

BILL ANALYSIS

C.S.H.B. 554
By: Lopez
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that the overtaking of a bicyclist by a motorist consistently ranks as one of the most common causes of death for bicyclists. National reports indicate that bicycle safety policies that have gained significant interest and activity in state legislatures are safe passing laws that require adequate space between motor vehicle operators and bicyclists or pedestrians in order to prevent collisions. Texas is among a few states that have yet to adopt a law to provide safety of bicyclists and pedestrians on its roadways. C.S.H.B. 554 seeks to address this issue by providing safe passing protections for these vulnerable citizens under which motor vehicle operators must exercise a safe distance from a pedestrian or bicycle to avoid collision.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 554 amends the Transportation Code to require a motor vehicle operator to exercise due care to avoid colliding with a pedestrian or a person operating a bicycle on a highway or street and to establish minimum safe passing distances for a vehicle passing to the left or right in relation to a pedestrian or a bicycle. The bill requires a motor vehicle operator passing a pedestrian or a bicycle operator on a highway or street that has two or more marked lanes running in the same direction to move the motor vehicle to a lane other than the lane used by the pedestrian or bicycle operator while passing the pedestrian or bicycle operator. A violation of either requirement is a misdemeanor offense under the rules of the road. The bill establishes as an affirmative defense to prosecution for either offense that at the time of the offense the pedestrian or bicycle operator was acting in violation of a traffic law in a manner that contributed to the offense.

C.S.H.B. 554 exempts a driver passing a pedestrian or a bicycle operator in a no-passing zone from the prohibition against driving on the left side of the roadway in a no-passing zone or on the left side of any pavement striping designed to mark a no-passing zone if the driver otherwise complies with requirements relating to the operation and movement of vehicles.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 554 differs from the original only by amending the caption.