

1 SB34
2 133303-1
3 By Senator Brooks
4 RFD: Commerce, Transportation, and Utilities
5 First Read: 07-FEB-12
6 PFD: 08/18/2011

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8 SYNOPSIS: Under existing law, a driver of a motor
9 vehicle overtaking a bicycle proceeding in the same
10 direction is required to pass at a safe distance
11 and maintain the clearance until safely past the
12 bicycle.

13 This bill would provide a definition for
14 safe distance for purposes of a vehicle overtaking
15 and passing a bicycle.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To amend Section 32-5A-82, Code of Alabama 1975, to
22 provide a definition for safe distance for purposes of a
23 vehicle overtaking and passing a bicycle.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 32-5A-82, Code of Alabama 1975,
26 is amended to read as follows:

27 "§32-5A-82.

1 "The following rules shall govern the overtaking and
2 passing of vehicles proceeding in the same direction, subject
3 to those limitations, exceptions, and special rules
4 hereinafter stated:

5 "(1) The driver of a vehicle overtaking another
6 vehicle proceeding in the same direction shall pass to the
7 left thereof at a safe distance and shall not again drive to
8 the right side of the roadway until safely clear of the
9 overtaken vehicle.

10 "(2) Except when overtaking and passing on the right
11 is permitted, the driver of an overtaken vehicle shall give
12 way to the right in favor of the overtaking vehicle on audible
13 signal and shall not increase the speed of his or her vehicle
14 until completely passed by the overtaking vehicle.

15 "(3) For purposes of a vehicle overtaking and
16 passing a bicycle, a safe distance shall mean not less than
17 three feet."

18 Section 2. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.