

File No. 589

(Reprint of File No. 417)

House Bill No. 5740
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 23, 1998

AN ACT CONCERNING THE RIGHTS AND DUTIES OF
BICYCLISTS.

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

1 Section 1. (NEW) A surcharge shall be imposed
2 equivalent to one hundred per cent of the fine
3 established or imposed for a violation of
4 subsection (e) of section 14-242, section 14-245,
5 14-246a, 14-247 or 14-247a of the general statutes
6 for such violation when the driver of a vehicle
7 fails to grant or yield the right-of-way to a
8 person riding a bicycle, as defined in section
9 14-286 of the general statutes, as amended.

10 Sec. 2. Subsection (a) of section 14-286b of
11 the general statutes is repealed and the following
12 is substituted in lieu thereof:

13 (a) Every person operating a bicycle upon a
14 roadway shall ride [as near to the right side of
15 the roadway as practicable] SO AS NOT TO IMPEDE
16 THE NORMAL AND REASONABLE MOVEMENT OF TRAFFIC,
17 exercising due care when passing a standing
18 vehicle or one proceeding in the same direction.

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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FISCAL IMPACT STATEMENT - BILL NUMBER HB 5740

STATE IMPACT Indeterminate Revenue Gain, see explanation below

MUNICIPAL IMPACT None

STATE AGENCY(S) Judicial Department

EXPLANATION OF ESTIMATES:

The bill would result in an indeterminate revenue gain to the Special Transportation Fund (STF) and the General Fund (GF). The extent to which bicyclists are involved when drivers fail to give the right of way is not known.

In 1997, the current statutes affected by the bill saw the following activity:

<u>Statute</u>	<u>Offenses</u>	<u>Fines Collected</u>	<u>Fund</u>
14-242	2,259	232,186	STF
14-245	783	79,617	STF
14-247	757	77,549	STF
14-247a	111	10,890	GF
Total	<u>3,910</u>	<u>400,242</u>	

House "A" made a technical change and did not result in a fiscal impact.

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OLR AMENDED BILL ANALYSIS

HB 5740 (as amended by House "A")*

AN ACT CONCERNING THE PENALTY FOR FAILURE TO GRANT THE RIGHT-OF-WAY TO A BICYCLIST

SUMMARY: This bill imposes a surcharge equal to the fine imposed for a motor vehicle violation for the failure to yield or grant the right of way to a person riding a bicycle. These motor vehicle violations are all punishable as infractions.

The bill requires bicyclists to ride so as not to impede the normal and reasonable movement of traffic rather than "as near to the right side of the roadway as practicable."

*House Amendment "A" creates a surcharge rather than an additional fee to be imposed by the Superior Court.

EFFECTIVE DATE: October 1, 1998

FURTHER EXPLANATION**Surcharge**

The bill imposes a surcharge equal to 100% of the fine imposed, but it does not specify where the money collected will go. Under current law, all fines for the right-of-way violations addressed by this bill, except for those involving emerging from an alley, driveway, or building (CGS Sec. 14-247a), plus an additional 50% surcharge are paid to the Special Transportation Fund (STF). The bill creates another surcharge but does not refer to or amend any of the STF funding provisions. In addition, it includes one violation that currently is not statutorily included in the sources of funding for the STF.

BACKGROUND**Bicycle**

The term bicycle includes all vehicles propelled by a rider or riders or a helper motor. A helper motor is capable of no more than 30 miles per hour.

Conduct of Bicyclists

Bicyclists are granted all the rights and are subject to all the duties in the statutes for a driver of a motor vehicle.

Legislative History

The House referred the bill (File 417) to the Transportation Committee on April 13. That committee favorably reported it unchanged on April 17.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report
Yea 35 Nay 1

Transportation Committee

Joint Favorable Report
Yea 17 Nay 3