

Summary of responses to question for SCOTE regarding overtaking bicycles 3-Ft. min. law signing

Question: Tennessee has a law regulating minimum space between motorist and bike not less than 3 ft. If your state has a similar law, please send me a link to your sign. I am also interested in any safety evaluations conducted after signs were deployed.

State	Contact	Comments	Official Guidelines	Relevant Links
Alabama	Kerry NeSmith	<p>Alabama enacted a similar law in 2015. We resisted putting up signs until bicycle advocates in the Mobile area pressured us to do something to promote the new law so we now have a limited number of the 'not recommended' signs in the attached photo on roadways in the Mobile area. We are trying to stall on other requests pending the results of TCD research on the most appropriate sign to use. If you need additional information let me know.</p>		
Arizona	Richard Moeur; (Ryan Snyder)	<p>Arizona's bicyclist overtaking lateral separation law is ARS 28-735, seen at http://www.azleg.gov/ars/28/00735.htm.</p> <p>FYI: signs for this application are under test at the FHWA Traffic Control Device Pooled Fund Study. Results should be available by early summer. This is a joint effort of the NCUTCD Regulatory and Warning Sign and Bicycle Technical Committees. It's my understanding that at least three signs under evaluation are the Florida, Utah, and California signs - these can be seen at http://www.ncutcdbtc.org/doc/bikelatsepsigns.pdf</p> <p>If TDOT is expected to implement a sign prior to the publication of the TCD PFS/NCUTCD recommendations, then I would strongly caution against any sign design depicting a motor vehicle and a bicyclist side by side with an offset distance between them, such as used in some locations (examples can be seen in a Google image search on "3 feet sign"). These signs are misinterpreted by drivers and law enforcement as saying "bicyclists must stay at least 3 feet from motor traffic, even if that means riding in the gutter, on the sidewalk, or in the dirt." Also, the end-on bicyclist (i.e. "pogo stick") symbol is not approved by FHWA for sign use.</p> <p>Performing a safety study to solely evaluate the effects of a sign of this type could be a challenge, given the high number of potentially confounding variables (bicyclist numbers and trip distances, volume of other traffic, seasonal variations, overall</p>		<p>Arizona's bicyclist overtaking lateral separation law is ARS 28-735: http://www.azleg.gov/ars/28/00735.htm.</p> <p>Signs under evaluation are the Florida, Utah, and California: http://www.ncutcdbtc.org/doc/bikelatsepsigns.pdf</p> <p>ARS 28-735 is also used in conjunction with ARS 28-815.A: http://www.azleg.gov/ars/28/00815.htm</p> <p>An interactive graphic depicting the</p>

