Ordinarily, every traveler has an equal right in the highway, and every part thereof, with every other traveler. The right to use public highways rests with the whole people of the state, and the public is entitled to the full and free use of all the territory embraced within a public roadway. Hence, a traveler, as such, may occupy and use any part of the public highway he or she desires, when not needed by another whose rights thereto are superior to his or her own.

A person's right and liberty to use a highway is not absolute; it may be regulated in the public interest through reasonable and reasonably executed regulations.

Footnotes

5 As to use of way, generally, see Am. Jur. 2d, Highways, Streets, and Bridges §§ 227 to 334.
6 Chandler v. Secretary of Florida Dept. of Transp., 695 F.3d 1194 (11th Cir. 2012) (applying Florida law).