally causes injury or death to a person who obstructs or interferes with the regular flow of vehicular traffic in violation of subsection (1) is not liable for such injury or death. In any action brought pursuant to this section, a person accused of violating
subsection (1) or his or her representative has the burden of proving that he or she did not violate subsection (1) or that the injury or death was not unintentional.

Section 2. This act shall take effect July 1, 2017.