		<p>crash trends, etc.) I think the TCD PFS study is focusing on road user glance comprehension without sending unintended messages (such as described above).</p> <p>ARS 28-735 is also used in conjunction with ARS 28-815.A http://www.azleg.gov/ars/28/00815.htm to determine if a travel lane is sufficiently wide for side-by-side operation of motor vehicles and bicyclists. Lanes too narrow for side-by-side travel with adequate shy distance and 3-foot separation may optionally be signed with R4-11 signs, although ADOT does not typically install these signs (local agencies do use R4-11 in some locations). An interactive graphic depicting the interaction of lane width, vehicle width, and lateral offset may be seen at http://iamtraffic.org/resources/interactive-graphics/ (Note: ADOT does not specifically endorse all information or positions on that site - the link is provided for information purposes only).</p> <p>Another resource listing state 3-foot laws: http://www.ncsl.org/research/transportation/safely-passingbicyclists.aspx</p> <p>This would be good to reference as we look into this for a UVC change.</p>		<p>interaction of lane width, vehicle width, and lateral offset: http://iamtraffic.org/resources/interactive-graphics/</p> <p>Another resource listing state 3-foot laws: http://www.ncsl.org/research/transportation/safely-passingbicyclists.aspx</p>
Arkansas	John Mathis; Joseph Hawkins	Arkansas has a similar law, but we do not allow signage for it. We've been approached by the cycling community with several different designs, but have thus far been able to deny their request stating that it is not a standard sign as defined in the MUTCD.		
California	Don Howe; Duper Tong	<p>California has incorporated a new sign for the Three Feet for Safety Act at Section 9B.102 in CA MUTCD.</p> <p>The detail drawing of the for the PASS Bicycle 3 FT MIN Sign (R117(CA)) and for the graphic for the sign can be found at the links.</p> <p>There was no pushback from our FHWA division. My office had worked very closely with FHWA California Division to draft the languages and sign graphic</p>	<p>Here is the languages in CA MUTCD: Section 9B.102(CA) PASS Bicycle 3 FT MIN Sign (R117(CA)) Option: 01 In situations where there is a need to remind motorists to pass bicyclists with sufficient lateral clearance in compliance with CVC 21760 (Three Feet for Safety Act) the PASS Bicycle 3 FT MIN sign (R117(CA)) may be used. Support: .02 CVC 21202(a)(3) defines a "substandard width lane" as a lane that is too narrow for a bicycle and vehicle to travel safely side by side within the same lane. 03 Refer to Section 9B.06 for Bicycles May Use Full Lane (R4-11) sign.</p>	<p>Sign graphic: http://www.dot.ca.gov/trafficops/tcd/docs/CA_SignChart_2014Rev1_Tableid.pdf</p> <p>Detail drawing: http://www.dot.ca.gov/trafficops/tcd/docs/R117.pdf</p>
Colorado	Charles Meyer	Colorado has 3 ft. to pass statute, however no signing. We have some W11-1 accompanied by a plaque SHARE THE ROAD, specifically in narrow	COLORADO REVISED STATUTES TITLE 42. VEHICLES AND TRAFFIC REGULATION OF VEHICLES AND TRAFFIC	

		<p>shoulder areas.</p> <p>We have debated a 3 feet to pass sign—but put that on hold with the study ongoing mentioned by Richard of AZ.</p>	<p>ARTICLE 4.REGULATION OF VEHICLES AND TRAFFIC PART 10. DRIVING – OVERTAKING – PASSING GO TO COLORADO STATUTES ARCHIVE DIRECTORY</p> <p>C.R.S. 42-4-1002 (2011) 42-4-1002. Passing oncoming vehicles (1) Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and, upon roadways having width for not more than one lane of traffic in each direction, each driver shall give to the other at least one-half of the main-traveled portion of the roadway as nearly as possible. (2) A driver shall not pass a bicyclist moving in the same direction and in the same lane when there is oncoming traffic unless the driver can simultaneously: (a) Allow oncoming vehicles at least one-half of the main-traveled portion of the roadway in accordance with subsection (1) of this section; and (b) Allow the bicyclist at least a three-foot separation between the right side of the driver’s vehicle, including all mirrors or other projections, and the left side of the bicyclist at all times. (3) Any person who violates any provision of this section commits a class A traffic infraction.</p>	
Connecticut	Charles Harlow	Similar to a number of other states, Connecticut has the 3’ law, but we do not have any signing associated with it at this time (and hopefully won’t in the future).		
Delaware	Mark Luszc	Yes. Title 21, Section 4116, paragraph (4). [See link.] This was implemented in 2011. I know others are installing signing for this type of law but we have not. I am unaware of any safety evaluation of the impacts of passing this law.		Title 21, Section 4116, paragraph (4). http://delcode.delaware.gov/title21/c041/sc03/index.shtml
Georgia	Katelyn Digioia	Our office does not use a “3-ft sign,” but rather the W11-1 + W16-1P or R4-11 signs. Some locals have installed custom “3 feet to pass” signs on local roads.	<p>Georgia Codes states: 40-6-56. (a) As used in this Code section, the term ‘safe distance’ means not less than three feet. (b) Notwithstanding any provision of this article to the contrary, when feasible, the operator of a motor vehicle, when overtaking and passing a bicycle that is proceeding in the same direction on the roadway, shall leave a safe distance between such vehicle and the bicycle and shall maintain such clearance until safely past the overtaken bicycle.</p>	
Indiana	David Boruff	No such law in the Indiana Code.		
Louisiana	Jody Colvin	Louisiana has a law but no special sign.		
Maine	Stephen Landry	Attached are the guidelines Maine DOT is using regarding the 3-foot law. We have not done any safety evaluations. We did work closely with		

