

## ***HB 1784 – 2017 bicycle traffic law bill – Ride Illinois – 3/23/2017 (Amendment 3)***

### **Allow motorists to pass bicyclists in a no-passing zone**

**Issue:** Roadway no-passing zones are determined by road engineers, with zone lengths based on the relative speeds of drivers of motorized vehicles passing other vehicles. For some roads, no-passing zones continue for a very long time.

This presents a problem for drivers wishing to pass a relatively slow-moving bicyclist *on two-lane roads lacking enough width for drivers to safely and legally pass with at least three feet lateral clearance* (per 625 ILCS 5/11-703(d)). While there may be sufficient time to safely pass a bicycle given the limitations for passing (5/11-705 and 706), the solid centerline tells the motorist not to move into the oncoming lane – even partially – to do so.

In this common situation, most motorists do cross solid centerlines to pass cyclists, anyway. Some drivers choose to pass too closely, to obey the no-passing zone. However, in doing so, they illegally squeeze by within the same, too-narrow lane – a scary maneuver sometimes leading to sideswipe crashes. For long no-passing zones, those obeying both the no-passing zone and the three-foot passing law may end up following the bicyclist slowly for a long time.

It is not clear whether current law (5/11-707(c)) allows a no-passing zone exception in this case by considering a bicycle as an “obstruction” using 5/11-701(a)2. This ambiguity needs to be addressed through a specific clarification, legalizing what most motorists already do.

**Proposed solution:** Several states have modernized their no-passing rule to reflect safe and practical passing practices. Most of those states allow drivers to pass bikes in a no-passing zone merely “when it is safe to do so”. Incorporating suggestions from IDOT, we recommend a more specific approach.

**PROPOSED AMENDMENT TO 625 ILCS 5/11-703 (d-5):** A driver of a motor vehicle overtaking a bicycle proceeding in the same direction on a highway may, subject to the provisions in paragraph (d) of this Section and Section 11-706 of this Code, pass to the left of the bicycle on a portion of the highway designated as a no-passing zone under Section 11-707 of this Code if the driver is able to overtake and pass the bicycle when:

(1) the bicycle is traveling at a speed of less than half of the posted speed limit of the highway;

(2) the driver is able to overtake and pass the bicycle without exceeding the posted speed limit of the highway; and

(3) there is sufficient distance to the left of the centerline of the highway for the motor vehicle to meet the overtaking and passing requirements under this Section.

**PROPOSED AMENDMENT TO 625 ILCS 5/11-707. No-passing zones. (c):** This Section does not apply under the conditions described in Section 11-701 (a) 2, subsection (d-5) of Section 11-703, ...

## **Clarify bicycling on shoulders**

**Issue:** Current law 625 ILCS 5/11-709.1 largely restricts vehicles driving on a shoulder, with some exceptions including “any farm tractor or implement of husbandry” listed in its paragraph (b). Bicycling on a paved shoulder is generally accepted practice, usually preferred by cyclists, but it is not legally clarified. Legal clarity would be a benefit both for cyclists as well as for road agencies willingly desiring to sign or otherwise designate bicycle routes having such shoulders.

However, it is poor practice to require cyclists to ride on a shoulder. If the shoulder is unpaved (e.g., gravel), many bikes are unable to ride on it without a very high risk of a flat tire and possibly falling. Many paved shoulders are not routinely swept, resulting in debris accumulation that frequently causes flats and possibly leads to falls. Shoulder rumble strips, while reducing car run-off-the-road crashes, are jarring and dangerous to ride on for bikes. Finally, other legal cyclist traffic maneuvers require riding away from the shoulder.

**Proposed solution:** We recommend adding bicycles as exceptions to the statute restricting driving on a shoulder. A statement that shoulder riding is not a requirement will not be added to the law. However, the plan is to make this clear in legislative intent language and to add it to add it to IDOT’s bicycle webpage and other state publications – which are used in the education, enforcement, and judicial systems.

### **PROPOSED AMENDMENT TO 625 ILCS 5/11-709.1. Driving on the shoulder.**

(a) Vehicles shall be driven on a roadway, and shall only be driven on the shoulder for the purpose of stopping or accelerating from a stop while merging into traffic. It shall be a violation of this Section if while merging into traffic and while on the shoulder, the vehicle passes any other vehicle on the roadway adjacent to it.

(b) This Section shall not apply to any authorized emergency vehicle, to any authorized transit bus, to any bicycle, to any farm tractor or implement of husbandry, to any service vehicle while engaged in maintenance of the highway or related work, or to any authorized vehicle within a designated construction zone.

## **Rear steady or flashing lights or reflectors**

**Issue:** Current law 625 ILCS 5/11-1507 governs required equipment when bicycling at night. Required on the back is *“a red reflector on the rear of a type approved by the Department which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle.”*

Red lights may be used in addition to a reflector, and there is no specificity on whether the light must be steady or could be flashing: *“A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.”*

The vice-president of the Chicagoland Area Bicycle Dealers Association (CABDA) stated that current, improved rear-lighting technology has eliminated the need for reflectors. Many bicyclists solely use rear lights already.

**Proposed solution:** CABDA’s V-P agrees with our assessment that the law could and should be updated so that a steady or flashing lamp may be used instead of the red reflector. Eight states (and the City of Chicago) currently allow either a light or reflector, although there is no consensus language. A simple fix based on current Illinois law wording is suggested.

### **PROPOSED AMENDMENT TO 625 ILCS 5/11-1507:**

(a) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Department which shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle, except that a lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear may be used in addition to or instead of the red reflector.