

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 462

01/28/2019 Authored by Bernardy and Lillie The bill was read for the first time and referred to the Transportation Finance and Policy Division

1.1 A bill for an act
1.2 relating to transportation; modifying certain bicycle traffic regulations, powers,
1.3 and duties; amending Minnesota Statutes 2018, sections 160.02, subdivision 1a;
1.4 169.011, subdivisions 5, 9; 169.18, subdivision 3; 169.222, subdivisions 1, 4.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 160.02, subdivision 1a, is amended to read:

1.7 Subd. 1a. **Bikeway.** "Bikeway" ~~means a bicycle lane, bicycle path, shared use path,~~
1.8 ~~bicycle route, or similar bicycle facility, regardless of whether designed for the exclusive~~
1.9 ~~use of bicycles or for shared use with other transportation modes~~ has the meaning given in
1.10 section 169.011, subdivision 9.

1.11 Sec. 2. Minnesota Statutes 2018, section 169.011, subdivision 5, is amended to read:

1.12 Subd. 5. **Bicycle lane.** "Bicycle lane" means a portion of a roadway ~~or shoulder~~ designed
1.13 for exclusive or preferential use by persons using bicycles. Bicycle lanes are to be
1.14 distinguished from the portion of the roadway ~~or shoulder~~ used for motor vehicle traffic by
1.15 physical barrier, striping, marking, or other similar device.

1.16 Sec. 3. Minnesota Statutes 2018, section 169.011, subdivision 9, is amended to read:

1.17 Subd. 9. **Bikeway.** "Bikeway" means a bicycle lane, bicycle path, ~~or bicycle route,~~ shared
1.18 use path, or similar bicycle facility, regardless of whether it is designed for the exclusive
1.19 use of bicycles or ~~is to be~~ for shared use with other transportation modes.

2.1 Sec. 4. Minnesota Statutes 2018, section 169.18, subdivision 3, is amended to read:

2.2 Subd. 3. **Passing.** ~~The following rules shall govern the overtaking and passing of vehicles~~
 2.3 ~~proceeding in the same direction, subject to the limitations, exceptions, and special rules~~
 2.4 ~~hereinafter stated:~~

2.5 ~~(1) (a)~~ The driver of a vehicle overtaking another vehicle proceeding in the same direction
 2.6 ~~shall~~ must pass to the left ~~thereof~~ of the other vehicle at a safe distance and ~~shall not again~~
 2.7 ~~drive~~ is prohibited from returning to the right side of the roadway until safely clear of the
 2.8 overtaken vehicle;

2.9 ~~(2) (b)~~ Except when overtaking and passing on the right is permitted, the driver of an
 2.10 overtaken vehicle ~~shall~~ must give way to the right in favor of the overtaking vehicle ~~on~~
 2.11 ~~audible warning,~~ and ~~shall~~ must not increase the speed of the overtaken vehicle until
 2.12 completely passed by the overtaking vehicle; ~~and~~

2.13 ~~(3) (c)~~ The operator of a motor vehicle overtaking a bicycle or individual proceeding in
 2.14 the same direction on the roadway ~~shall leave~~ or shoulder must:

2.15 (1) either (i) maintain a safe clearance distance while passing, but in no case less than
 2.16 three feet clearance, when passing the bicycle or individual or one-half the width of the
 2.17 motor vehicle, whichever is greater; or (ii) completely enter another lane of the roadway
 2.18 while passing; and shall

2.19 (2) maintain clearance until the motor vehicle has safely past passed the overtaken bicycle
 2.20 or individual.

2.21 Sec. 5. Minnesota Statutes 2018, section 169.222, subdivision 1, is amended to read:

2.22 Subdivision 1. **Traffic laws apply.** (a) Every person operating a bicycle shall have has
 2.23 all of the rights and duties applicable to the driver of any other vehicle by this chapter,
 2.24 except in respect to those provisions in this chapter relating expressly to bicycles and in
 2.25 respect to those provisions of this chapter which by their nature cannot reasonably be applied
 2.26 to bicycles. This subdivision applies to a bicycle operating on the shoulder of a roadway.

2.27 (b) A person lawfully operating a bicycle (1) on a sidewalk, or (2) across a roadway or
 2.28 shoulder on a crosswalk, has all the rights and duties applicable to a pedestrian under the
 2.29 same circumstances.

3.1 Sec. 6. Minnesota Statutes 2018, section 169.222, subdivision 4, is amended to read:

3.2 Subd. 4. **Riding rules.** (a) Every person operating a bicycle ~~upon a roadway shall~~ on a
3.3 road must ride as close as ~~practicable~~ to the right-hand curb or edge of the ~~roadway except~~
3.4 ~~under any of the following situations~~ road as the bicycle operator determines is safe. A
3.5 person operating a bicycle is not required to ride as close to the right-hand curb or edge
3.6 when:

3.7 (1) ~~when~~ overtaking and passing another vehicle proceeding in the same direction;

3.8 (2) ~~when~~ preparing for a left turn at an intersection or into a private road or driveway;

3.9 (3) ~~when~~ reasonably necessary to avoid conditions that make it unsafe to continue along
3.10 the right-hand curb or edge, including fixed or moving objects, vehicles, pedestrians, animals,
3.11 surface hazards, or narrow width lanes, ~~that make it unsafe to continue along the right-hand~~
3.12 ~~curb or edge; or;~~

3.13 (4) ~~when~~ operating on the shoulder of a roadway or in a bicycle lane; or

3.14 (5) operating in a right-hand turn lane before entering an intersection.

3.15 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle ~~shall~~ operator must
3.16 travel in the same direction as adjacent vehicular traffic.

3.17 (c) Persons riding bicycles upon a roadway or shoulder ~~shall~~ must not ride more than
3.18 two abreast and ~~shall~~ must not impede the normal and reasonable movement of traffic and,
3.19 on a laned roadway, shall ride within a single lane.

3.20 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a
3.21 crosswalk, ~~shall~~ must yield the right-of-way to any pedestrian and ~~shall~~ give an audible
3.22 signal when necessary before overtaking and passing any pedestrian. ~~No~~ A person shall
3.23 must not ride a bicycle upon a sidewalk within a business district unless permitted by local
3.24 authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or
3.25 crosswalk under their jurisdiction.

3.26 (e) An individual operating a bicycle or other vehicle on a bikeway ~~shall~~ must leave a
3.27 safe distance when overtaking a bicycle or individual proceeding in the same direction on
3.28 the bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

3.29 ~~(f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder~~
3.30 ~~on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same~~
3.31 ~~circumstances.~~

4.1 ~~(g)~~ (f) A person may operate an electric-assisted bicycle on the shoulder of a roadway,
4.2 on a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015,
4.3 subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph
4.4 (b), as applicable.

4.5 (g) Notwithstanding section 169.06, subdivision 4, a bicycle operator may cross an
4.6 intersection proceeding from a dedicated right-hand turn lane without turning right.

4.7 Sec. 7. **REVISOR'S INSTRUCTION.**

4.8 The revisor of statutes shall renumber Minnesota Statutes, section 160.02, subdivision
4.9 27a, as Minnesota Statutes, section 169.011, subdivision 73a. The revisor shall correct any
4.10 cross-references made necessary by this renumbering.