

# State of South Dakota

EIGHTY-FIFTH SESSION  
LEGISLATIVE ASSEMBLY, 2010

761R0175

## SENATE BILL NO. 70

Introduced by: Senators Jerstad, Hansen (Tom), Hanson (Gary), Merchant, Miles, Nesselhuf, Peterson, Tieszen, and Turbak Berry and Representatives Krebs, Elliott, Engels, Fargen, Gibson, Hamiel, Noem, Nygaard, Rave, and Steele

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 pass the bicycle as required by § 32-26-26 and shall leave a safe distance, but in no case less  
8 than three feet clearance, when passing the bicycle. The driver of the motor vehicle shall  
9 maintain the clearance until safely past the overtaken bicycle. A violation of this section is a  
10 Class 2 misdemeanor.

