

FIRST REGULAR SESSION

SENATE BILL NO. 372

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATORS ENGLER, TAYLOR AND GRIESHEIMER.

Read 1st time February 17, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

1514S.02I

AN ACT

To repeal sections 300.330 and 307.180, RSMo, and to enact in lieu thereof six new sections relating to bicycle safety, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 300.330 and 307.180, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 300.330, 300.411, 304.678, 307.180, 307.191, and 307.192, to read as follows:

300.330. The driver of a **motor** vehicle shall not drive within any sidewalk area except as a permanent or temporary driveway. **A designated bicycle lane shall not be obstructed by a parked or standing motor vehicle or other stationary object. A motor vehicle may be driven in a designated bicycle lane only for the purpose of a lawful maneuver to cross the lane or provide for safe travel. In making an otherwise lawful maneuver that requires traveling in or crossing a designated bicycle lane, the driver of a motor vehicle shall yield to any bicycle in the lane. As used in this section, the term "designated bicycle lane" shall mean a portion of the roadway or highway that has been designated by the governing body having jurisdiction over such roadway or highway by striping with signing or striping with pavement markings for the preferential or exclusive use of bicycles.**

300.411. 1. The operator of a motor vehicle overtaking a bicycle or individual proceeding in the same direction on the roadway shall leave a safe distance, but in no case less than three feet clearance, when passing the bicycle or individual and shall maintain clearance until safely past the overtaken bicycle or individual.

2. When passing a pedestrian in or near a roadway, a person operating a vehicle shall proceed by operating at a safe speed and leaving a safe distance, but in no case less than three feet clearance, between the vehicle and the pedestrian until the vehicle is safely past the pedestrian.

304.678. 1. The operator of a motor vehicle overtaking a bicycle or individual proceeding in the same direction on the roadway shall leave a safe distance, but in no case less than three feet clearance, when passing the bicycle or individual and shall maintain clearance until safely past the overtaken bicycle or individual.

2. When passing a pedestrian in or near a roadway, a person operating a vehicle shall proceed by operating at a safe speed and leaving a safe distance, but in no case less than three feet clearance, between the vehicle and the pedestrian until the vehicle is safely past the pedestrian.

3. Any person who violates the provisions of this section is guilty of an infraction unless an accident is involved, in which case it shall be a class C misdemeanor.

307.180. As used in sections 307.180 to 307.193:

(1) The word "bicycle" shall mean every vehicle propelled solely by human power upon which any person may ride, having two tandem wheels, **or two parallel wheels and one or two forward or rear wheels, all of which are more than fourteen inches in diameter**, except scooters and similar devices;

(2) The term "motorized bicycle" shall mean any two- or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground. A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy.

307.191. 1. A person operating a bicycle at less than the posted speed or slower than the flow of traffic upon a street or highway may operate as described in section 307.190 or may operate on the shoulder adjacent to the roadway.

2. A bicycle operated on a roadway, or on the shoulder adjacent to a roadway, shall be operated in the same direction as vehicles are

required to be driven upon the roadway.

3. For purposes of this section and section 307.190, "roadway" is defined as that portion of a street or highway ordinarily used for vehicular travel, exclusive of the berm or shoulder.

307.192. The operator of a bicycle shall signal as required in section 304.019, RSMo, except that a signal by the hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle. An operator of a bicycle intending to turn the bicycle to the right shall signal as indicated in section 304.019, RSMo, or by extending such operator's right arm in a horizontal position so that the same may be seen in front of and in the rear of the vehicle.

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