

HB 1122 -- Highway and Bicycle Safety

Sponsor: Davis (19)

This bill makes numerous revisions to the laws regarding highway and bicycle safety. The bill:

(1) Prohibits obstructing a designated bicycle lane with a motor vehicle. Motor vehicles may be driven in a bicycle lane only in certain circumstances;

(2) Requires drivers to exercise the highest degree of care to avoid colliding with pedestrians, bicyclists, and motorcyclists;

(3) Requires motorists to pass bicyclists with the highest degree of care by leaving a safe distance of no less than three feet between the motor vehicle and the bicycle;

(4) Assesses two points against a person's driver's license for any violation that occurs in a school zone, four additional points when a violation leads to personal injury, eight points for a conviction for operating a motor vehicle causing serious physical injury, and 12 additional points when the death of another person results from certain motor vehicle violations. Points will be assessed for exceeding the speed limit in a school zone by only five miles per hour or less;

(5) Requires bicyclists approaching a stop sign to slow down or stop before entering the intersection. The bicyclist must yield the right-of-way to any motor vehicle in the intersection or approaching in a manner to constitute an immediate hazard. A bicyclist approaching a traffic light must stop before entering the intersection, except that the bicyclist may cautiously make a right-hand turn or a left-hand turn onto a one-way highway without stopping;

(6) Permits the riding of bicycles on the shoulder of the road unless local regulations or Highways and Transportation Commission regulations provide otherwise. If shoulder travel is prohibited, it will be clearly designated by signs;

(7) Creates the crime of first degree involuntary manslaughter when a motorist knowingly passes too close to or collides with a bicyclist causing death. Reckless operation of a motor vehicle causing death to another person is second degree involuntary manslaughter;

(8) Creates the crime of second degree assault when recklessly causing serious physical injury to another person with a motor vehicle. Recklessness will be presumed if it is shown that the

motorist overtook a bicyclist too closely by failing to leave a safe distance of at least three feet. If a person operates a motor vehicle in a manner that violates a traffic law or regulation and the violation causes serious physical injury to another person, then the person is guilty of third degree assault;

(9) Provides specific revocation periods for any person who has his or her license revoked for committing a felony using a motor vehicle. No person who has had his or her license revoked or suspended will have the license reinstated until the person participates in a driver-improvement program;

(10) Requires participation in and successful completion of a driver-improvement program before a person will be eligible for a limited driving privilege;

(11) Allows counties and municipalities to establish maximum school speed zones of 20 miles per hour. The counties and municipalities may establish a speed limit lower than 20 miles per hour if it finds that a lower limit is needed to promote public safety. The counties or municipalities are allowed to double the fines for traffic violations that occur within a school zone; and

(12) Creates three specific offenses for motorists who cause physical injury, serious physical injury, or death to another person.