

FIRST REGULAR SESSION

HOUSE BILL NO. 632

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SUTHERLAND (Sponsor), SCHLOTTACH, PEARCE,
COOPER (158), THRELKELD, ICET, DIXON, FAITH, COOPER (120), MAY,
JETTON AND RICHARD (Co-sponsors).

Read 1st time February 23, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1463L.011

AN ACT

To repeal sections 300.330 and 307.180, RSMo, and to enact in lieu thereof six new sections relating to bicycle safety, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 300.330 and 307.180, RSMo, are repealed and six new sections
2 enacted in lieu thereof, to be known as sections 300.330, 300.411, 304.678, 307.180, 307.191,
3 and 307.192, to read as follows:

300.330. The driver of a **motor** vehicle shall not drive within any sidewalk area except
2 as a permanent or temporary driveway. **A designated bicycle lane shall not be obstructed by**
3 **a parked or standing motor vehicle or other stationary object. A motor vehicle may be**
4 **driven in a designated bicycle lane only for the purpose of a lawful maneuver to cross the**
5 **lane or provide for safe travel. In making an otherwise lawful maneuver that requires**
6 **traveling in or crossing a designated bicycle lane, the driver of a motor vehicle shall yield**
7 **to any bicycle in the lane. As used in this section, the term "designated bicycle lane" shall**
8 **mean a portion of the roadway or highway which has been designated by the governing**
9 **body having jurisdiction over such roadway or highway by striping with signing or**
10 **striping with pavement markings for the preferential or exclusive use of bicycles.**

300.411. 1. The operator of a motor vehicle overtaking a bicycle proceeding in the
2 same direction on the roadway shall leave a safe distance, but in no case less than three feet
3 clearance, between the vehicle and the bicyclist until the vehicle is safely past the bicyclist.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

4 **2. When passing a pedestrian in or near a roadway, a person operating a vehicle**
5 **shall proceed by operating at a safe speed and leaving a safe distance, but in no case less**
6 **than three feet clearance, between the vehicle and the pedestrian until the vehicle is safely**
7 **past the pedestrian.**

304.678. 1. The operator of a motor vehicle overtaking a bicycle proceeding in the
2 **same direction on the roadway shall leave a safe distance, but in no case less than three feet**
3 **clearance, between the vehicle and the bicyclist until the vehicle is safely past the bicyclist.**

4 **2. When passing a pedestrian in or near a roadway, a person operating a vehicle**
5 **shall proceed by operating at a safe speed and leaving a safe distance, but in no case less**
6 **than three feet clearance, between the vehicle and the pedestrian until the vehicle is safely**
7 **past the pedestrian.**

8 **3. Any person who violates the provisions of this section is guilty of an infraction**
9 **unless an accident is involved in which case it shall be a class C misdemeanor.**

 307.180. As used in sections 307.180 to 307.193:

2 (1) The word "bicycle" shall mean every vehicle propelled solely by human power upon
3 which any person may ride, having two tandem wheels, **or two parallel wheels and one or two**
4 **forward or rear wheels, all of which are more than fourteen inches in diameter,** except
5 scooters and similar devices;

6 (2) The term "motorized bicycle" shall mean any two- or three-wheeled device having
7 an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic
8 centimeters, which produces less than three gross brake horsepower, and is capable of propelling
9 the device at a maximum speed of not more than thirty miles per hour on level ground. A
10 motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or
11 renters' insurance policy.

307.191. 1. A person operating a bicycle at less than the posted speed or slower
2 **than the flow of traffic upon a street or highway may operate as described in section**
3 **307.190, or may operate on the shoulder adjacent to the roadway.**

4 **2. A bicycle operated on a roadway, or the shoulder adjacent to a roadway, shall**
5 **be operated in the same direction as vehicles are required to be driven upon the roadway.**

6 **3. For purposes of this section and section 307.190, "roadway", means that portion**
7 **of a street or highway ordinarily used for vehicular travel, exclusive of the berm or**
8 **shoulder.**

307.192. The operator of a bicycle shall signal as required in section 304.019,
2 **RSMo, except that a signal by the hand and arm need not be given continuously if the hand**
3 **is needed to control or operate the bicycle. An operator of a bicycle intending to turn the**
4 **bicycle to the right shall signal as indicated in section 304.019, RSMo, or by extending such**

5 operator's right arm in a horizontal position so that the same may be seen in front and in
6 rear of the vehicle.