

STATE OF NEW YORK

1995

2017-2018 Regular Sessions

IN SENATE

January 11, 2017

Introduced by Sens. O'MARA, FUNKE, HANNON -- 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:

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

3 § 1122-a. Overtaking a bicycle. 1. The operator of a vehicle overtak-
4 ing, from behind, a bicycle proceeding on the same side of a roadway
5 shall pass to the left of such bicycle at a [~~safe~~] distance of not less
6 than three feet until safely clear thereof.

7 2. The collision of a motor vehicle with a person operating a bicycle
8 on the same side of a roadway shall be prima facie evidence of the oper-
9 ator's failure to pass such bicyclist at a distance of more than three
10 feet until safely clear thereof.

11 § 2. This act shall take effect immediately.

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

LBD07106-01-7