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

6649

I N S E N A T E

February 3, 2016

Introduced by Sens. O'MARA, HANNON, FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to operators of a vehicle overtaking a bicycle from behind

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

Section 1. Section 1122-a of the vehicle and traffic law, as added by chapter 413 of the laws of 2010, is amended to read as follows:

S 1122-a. Overtaking a bicycle. 1. The operator of a vehicle overtaking, from behind, a bicycle proceeding on the same side of a roadway shall pass to the left of such bicycle at a [safe] distance OF NOT LESS THAN THREE FEET until safely clear thereof.

2. THE COLLISION OF A MOTOR VEHICLE WITH A PERSON OPERATING A BICYCLE ON THE SAME SIDE OF A ROADWAY SHALL BE PRIMA FACIE EVIDENCE OF THE OPERATOR'S FAILURE TO PASS SUCH BICYCLIST AT A DISTANCE OF MORE THAN THREE FEET UNTIL SAFELY CLEAR THEREOF.

S 2. 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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