

SENATE BILL NO. 137

INTRODUCED BY S. FITZPATRICK

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING BICYCLE SAFETY LAWS; AMENDING PASSING CONDITIONS; REQUIRING USE OF A RED, REAR-FACING LIGHT IF A BICYCLE IS USED BETWEEN DUSK AND DAWN; AND AMENDING SECTIONS 61-8-320 AND 61-8-607, 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. (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 5 feet between the vehicle and the person riding the bicycle. To pass a person riding a bicycle, the operator of the 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-passing zone is marked as provided in 61-8-326.

(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 under the same conditions as the operator would yield to another motor vehicle as required by state law."

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

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

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

1 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~~
2 ~~when illuminated by low-beam motor vehicle headlamps; and~~

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

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

7 - END -