

By: Senator(s) King, Hewes, Dearing

To: Highways and
Transportation

SENATE BILL NO. 3014
(As Passed the Senate)

1 AN ACT TO PROVIDE THE RIGHTS AND DUTIES OF THOSE PERSONS
2 OPERATING BICYCLES ON ANY ROADWAY OR HIGHWAY OR PATH SET ASIDE FOR
3 BICYCLES; TO SET FORTH THE RIGHTS AND DUTIES OF THE OPERATOR OF A
4 MOTOR VEHICLE WITH RESPECT TO BICYCLES; TO PROHIBIT CERTAIN
5 ACTIVITIES; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Sections 1 through 7 of this act shall be known
8 and may cited as the "John Paul Frerer Bicycle Safety Act."

9 **SECTION 2.** (1) Sections 1 through 7 of this act apply to
10 bicycles whenever they are operated upon any roadway or highway,
11 or upon any path set aside for the exclusive use of bicycles.

12 (2) A person riding a bicycle upon a roadway has all of the
13 rights and is subject to all of the duties applicable to the
14 driver of a vehicle, except as may be otherwise provided in
15 Sections 1 through 7 of this act.

16 **SECTION 3.** (1) For purposes of this section, "bicycle lane"
17 means a portion of the roadway or a lane separated from the
18 roadway that has been designated by striping, pavement markings
19 and signage for the preferential or exclusive use of bicyclists.

20 (2) Whenever a bicycle lane has been provided adjacent to a
21 roadway, the operator of a motor vehicle may not block the bicycle
22 lane to oncoming bicycle traffic and shall yield to a bicyclist in
23 the bicycle lane before entering or crossing the lane.

24 (3) This section does not apply to vehicles engaged in
25 providing public services, including, but not limited to, fire
26 engines, police vehicles, ambulances, public utility vehicles,
27 waste management trucks and tow trucks.



28 **SECTION 4.** (1) Every bicyclist operating a bicycle upon a
29 roadway less than the normal speed of traffic shall ride as close
30 as practicable to the right-hand curb or edge of the roadway
31 except under any of the following conditions:

32 (a) When it is unsafe to do so;

33 (b) When overtaking and passing another bicycle or
34 vehicle proceeding in the same direction;

35 (c) When preparing for or making a left turn at an
36 intersection or into a private road or driveway;

37 (d) When proceeding straight in a place where right
38 turns are permitted; and

39 (e) When necessary to avoid hazardous conditions,
40 including, but not limited to, fixed or moving objects, vehicles,
41 bicycles, pedestrians, animals, surface hazards or a lane of
42 substandard width that makes it unsafe to continue along the right
43 portion of the way. For purposes of this paragraph, "lane of
44 substandard width" means a lane that is too narrow for a bicycle
45 and a vehicle to travel safely side by side in the lane.

46 (2) When operating a bicycle upon a roadway, a bicyclist
47 must exercise due care when passing or overtaking a vehicle that
48 is standing or proceeding in the same direction.

49 (3) Bicyclists riding bicycles upon a roadway shall not ride
50 more than two (2) abreast, except on paths or parts of roadways
51 set aside for exclusive use of bicycles.

52 **SECTION 5.** (1) While passing a bicyclist on a roadway, a
53 motorist shall leave a safe distance of not less than three (3)
54 feet between his vehicle and the bicyclist and shall maintain such
55 clearance until safely past the bicycle.

56 (2) A motor vehicle operator may pass a bicycle traveling in
57 the same direction in a nonpassing zone with the duty to execute
58 the pass only when it is safe to do so.

59 (3) The operator of a vehicle that passes a bicyclist
60 proceeding in the same direction may not make a right turn at any



61 intersection or into any highway or driveway unless the turn can
62 be made with reasonable safety.

63 **SECTION 6.** (1) A bicyclist shall indicate a right turn by
64 extending the left arm upward, by raising the left arm to the
65 square, or by extending the right arm horizontally to the right.

66 (2) A bicyclist shall indicate a left turn by extending the
67 left arm horizontally.

68 (3) A bicyclist shall indicate stopping or decreasing speed
69 by extending the left arm or the right arm downward.

70 (4) A bicyclist is not required to give the signals
71 continuously, if the hand or arm is needed to control the bicycle.

72 **SECTION 7.** It is unlawful to harass, taunt or maliciously
73 throw an object at or in the direction of any person riding a
74 bicycle.

75 A person convicted of a violation of this section shall be
76 fined One Hundred Dollars (\$100.00) for the first offense, Five
77 Hundred Dollars (\$500.00) for the second offense, and a fine of
78 Two Thousand Five Hundred Dollars (\$2,500.00) and imprisonment in
79 the county jail for seven (7) days for the third and subsequent
80 offenses.

81 **SECTION 8.** This act shall take effect and be in force from
82 and after July 1, 2010.

