

# State of South Dakota

NINETIETH SESSION  
LEGISLATIVE ASSEMBLY, 2015

400W0243

## HOUSE TRANSPORTATION ENGROSSED NO. **HB 1030** - 02/10/2015

Introduced by: The Committee on Transportation at the request of the Department of  
Transportation

1 FOR AN ACT ENTITLED, An Act to provide certain restrictions regarding the passing of a  
2 bicycle.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 32-26 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 The driver of any motor vehicle overtaking a bicycle proceeding in the same direction shall  
7 allow a minimum of a three foot separation between the right side of the driver's vehicle,  
8 including any mirror or other projection, and the left side of the bicycle if the posted limit is  
9 thirty-five miles per hour or less and shall allow a minimum of six feet separation if the posted  
10 limit is greater than thirty-five miles per hour. Notwithstanding any other provision of law, a  
11 motor vehicle overtaking a bicycle proceeding in the same direction may partially cross the  
12 highway centerline or the dividing line between two lanes of travel in the same direction if it can  
13 be performed safely. The driver of the motor vehicle shall maintain that separation until safely  
14 past the overtaken bicycle. A violation of this section is a Class 2 misdemeanor.



1 Section 2. That § 32-20B-6 be amended to read as follows:

2 32-20B-6. A person operating a bicycle shall give a continuous signal of intention to turn  
3 right or left during the last one hundred feet traveled by the bicycle before turning. The signal  
4 shall also be given while the bicycle is stopped waiting to turn. A signal by hand and arm need  
5 only be given intermittently if the hand is needed in the control operation of the bicycle. No  
6 driver of a bicycle may overtake another vehicle on the right if the overtaken vehicle is signaling  
7 to make a right turn. Except as provided in this section, a person operating a bicycle shall  
8 comply with the provisions of §§ 32-26-22 and 32-26-22.1. A violation of this section is a Class  
9 2 misdemeanor.