

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND THIRTEEN

H.P. 1045 - L.D. 1460

**An Act To Update and Clarify the Laws Governing the Operation of Bicycles
on Public Roadways**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRSA §101, sub-§83, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

83. Traffic. "Traffic" means pedestrians, ridden or herded animals, vehicles, bicycles and other conveyances either singly or together using public way for travel.

Sec. 2. 29-A MRSA §2060, sub-§1-A, as amended by PL 2009, c. 484, §3, is further amended to read:

1-A. Right turns near bicyclists or roller skiers. A person operating a motor vehicle ~~that passes near~~ a person operating a bicycle or roller skis and proceeding in the same direction may not make a right turn ~~at any intersection or into any road or way~~ unless the turn can be made with reasonable safety and without interfering with the safe and legal operation of the bicycle or roller skis.

Sec. 3. 29-A MRSA §2060, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Left turns on 2-way roadways. At an intersection where traffic is permitted to move in both directions on each way entering the intersection, an approach for a left turn must be made in that portion of the right half of the way nearest the center line and by passing to the right of the center line where it enters the intersection. After entering the intersection, an operator must make the left turn so as to leave the intersection to the right of the center line of the roadway being entered.

When practicable, the left turn must be made in that portion of the intersection to the left of the center of the intersection.

An operator intending to turn to the left must yield the right-of-way to ~~a vehicle~~ traffic approaching from the opposite direction that is so close as to constitute an immediate hazard.

Sec. 4. 29-A MRSA §2063, sub-§2, as amended by PL 2009, c. 484, §5, is further amended to read:

2. Riding to the right. A person operating a bicycle or roller skis upon a roadway at a speed less than the normal speed of traffic moving in the same direction at that time and place shall ~~drive~~ operate on the right portion of the way as far as practicable except when it is unsafe to do so as determined by the bicyclist or roller skier or:

- A. When overtaking and passing another roller skier, bicycle or other vehicle proceeding in the same direction;
- B. When preparing for or making a left turn at an intersection or into a private road or driveway;
- C. When proceeding straight in a place where right turns are permitted; and
- D. When necessary to avoid hazardous conditions, including, but not limited to, fixed or moving objects, vehicles, bicycles, roller skiers, pedestrians, animals, broken pavement, glass, sand, puddles, ice, surface hazards or opening doors from parallel-parked vehicles, or a lane of substandard width that makes it unsafe to continue along the right portion of the way. For purposes of this paragraph, "lane of substandard width" means a lane that is too narrow for a bicycle or roller skier and a vehicle to travel safely side by side in the lane.

This subsection does not apply in a municipality that, by ordinance approved by the Department of Public Safety and the Department of Transportation, makes other provisions regarding the operating location of a bicycle or roller skier on a roadway.

Sec. 5. 29-A MRSA §2070, sub-§1-A, as amended by PL 2009, c. 484, §6, is further amended to read:

1-A. Passing bicycle or roller skier. An operator of a motor vehicle that is passing a bicycle or roller skier proceeding in the same direction shall exercise due care by leaving a distance between the motor vehicle and the bicycle or roller skier of not less than 3 feet while the motor vehicle is passing the bicycle or roller skier. A motor vehicle operator may pass a bicycle or roller skier traveling in the same direction in a no-passing zone only when it is safe to do so.

The collision of a motor vehicle with a person operating a bicycle or roller skis is prima facie evidence of a violation of this subsection.