

1 A bill to be entitled
 2 An act relating to obstruction of traffic during a
 3 protest or demonstration; creating s. 316.128, F.S.;
 4 prohibiting a person from obstructing or interfering
 5 with traffic during a certain protest or
 6 demonstration; providing penalties; exempting a motor
 7 vehicle operator from liability for injury or death to
 8 such person under certain circumstances; specifying
 9 burden of proof; providing an effective date.

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

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

15 316.128 Obstruction of traffic during protest or
 16 demonstration.—

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

24 (2) A motor vehicle operator who unintentionally causes
 25 injury or death to a person who obstructs or interferes with the

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26 | regular flow of vehicular traffic in violation of subsection (1)
27 | is not liable for such injury or death. In any action brought
28 | pursuant to this section, a person accused of violating
29 | subsection (1) or his or her representative has the burden of
30 | proving that he or she did not violate subsection (1) or that
31 | the injury or death was not unintentional.

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