

BICYCLES

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: MCA 61-8-102 defines a bicycle as "a vehicle propelled solely by human power on which any person may ride, irrespective of the number of wheels, except scooters, wheelchairs, and similar devices. The term includes an electrically assisted bicycle." MCA 61-8-320 governs the right-of-way for bicycles. MCA 61-8-601 et seq. governs bicycle use in general, including provisions regarding permissible and impermissible use of bicycles, use on roadways, use on sidewalks, use in bike lanes, and illumination and reflection equipment necessary for use during twilight and nighttime.

Legislators have introduced bills in past sessions seeking to specify requirements for motor vehicles when passing bicycles, modify the definition, use, and equipment of bicycles, and to establish and fund alternative bicycle routes such as shared use paths. Several interim studies have also been requested to help legislators better understand bicycle needs and safety in Montana.

Other Materials:

[Safely Passing Bicyclists Brief](#) - NCSL

[Montana Pedestrian & Bicycle Plan](#) – Montana Department of Transportation

[Shared Use Path Inventory and Detailed Maintenance Plan](#) – Montana Department of Transportation

[Encouraging Bicycling and Walking: The Legislative Role](#) – NCSL

[Transportation Review: Bicycle and Pedestrian Safety](#) -- NCSL

Introduced Legislation

2023

[House Joint Resolution 15](#) – (S) Died in Standing Committee -- A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF SHARED-USE PATH ROUTES IN MONTANA

[House Joint Resolution No. 16](#) – (H) Died in Process -- A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF TRAFFIC INCIDENTS INVOLVING BICYCLES AND MOTOR VEHICLES.

[House Bill 179](#) – (S) Died in Standing Committee -- AN ACT REVISING CARELESS DRIVING LAWS; SPECIFYING CIRCUMSTANCES THAT QUALIFY AS CARELESS DRIVING; AND AMENDING SECTION 61-8-302, MCA

[House Bill 261](#) – (H) Died in Process -- AN ACT REVISING LAWS RELATED TO BICYCLES; PROVIDING REGULATIONS FOR ELECTRICALLY ASSISTED BICYCLES; EXCLUDING ELECTRICALLY ASSISTED BICYCLES FROM THE DEFINITIONS OF "OFF-HIGHWAY VEHICLE", "MOPED", AND "MOTOR VEHICLE"; REVISING THE DEFINITION OF "ELECTRICALLY ASSISTED BICYCLE"; AMENDING SECTIONS 23-2-801, 61-1-101, AND 61-8-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[House Bill No. 776](#) - (H) Died in Standing Committee -- AN ACT PROVIDING FOR A STATEWIDE BIKE PATH THAT IS SEPARATED FROM MOTORIZED TRAFFIC; PROVIDING A STATEMENT OF LEGISLATIVE INTENT TO INCREMENTALLY CONNECT EACH COUNTY SEAT WITH THE STATEWIDE BIKE PATH BY 2100; REQUIRING THE DEPARTMENT OF TRANSPORTATION TO IDENTIFY ROADS LIKELY TO BE RECONSTRUCTED IN A 20-YEAR PLANNING HORIZON CAPABLE OF INCLUDING A SHARED-USE PATH; REQUIRING THE DEPARTMENT OF TRANSPORTATION TO DESIGNATE POTENTIAL SHARED-USE PATHS AS PART OF THE STATEWIDE BIKE PATH; REVISING SHARED-USE PATH CONSTRUCTION LAW; PROVIDING DEFINITIONS; AND AMENDING SECTIONS 60-3-301, 60-3-302, 60-3-303, 60-3-304, AND 12 60-3-309, MCA.

[Senate Bill No. 137](#) – (S) Died in Standing Committee -- 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.

[Senate Bill 342](#) – (S) Died in Process -- “AN ACT REVISING BICYCLE LAW; REVISING THE DEFINITION OF "BICYCLE"; PROVIDING THAT AN ELECTRICALLY ASSISTED BICYCLE WITH A 1,000 750 WATT OR LESS MOTOR CAN BE USED ANYWHERE A BICYCLE CAN BE USED; AND AMENDING SECTION 61-8-102, MCA.

2021

[House Joint Resolution 42](#) – (H) Died in Standing Committee -- A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF BICYCLE TRAIL ROUTES IN MONTANA.

[House Bill 184](#) – (S) Died in Standing Committee -- AN ACT GENERALLY REVISING BICYCLE SAFETY LAWS; REVISING RIGHT-OF-WAY LAWS FOR BICYCLES; REQUIRING RIDERS TO WEAR VISIBLE OR REFLECTIVE MATERIAL ON CERTAIN ROADS; REQUIRING RIDERS TO USE THE SHOULDER OR THE RIGHT-HAND HALF OF THE RIGHT-HAND LANE UNLESS EXCEPTIONS APPLY; REQUIRING FRONT AND REAR ILLUMINATION AT ALL TIMES; AND AMENDING SECTIONS 61-8-320, 61-8-603, 61-8-605, AND 61-8-607, MCA.

[House Bill 326](#) – (H) Died in Process -- AN ACT GENERALLY REVISING BICYCLE LAWS; DISTINGUISHING BICYCLES FROM OFF-HIGHWAY VEHICLES AND MOPEDS; AND AMENDING SECTIONS 23-2-801, 61-1- 6 101, AND 61-8-102, MCA.

[House Bill 420](#) – (H) Died in Process -- AN ACT REVISING BICYCLE LANE LAWS; REQUIRING THE DEPARTMENT OF TRANSPORTATION TO ADOPT DEFINITIONS AND STANDARDS FOR BICYCLE LANES AND BICYCLE ROUTES; PROVIDING RULEMAKING AUTHORITY; AND AMENDING SECTION 61- 7 8-320, MCA.

2019

[House Bill 395](#) – (H) Died in Process -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO BICYCLE SAFETY AND PASSING VEHICLES; REQUIRING A MOTOR VEHICLE OPERATOR OVERTAKING AND PASSING A PERSON RIDING A BICYCLE TO LEAVE A REASONABLE AND PRUDENT DISTANCE BETWEEN THE VEHICLE AND THE BICYCLE; SPECIFYING PASSING REQUIREMENTS BASED ON ROAD CONDITIONS; AND AMENDING SECTIONS 61-8-320 AND 61-8-321, MCA."

[House Joint Resolution 45](#) – Filed with Secretary of State -- A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA PROVIDING FOR AN INTERIM STUDY OF BICYCLE AND PEDESTRIAN PATHS.

2017

[House Bill 267](#) – (S) Died in Process -- A BILL FOR AN ACT ENTITLED: “AN ACT REVISING LAWS RELATED TO BICYCLE SAFETY AND PASSING VEHICLES; REQUIRING A MOTOR VEHICLE OPERATOR OVERTAKING AND PASSING A PERSON RIDING A BICYCLE TO LEAVE A REASONABLE AND PRUDENT DISTANCE BETWEEN THE VEHICLE AND THE BICYCLE; AND AMENDING SECTIONS 61-8-320 AND 61-8-321, MCA.”

[House Bill 512](#) -- (H) Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: “AN ACT REQUIRING AN ORANGE FLAG FOR A BICYCLE.”

2015

[House Bill 394](#) – (S) Died in Standing Committee -- 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.”

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