S T A T E  O F  N E W  Y O R K

10833

I N  A S S E M B L Y

April 23, 2010

Introduced by M. of A. SPANO -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing a three foot buffer zone between a motor vehicle passing a bicyclist proceeding in the same direction on a highway

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and may be cited as "Merrill's law".

S 2. The vehicle and traffic law is amended by adding a new section 1132 to read as follows:

S 1132. THREE FOOT BUFFER ZONE BETWEEN A VEHICLE OVERTAKING A BICYCLE. 1. THE DRIVER OF A MOTOR VEHICLE OVERTAKING A BICYCLIST PROCEEDING IN THE SAME DIRECTION ON THE SAME HIGHWAY SHALL, WHEN CIRCUMSTANCES ARE PRACTICABLE, LEAVE A SAFE DISTANCE OF AT LEAST THREE FEET BETWEEN SUCH VEHICLE'S PASSENGER SIDE AND THE BICYCLIST WHEN PASSING SUCH BICYCLIST, AND SHALL MAINTAIN THAT DISTANCE UNTIL SAFELY PAST SUCH BICYCLIST.

2. ANY DRIVER VIOLATING THIS SECTION SHALL BE GUILTY OF RECKLESS DRIVING PURSUANT TO SECTION TWELVE HUNDRED TWELVE OF THIS TITLE, AND SHALL BE GUILTY OF A MISDEMEANOR.

S 3. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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