

Senate File 96 - Introduced

SENATE FILE 96
BY BOLKCOM and DOTZLER

A BILL FOR

1 An Act concerning requirements for motor vehicle operators
2 when overtaking and passing a bicycle, and making penalties
3 applicable.

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

1 Section 1. Section 321.299, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3. The driver of a vehicle overtaking a
4 bicycle proceeding in the same direction shall use an adjacent
5 travel lane to pass and shall maintain a distance of not less
6 than three feet between the right side of the driver's vehicle,
7 including all mirrors or other projections, and the left side
8 of the bicyclist. This subsection does not apply to implements
9 of husbandry.

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EXPLANATION

11 This bill requires the driver of a vehicle to use an
12 adjacent travel lane when passing a bicycle proceeding in the
13 same direction. In addition, the driver of the vehicle must
14 maintain a distance of not less than three feet between the
15 right side of the driver's vehicle, including all mirrors or
16 other projections, and the left side of the bicyclist. The
17 requirements do not apply to implements of husbandry.

18 The provisions of the bill are in addition to current law,
19 applicable to both vehicles and bicycles, which requires a
20 vehicle to pass to the left of the other vehicle at a safe
21 distance and not return to the right side of the roadway until
22 safely clear of the overtaken vehicle. The vehicle being
23 passed is required to give way to the right in favor of the
24 overtaking vehicle and not increase speed until completely
25 passed by the overtaking vehicle. Exceptions apply in specific
26 situations when passing on the right is permitted.

27 Pursuant to current law, a violation of requirements
28 relating to overtaking and passing is a simple misdemeanor
29 punishable by a scheduled fine of \$100. If a violation causes
30 serious injury, the driver may be subject to an additional fine
31 of \$500 or driver's license suspension for up to 90 days, or
32 both. For a violation causing death, the driver may be subject
33 to an additional fine of \$1,000 or license suspension for up to
34 180 days, or both.