



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.

| 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 | "safe distance" | N | |
| 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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|----------------|----------------|---|-------------------|-------------|
| 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 | "safe distance to clearly avoid coming into contact with" | Y | |
| 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.