



Senate

General Assembly

File No. 694

February Session, 2008

Substitute Senate Bill No. 299

Senate, April 21, 2008

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING BICYCLE ACCESS AND SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-232 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) Except as provided in sections 14-233 and 14-234, (1) the driver
4 of a vehicle overtaking another vehicle proceeding in the same
5 direction shall pass to the left thereof at a safe distance and shall not
6 again drive to the right side of the highway until safely clear of the
7 overtaken vehicle; and (2) the driver of an overtaken vehicle shall give
8 way to the right in favor of the overtaking vehicle and shall not
9 increase the speed of his vehicle until completely passed by the
10 overtaking vehicle. For the purposes of this subsection, "safe distance"
11 means not less than three feet when the driver of a vehicle overtakes
12 and passes a person riding a bicycle.

13 (b) No vehicle shall be driven to the left side of the center of the
14 highway in overtaking and passing another vehicle proceeding in the

15 same direction unless the left side is clearly visible and is free of
 16 oncoming traffic for a sufficient distance ahead to permit such
 17 overtaking and passing to be completely made without interfering
 18 with the safe operation of any vehicle approaching from the opposite
 19 direction or any vehicle overtaken.

20 (c) Violation of any provision of this section shall be an infraction.

21 Sec. 2. Subsection (a) of section 13b-79p of the 2008 supplement to
 22 the general statutes is amended by adding subdivision (22) as follows
 23 (*Effective October 1, 2008*):

24 (NEW) (22) Improving bicycle and pedestrian access throughout the
 25 state transportation system.

26 Sec. 3. (NEW) (*Effective October 1, 2008*) The Commissioner of
 27 Transportation shall, within available appropriations and in
 28 consultation with groups advocating on behalf of bicyclists, develop
 29 and implement a state-wide "Share the Road" public awareness
 30 campaign to educate the public concerning the rights and
 31 responsibilities of both motorists and bicyclists as they jointly use the
 32 highways of this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	14-232
Sec. 2	<i>October 1, 2008</i>	13b-79p(a)
Sec. 3	<i>October 1, 2008</i>	New section

APP *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Department of Transportation	TF - Cost	200,000	210,000

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

A section by section fiscal impact of the bill is presented below.

Section 1 clarifies that the safe distance of a vehicle overtaking a bicyclist is three feet. This change does not result in a fiscal impact.

Section 2 conforms statutory language to current practice. The DOT already includes improving bicycle and pedestrian access as a strategic initiative in its master plan.

Section 3 results in a cost to the Department of Transportation (DOT) to develop and implement a statewide "Share the Road" public awareness campaign. The cost in FY 09 is estimated to be \$200,000 to develop and implement the campaign.

The requirement that the "Share the Road" public awareness campaign be developed within available appropriations will likely result in one of four outcomes: (1) DOT will proceed with the development of the campaign, and will require a deficiency appropriation during FY 09; (2) DOT will delay the implementation of the campaign pending the approval of additional appropriations to meet this mandate in future fiscal years; (3) DOT will shift administrative resources from other department priorities, thereby impacting existing departmental programs; or (4) DOT will not implement the campaign. In the event that the department does not

implement the “Share the Road” public awareness campaign, it is not clear to what extent the lack of the campaign will impede the implementation of the other aspects of the bill.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 299*****AN ACT CONCERNING BICYCLE ACCESS AND SAFETY.*****SUMMARY:**

This bill makes improving bicycle and pedestrian access throughout the state transportation system eligible for funding previously authorized by law for implementing priority transportation strategy projects and initiatives (i.e., "Tier 1" strategy projects).

By law, any vehicle overtaking another vehicle proceeding in the same direction must pass to its left at a safe distance and not move right until safely clear of the overtaken vehicle. The bill specifies that in the case of a vehicle overtaking and passing a bicyclist, a safe distance is at least three feet.

Finally, the bill requires the transportation commissioner, within available appropriations and in consultation with groups advocating on behalf of bicyclists, to develop and implement a statewide "Share the Road" public awareness campaign to educate the public about the rights and responsibilities of motorists and bicyclists using the highways together.

EFFECTIVE DATE: October 1, 2008

BACKGROUND***Legislative History***

The Senate referred the bill to the Appropriations Committee on April 3. The committee reported a substitute bill on April 11. The committee (1) deleted a provision requiring the transportation commissioner to include areas for bicyclists and pedestrians when creating a layout of, or relocating, a state highway, instead authorizing him to do it whenever possible and (2) specified that the "Share the

Road” campaign be developed and implemented within available appropriations.

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 30 Nay 1 (03/07/2008)

Appropriations Committee

Joint Favorable Substitute

Yea 48 Nay 0 (04/11/2008)