		several bicycle organizations to come up with appropriate signage and sizes.		
Maryland	Cedric Ward	Maryland has had a three foot law since 2010, but we do not have a specific sign for this law. We have not performed any evaluations, but we have looked at citation data and there are very few citations being issued. In recent years numerous bills have been introduced to expand the law further but have been unsuccessful.		http://law.justia.com/codes/maryland/2015/article-gtr/title-21/subtitle-12/section-21-1209/
Massachusetts	Neil Boudreau	We currently do not have this law in Massachusetts however it is currently part of a large, comprehensive bike safety bill that has been filed and will be going through testimony at the MA House and Senate very soon. We have provided comments on previous versions of the bill that did not move last year, but we expect it to go this year. Below I have included a full breakdown of the legislation that is under consideration:	<p><i>Summary: An Act to reduce traffic fatalities (Senate Docket #1545, House Docket #3006)</i></p> <ul style="list-style-type: none"> • Requires state owned and state contracted trucks to be equipped with sideguards between their front and rear wheels to prevent cyclists and pedestrians from falling underneath the chassis if impacted. Also requires convex and crossover mirrors. • Lowers default speed limit on state highways and parkways in thickly settled or business districts from 30mph to 25mph. • Prohibits usage of mobile devices, except those in hands-free mode, while operating a motor vehicle. • Requires bicyclists to use both a rear red light and red reflector when riding at night. • Requires motor vehicles to pass cyclists, pedestrians, and other vulnerable road at a distance of at least three feet when traveling at 30mph or less, with an additional foot of clearance for every 10 mph above 30mph. Allows motor vehicles to cross a double yellow line into an adjacent travel lane, when it is safe to do so, if needed to achieve a safe passing distance. • Allow cities and towns to operate limited automatic road safety camera systems. Violations issued through such systems are limited to speeding, red light violations and right turn violations and may be installed on school buses. The maximum fine is \$50. The owner of the vehicle is responsible for the violation, not necessarily the operator. The violations do not go on a driver's record and are not surchargeable offenses. Such systems shall only capture photographs and other evidence when a violation occurs. All photographs and recorded evidence captured through such a system shall be destroyed within 48 hours of its final disposition and shall not be shared for any other purpose. 80% of the revenue collected from these provisions would be required to be spent on local road improvements. • Allows bicyclists to continue straight through an intersection upon a leading pedestrian interval (a walk signal followed by a green light three to seven seconds later), allows bicyclists to treat a red light signal as a stop sign if there is no road to the right, and allows bicyclists to proceed through a red light 	

