

House File 57 - Introduced

HOUSE FILE 57

BY WILLS

A BILL FOR

1 An Act relating to lamps and clothing required for the
2 operation of bicycles, providing penalties, and making
3 penalties applicable.

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

1 Section 1. Section 321.385A, Code 2019, is amended to read
2 as follows:

3 **321.385A Citation for unlighted headlamp, rear lamp, ~~or~~ rear**
4 **registration plate light, or bicycle lamp.**

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

10 *b.* A citation issued for failure to have rear lamps as
11 required under [section 321.387](#) or a rear registration plate
12 light as required under [section 321.388](#) shall first provide for
13 a ~~seventy-two-hour~~ seventy-two-hour period within which the
14 person charged with the violation shall replace or repair the
15 lamps or light.

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

21 2. If the person complies with the directive to replace
22 or repair the headlamp, rear lamps, ~~or~~ rear registration
23 plate light, or bicycle lamp within the allotted time period,
24 the citation shall be expunged. If the person fails to
25 comply within the allotted time period, the citation shall be
26 processed in the same manner as other citations.

27 3. A citation issued under [this section](#) shall include
28 a written notice of replacement or repair which shall
29 indicate the date of replacement or repair and the manner in
30 which the replacement or repair occurred and which shall be
31 returned to the issuing authority within the ~~seventy-two-hour~~
32 seventy-two-hour time period.

33 Sec. 2. Section 321.397, Code 2019, is amended to read as
34 follows:

35 **321.397 Lamps on bicycles.**

1 ~~Every~~ At any time from sunset to sunrise, a bicycle shall
2 be equipped with a lamp on the front exhibiting a steady
3 or flashing white light, ~~at the times specified in section~~
4 ~~321.384~~, visible from a distance of at least three hundred
5 feet to the front, and every bicycle or bicycle rider shall
6 be equipped with a lamp ~~on the rear~~ exhibiting a steady or
7 flashing red light visible from a distance of three hundred
8 feet to the rear, ~~except that a red reflector may be used in~~
9 ~~lieu of a rear light~~. A peace officer riding a police bicycle
10 is not required to use either front or rear lamps if duty so
11 requires.

12 Sec. 3. Section 321.423, subsection 2, Code 2019, is amended
13 by adding the following new paragraph:

14 NEW PARAGRAPH. *k.* A flashing white or red light equipped on
15 a bicycle operating on a highway pursuant to section 321.397
16 is permitted.

17 Sec. 4. Section 321.423, subsection 7, paragraph a,
18 unnumbered paragraph 1, Code 2019, is amended to read as
19 follows:

20 Except as provided in section 321.373, subsection 7, and
21 subsection 2, paragraphs "c", and "i", and "k" of this section,
22 a flashing white light shall only be used on a vehicle in the
23 following circumstances:

24 Sec. 5. NEW SECTION. **321.434A Bicycle riders —**
25 **high-visibility or reflective clothing required.**

26 A person riding a bicycle on a highway with a speed limit of
27 forty-five miles per hour or more, other than for the purpose
28 of crossing the highway at a crosswalk, shall wear clothing
29 and equipment which together contain at least one hundred
30 forty-four square inches of high-visibility or reflective
31 material visible to the rear of the bicycle. This section
32 does not apply to a person riding a bicycle as part of an
33 organized bicycle riding event involving five hundred or more
34 bicycle riders at which one or more certified peace officers
35 are providing traffic control and direction.

1 Sec. 6. Section 805.8A, subsection 9, Code 2019, is amended
2 by adding the following new paragraph:

3 NEW PARAGRAPH. 1. Section 321.434A....\$ 25.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 Current law requires a bicycle to have a front lighted
8 lamp and either a rear lighted lamp or a rear reflector at
9 any time from sunset to sunrise, and at such other times
10 when conditions such as fog, snow, sleet, or rain provide
11 insufficient lighting to render clearly discernible persons and
12 vehicles on the highway at a distance of 500 feet ahead. This
13 bill instead requires that, from sunset to sunrise, a bicycle
14 must be equipped with a lamp on the front exhibiting a steady
15 or flashing white light visible from a distance of at least 300
16 feet to the front, and every bicycle or bicycle rider must be
17 equipped with a lamp exhibiting a steady or flashing red light
18 visible from a distance of 300 feet to the rear.

19 The scheduled fine for a violation of this provision is \$25.
20 However, the bill provides that a citation issued for failure
21 to have a front or rear lamp on a bicycle or on a bicycle rider
22 must first provide for a 72-hour period within which the person
23 charged with the violation can replace or repair the lamp. If
24 the person complies with the directive to replace or repair the
25 bicycle lamp, the citation must be expunged.

26 The bill requires a person riding a bicycle on a highway
27 with a speed limit of 45 miles per hour or more, other than
28 for the purpose of crossing the highway at a crosswalk, to
29 wear clothing and equipment which together contain at least
30 144 square inches of high-visibility or reflective material
31 visible to the rear of the bicycle. The scheduled fine for a
32 violation of this provision is \$25. The bill provides that
33 the provision does not apply to a person riding a bicycle as
34 part of an organized bicycle riding event involving 500 or more
35 bicycle riders at which one or more certified peace officers

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1 are providing traffic control and direction.