

## SENATE BILL No. 266

---

### DIGEST OF INTRODUCED BILL

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

**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 not: (1) allow at least three feet of clearance between the vehicle and the bicycle; and (2) wait to return to the original lane until the vehicle is safely clear of the bicycle. Revises the definition of "bicycle" for purposes of the motor vehicle code.

**Effective:** July 1, 2016.

---

---

## Taylor

---

---

January 7, 2016, read first time and referred to Committee on Homeland Security & Transportation.

---

---



Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

# SENATE BILL No. 266

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, 2016]: 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, 2016]: 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 on the left side**  
 7 **of the bicycle between the vehicle and the bicycle; and**

8 **(B) not return to the right side of the roadway until the**  
 9 **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 overtaking vehicle complies with subdivisions (1) and**  
 13 **(3).**

14 SECTION 3. IC 9-21-8-7.5 IS AMENDED TO READ AS  
 15 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7.5. (a) This section  
 16 applies to a worksite:

17 (1) upon a highway divided into two (2) or more marked lanes for  
 18 traffic moving in the same direction; and

19 (2) for which vehicles are instructed to merge from one (1) lane  
 20 into another lane by an appropriate sign.

21 (b) **Except as provided in section 5(4) of this chapter**, a person  
 22 who drives a vehicle may not pass another vehicle that is in the lane  
 23 into which traffic is directed to merge within the posted no passing  
 24 zone established by the Indiana department of transportation.

