

HB 721 -- PEDESTRIANS AND BICYCLISTS

SPONSOR: Walker

This bill changes the laws regarding pedestrians and bicyclists. In its main provisions, the bill:

(1) Revises the definition of "pedestrian" to include a person using any means of conveyance propelled by human power, an electric personal assistive mobility device, or a self-propelled or motorized wheelchair;

(2) Requires the operator of a motor vehicle, upon approaching a bicycle proceeding in the same direction on the roadway, on the shoulder of the roadway, or a pedestrian on or near the roadway to make a lane change, if possible with due regard to safety and traffic conditions, into the next available lane until safely past the overtaken bicyclist or pedestrian to facilitate a safe distance between the vehicle and the bicycle or pedestrian with at least four feet between the vehicle and the bicycle or pedestrian at any time during the passing maneuver. Any person who violates this provision is guilty of an infraction unless the person intentionally violates the provision or an accident is involved in which case it must be a class C misdemeanor;

(3) Specifies that any person who operates a motor vehicle in a careless or distracted manner and causes serious physical injury or death to a vulnerable road user as specified in the bill must be guilty of the crime of injuring a vulnerable road user;

(4) Prohibits a person from knowingly frightening, disturbing, or injuring a pedestrian, bicyclist, or passenger on a bicycle by throwing any substance or object from his or her vehicle; threatening any pedestrian, bicyclist, or bicycle passenger; sounding a horn, shouting or otherwise directing sound or objections toward any pedestrian, bicyclist, or passenger on a bicycle; knowingly placing a pedestrian, bicyclist, or bicycle passenger in apprehension of immediate physical injury; or knowingly engaging in conduct that creates a risk of serious physical injury or death to a pedestrian, bicyclist, or bicycle passenger. Anyone violating these provisions is guilty of a class C misdemeanor unless the violation results in property damage or injury in which case it must be a class A misdemeanor;

(5) Changes the allowable equipment that is required on every bicycle and motorized bicycle operated from one-half hour after sunset and one-half hour before sunrise and at any other time there is insufficient light to render clearly discernible persons and vehicles on that highway at a distance of 500 feet as specified in

the bill;

(6) Repeals the provisions requiring a bicyclist to ride as near to the right as possible and allowing bicyclists to ride abreast when not impeding other vehicles and allows a bicyclist to ride in the center of the right lane of travel; to the right side of the roadway; or in the shoulder and bicyclists to ride abreast within their allowed lane of travel or if on the shoulder adjacent to the roadway;

(7) Requires a bicyclist to exercise due care when passing a stopped vehicle or one traveling in the same direction, making turns, riding on streets or lanes that are too narrow to share with motor vehicles, avoiding hazardous conditions, or traveling at the same or similar speed as the speed limit or flow of traffic; and

(8) Requires a bicyclist to operate the bicycle in the same direction as the flow of traffic.