

Senate File 373 - Introduced

SENATE FILE 373

BY ZUMBACH

A BILL FOR

1 An Act relating to bicycles being overtaken and passed by
2 certain farm vehicles, and providing penalties.

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

1 Section 1. Section 321.234, Code 2019, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4A. A person riding a bicycle on the
4 highway, when being overtaken and passed by a farm tractor or
5 self-propelled implement of husbandry, shall give way to the
6 right in favor of the overtaking farm tractor or self-propelled
7 implement of husbandry and shall not increase the speed of the
8 bicycle until completely passed by the overtaking farm tractor
9 or self-propelled implement of husbandry.

10 Sec. 2. Section 805.8A, subsection 9, paragraph a, Code
11 2019, is amended to read as follows:

12 a. Section 321.234, subsections 3, and 4,
13 and 4A.....\$ 25.

14 EXPLANATION

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

17 Under current law, Code section 321.234 provides that a
18 person riding a bicycle on the highway is subject to the
19 provisions of Code chapter 321 and has all the rights and
20 duties applicable to the driver of a vehicle. Code section
21 321.299 requires the driver of an overtaken vehicle to give way
22 to the right in favor of the overtaking vehicle and prohibits
23 the driver from increasing the speed of the overtaken vehicle
24 until completely passed by the overtaking vehicle, except when
25 overtaking and passing on the right is permitted.

26 This bill specifies that a person riding a bicycle on the
27 highway, when being overtaken and passed by a farm tractor or
28 self-propelled implement of husbandry, must give way to the
29 right in favor of the overtaking farm tractor or self-propelled
30 implement of husbandry and is prohibited from increasing the
31 speed of the bicycle until completely passed by the overtaking
32 farm tractor or self-propelled implement of husbandry. A
33 violation of the bill is punishable by a scheduled fine of \$25.
34 By operation of law, the bill does not apply to the use of a
35 bicycle in a parade authorized by a proper permit from local

1 authorities.

2 Under Code section 321.1, a "farm tractor" is a motor
3 vehicle designed and used primarily as a farm implement
4 for drawing plows, mowing machines, and other implements of
5 husbandry. An "implement of husbandry" is a vehicle or special
6 mobile equipment manufactured, designed, or reconstructed
7 for agricultural purposes and, except for incidental uses,
8 exclusively used in the conduct of agricultural operations.
9 "Implement of husbandry" includes certain all-terrain vehicles,
10 fence-line feeders, and vehicles used exclusively for the
11 application of organic or inorganic plant food materials,
12 organic agricultural limestone, or agricultural chemicals.
13 To be considered an implement of husbandry, a self-propelled
14 implement of husbandry must be operated at a speed of 35 miles
15 per hour or less.