			<p>signal if it proves unresponsive after two minutes.</p> <ul style="list-style-type: none"> • Technical change to clarify that a bicyclist may pass to the right of a motor vehicle to whenever a motor vehicle is being operated in a travel lane; currently, the statute reads that a bicyclist may only pass to the right when a motor vehicle is moving in a travel lane. • Requires the state to issue new guidelines for signage for bicycle, pedestrian, and other nonmotorized routes. • Requires the state to develop a standardized reporting tool be used by a first responder called to the scene of a pedestrian or cyclist crash or incident. • Establishes that a motor vehicle must yield to a bicyclist at an intersection of a bicycle path and a road, so long as the crossing is marked. • Requires the state to develop a curriculum for elementary school students emphasizing safe bicycling, pedestrian, and motor vehicle practices. 	
Michigan	Mark Bott	Michigan does not have such a law, yet.		
Minnesota	Jay Hietpas	Minnesota has a 3' clearance statute (MS 169.18). We don't have a sign.	<p>Subd. 3. Passing. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations, exceptions, and special rules hereinafter stated: (1) the driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle; (2) except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible warning, and shall not increase the speed of the overtaken vehicle until completely passed by the overtaking vehicle; and (3) the operator of a motor vehicle overtaking a bicycle or individual proceeding in the same direction on the roadway shall leave a safe distance, but in no case less than three feet clearance, when passing the bicycle or individual and shall maintain clearance until safely past the overtaken bicycle or individual.</p>	Other bicycle statues are here: https://www.revisor.mn.gov/statutes/?id=169.22
Montana	Roy Peterson	Montana is currently debating a modification to MCA 61-8-320 to the edited version below; if it makes it through and signed by our governor; the law will be very similar to South Dakota. Here is another resource listing state 3-foot laws.	<p>Section 1. Section 61-8-320, MCA, is amended to read: "61-8-320. Right-of-way for bicycles. (1) The operator of a motor vehicle may not: (a) intentionally interfere with the movement of a person who is lawfully riding a bicycle; or (b) overtake and pass a person riding a bicycle unless the operator of the motor vehicle can do so safely without endangering the person riding the bicycle by leaving a reasonable and prudent distance between the vehicle and the bicycle. The distance must be presumed to be reasonable and prudent if it is at least 3 feet when the vehicle is traveling at a</p>	Another resource listing state 3-foot laws: http://www.ncsl.org/research/transportation/safely-passingbicyclists.aspx

			speed of 35 miles an hour or less or at least 5 feet when the vehicle is traveling at a speed greater than 35 miles an hour. (2) The operator of a motor vehicle shall yield the right-of-way to a person who is riding a bicycle within a designated bicycle lane."	
Nebraska	Dan Waddle	Here is Nebraska's statute on our 3 FT law, we also do not have a sign for this regulation.	<p>60-6,133. Overtaking and passing rules; vehicles proceeding in same direction. Except when overtaking and passing on the right is permitted, the following rules shall govern the overtaking and passing of vehicles proceeding in the same direction: (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall first give a visible signal of his or her intention and shall pass to the left of the other vehicle at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle; (2) The driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle; and (3) The driver of a vehicle overtaking a bicycle or electric personal assistive mobility device proceeding in the same direction shall exercise due care, which shall include, but not be limited to, leaving a safe distance of no less than three feet clearance, when applicable, when passing a bicycle or electric personal assistive mobility device and shall maintain such clearance until safely past the overtaken bicycle or electric personal assistive mobility device.</p>	
New Hampshire	William Lambert	<p>Long story, but in a nutshell:</p> <ul style="list-style-type: none"> • NHDOT has not installed any regulatory signs for what we consider a "rule of the road". • Bicycle advocates requested permission to install the attached PASS 4x8.jpg sign (our law is graduated based on speed) and we agreed to allow it as we have similarly allowed other safety messages (most paid for through NHTSA). • Our FHWA division office to exception to this decision and despite our arguments to the contrary, issued the attached letter. • I also attached a letter that we sent to the towns following this directive. <p>I do know that the TCD Pooled Fund Study is wrapping up research on a sign for this law.</p>		
New Jersey	David Martin	NJ has no legal separation distance currently, but a 2016 NJ Senate bill proposed a 4' minimum separation. However, the bill has stalled in the Senate Transportation Committee.		

