

Indiana Senate Bill 553 “Bicycles and Traffic Safety”

Paul Taylor on January 19, 2009

Senator John Broden of South Bend has introduced Senate Bill 553, which affects bicycles and traffic safety. It has been read and referred to the Committee on Homeland Security, Transportation & Veterans Affairs.

This bill is a product of the Safety Legislation team formed by Bike Michiana Coalition, and the Indiana Bicycle Coalition.

This is a comprehensive bill that covers a lot of territory.

- Removed sections are ‘cleanup’ of outdated and redundant language. They will eliminate the requirements that a cyclist must be equipped with a bell, but shall not be equipped with a whistle, and removes the redundant stipulation that a bike may not have a siren. Finally, a cyclist will be allowed to carry a bundle in one hand.
- Revised and new sections contain important enhancements.
 1. A bicycle will be more clearly defined as a vehicle, rather than a device, and will include hand powered cycles (used by some handicapped cyclist) while clearly excluding children’s ride-on toys.
 2. Baby seats and ‘tag-alongs’ are clearly allowed, so long as they are firmly attached. This provision will eliminate ambiguity and increase the allure of family cycling.
 3. It simplifies the language prohibiting cyclist from hitching rides on motor vehicles. (It drops the terms ‘street car’, ‘coaster’, and ‘roller skates’.)
 4. Bicycle brakes will not be required to make the braked wheel skid. (Cyclists fear the front wheel skidding, which it sometimes does on gravel or ice).
 5. The penalty of violating this chapter of the law is increased. It will be a Class C misdemeanor or even a Class B misdemeanor if the cyclist is injured. This means the negligent party could serve jail time, depending on the severity of any injuries.
 6. It increases the visibility of bikes at night by continuing to require a headlight, adding a red tail-light, and adding reflective material visible from the side. It also makes it clear that either light may be steady or flashing. The side visibility rule is not really new, since the Consumer Products Safety Commission (CPSC) already requires it for new bikes.
 7. The new law makes it clear that when on a sidewalk or cross walk, a bike has all the rights and privileges of a pedestrian, but must yield to pedestrians.
 8. There are significant changes to turn signals.
 - o Stop: cyclists may use either the right or left arm to signal. The old law required that only the left arm be used.
 - o Right Turn: riders may continue following the current standard of extending the left hand and arm upward, but now they have the option of extending the right arm to the right.
 - o They are no longer required to give the signal continuously for 200 feet.
 - o A new provision allows for lane change signals.

9. The SB 553 has a new bicycle-passing provision modeled after the existing vehicle code, but enhances it for bikes. It:

- o requires that other vehicles must pass with a minimum 3 foot clearance

- o covers cyclist riding in the left lane (for example on a one-way street)

- o Indiana will join 10 other states that have enacted a similar law.

10. 'Bicycle Lane' is defined. A bike lane is designated by pavement markings or signage and can be either part of the roadway or separated from the roadway. It is for the preferential or exclusive use of bicyclists.

- o Motorist may not block the lane, and must yield to bikes that are using it.

- o Cyclists must use the lane when riding on the roadway, but not necessarily when it is obstructed, or when passing or turning.

- o If the bike lane is on the roadway, the rider has the option of riding on a sidewalk, unless prohibited by local ordinance. (This may be preferable for children.)

- o If the bicycle lane is a separate recreational path, the rider has the option of using the roadway. (This is important when riders want to get in some high speed cardiovascular training and the bike/ped path is being heavily used by walkers and joggers.)

11. If a bike can't trip a traffic control sensor, the rider may treat the red light as a flashing red, and proceed through the intersection.

12. Helmets are required for children seventeen and under. As the SB 553 was being drafted, this was the most controversial topic addressed. The age limit makes it consistent with Indiana motorcycle law. Indiana joins twenty-two other states having similar laws.

13. Requires a cyclist to carry personal identification listing their name and address, either on their person or attached to the bike. The intent of this section is to allow identification in case the cyclist is not able to communicate.

14. There is an anti-harassment provision. It will be unlawful to harass, taunt, maliciously throw an object at or in the direction of, or impede any person riding a bicycle.

15. Children are more clearly defined.

16. A cyclist may stand and pedal. The old law prohibited that!

Fiscal Impact and Summary

<http://www.in.gov/legislative/bills/2009/PDF/FISCAL/SB0553.001.pdf>

The Bill, in Full Detail

<http://www.in.gov/legislative/bills/2009/IN/IN0553.1.html>

Interestingly, another bicycle bill has been introduced and assigned to the same Senate committee. This bill, SB 69 deals only with registration of Motorized Bicycles.

<http://www.in.gov/legislative/bills/2009/IN/IN0069.1.html>.