

HOUSE BILL 2

By Goins

AN ACT to amend Tennessee Code Annotated, Title 54;  
Title 55, Chapter 1 and Title 55, Chapter 8, relative  
to operation of motorcycles and motor-driven  
cycles on shoulders of highways.

WHEREAS, most motorcycle engines are air-cooled and most automobile engines are liquid-cooled; and

WHEREAS, air-cooled motorcycle engines rely on the circulation of air to cool the engine temperature; and

WHEREAS, air exposure is restricted when a motorcycle is stationary or operating at a slow speed in times of heavy traffic congestion; and

WHEREAS, the safety of automobile and motorcycle operators will be enhanced, and the property damage caused by motorcycles overheating and being rear-ended will be reduced by allowing operators of motorcycles to maintain their correct operating temperatures and to use the shoulder of highways during heavy traffic to travel to the next exit; now therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-118, is amended by adding the following as a new subsection:

(e)

(1) Notwithstanding this section, on interstate highways and limited access multilane divided highways where the posted speed limit is fifty miles per hour (50 mph) or more, if the speed of traffic moving in the same direction is twenty-five miles per hour (25 mph) or less, the operator of a motorcycle or motor-driven cycle may overtake and pass a vehicle upon the right when

operating on the shoulder or right-of-way of the highway solely for the purpose of proceeding to the nearest exit.

(2) A person operating a vehicle on the main traveled way of the highway or right-of-way adjacent to or near a motorcycle or motor-driven cycle operated pursuant to this subsection (e), and the person operating the motorcycle or motor-driven cycle, shall exercise due care and obey all traffic laws, applicable rules of the road, and laws relating to the safe operation of the vehicle or motorcycle or motor-driven cycle.

(3) A motorcycle or motor-driven cycle may be operated on the shoulder or right-of-way pursuant to this subsection (e) at a rate not to exceed forty-five miles per hour (45 mph).

SECTION 2. Tennessee Code Annotated, Section 55-8-118, is further amended in subdivision (d)(1) by deleting the language "other than a bus authorized by the department" and substituting instead the language "other than a bus authorized by the department or a motorcycle or motor-driven cycle operated pursuant to subsection (e)".

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.