



Leading the movement to create a bicycle-friendly America for everyone

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Model Safe Passing Law

The League of American Bicyclists created this Model Safe Passing Law to help states and communities craft laws protecting bicyclists. For more information on why this type of law is needed and the features of this Model Law please visit: <http://bikeleague.org/content/model-safe-passing-law-0>.

When overtaking or passing a person operating a bicycle proceeding in the same direction, the driver of a motor vehicle shall exercise due care and:

1. If there is more than one lane for traffic proceeding in the same direction, move the vehicle to the lane to the immediate left, if the lane is available and moving into the lane is reasonably safe; or
2. If there is only one lane for traffic proceeding in the same direction, pass to the left of the person operating a bicycle at a safe distance, which must be not less than 3 feet between any portion of the vehicle and the bicycle, and shall not move again to the right side of the highway until the vehicle is safely clear of the overtaken person operating a bicycle.
3. The driver of a motor vehicle may drive to the left of the center of a roadway, including when a no passing zone is marked, to pass a person operating a bicycle only if the roadway to the left of the center is unobstructed for a sufficient distance to permit the driver to pass the person operating the bicycle safely and avoid interference with oncoming traffic. This paragraph does not authorize driving on the left side of the center of the roadway when prohibited under [*the state's equivalent to UVC sections 11-303 (Overtaking a vehicle on the left), 11-305 (limitations on overtaking on the left), and 11-306 (further limitations on driving on left of the center of roadway)*.]
4. The collision of a motor vehicle with a person operating a bicycle is *prima facie* evidence of a violation of this section.

Text in [brackets] is meant to be altered to reflect existing state statutes.