

Senate File 234

H-1315

1 Amend Senate File 234, as amended, passed, and reprinted by
2 the Senate, as follows:

3 1. Page 2, after line 12 by inserting:

4 <Sec. _____. Section 321.299, Code 2017, is amended to read
5 as follows:

6 **321.299 Overtaking a vehicle or bicycle.**

7 The following rules shall govern the overtaking and passing
8 of vehicles and bicycles proceeding in the same direction,
9 subject to those limitations, exceptions, and special rules
10 hereinafter stated:

11 1. The driver of a vehicle overtaking another vehicle
12 proceeding in the same direction shall pass to the left of the
13 other vehicle at a safe distance and shall not again drive
14 to the right side of the roadway until safely clear of the
15 overtaken vehicle.

16 2. Except when overtaking and passing on the right is
17 permitted, the driver of an overtaken vehicle shall give way
18 to the right in favor of the overtaking vehicle and shall not
19 increase the speed of the overtaken vehicle until completely
20 passed by the overtaking vehicle.

21 3. The driver of a vehicle overtaking a person riding a
22 bicycle proceeding in the same direction on a roadway shall
23 pass to the left of the bicycle in an adjacent travel lane or
24 on the opposite side of the roadway and shall not again drive
25 to the right side of the roadway until safely clear of the
26 overtaken bicycle in accordance with section 321.281. This
27 subsection shall not apply to a vehicle overtaking a bicycle
28 which is traveling on a paved shoulder or in a lane designated
29 for the travel of bicycles.

30 Sec. _____. Section 321.304, Code 2017, is amended to read as
31 follows:

32 **321.304 Prohibited passing.**

33 ~~No~~ A vehicle shall not, in overtaking and passing another
34 vehicle, a bicycle, or at any other time, be driven to the left
35 side of the roadway under the following conditions:

1 1. When approaching the crest of a grade or upon a curve
2 in the highway where the driver's view along the highway is
3 obstructed for a distance of approximately seven hundred feet.

4 2. When approaching within one hundred feet of any narrow
5 bridge, viaduct, or tunnel, when so signposted, or when
6 approaching within one hundred feet of or traversing any
7 intersection or railroad grade crossing.

8 3. Where official signs are in place directing that traffic
9 keep to the right or a distinctive center line or off-center
10 line is marked, which distinctive line also so directs traffic
11 as declared in the sign manual adopted by the department of
12 transportation. This subsection shall not apply to a vehicle
13 overtaking and passing a bicycle, provided the vehicle complies
14 with section 321.303.

15 Sec. _____. Section 321.385A, Code 2017, is amended to read
16 as follows:

17 **321.385A Citation for unlighted headlamp, rear lamp, bicycle**
18 **lamp, or rear registration plate light.**

19 1. *a.* A citation issued for failure to have headlamps
20 as required under [section 321.385](#) shall first provide for a
21 ~~seventy-two-hour~~ seventy-two-hour period within which the
22 person charged with the violation shall replace or repair the
23 headlamp.

24 *b.* A citation issued for failure to have rear lamps as
25 required under [section 321.387](#) or a rear registration plate
26 light as required under [section 321.388](#) shall first provide for
27 a ~~seventy-two-hour~~ seventy-two-hour period within which the
28 person charged with the violation shall replace or repair the
29 lamps or light.

30 *c.* A citation issued for failure to have a front or rear
31 lamp on a bicycle or on a bicycle rider as required under
32 section 321.397 shall first provide for a seventy-two-hour
33 period within which the person charged with the violation shall
34 replace or repair the lamp.

35 2. If the person complies with the directive to replace

1 or repair the headlamp, rear lamps, bicycle lamp, or rear
2 registration plate light within the allotted time period,
3 the citation shall be expunged. If the person fails to
4 comply within the allotted time period, the citation shall be
5 processed in the same manner as other citations.

6 3. A citation issued under this section shall include
7 a written notice of replacement or repair which shall
8 indicate the date of replacement or repair and the manner in
9 which the replacement or repair occurred and which shall be
10 returned to the issuing authority within the ~~seventy-two hour~~
11 seventy-two-hour time period.

12 Sec. _____. Section 321.397, Code 2017, is amended to read as
13 follows:

14 **321.397 Lamps on bicycles.**

15 Every At any time from sunset to sunrise, a bicycle shall
16 be equipped with a lamp on the front exhibiting a steady
17 or flashing white light, ~~at the times specified in section~~
18 ~~321.384,~~ visible from a distance of at least three hundred
19 feet to the front, and every bicycle or bicycle rider shall
20 be equipped with a lamp ~~on the rear~~ exhibiting a steady or
21 flashing red light visible from a distance of three hundred
22 feet to the rear; ~~except that a red reflector may be used in~~
23 ~~lieu of a rear light.~~ A peace officer riding a police bicycle
24 is not required to use either front or rear lamps if duty so
25 requires.

26 Sec. _____. Section 321.423, subsection 2, Code 2017, is
27 amended by adding the following new paragraph:

28 NEW PARAGRAPH. *k.* A flashing white or red light equipped on
29 a bicycle operating on a highway pursuant to section 321.397
30 is permitted.

31 Sec. _____. Section 321.423, subsection 7, paragraph a,
32 unnumbered paragraph 1, Code 2017, is amended to read as
33 follows:

34 Except as provided in section 321.373, subsection 7, and
35 subsection 2, paragraphs "c", and "i", and "k" of this section,

1 a flashing white light shall only be used on a vehicle in the
2 following circumstances:>
3 2. Title page, line 1, after <to> by inserting <public
4 safety on highways, including>
5 3. Title page, line 3, after <offense> by inserting <and the
6 safe operation of bicycles>
7 4. By renumbering as necessary.

KRESSIG of Black Hawk