

By: Representative Baker (74th)

To: Transportation

HOUSE BILL NO. 173

1 AN ACT TO AMEND SECTION 63-3-603, MISSISSIPPI CODE OF 1972,
 2 TO PRESCRIBE CERTAIN ADDITIONAL EXCEPTIONS TO THE REQUIREMENT THAT
 3 A VEHICLE PROCEEDING AT LESS THAN THE NORMAL SPEED OF TRAFFIC MUST
 4 BE DRIVEN IN THE RIGHT-HAND LANE OF A MULTI-LANED ROADWAY OR AS
 5 CLOSE AS IS SAFE TO THE RIGHT-HAND CURB OR EDGE OF THE ROADWAY; TO
 6 AUTHORIZE ANY PERSON RIDING A BICYCLE UPON A ONE-WAY STREET OR
 7 HIGHWAY WITH TWO OR MORE MARKED LANES OF TRAVEL TO RIDE AS CLOSE
 8 AS IS SAFE TO THE LEFT-HAND CURB OR EDGE OF THE STREET OR HIGHWAY;
 9 TO PROHIBIT A PERSON OPERATING A BICYCLE FROM PASSING OTHER
 10 VEHICLES BETWEEN LANES OF TRAFFIC TRAVELING IN THE SAME DIRECTION;
 11 TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION 63-3-604,
 12 MISSISSIPPI CODE OF 1972, TO REQUIRE A PERSON WHEN OVERTAKING AND
 13 PASSING A BICYCLE PROCEEDING IN THE SAME DIRECTION TO LEAVE A SAFE
 14 DISTANCE BETWEEN THE MOTOR VEHICLE AND THE BICYCLE OF NOT LESS
 15 THAN THREE FEET UNTIL THE MOTOR VEHICLE IS SAFELY PAST THE
 16 OVERTAKEN BICYCLE; TO PRESCRIBE PENALTIES FOR VIOLATIONS THAT
 17 RESULT IN A COLLISION CAUSING SERIOUS PHYSICAL INJURY OR DEATH TO
 18 ANOTHER PERSON; TO AMEND SECTION 63-3-207, MISSISSIPPI CODE OF
 19 1972, IN CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND FOR
 20 RELATED PURPOSES.

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

22 **SECTION 1.** Section 63-3-603, Mississippi Code of 1972, is
 23 amended as follows:

24 63-3-603. (1) Whenever any roadway has been divided into
 25 three (3) or more clearly marked lanes for traffic, except through
 26 or bypassing a municipality, the following rules in addition to
 27 all others consistent herewith shall apply:

28 (a) A vehicle shall be driven as nearly as practical
 29 entirely within a single lane and shall not be moved from such
 30 lane until the driver has first ascertained that such movement can
 31 be made with safety.

32 (b) A vehicle shall not be driven in the center lane
 33 upon a roadway which is divided into three (3) lanes except when:

34 (i) Overtaking and passing another vehicle where
 35 the roadway is clearly visible and such center lane is clear of
 36 traffic within a safe distance;



37 (ii) Such vehicle is in preparation for a left
38 turn; or

39 (iii) Such center lane is at the time allocated
40 exclusively to traffic moving in the direction such vehicle is
41 proceeding and is signposted to give notice of such allocation.

42 (c) Official signs may be erected directing slow-moving
43 traffic to use a designated lane or allocating specified lanes to
44 traffic moving in the same direction, and drivers of vehicles
45 shall obey the directions of every such sign.

46 (2) Upon all roadways any vehicle proceeding at less than
47 the normal speed of traffic at the time and place and under the
48 conditions then existing shall be driven in the right-hand lane
49 then available for traffic, or as close as is safe to the
50 right-hand curb or edge of the roadway, except:

51 (a) When overtaking and passing another vehicle
52 proceeding in the same direction;

53 (b) When preparing for a left turn at an intersection
54 or into a private road or driveway;

55 (c) When reasonably necessary to avoid conditions and
56 while exercising due care including, but not limited to:

57 (i) Fixed or moving objects;

58 (ii) Parked or moving vehicles;

59 (iii) Pedestrians or animals;

60 (iv) Surface hazards; or

61 (v) Any time it is unsafe to continue along the
62 right-hand curb or edge of the roadway; and

63 (d) When riding in the right-turn-only lane.

64 (3) Any person riding a bicycle upon a one-way street or
65 highway with two (2) or more marked lanes of travel may ride as
66 close as is safe to the left-hand curb or edge of the street or
67 highway.

68 (4) No person operating a bicycle shall pass other vehicles
69 between lanes of traffic traveling in the same direction.



70 (5) Persons riding bicycles upon a roadway shall not ride
71 more than two (2) abreast except on paths or parts of roadways set
72 aside for the exclusive use of bicycles. Persons riding two (2)
73 abreast shall not impede the normal and reasonable movement of
74 traffic and, on a laned roadway, shall ride within a single lane.

75 **SECTION 2.** The following shall be codified as Section
76 63-3-604, Mississippi Code of 1972:

77 63-3-604. (1) When overtaking and passing a bicycle
78 proceeding in the same direction, a person driving a motor vehicle
79 shall exercise due care by leaving a safe distance between the
80 motor vehicle and the bicycle of not less than three (3) feet
81 until the motor vehicle is safely past the overtaken bicycle.

82 (2) If a person violates the provisions of subsection (1) of
83 this section and the violation results in a collision causing
84 serious physical injury to another person, the violator shall be
85 punished by a fine of not more than Five Hundred Dollars
86 (\$500.00).

87 (3) If a person violates the provisions of subsection (1) of
88 this section and the violation results in death of another person,
89 the violator shall be punished by a fine of not more than One
90 Thousand Dollars (\$1,000.00).

91 **SECTION 3.** Section 63-3-207, Mississippi Code of 1972, is
92 amended as follows:

93 63-3-207. Every person riding a bicycle or an animal or
94 driving any animal drawing a vehicle upon a highway shall have all
95 of the rights and all of the duties applicable to the driver of a
96 vehicle under this chapter, except as otherwise specifically
97 provided by this chapter, or except those provisions of this
98 chapter which by their nature can have no application.

99 **SECTION 4.** This act shall take effect and be in force from
100 and after July 1, 2007.

