

File No. 676

(Reprint of File Nos. 417 and 589)

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

Approved by the Legislative Commissioner  
May 3, 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 (b) of section 13b-61 of  
11 the general statutes, as amended by section 2 of  
12 public act 97-309, is repealed and the following  
13 is substituted in lieu thereof:

14 (b) Notwithstanding any provision of  
15 subsection (a) of this section to the contrary,  
16 there shall be paid promptly to the State  
17 Treasurer and thereupon, unless required to be  
18 applied by the terms of any lien, pledge or  
19 obligation created by or pursuant to the 1954

20 declaration, part III (C) of chapter 240, credited  
21 to the Special Transportation Fund:

22 (1) On and after July 1, 1984, all moneys  
23 received or collected by the state or any officer  
24 thereof on account of, or derived from, sections  
25 12-458, AS AMENDED, and 12-479, provided the State  
26 Comptroller is authorized to record as revenue to  
27 the General Fund for the fiscal year ending June  
28 30, 1984, the amount of tax levied in accordance  
29 with said sections 12-458 and 12-479, on all fuel  
30 sold or used prior to the end of said fiscal year  
31 and which tax is received no later than July 31,  
32 1984;

33 (2) On and after July 1, 1984, all moneys  
34 received or collected by the state or any officer  
35 thereof on account of, or derived from, motor  
36 vehicle receipts;

37 (3) On and after July 1, 1984, all moneys  
38 received or collected by the state or any officer  
39 thereof on account of, or derived from, (A)  
40 subsection (a) of section 14-192 and (B) royalty  
41 payments for retail sales of gasoline pursuant to  
42 section 13a-80;

43 (4) On and after July 1, 1985, all moneys  
44 received or collected by the state or any officer  
45 thereof on account of, or derived from, license,  
46 permit and fee revenues as defined in section  
47 13b-59, except as provided under subdivision (3)  
48 of this subsection;

49 (5) On or after July 1, 1989, all moneys  
50 received or collected by the state or any officer  
51 thereof on account of, or derived from, section  
52 13b-70;

53 (6) On and after July 1, 1984, all  
54 transportation-related federal revenues of the  
55 state;

56 (7) On and after July 1, 1997, all moneys  
57 received or collected by the state or any officer  
58 thereof on account of or derived from fees for the  
59 relocation of a gasoline station under section  
60 14-320;

61 (8) On and after July 1, 1997, all moneys  
62 received or collected by the state or any officer  
63 thereof on account of or derived from, section  
64 14-319;

65 (9) On and after July 1, 1997, all moneys  
66 received or collected by the state or any officer  
67 thereof on account of or derived from fees

68 collected pursuant to section 14-327b for motor  
69 fuel quality registration of distributors;

70 (10) On and after July 1, 1997, all moneys  
71 received or collected by the state or any officer  
72 thereof on account or derived from annual  
73 registration fees for motor fuel dispensers and  
74 weighing or measuring devices pursuant to section  
75 43-3;

76 (11) On and after July 1, 1997, all moneys  
77 received or collected by the state or any officer  
78 thereof on account or derived from fees for the  
79 issuance of identity cards pursuant to section  
80 1-1h;

81 (12) On and after July 1, 1997, all moneys  
82 received or collected by the state or any officer  
83 thereof on account of or derived from safety fees  
84 pursuant to subsection (w) of section 14-49, AS  
85 AMENDED;

86 (13) On and after July 1, 1997, all moneys  
87 received or collected by the state or any officer  
88 thereof on account of or derived from late fees  
89 for the emissions inspection of motor vehicles  
90 pursuant to subsection (g) of section 14-164c;  
91 [and]

92 (14) On and after July 1, 1997, all moneys  
93 received or collected by the state or any officer  
94 thereof on account of or derived from the sale of  
95 information by the Commissioner of Motor Vehicles  
96 pursuant to subsection (b) of section 14-50a;  
97 [shall be credited to the Special Transportation  
98 Fund] AND

99 (15) ON AND AFTER THE EFFECTIVE DATE OF THIS  
100 ACT, ALL MONEYS RECEIVED BY THE STATE OR ANY  
101 OFFICER THEREOF ON ACCOUNT OF OR DERIVED FROM  
102 SECTION 1 OF THIS ACT.

103 Sec. 3. Subsection (a) of section 14-286b of  
104 the general statutes is repealed and the following  
105 is substituted in lieu thereof:

106 (a) Every person operating a bicycle upon a  
107 roadway shall ride as near to the right side of  
108 the roadway as practicable, [exercising due care  
109 when passing a standing vehicle or one proceeding  
110 in the same direction] EXCEPT WHEN (1) MAKING A  
111 LEFT TURN PURSUANT TO SUBSECTION (b) OF SECTION  
112 14-241, (2) OVERTAKING AND PASSING ANOTHER VEHICLE  
113 PROCEEDING IN THE SAME DIRECTION, (3) OVERTAKING  
114 AND PASSING PEDESTRIANS, PARKED VEHICLES, ANIMALS  
115 OR OBSTRUCTIONS ON THE RIGHT SIDE OF THE HIGHWAY,

116 AND (4) WHEN THE RIGHT SIDE OF THE HIGHWAY IS  
117 CLOSED TO TRAFFIC WHILE UNDER CONSTRUCTION OR  
118 REPAIR.

\* \* \* \* \*

"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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### OLR AMENDED BILL ANALYSIS

HB 5740 (Files 417 and 589 as amended by House "A" and Senate "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 failure to yield or grant the right of way to a person riding a bicycle. These motor vehicle violations are all punishable as infractions. All funds collected for the surcharge must be credited to the Special Transportation Fund.

The bill provides exceptions to the requirement that a bicyclist ride "as near to the right side of the roadway as practicable." The exceptions are for a bicyclist (1) making a left turn at an intersection on a two way road; (2) overtaking and passing a vehicle moving in the same direction; (3) overtaking and passing pedestrians, parked vehicles, animals or obstructions on the right side; or (4) unable to ride on the right side because it is closed due to construction or repair. This replaces current law that requires the exercise of due care when passing a standing vehicle or one proceeding in the same direction.

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

\*Senate Amendment "A" clarifies that all funds for the new surcharge will be credited to the Special Transportation Fund. It also provides exceptions to the requirement that bicyclists ride "as near to the right side of the roadway as practicable" rather than providing that bicyclists ride so as not to impede the normal and reasonable movement of traffic as was in the original bill.

EFFECTIVE DATE: October 1, 1998