

## It's Time to Ditch the 3 Foot Rule

Let's face it the 3 foot rule is a mess. First, who decided three feet was enough room? It isn't. When drivers miss it by being too close they can be 12 to 18 inches or less off our left handlebar at 35 or 45 MPH or higher. To make matters worse, it is unenforceable and unenforced. Most police have no way to measure or prove a violation absent actual contact. As a result, it is rare to see it cited.

There is a better solution. Florida already has a very easily understood and well known "Move Over" law which requires drivers to move over when they approach an emergency, sanitation or utility service vehicle. Bills have been filed in both the House and the Senate to also require drivers to move over for "vulnerable road users." This is a simple but critical amendment to the statute because under current law "vulnerable road users" already includes cyclists, pedestrians, and several other similar vulnerable users.

Every motorist can grasp what it means to "move over." The Move Over law would require motorists on a four lane road to "vacate the lane closest to the vulnerable road user," meaning move over into the adjoining lane. When passing a vulnerable road user on a road with only one lane in each direction the law forces drivers to "slow to a speed that is 20 mph less than the posted speed limit" even on roads with speed limits as low as 25 mph. In addition, in that situation the proposed amendment also requires that these drivers "shall pass at a distance not less than 4 feet from the vulnerable road user."

The next legislative session begins in January. The bills to amend the Move Over law are supported by the Florida Bicycle Association (FBA) as well as law enforcement and many others. Senate Bill 116 was filed by Senator Baxley, District 12. The companion House Bill 117 was filed by Representative Charlie Stone, District 22. Work is being done to secure additional sponsors to each of them in order to get them passed this next session.

Every road user should get behind supporting these amendments to ensure they are signed into law, especially Florida's cycling community. The FBA is focused on their successful passage. If you have any relationship with a legislator or their staff let them know you support this law and why you believe he or she should support them as well.

*Jim Dodson is an experienced bike accident lawyer, cyclist and bicycle safety advocate who has been representing accident victims for over twenty-five years. He represents injury victims throughout Florida. He is the author of the Florida Bicycle Accident Handbook, relied upon by hundreds of cyclists across the state. If you have a question about a cycling accident, contact Jim at [www.jimdodsonlaw.com](http://www.jimdodsonlaw.com). There is never any charge to discuss your case.*