

SENATE FILE 2032
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 2001)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to bicycles on primary highways and providing a
2 penalty.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2032
TRANSPORTATION

1 Section 1. Section 321.234, Code 2003, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 2A. Notwithstanding subsection 2, a
4 person shall not ride a bicycle on the roadway portion of a
5 four-lane, divided primary highway if a multipurpose
6 recreational trail or a paved shoulder designated as a bikeway
7 runs parallel to the roadway and is adjacent to or within the
8 highway right-of-way. This subsection applies to primary
9 highways outside municipal corporate boundaries. This
10 subsection does not apply at times when the recreational trail
11 or bikeway is impassable. This subsection does not apply to
12 persons who are participating in a scheduled bicycle ride with
13 an organized group that has given advance notice to the
14 department and the Iowa state patrol, in accordance with rules
15 adopted by the department.

16 Sec. 2. Section 805.8A, subsection 9, Code Supplement
17 2003, is amended to read as follows:

18 9. BICYCLE OR PEDESTRIAN VIOLATIONS. For violations by a
19 pedestrian or a bicyclist under section 321.234, subsections
20 2A, 3, and 4, section 321.236, subsection 10, section 321.257,
21 subsection 2, section 321.275, subsection 8, section 321.325,
22 321.326, 321.328, 321.331, 321.332, 321.397, or 321.434, the
23 scheduled fine is fifteen dollars.

24 EXPLANATION

25 This bill prohibits a person from riding a bicycle on a
26 four-lane, divided primary highway if there is a multipurpose
27 recreational trail or a paved shoulder designated as a bikeway
28 running parallel to the roadway. The prohibition applies to
29 primary highways outside municipal corporate boundaries. The
30 bill creates an exception for times when the trail or bikeway
31 is impassable. Also, the prohibition does not apply to
32 persons participating in an organized, scheduled ride if the
33 group has notified the state department of transportation and
34 the Iowa state patrol in advance, according to administrative
35 rules.

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The scheduled fine for a violation is \$15.

SENATE FILE 2032

S-5016

1 Amend Senate File 2032 as follows:
 2 1. Page 1, by inserting after line 15 the
 3 following:
 4 "Sec. ____ . Section 321.253, Code 2003, is amended
 5 to read as follows:
 6 321.253 DEPARTMENT TO ERECT SIGNS.
 7 1. The department shall place and maintain such
 8 traffic-control devices, conforming to its manual and
 9 specifications, upon all primary highways as it shall
 10 deem necessary to indicate and to carry out the
 11 provisions of this chapter or to regulate, warn, or
 12 guide traffic. Whenever practical, said devices or
 13 signs shall be purchased from the director of the Iowa
 14 department of corrections.
 15 2. The department shall post signs informing
 16 motorists that the scheduled fine for committing a
 17 moving traffic violation in a road work zone is
 18 doubled.
 19 3. The department shall furnish and erect signs
 20 that read "bicycling prohibited" at every intersection
 21 on a divided primary highway where the prohibition in
 22 section 321.234, subsection 2A, applies."
 23 2. By renumbering as necessary.

By JOE BOLKCOM

S-5016 FILED FEBRUARY 23, 2004

SENATE FILE 2032

S-5049

1 Amend Senate File 2032 as follows:
 2 1. Page 1, line 5, by inserting after the word
 3 "highway" the following: "where the speed limit is
 4 greater than fifty miles per hour".

