

HOUSE BILL NO. 394

INTRODUCED BY G. BENNETT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO BICYCLE SAFETY AND PASSING VEHICLES; AND AMENDING SECTIONS 61-8-320 AND 61-8-321, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-8-320, MCA, is amended to read:

"61-8-320. Right-of-way for bicycles -- safely passing. (1) The operator of a motor vehicle may not:

(a) intentionally interfere with the movement of a person who is lawfully riding a bicycle; or

(b) overtake and pass a person riding a bicycle unless the operator of the motor vehicle can do so safely without endangering the person riding the bicycle by maintaining at all times a minimum distance of 4 feet between the vehicle and the bicycle and its operator.

(2) The operator of a motor vehicle shall yield the right-of-way to a person who is riding a bicycle within a designated bicycle lane."

Section 2. Section 61-8-321, MCA, is amended to read:

"61-8-321. Drive on right side of roadway -- exceptions. (1) Upon all roadways of sufficient width, a vehicle must be operated upon the right half of the roadway, except as follows:

(a) when overtaking and passing another vehicle proceeding in the same direction under the rules governing the passing movement;

(b) when the right half of a roadway is closed to traffic while under construction or repair;

(c) upon a roadway divided into three marked lanes for traffic under the rules applicable on a divided roadway;

(d) upon a roadway designated by official traffic control devices for one-way traffic;

(e) when the operator of a vehicle is complying with the provisions of 61-8-320 or 61-8-346; or

(f) when an obstruction exists that makes it necessary to drive to the left of the center of the roadway.

(2) A person operating a vehicle to the left of the center of the roadway for any of the reasons provided in subsection (1) shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed

1 portion of the roadway that are within a distance that constitutes an immediate hazard.

2 (3) A vehicle proceeding at less than the normal speed of traffic at the time and place and under the
3 conditions then existing must be operated in the right-hand lane then available for traffic, or as close as
4 practicable to the right-hand curb or edge of the roadway except when overtaking and passing another vehicle
5 proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or
6 driveway."

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