



# BICYCLE FRIENDLY STATE SAFE PASSING LAWS

At the League of American Bicyclists, we think that every state should make it clear that drivers bear the responsibility for safely passing a bicyclist. In 2017 we made a safe passing law one of our 5 Bicycle Friendly Actions featured in our Bicycle Friendly State program. Learn more at [bikeleague.org/bicycle-friendly-actions](http://bikeleague.org/bicycle-friendly-actions).

State	Statute	Passing standard	Written for Bikes	Year Passed
Alabama	32-5A-82	"not less than 3 feet' when a roadway has a marked bicycle lane, or a speed limit of 45 miles per hour or less and the roadway does not have a double yellow line separating cars from oncoming traffic indicating a no passing zone, and the bicyclist is riding within two feet of the right shoulder of the roadway."	N/Y (only written for bikes in a limited circumstance)	2015
Alaska	13 AAC 02.065	"safe distance"	N	
Arizona	28-735	"not less than 3 feet"	Y	2000
Arkansas	27-51-311	"not less than 3 feet"	Y	2007
California	21760	"shall not overtake or pass ... at a distance of less than three feet"	Y	2013
Colorado	42-4-1002; 42-4-1003; 42-4-1004	"at least a three-foot"	Y	2009
Connecticut	14-232	"not less than 3 feet"	Y	2008
Delaware	§ 4116	Vehicles must change lanes when another lane traveling in the same direction is available to the left or when a lane is too narrow pass with at least a 3 foot distance with both the vehicle and bicycle in the lane, in all other circumstances a vehicle must pass to the left at a reasonable and prudent distance that can "never be less than 3 feet"	Y	2017
District of Columbia	DMC 18-2202	"in no case less than 3 feet"	Y	2009
Florida	316.083	"not less than 3 feet"	Y	2006
Georgia	§ 40-6-56	"not less than 3 feet"	Y	2011
Hawaii	§291C-43(2)	"at least three feet"	Y	2018
Idaho	49-632	"safe distance"	N	
Illinois	11-703	"not less than 3 feet"	Y	2007
Indiana	9-21-8-5	"at least three feet"	Y	2019
Iowa	321.299	"safe distance"	N	
Kansas	§8-1516	"not less than 3 feet"	Y	2011

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Kentucky	KRS 189.340	If there is more than one lane for traffic proceeding in the same direction vehicles must move to the immediate left lane if the lane is available and it is safe to do so, if there is only one lane of traffic then "not less than 3 feet"	Y	2018
Louisiana	§76.1	"not less than 3 feet"	Y	2009
Maine	§2070	"not less than 3 feet"	Y	2007
Maryland	§ 21-1209	"not less than 3 feet"	Y	2010
Massachusetts	Ch. 90, §14; Ch. 89, §2	"safe distance"	Y	
Michigan	257.636(2)	"at least 3 feet"	Y	2018
Minnesota	169.18	"in no case less than three feet"	Y	2004
Mississippi	§ 63-3-1309	"not less than 3 feet"	Y	2010
Missouri	300.411	"safe distance"	Y	
Montana	61-8-320	"safely without endangering"	Y	
Nebraska	60-6,133	"no less than 3 feet"	Y	2012
Nevada	484B.270(2)	"not less than 3 feet"	Y	2011
New Hampshire	265:143-a	"at least 3 feet" with one additional foot for every 10 mph above 30 mph	Y	2008
New Jersey	39:4-85	Bicycles are not vehicles under New Jersey law and there are reports of law enforcement not applying this law to vehicles passing bicycles.	N	
New Mexico	66-7-310	"safe distance"	N	
New York	§ 1122-a	"safe distance"	Y	
North Carolina	§ 20-149	"at least two feet" and if in a no-passing zone then a minimum of four feet or completely entering the left lane of the highway.	N/Y (only written for bikes in a limited circumstance)	1995 & 2016
North Dakota	39-10-11	"safe distance"	N	
Ohio	4511.27	"When a motor vehicle or trackless trolley overtakes and passes a bicycle, three feet or greater is considered a safe passing distance."	Y	2016
Oklahoma	§47-11-1208	"not less than 3 feet"	Y	2006
Oregon	811.065	"safe distance" =a distance sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver's lane of traffic	Y	

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State	Statute	Passing standard	Written for Bikes	Year Passed
Pennsylvania	§ 3303	"not less than 4 feet"	Y	2012
Rhode Island	§ 31-15-18	"safe distance" =a distance sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver's lane of traffic	Y	
South Carolina	56-5-3435	"safe operating distance"	Y	
South Dakota	32-26-26.1	"a minimum of 3 foot" if "the posted limit is 35 mph or less" and "a minimum of 6 feet" if "the posted limit is greater than 35 mph."	Y	2015
Tennessee	55-8-175(c )(2)	"not less than 3 feet"	Y	2007
Texas	545.053	"safe distance"	N	
Utah	41-6a-706.5	"may not knowingly, intentionally, or recklessly: operate a motor vehicle within three feet"	Y	2006
Vermont	§ 1033	"safe distance"/ due care	Y	
Virginia	§ 46.2-839	"at least three feet"	Y	2014
Washington	46.61.110	On a roadway with two lanes or more, move completely into a lane left of the right lane when it is safe to do so; on a roadway with only one lane, reduce speed and pass at a safe distance, "where practicable at least three feet"	Y	2019
West Virginia	§17C-7-3	"not less than three feet at a careful and reduced speed"	Y	2014
Wisconsin	346.075	"in no case less than 3 feet"	Y	1973
Wyoming	31-5-203(c)	"at least a 3 foot separation"	Y	2015

## THE LEAGUE OF AMERICAN BICYCLISTS' MODEL SAFE PASSING LAW

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:

- » 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
- » 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.

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).]

The collision of a motor vehicle with a person operating a bicycle is prima facie evidence of a violation of this section.