New Mexico	Afshin Jian; Richard Moeur	I thought we had laws for 5' minimum space between the vehicles and bicycle. But I don't see it anywhere in the traffic statues in New Mexico. I guess we don't have any laws yet. This link seems to corroborate this.		http://www.bikelague.org/StateBikeLaws
New York	David Woodlin	New York has only a safe passing distance law and no signs are used.		
North Carolina	Kevin Lacy	North Carolina has a four foot minimum passing distance or completely leaving the travel lane when passing a bicycle or moped when the roadway is marked as a no passing zone. This is to discourage same lane passing. This is a relatively new, just passed in 2016. For all other situations the law is 2 feet. We will likely work to change this to 4' as well. Again, we are trying to discourage same lane passing.		
Ohio	Jason Yearay	A Recent House Bill 154 was passed that includes this 3Ft rule. Law takes effect March 21st. We currently do not have a sign for such application.		https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA131-HB-154
Oregon	Robert Pappé; Eric Leaming;	Oregon's bicycle passing law is very difficult to translate to a sign. Our office has been contacted multiple times with ideas for signs, but we're still working through exactly how—or if—this can be translated to an effective sign. Oregon's law requires drivers to pass a person on a bike at a "safe distance," defined as: <i>"a distance that is sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver's lane of traffic."</i> This does not apply if the cyclist is in a bike lane, if the motor vehicle's speed is ≤35 mph, or when the driver is passing the cyclist on the right when the cyclist is turning left. On the Education front, our Safety office has developed a flier to help visualize what this means, and encourages a 3' buffer as safe practice, but we currently don't have a highway sign for this scenario. As a very tall rider myself, I appreciate the accommodation and find most Oregon drivers give me a little extra room, even if I'm in a bike lane.		
Pennsylvania	Glenn Rowe	Pennsylvania's law is a 4' buffer. We have no sign indicating the law.		
South Dakota	Christina Bennett	South Dakota has a law for 3' and 6' when overtaking a bicycle, depending on the speed limit	32-26-26.1. Overtaking bicycle--Minimum separation--Violation as	

		of the roadway. We do not have a sign.	<p>misdemeanor. The driver of any motor vehicle overtaking a bicycle proceeding in the same direction shall allow a minimum of a three foot separation between the right side of the driver's vehicle, including any mirror or other projection, and the left side of the bicycle if the posted limit is thirty-five miles per hour or less and shall allow a minimum of six feet separation if the posted limit is greater than thirty-five miles per hour. Notwithstanding any other provision of law, a motor vehicle overtaking a bicycle proceeding in the same direction may partially cross the highway centerline or the dividing line between two lanes of travel in the same direction if it can be performed safely. The driver of the motor vehicle shall maintain that separation until safely past the overtaken bicycle. A violation of this section is a Class 2 misdemeanor.</p>	
Texas	Michael Chacon	Texas does not have a 3-ft. law.		
Vermont	Amy Gamble	Vermont law recommends but does not require 4 ft. We have no sign.	<p>23 VSA § 1033. Passing motor vehicles and vulnerable users (b) Passing vulnerable users. The operator of a motor vehicle approaching or passing a vulnerable user as defined in subdivision 4(81) of this title shall exercise due care, which includes increasing clearance to a recommended distance of at least four feet, to pass the vulnerable user safely, and shall cross the center of the highway only as provided in section 1035 of this title. A person who violates this subsection shall be subject to a civil penalty of not less than \$200.00. 23 VSA § 4(81) “Vulnerable user” means a pedestrian; an operator of highway building, repair, or maintenance equipment or of agricultural equipment; a person operating a wheelchair or other personal mobility device, whether motorized or not; a person operating a bicycle or other nonmotorized means of transportation (such as roller skates, rollerblades, or roller skis); or a person riding, driving, or herding an animal.</p>	
Virginia	Raymond Khoury	<p>VDOT does not use such signs, based primarily on some feedback from FHWA which actively discouraged the use of such signs. FHWA’s guidance was, in turn, heavily influenced by a 2013 FDOT study which found considerable driver confusion regarding the meaning of various sign options intended to convey the meaning of this law. See attached draft document. Bumper stickers and other public outreach activities will likely work better to inform drivers of the law and induce them to give cyclists wide berth when passing. Also see below text from the MUTCD FAQ page.</p>	<p>Text from the MUTCD FAQ page: 1. Q: The agency I work for has recently enacted a law that requires the motorist to keep a minimum lateral distance of 3 feet from the bicyclist when overtaking the bicyclist. I have seen this sign used elsewhere, but cannot find the sign in the Manual. Where can I find the standard sign for this situation? A: No standard sign exists. The purpose of highway signing is not to create awareness, which is typically the intent of a sign conveying programmatic rules of the road. Other media—such as radio, television, and newspaper ads; notices on 511 travel information systems; postal mailings; and Web sites—are more appropriate for and conducive to promoting and/or marketing specific programs and new regulations. Special word message signs for the three-foot law should not be installed haphazardly</p>	

