

1 HB218
2 181009-1
3 By Representatives Pettus, Johnson (K), Givan, Williams (P),
4 Ball, Fridy, Ledbetter, Farley, Harper, Hanes, Crawford,
5 England, Lovvorn, Greer, Faulkner, Rowe and Collins
6 RFD: Judiciary
7 First Read: 14-FEB-17

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8 SYNOPSIS: Under existing law, the rules of the road
9 specify that vehicles traveling at less than the
10 normal speed of traffic are to travel in the
11 right-hand lane or as close to the right-hand curb
12 or edge of the roadway as practicable. Under
13 existing law, a violation of any of the rules of
14 the road is a misdemeanor unless otherwise
15 specified.

16 This bill would require a vehicle traveling
17 on an interstate highway to travel in the right
18 lane unless passing another vehicle. This bill
19 would provide exceptions.

20 Amendment 621 of the Constitution of Alabama
21 of 1901 prohibits a general law whose purpose or
22 effect would be to require a new or increased
23 expenditure of local funds from becoming effective
24 with regard to a local governmental entity without
25 enactment by a 2/3 vote unless: it comes within one
26 of a number of specified exceptions; it is approved
27 by the affected entity; or the Legislature

1 appropriates funds, or provides a local source of
2 revenue, to the entity for the purpose.

3 The purpose or effect of this bill would be
4 to require a new or increased expenditure of local
5 funds within the meaning of Amendment 621. However,
6 the bill does not require approval of a local
7 governmental entity or enactment by a 2/3 vote to
8 become effective because it comes within one of the
9 specified exceptions contained in Amendment 621.

10
11 A BILL
12 TO BE ENTITLED
13 AN ACT

14
15 Relating to motor vehicles and traffic; to amend
16 Section 32-5A-80 of Code of Alabama 1975, to require a vehicle
17 traveling on an interstate highway to travel in the right lane
18 unless passing another vehicle; to provide exceptions; and in
19 connection therewith would have as its purpose or effect the
20 requirement of a new or increased expenditure of local funds
21 within the meaning of Amendment 621 of the Constitution of
22 Alabama of 1901..

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. This act shall be known as the Anti-Road
25 Rage Act.

26 Section 2. Section 32-5A-80 of the Code of Alabama
27 1975, is amended to read as follows:

1 "§32-5A-80.

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

5 "(1) When overtaking and passing another vehicle
6 proceeding in the same direction under the rules governing
7 such movement~~7.~~

8 "(2) When an obstruction exists making it necessary
9 to drive to the left of the center of the highway; provided,
10 any person doing so shall yield the right-of-way to all
11 vehicles traveling in the proper direction upon the
12 unobstructed portion of the highway within such distance as to
13 constitute an immediate hazard~~7.~~

14 "(3) Upon a roadway divided into three marked lanes
15 for traffic under the rules applicable thereon~~7-or.~~

16 "(4) Upon a roadway restricted to one-way traffic.

17 "(b) Upon all roadways any vehicle proceeding at
18 less than the normal speed of traffic at the time and place
19 and under the conditions then existing shall be driven in the
20 right-hand lane then available for traffic, or as close as
21 practicable to the right-hand curb or edge of the roadway,
22 except when overtaking and passing another vehicle proceeding
23 in the same direction or when preparing for a left turn at an
24 intersection or into a private road or driveway.

25 "(c) Upon any roadway having four or more lanes for
26 moving traffic and providing for two-way movement of traffic,
27 no vehicle shall be driven to the left of the center line of

1 the roadway, except when authorized by official
2 traffic-control devices designating certain lanes to the left
3 side of the center of the roadway for use by traffic not
4 otherwise permitted to use such lanes, or except as permitted
5 under subsection (a) (2). However, this subsection shall not be
6 construed as prohibiting the crossing of the center line in
7 making a left turn into or from an alley, private road, or
8 driveway.

9 "(d) (1) Upon any interstate highway, except as
10 provided in subdivision (2), a vehicle may not remain in the
11 left most lane for more than 1.5 miles without completely
12 passing another vehicle.

13 "(2) A vehicle may travel in the left most lane:

14 "a. When traffic conditions or congestion make it
15 necessary to operate a vehicle in the left most lane.

16 "b. When inclement weather, obstructions, or hazards
17 make it necessary to operate a vehicle in the left most lane.

18 "c. When compliance with a law, a regulation, an
19 ordinance, or a traffic control device makes it necessary to
20 operate a vehicle in the left most lane.

21 "d. When exiting a roadway to the left.

22 "e. When paying a toll or user fee at a toll
23 collection facility.

24 "f. If the vehicle is an authorized emergency
25 vehicle operated in the course of duty.

26 "g. If the vehicle is operated or used in the course
27 of highway maintenance or construction."

1 Section 3. For 60 days following the effective date
2 of this act, a law enforcement officer may issue only a
3 warning citation for a violation of subsection (d) of Section
4 32-5A-80, Code of Alabama 1975.

5 Section 4. Although this bill would have as its
6 purpose or effect the requirement of a new or increased
7 expenditure of local funds, the bill is excluded from further
8 requirements and application under Amendment 621 because the
9 bill defines a new crime or amends the definition of an
10 existing crime.

11 Section 5. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.