STATE OF NEW YORK

3986

2023-2024 Regular Sessions

IN ASSEMBLY

February 8, 2023

Introduced by M. of A. FAHY, SIMON, GALLAGHER, EPSTEIN, CARROLL, JACKSON, HUNTER, McMAHON, MITAYNES, DAVILA, BURDICK, GONZALEZ-ROJAS -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the operation of bicycles at stop signs and traffic-control signals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The vehicle and traffic law is amended by adding a new section 1231-a to read as follows:

§ 1231-a. Special provisions for bicycles. 1. Notwithstanding any other provision of law, a person operating a bicycle approaching a stop sign shall, before entering the intersection, either slow down to a speed reasonable for existing conditions, or shall stop if required for safety at a clearly marked stop line, but if none, then shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk, at the point nearest the intersecting highway where such person operating a bicycle has a view of the approaching traffic on the intersecting highway. Such person operating a bicycle shall yield the right of way to any pedestrian legally crossing the highway on which they are operating the bicycle, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such person operating a bicycle is moving across or within the intersection. Provided, however, that if such person operating a bicycle is involved in a collision with a pedestrian in a crosswalk or a vehicle in the intersection after operating a bicycle past a stop sign without stopping, such collision shall be deemed prima facie evidence of their failure to yield the right of way.

2. Notwithstanding any other provision of law, except when directed to proceed by a police officer, every person operating a bicycle approaching a steady circular red signal or red arrow signal of a traffic-con-

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

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trol signal shall stop at a clearly marked stop line, but if none, then shall stop before entering the crosswalk on the near side of the intersection, or in the event there is no crosswalk, at the point nearest the intersecting highway where such person has a view of the approaching traffic on the intersecting highway and, after having stopped may cautiously enter the intersection to proceed straight through or turn left or right unless a sign at such place prohibits either such turn. Such person operating a bicycle shall yield the right of way to pedestrians within a marked or unmarked crosswalk at the intersection and shall yield to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such person operating a bicycle is moving across or within the intersection.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.