By WILLIAM A. DOTZLER

S-5049 FILED MARCH 8, 2004

SENATE FILE 2032

SENATE CLIP SHEET

FEBRUARY 24, 2004

Page 2

SENATE FILE 2032

S-5017

1 Amend Senate File 2032 as follows:
 2 1. Page 1, by inserting after line 15 the
 3 following:
 4 "Sec. ____ . Section 321.299, Code 2003, is amended
 5 to read as follows:
 6 321.299 OVERTAKING A VEHICLE OR BICYCLE.
 7 The following rules shall govern the overtaking and
 8 passing of vehicles proceeding in the same direction,
 9 subject to those limitations, exceptions, and special
 10 rules ~~hereinafter stated~~ provided in this chapter:
 11 1. The driver of a vehicle overtaking another
 12 vehicle proceeding in the same direction shall pass to
 13 the left thereof at a safe distance and shall not
 14 again drive to the right side of the roadway until
 15 ~~the overtaken vehicle~~

SENATE FILE 2032**S-5019**

1 Amend Senate File 2032 as follows:

2 1. Page 1, by inserting after line 15 the
3 following:

4 "Sec. ____ . **NEW SECTION.** 321.235B BICYCLE SAFETY
5 EDUCATION -- APPROPRIATION.

6 The state department of transportation, in
7 cooperation with the department of education and the
8 department of public safety, shall develop a safe kids
9 to school program modeled after the program developed
10 by the league of American bicyclists and the federal
11 highway traffic safety administration. There is
12 appropriated from the general fund of the state to the
13 department of education for each fiscal year the sum
14 of five million dollars for the purpose of initiating
15 and maintaining the safe kids to school program."

16 2. Title page, line 1, by inserting after the
17 word "highways" the following: ", bicycle safety
18 education, making an appropriation,".

19 3. By renumbering as necessary.

By JOE BOLKCOM

S-5019 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5020**

1 Amend Senate File 2032 as follows:

2 1. Page 1, line 8, by inserting after the word
3 "right-of-way." the following: "However, a person may
4 exit the recreational trail or paved shoulder if
5 necessary in order to access a destination along the
6 highway."

By JOE BOLKCOM

S-5020 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5021**

1 Amend Senate File 2032 as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "Section 1. NEW SECTION. 313.38 BICYCLE LANES --
5 APPROPRIATION.

6 The department shall develop a plan for adding
7 paved bicycle lanes on the shoulder of all primary
8 highways in the state, and for including bicycle lanes
9 in all construction projects for new sections of
10 primary highway. Specifications for the bicycle lanes
11 shall require that they be a minimum of six feet in
12 width and incorporate gapped rumble strips for bicycle
13 safety. The department shall allocate annually from
14 the appropriation to the department from the primary
15 road fund for construction and maintenance of primary
16 highways the sum of twenty-five million dollars for
17 bicycle lane construction."

18 2. Title page, line 1, by inserting after the
19 word "highways" the following: ", making an
20 appropriation,".

21 3. By renumbering as necessary.

By JOE BOLKCOM

S-5021 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5022**

1 Amend Senate File 2032 as follows:

2 1. Page 1, by inserting after line 15, the
3 following:

4 "Sec. ____ . NEW SECTION. 321.235B BICYCLE SAFETY
5 EDUCATION -- APPROPRIATION.

6 There is appropriated from the general fund of the
7 state to the state department of transportation for
8 each fiscal year the sum of two million dollars for
9 the purpose of providing the smart wheeler ride safely
10 program to children in grades five and six."

11 2. Title page, line 1, by inserting after the
12 word "highways" the following: ", bicycle safety
13 education, making an appropriation,".

14 3. By renumbering as necessary.

By JOE BOLKCOM

S-5022 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5023**

1 Amend Senate File 2032 as follows:
2 1. Page 1, by inserting after line 15 the
3 following:
4 "The official state map published by the department
5 pursuant to section 307.14 shall identify every
6 segment of primary highway to which this subsection
7 applies."

By JOE BOLKCOM

S-5023 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5024**

1 Amend Senate File 2032 as follows:
2 1. Page 1, by inserting after line 23 the
3 following:
4 "Sec. ____ . REPORT. Beginning in January 2005, the
5 Iowa state patrol shall submit an annual report each
6 January to the general assembly detailing the number
7 of citations issued in the previous calendar year to
8 bicyclists for violations of section 321.234,
9 subsection 2A, as enacted by this Act, committed on
10 primary highways to which this Act applies."
11 2. By renumbering as necessary.

