
HOUSE BILL No. 1273

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-21.

Synopsis: Collisions with pedestrians and bicyclists. Provides that the operator of a motor vehicle is not civilly or criminally liable for the injury or death of a pedestrian that results from a collision between the motor vehicle and the pedestrian if the pedestrian was not on the shoulder or edge of the pedestrian's left side of the roadway at the time the collision occurred. Provides that the operator of a motor vehicle is not civilly or criminally liable for the injury to or death of an individual riding a bicycle if the bicycle was not equipped with certain lights at the time the collision occurred. Provides that the limitation on liability applies only to a collision that occurs between 30 minutes after sunset and 30 minutes before sunrise. Provides that the limitation on liability
(Continued next page)

Effective: July 1, 1998.

Davis

January 13, 1998, read first time and referred to Committee on Roads and Transportation.

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Digest Continued

does not apply if the operator's operation of the motor vehicle is willful or wanton or grossly negligent. Provides that the limitation on liability in a collision with a pedestrian does not apply if the pedestrian is on a sidewalk at the time the collision occurs.

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Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

HOUSE BILL No. 1273

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-21-21 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1998]:

4 **Chapter 21. Limited Liability for Motor Vehicle Operators in**
5 **Collisions with Pedestrians or Bicyclists**

6 **Sec. 1. This chapter applies only to a collision that occurs after**
7 **thirty (30) minutes after sunset and before thirty (30) minutes**
8 **before sunrise.**

9 **Sec. 2. This chapter does not apply when an operator's**
10 **operation of the motor vehicle is willful or wanton or grossly**
11 **negligent.**

12 **Sec. 3. (a) This section does not apply if a pedestrian is on a**
13 **sidewalk at the time a collision occurs between the pedestrian and**
14 **a motor vehicle.**

15 **(b) The operator of a motor vehicle is immune from civil and**



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1 **criminal liability for an injury to or the death of a pedestrian if the**
2 **pedestrian's injury or death results from a collision that occurs**
3 **with the motor vehicle while the pedestrian is not on the:**
4 **(1) shoulder; or**
5 **(2) edge;**
6 **of the pedestrian's left side of the roadway at the time the collision**
7 **occurred.**
8 **Sec. 4. The operator of a motor vehicle is immune from civil and**
9 **criminal liability for an injury to or the death of an individual**
10 **riding a bicycle if the individual's injury or death results from a**
11 **collision that occurs with the motor vehicle if the bicycle is not**
12 **equipped with the following:**
13 **(1) A lamp on the front exhibiting a white light visible from a**
14 **distance of at least five hundred (500) feet to the front.**
15 **(2) A lamp on the rear exhibiting a red light visible from a**
16 **distance of five hundred (500) feet to the rear.**

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