

ASSEMBLY, No. 5571

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

SYNOPSIS

Imposes certain requirements on operators of motor vehicles when overtaking bicycles; establishes fine for collision with bicyclist under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/17/2021)

1 AN ACT concerning motor vehicles overtaking bicycles and
2 supplementing Title 39 of the Revised Statutes.

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4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. The operator of a motor vehicle overtaking and passing a
8 bicycle, as defined in R.S.39:4-14.5, proceeding in the same
9 direction on a highway shall comply with the requirements for
10 passing and overtaking a motor vehicle pursuant to Title 39 of the
11 Revised Statutes and shall overtake and pass a bicycle at a safe
12 distance that does not interfere with the safe operation of the
13 bicycle, taking into consideration the size and speed of the motor
14 vehicle and bicycle, traffic conditions, weather, visibility, and the
15 surface and width of the highway.

16 b. The operator of a motor vehicle shall not overtake or pass a
17 bicycle proceeding in the same direction on a highway at a distance
18 of less than three feet between any part of the motor vehicle and any
19 part of the bicycle or its operator.

20 c. If an operator of a motor vehicle is not able to comply with
21 the provisions of subsection b. of this section due to traffic or
22 roadway conditions, the operator shall slow to a speed that is
23 reasonable and prudent and may pass the bicycle only when passing
24 would not endanger the safety of the operator of the bicycle, taking
25 into consideration the size and speed of the motor vehicle and
26 bicycle, traffic conditions, weather, visibility, and the surface and
27 width of the highway.

28 d. A person who violates the provisions of this section shall be
29 subject to a fine of \$100.

30 e. If a collision occurs between a motor vehicle and a bicycle
31 causing bodily injury to the operator of the bicycle and the operator
32 of the motor vehicle is found to be in violation of subsection a., b.,
33 or c. of this section, the operator of the motor vehicle shall be
34 subject to a fine of \$400.

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36 2. This act shall take effect on the first day of the seventh
37 month after enactment.

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40 STATEMENT

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42 This bill imposes certain requirements on operators of motor
43 vehicles overtaking bicycles and establishes a fine for a violation or
44 collision with a bicyclist under certain circumstances.

45 Under the provisions of this bill, the operator of a motor vehicle
46 overtaking and passing a bicycle that is proceeding in the same
47 direction on a highway is required to comply with the requirements
48 for passing and overtaking a motor vehicle under current law and is

1 to pass and overtake a bicycle at a safe distance that does not
2 interfere with its safe operation, taking into consideration the size
3 and speed of the motor vehicle and bicycle, traffic conditions,
4 weather, visibility, and the surface and width of the highway.

5 The bill further provides that the operator of a motor vehicle is
6 not to overtake or pass a bicycle proceeding in the same direction
7 on a highway at a distance of less than three feet between any part
8 of the motor vehicle and any part of the bicycle or operator. If an
9 operator of a motor vehicle is not able to comply with this provision
10 due to traffic or roadway conditions, the operator of the motor
11 vehicle is required to slow to a speed that is reasonable and prudent
12 and may pass the bicycle only when passing would not endanger the
13 safety of the operator of the bicycle, taking into consideration the
14 size and speed of the motor vehicle and bicycle, traffic conditions,
15 weather, visibility, and the surface and width of the highway.

16 A person who violates the provisions of the bill is subject to a
17 fine of \$100. If a collision occurs between a motor vehicle and a
18 bicycle causing bodily injury to the operator of the bicycle and the
19 operator of the motor vehicle is found to be in violation of the bill's
20 provisions, the operator of the motor vehicle is subject to a fine of
21 \$400.