By JOE BOLKCOM

S-5024 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5025**

1 Amend Senate File 2032 as follows:
2 1. Page 1, by inserting after line 23, the
3 following:
4 "Sec. ____ . SHARE THE ROAD PROGRAM. The state
5 department of transportation shall develop a
6 competitive grant program for cities and counties to
7 acquire "share the road" signs. For each of the
8 fiscal years beginning July 1, 2004, July 1, 2005, and
9 July 1, 2006, the department shall allocate, from
10 funds appropriated to the department for highways, the
11 amount of five hundred thousand dollars to fund the
12 grant program."
13 2. Title page, line 1, by inserting after the
14 word "highways" the following: ", establishing a
15 share the road grant program and allocating funds,".

By JOE BOLKCOM

S-5025 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5026**

- 1 Amend Senate File 2032 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. NEW SECTION. 80.43 SHARE THE ROAD
5 PROGRAM -- APPROPRIATION.
6 There is appropriated annually from the general
7 fund of the state to the department of public safety
8 the sum of ten million dollars to develop and
9 implement mandatory "share the road" motor vehicle
10 driver education for all licensed drivers in the
11 state."
12 2. Title page, line 1, by inserting after the
13 word "highways" the following: ", establishing share
14 the road driver education, making an appropriation,".
15 3. By renumbering as necessary.

By JOE BOLKCOM

S-5026 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5027**

- 1 Amend Senate File 2032 as follows:
2 1. Page 1, by inserting after line 15, the
3 following:
4 "Sec. ____ . NEW SECTION. 321.235B BICYCLE SAFETY
5 EDUCATION -- APPROPRIATION.
6 The state department of transportation, in
7 cooperation with the department of education, shall
8 develop curriculum guidelines for bicycle safety
9 education. There is appropriated from the general
10 fund of the state to the department of education for
11 each fiscal year the sum of one million dollars for
12 the purpose of providing bicycle safety education, as
13 provided in this section, through the public schools."
14 2. Title page, line 1, by inserting after the
15 word "highways" the following: ", bicycle safety
16 education, making an appropriation,".
17 3. By renumbering as necessary.

By JOE BOLKCOM

S-5027 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5028**

1 Amend Senate File 2032 as follows:

2 1. Page 1, by inserting after line 23 the
3 following:

4 "Sec. ____ . SAFE KIDS PROGRAM -- APPROPRIATION.

5 For the fiscal year beginning July 1, 2004, and each
6 fiscal year thereafter, there is appropriated from the
7 general fund of the state to the state department of
8 transportation the sum of five million dollars to
9 support the safe kids helmet safety program and
10 children's bike rodeos sponsored by Blank children's
11 hospital in Des Moines."

12 2. Title page, line 1, by inserting after the
13 word "highways" the following: ", bicycle safety
14 education, making an appropriation,".

15 3. By renumbering as necessary.

By JOE BOLKCOM

S-5028 FILED FEBRUARY 23, 2004

SENATE FILE 2032**S-5029**

1 Amend Senate File 2032 as follows:

2 1. Page 1, by inserting after line 15, the
3 following:

4 "Sec. ____ . Section 465B.4, unnumbered paragraph 1,
5 Code 2003, is amended to read as follows:

6 To achieve the purposes of this chapter, there is
7 appropriated from the general fund of the state to the
8 state department of transportation for each fiscal
9 year the sum of ten million dollars. In addition, the
10 state department of transportation, other state
11 agencies, political subdivisions of the state, and
12 private organizations may use funds from the following
13 sources:"

14 2. Title page, line 1, by inserting after the
15 word "highways" the following: ", appropriating funds
16 for recreation trails,".

17 3. By renumbering as necessary.

By JOE BOLKCOM

S-5029 FILED FEBRUARY 23, 2004