

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

TRAFFIC. Provides relative to bicycle and pedestrian traffic on roadways.

DIGEST

Present law defines bicycle as "every device propelled by human power upon which any person may ride and designed to travel on two tandem wheels".

Proposed law defines bicycle as "every device upon which any person may ride, propelled exclusively by human power, and having one or more wheels".

Present law defines "bicycle lane" as "the part of the roadway adjacent to the travel lane, designated by striping, signing, and pavement markers for the preferential or exclusive use by bicycles and usually elective mobility aid users".

Proposed law defines "bicycle lane" as the part of the roadway adjacent to the travel lane, designated by official signs or markings for the preferential or exclusive use by bicycles and electric mobility aid users.

Present law defines "crosswalk" in part as "that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in absence of curbs, from the edges of the traversable roadway".

Proposed law defines "crosswalk" in part as "that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks shoulders or a combination thereof on opposite sides of the highway measured from the curbs or, in absence of curbs, from the edges of the traversable roadway or if there is neither a sidewalk nor shoulder, a crosswalk is the portion of the roadway at an intersection that would be included within the prolongation of the lateral lines of the sidewalk, shoulder, or both on the opposite side of the street if there were a sidewalk or shoulder".

Present law defines "shoulder" as "the portion of the highway contiguous with the roadway for accommodation of stopped vehicles, for emergency use, pedestrian use, mobility aid use, or bicyclists when other accommodations are not available, and for lateral support of base and surface".

Proposed law defines "shoulder" as "the portion of the highway contiguous with the roadway for accommodation of stopped vehicles, for emergency use, pedestrian use, mobility aid use, bicycle use, and for lateral support of base and surface.

Present law provides that when traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching closely from the opposite half of the roadway as to be in danger.

Proposed law provides when traffic-control signals are not in place or not in operation the driver of a vehicle shall stop and yield the right-of-way, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the roadway upon which the vehicle is traveling or the roadway onto which the vehicle is turning.

Present law provides that whenever traffic is controlled by traffic-control signals exhibiting a green colored light or arrow signal that vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

Proposed law provides that whenever traffic is controlled by traffic-control signals exhibiting a green colored light or arrow signal that vehicular traffic shall stop and yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

Present law provides that the "Share the Road" prestige license plate shall be issued upon application to any citizen of La.

Proposed law retains present law.

Present law provides that DPS&C shall collect an initial fee of \$25 for the "Share the Road" prestige license plate.

Proposed law retains present law.

Present law provides that the driver of a vehicle may overtake and pass upon the right of another vehicle under certain conditions.

Proposed law provides that the section of law permitting a vehicle to overtake and pass upon the right of another vehicle under certain conditions does not prohibit the use of a bicycle in a bicycle lane or on a shoulder.

Present law provides that every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear and a reflector on each side facing outward at a right angle to the bicycle frame, all of a type approved by the department which shall be visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

Proposed law provides that any bicycle when in use at the times required by law shall be equipped with the following equipment:

- (1) A lamp mounted on the front that shall emit a white light visible from a distance of at least 500 feet to the front. A generator-powered lamp that emits light only when the bicycle is moving may be used to meet this requirement.
- (2) A lamp mounted on the rear that shall emit either flashing or steady red light visible from a distance of 500 feet to the rear.
- (3) A red reflector mounted on the rear and a reflector on each side facing outward at a right angle to the bicycle frame that shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.

Proposed law provides that a bicycle or its operator may be equipped with lights or reflectors in addition to those required by proposed law, except that red lamps and red reflectors shall not be used on the front of the bicycle and white lamps and white reflectors shall not be used on the rear of the bicycle.

Proposed law provides that lamp or lamps worn by the operator of a bicycle shall comply with the requirements of proposed law, if the lamp or lamps can be seen at the distances specified in present law.

Present law provides that after Dec. 31, 2010, no person shall operate any bicycle at nighttime on a state highway, parish road, or city street, unless such bicycle is equipped with at least one lamp emitting a red flashing light or a red light on the rear as required by present law. Any person who violates present law subsequent to Dec. 31, 2010, shall be given a warning ticket only.

Proposed law provides that no person shall operate any bicycle on a state highway, parish road, or city street at a time specified in present law unless such bicycle is equipped with the proper lamps and reflectors. Any person violating proposed law shall be subject to a fine of not more than twenty-five dollars which shall include all costs of court.

Present law prohibits a person from selling or offering for sale any bicycle unless such bicycle is equipped with at least one red reflector on the rear and one reflector on each side as required by present law.

Proposed law provides that no retailer, distributor, wholesaler, or distributor shall sell or offer for sale a bicycle that does not comply with proposed law.

Present law provides that present law shall not apply to bicycles while engaged in sanctioned competition races.

Proposed law provides that proposed law shall not apply to bicycles or the operators of bicycles while engaged in sanctioned competition races.

Present law provides that persons riding bicycles upon a roadway, which includes an improved shoulder, may ride upon the improved shoulder.

Proposed law repeals present law.

(Amends R.S. 32:1(4), (4.2), (13), and (65), 212(A), and 232(1)(a) and (b) and R.S. 47:463.148(B), and (D)(1); adds R.S. 32:74(C) and 329.1; repeals R.S. 32:197(B) and 329)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Removed reference to date which has passed.
2. Provided that certain provisions of proposed law shall not apply to children under 10 years of age.
3. Provided that no retailer, distributor, wholesaler, or manufacturer rather than no person in this state shall sell or offer for sale a bicycle not in compliance with proposed law.
4. Provided that the provisions of proposed law shall not apply to bicycles or bicycle operators while the operator or bicycle is engaged in sanctioned competition races.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the reengrossed bill.

1. Makes children under 10 subject to the bicycle law.
2. Levies a fine of not more than \$25 including court costs for operating a bicycle without the required lamps and reflectors, instead of a warning as in present law.
3. Changes the fee paid for the "Share the Road" prestige plate from an "annual royalty fee" to a one-time "royalty fee".
4. Restores present law which limits the sale of the plates to "citizens of Louisiana".