



House of Representatives *State of Utah*

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January 25, 2005

Mr. Speaker:

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 49**, BICYCLE SAFETY PROVISIONS, by Representative R. McGee, with the following amendments:

1. *Page 1, Line 16:*

- 16 • maintain the clearance until safely past the bicycle; ~~{-and-}~~
- ▶ provides that the three foot passing distance requirement does not apply if the road is too narrow to safely pass the bicycle;
- ▶ provides that an operator of a vehicle may not be cited for a violation if:
- the operator and of the vehicle is involved in an accident with the bicyclist; and
- the bicyclist was operating the bicycle in a negligent manner; and

2. *Page 2, Lines 35 through 39:*

- 35 (3) (a) An operator of a vehicle proceeding in the opposite direction
shall when passing a bicycle :
- 36 ~~{(a) pass a bicycle-}~~ (i) travel at a safe distance of no less than three feet
between any part of the
- 37 passing vehicle and the bicycle; and
- 38 ~~{(b)}~~ (ii) maintain the clearance required under Subsection (3)(a) until
safely past the
- 39 bicycle.
- (b) The provisions of Subsection (3)(a) do not apply if a lane is too narrow for an operator of a vehicle to safely pass the bicycle at the distance required under Subsection (3)(a)(i).
- (4) An operator of a vehicle may not be issued a citation for a violation of Subsection (3) if:
- (a) the operator of the vehicle is involved in an accident with a bicyclist; and
- (b) the bicyclist was operating the bicycle in a negligent manner.



3. Page 2, Line 53 through Page 3, Line 58:

53 (c) the operator of a vehicle overtaking a bicycle proceeding in the same direction
54 shall:
55 (i) leave a safe distance of no less than three feet between any part of the overtaking
56 vehicle and the bicycle; and
57 (ii) maintain the clearance required under Subsection (1)(c)(i) until safely past the
58 overtaken bicycle.

(2) The provisions of Subsection (1)(c) do not apply if a lane is too narrow for an operator of a vehicle to safely pass the bicycle at the distance required under Subsection (1)(c)(i).

4. Page 3, Line 59:

59 ~~{(2)}~~ (3) On a highway having more than one lane in the same direction,
the operator of a

5. Page 3, Line 71:

71 (v) when following direction signs that direct use of a designated lane.
= **(4) An operator of a vehicle may not be issued a citation for a violation of Subsection (1)(c) if:**
(a) the operator of the vehicle is involved in an accident with a bicyclist; and
(b) the bicyclist was operating the bicycle in a negligent manner.

Respectfully,

DeMar "Bud" Bowman
Committee Chair

Voting: 9-0-2

3 HB0049.HC1.WPD 1/25/05 2:47 pm ssmith/SES SCH/BNC

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