

Amendment - 1st Reading-white - Requested by: Mary Ann Dunwell - (S) Highways and Transportation

- 2023
68th Legislature 2023

Drafter: Joe Carroll, 406-444-3804

SB0137.001.001

1 SENATE BILL NO. 137

2 INTRODUCED BY S. FITZPATRICK

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING BICYCLE SAFETY LAWS; AMENDING PASSING
5 CONDITIONS; REQUIRING USE OF A RED, REAR-FACING LIGHT IF A BICYCLE IS USED BETWEEN
6 DUSK AND DAWN; AND AMENDING SECTIONS 61-8-320 AND 61-8-607, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 61-8-320, MCA, is amended to read:

11 **"61-8-320. Right-of-way for bicycles.** (1) The operator of a motor vehicle may not:

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

13 (b) overtake and pass a person riding a bicycle unless the operator of the motor vehicle can do so
14 safely without endangering the person riding the bicycle by maintaining at all times a minimum distance of 5
15 feet between the vehicle and the person riding the bicycle. To pass a person riding a bicycle, the operator of the
16 motor vehicle may drive to the left of the center line of the roadway, if it is safe to do so, ~~including when a no-~~
17 ~~passing zone is marked as provided in 61-8-326.~~

18 (2) The operator of a motor vehicle shall yield the right-of-way to a person who is riding a bicycle
19 within a designated bicycle lane under the same conditions as the operator would yield to another motor vehicle
20 as required by state law."

21
22 **Section 2.** Section 61-8-607, MCA, is amended to read:

23 **"61-8-607. Lamps and other equipment on bicycles and mopeds.** (1) A bicycle or moped when in
24 use at dawn, dusk, or nighttime must be equipped with:

25 (a) a lamp on the front emitting a white light visible from a distance of at least 500 feet to the front.
26 In lieu of a lamp affixed to the bicycle or moped, a bicyclist may use a lamp with equal intensity and visibility
27 affixed to the cyclist's helmet and facing forward.

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1 (b) facing the rear, ~~either a lamp~~ affixed to the bicycle or cyclist and emitting a red light visible from
2 ~~a distance of at least 500 feet to the rear or a red reflector visible from a distance of at least 500 feet to the rear~~
3 ~~when illuminated by low-beam motor vehicle headlamps; and~~

4 (c) reflective material large and reflective enough to be visible from the left and right sides from a
5 distance of at least 500 feet when illuminated by low-beam motor vehicle headlamps.

6 (2) A bicycle or moped must be equipped with a brake enabling the operator to stop the bicycle or
7 moped within no more than 25 feet from a speed of 10 miles an hour on dry, level, clean pavement."

8 - END -