



NEW YORK STATE SENATOR

Pete Harckham

Harckham and Senate Approve Bill Requiring Motorists Give Bicyclists Space on Roadways

PETE HARCKHAM May 20, 2021

| ISSUE: [ROADWAY SAFETY](#), [BICYCLE SAFETY](#), [CYCLIST SAFETY](#)



Albany, NY – With May designated as “Bicycle Safety Month,” New York State Senator Pete Harckham and his Senate colleagues justly enough approved legislation (S.4529) today entitled the “Share the Road Provision” that will require motorists outside of New York City to give bicyclists at least three feet of space on roadways when passing them.

“With more motorists and cyclists sharing our roadways than ever before, we need to ensure everyone’s safety by necessitating a buffer zone when vehicles are passing bicyclists,” said Harckham, who introduced the Share the Road Provision. “The legislation I have sponsored mandates that motorists give cyclists a good amount of space on the road, with no exceptions, and just this simple, common sense provision will save lives across the state.”

The newly approved bill provides that operators of vehicles overtaking bicyclists from behind proceeding on the same roadway will need to pass to the left of such bicycle at a safe distance of no less than three feet until safely clear of the cyclists. When approved by the Legislature and signed into law by the governor, this will apply to cities with a population of less than one million and all towns and villages around the state.

Last year, nearly 850 bicyclists in the U.S. died in accidents with motorized vehicles. The majority of the accidents consisting of vehicles and cyclists involved driver inattention and failure to yield. With the New York State Department of Transportation actively installing bike lanes on state roadways, this legislation is timely and necessary to support the increased bicycle traffic.

A specific distance of three feet was chosen in order to provide an easily understood distance for motorists, and it gives bicyclists enough space to safely travel on the road. New York City's population dense environment creates a number of unique challenges to implementation, which is why it was excepted from the legislation.

The legislation, though, will ensure that both cyclists and vehicles share the roads safely for all portions of the state where implementation is currently plausible.

As bicycles are legally defined as vehicles, bicyclists are subject to precisely the same rights and responsibility as motorists. Bicyclists must obey all traffic laws, signs and signals, yield the right-of-way where appropriate and follow the same rules for indicating and making

turns. Like motorists, bicyclists must always travel in the same direction as the flow of traffic.

RELATED LEGISLATION

2021-S4529

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate

- Delivered to Governor

- Signed By Governor

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[Relates to operators of a vehicle overtaking a bicycle from behind](#)

February 05, 2021

In Assembly Committee

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Do you support this bill?