			and should be limited to locations where the operation of the two vehicle types is demonstrating a problem or crash history. Thus, installing these signs where say a physically-separated bikeway exists would be counterproductive to achieving the agency's goal. An example of a special word-only message sign for this application could be a four-line black on white regulatory sign with the legend CHANGE :: LANES :: TO PASS :: BICYCLES.	
Washington State	John Nisbet; Angel Hubbard	Washington State does not have a specific law, however, RCW 46.61.110 states that all motorists shall pass within a safe passing distance. Please refer to the below RCW I have copied for you.	<p>RCW 46.61.110 Overtaking on the left. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules hereinafter stated: (1) The driver of a vehicle overtaking other traffic proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken traffic. (2) The driver of a vehicle approaching a pedestrian or bicycle that is on the roadway or on the right-hand shoulder or bicycle lane of the roadway shall pass to the left at a safe distance to clearly avoid coming into contact with the pedestrian or bicyclist, and shall not again drive to the right side of the roadway until safely clear of the overtaken pedestrian or bicyclist. (3) Except when overtaking and passing on the right is permitted, overtaken traffic shall give way to the right in favor of an overtaking vehicle on audible signal and shall not increase speed until completely passed by the overtaking vehicle.</p>	
West Virginia	Cindy Cramer	West Virginia has a 3' foot minimum law as shown in the excerpt from State Code. We do not provide any specific signing the 3' buffer law. We do employ a more subtle approach using the bicycle warning sign with a "SHARE THE ROAD" plaque underneath on several roadways throughout the state.	<p>§17C-7-3. Overtaking and passing vehicle or bicycle proceeding in same direction -- Passing on the left generally; penalty. (a) The following rules govern the overtaking and passing of vehicles proceeding in the same direction subject to these limitations, exceptions, and special rules hereinafter stated: (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall give an audible signal and pass to the left of the overtaken vehicle at a safe distance and may not again drive to the right side of the roadway until safely clear of the overtaken vehicle. (2) The driver of a vehicle overtaking a bicycle traveling in the same direction shall pass to the left of the bicycle at a distance of not less than three feet at a careful and reduced speed, and may not again drive to the right side of the roadway until safely clear of the overtaken bicycle. (3) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and may not increase the speed of his or her vehicle until completely passed by the overtaking vehicle. (b) Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not</p>	

			more than \$100; upon a second conviction within one year thereafter, shall be fined not more than \$200; and upon a third or subsequent conviction, shall be fined not more than \$500.	
Wisconsin	William McNary	Wisconsin has a law but no sign.	346.075 Overtaking and passing bicycles, electric personal assistive mobility devices, and motor buses. 346.075(1)(1) The operator of a motor vehicle overtaking a bicycle or electric personal assistive mobility device proceeding in the same direction shall exercise due care, leaving a safe distance, but in no case less than 3 feet clearance when passing the bicycle or electric personal assistive mobility device, and shall maintain clearance until safely past the overtaken bicycle or electric personal assistive mobility device.	
Wyoming	Joel Meena	Wyoming has the law with no signs. Not planning on signing for this unless told to so.		