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## SENATE BILL No. 353

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-13-2-14; IC 9-21.

**Synopsis:** Bicycle helmets and vehicle operation near bicycles. Provides that it is a Class C infraction: (1) for a bicyclist under 18 years of age to fail to wear protective headgear when operating or riding on a bicycle; and (2) for a person driving a vehicle overtaking a bicycle to not allow at least three feet of clearance between the vehicle and the bicycle and not return to the original lane until the vehicle is safely clear of the bicycle.

**Effective:** July 1, 2011.

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### Broden

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January 11, 2011, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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## SENATE BILL No. 353



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 9-13-2-14 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 14. "Bicycle" means
- 3 ~~any foot-propelled a vehicle; irrespective of the number of~~
- 4 **(1) propelled solely by human powered foot crank or hand**
- 5 **crank;**
- 6 **(2) operated by one (1) or more individuals; and**
- 7 **(3) having two (2) or more wheels. in contact with the ground.**
- 8 **The term does not include a child's ride-on toy or a skateboard.**
- 9 SECTION 2. IC 9-21-8-5 IS AMENDED TO READ AS FOLLOWS
- 10 [EFFECTIVE JULY 1, 2011]: Sec. 5. The following rules govern the
- 11 overtaking and passing of vehicles proceeding in the same direction,
- 12 subject to the limitations, exceptions, and special rules stated:
- 13 (1) A person who drives a vehicle overtaking another vehicle
- 14 proceeding in the same direction shall pass to the left of the other
- 15 vehicle at a safe distance and may not again drive to the right side
- 16 of the roadway until safely clear of the overtaken vehicle.
- 17 (2) Except when overtaking and passing on the right is permitted,



1 a person who drives an overtaken vehicle shall give way to the  
2 right in favor of the overtaking vehicle on audible signal and may  
3 not increase the speed of the overtaken vehicle until completely  
4 passed by the overtaking vehicle.

5 **(3) A person who drives a vehicle overtaking a bicycle shall:**  
6 **(A) allow at least three (3) feet of clearance between the**  
7 **vehicle and the bicycle; and**

8 **(B) not return to the original lane until the vehicle is safely**  
9 **clear of the bicycle.**

10 **(4) The operator of a vehicle may pass a bicycle traveling in**  
11 **the same direction in a no passing zone when it is safe to do so,**  
12 **if the overtaking motor vehicle complies with subdivisions (1),**  
13 **(2), and (3).**

14 SECTION 3. IC 9-21-11-8 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 8. A person **less than**  
16 **eighteen (18) years of age** may not **operate or** ride a bicycle unless  
17 the bicycle is equipped with a bell or other device capable of giving a  
18 signal audible for a distance of at least one hundred (100) feet. A  
19 bicycle may not be equipped with and a person may not use upon a  
20 bicycle a siren or whistle. **wears protective headgear meeting the**  
21 **minimum standards set by the United States Consumer Product**  
22 **Safety Commission under 16 CFR part 1203.**

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