

HOUSE BILL No. 1439

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-14; IC 9-21-8-5.

Synopsis: Vehicle clearance when overtaking a bicycle. Provides that it is a Class C infraction for the operator of a vehicle overtaking a bicycle to: (1) fail to allow at least three feet of clearance between the vehicle and the bicycle; or (2) return to the original lane before the vehicle is safely clear of the bicycle. Provides that the operator of a vehicle may pass a bicycle in a no passing zone if the operator complies with these requirements and it is otherwise safe to do so. Revises the definition of "bicycle" for purposes of the motor vehicle code.

Effective: July 1, 2019.

Heaton

January 15, 2019, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-14 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 14. "Bicycle" means
- 3 ~~any foot-propelled a vehicle; irrespective of the number of~~
- 4 **(1) propelled solely by a human powered foot crank or hand**
- 5 **crank;**
- 6 **(2) operated by one (1) or more individuals; and**
- 7 **(3) having two (2) or more wheels. ~~in contact with the ground.~~**
- 8 **The term does not include a child's ride-on toy or a skateboard.**
- 9 SECTION 2. IC 9-21-8-5 IS AMENDED TO READ AS FOLLOWS
- 10 [EFFECTIVE JULY 1, 2019]: Sec. 5. The following rules govern the
- 11 overtaking and passing of vehicles proceeding in the same direction,
- 12 subject to the limitations, exceptions, and special rules stated:
- 13 (1) A person who drives a vehicle overtaking another vehicle
- 14 proceeding in the same direction shall pass to the left of the other
- 15 vehicle at a safe distance and may not again drive to the right side
- 16 of the roadway until safely clear of the overtaken vehicle.
- 17 (2) Except when overtaking and passing on the right is permitted,



- 1 a person who drives an overtaken vehicle shall give way to the
2 right in favor of the overtaking vehicle on audible signal and may
3 not increase the speed of the overtaken vehicle until completely
4 passed by the overtaking vehicle.
- 5 **(3) The operator of a vehicle overtaking a bicycle shall:**
6 **(A) allow at least three (3) feet of clearance between the**
7 **vehicle and the bicycle; and**
8 **(B) not return the vehicle to the vehicle's original lane of**
9 **travel until the vehicle is safely clear of the bicycle.**
- 10 **(4) The operator of a vehicle may pass a bicycle traveling in**
11 **the same direction in a no passing zone when it is safe to do so,**
12 **if the operator of the overtaking motor vehicle complies with**
13 **subdivisions (1) and (3).**

