

1 SB95  
2 133402-1  
3 By Senator Allen  
4 RFD: Commerce, Transportation, and Utilities  
5 First Read: 07-FEB-12  
6 PFD: 01/25/2012

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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:

1           "§32-5A-82.

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

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

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

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

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