

Senate File 117

H-8254

1 Amend Senate File 117, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. Section 321.234, subsection 2, Code
6 2009, is amended to read as follows:

7 2. A person, including a peace officer, riding a
8 bicycle on the highway is subject to the provisions of
9 this chapter and has all the rights and duties under
10 this chapter applicable to the driver of a vehicle,
11 including but not limited to the duty to obey traffic
12 signs and signals, except those provisions of this
13 chapter which by their nature can have no application
14 or those provisions for which specific exceptions have
15 been set forth regarding police bicycles.

16 Sec. 2. NEW SECTION. 321.281 Actions against
17 bicyclists.

18 1. A person operating a motor vehicle shall not
19 steer the motor vehicle unreasonably close to or toward
20 a person riding a bicycle on a highway, including the
21 roadway or the shoulder adjacent to the roadway.

22 2. A person shall not knowingly project any object
23 or substance at or against a person riding a bicycle
24 on a highway.

25 3. A person who violates this section commits a
26 simple misdemeanor punishable as a scheduled violation
27 under section 805.8A, subsection 14, paragraph "k".

28 Sec. 3. Section 321.288, Code 2009, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 7. When approaching and passing a
31 bicycle on the highway.

32 Sec. 4. Section 321.299, Code 2009, is amended to
33 read as follows:

34 **321.299 Overtaking a vehicle.**

35 The following rules shall govern the overtaking and
36 passing of vehicles proceeding in the same direction,
37 subject to those limitations, exceptions, and special
38 rules ~~hereinafter stated~~ otherwise provided in this
39 chapter:

40 1. The driver of a vehicle overtaking another
41 vehicle or a bicycle proceeding in the same direction
42 shall pass to the left thereof of the vehicle or
43 bicycle at a safe distance and shall not again drive to
44 the right side of the roadway until safely clear of the
45 overtaken vehicle or bicycle.

46 2. Except when overtaking and passing on the right
47 is permitted, the driver of an overtaken vehicle
48 shall give way to the right in favor of the overtaking
49 vehicle and shall not increase the speed of the
50 overtaken vehicle until completely passed by the

1 overtaking vehicle.

2 3. When a vehicle is overtaking and passing a
3 bicycle, the driver of the overtaking vehicle shall
4 maintain a distance of not less than five feet between
5 the right side of the driver's vehicle, including
6 all mirrors or other projections, and the left side
7 of the bicyclist. This subsection does not apply to
8 implements of husbandry or to vehicles hauling or
9 towing implements of husbandry.

10 Sec. 5. Section 321.482A, unnumbered paragraph 1,
11 Code 2009, is amended to read as follows:

12 Notwithstanding section 321.482, a person who
13 is convicted of operating a motor vehicle in
14 violation of section 321.275, subsection 4, section
15 321.281, 321.297, 321.298, 321.299, 321.302, 321.303,
16 321.304, 321.305, 321.306, 321.307, 321.308, section
17 321.309, subsection 2, or section 321.311, 321.319,
18 321.320, 321.321, 321.322, 321.323, 321.323A, 321.324,
19 321.324A, 321.327, 321.329, or 321.333 causing serious
20 injury to or the death of another person may be subject
21 to the following penalties in addition to the penalty
22 provided for a scheduled violation in section 805.8A or
23 any other penalty provided by law:

24 Sec. 6. Section 805.8A, subsection 14, Code
25 Supplement 2009, is amended by adding the following new
26 paragraph:

27 NEW PARAGRAPH. k. *Actions against a person on a*
28 *bicycle.* For violations under section 321.281 the
29 scheduled fine is two hundred fifty dollars.>

30 2. Title page, by striking lines 1 through
31 4 and inserting <An Act relating to duties and
32 responsibilities of motor vehicle operators and
33 bicyclists on a highway, and providing penalties.>

34 3. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES
SMITH of Marshall, Chairperson