

FIRST REGULAR SESSION

# HOUSE BILL NO. 33

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SATER.

0065L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 300.411, RSMo, and 304.678 as enacted by senate substitute for senate committee substitute for house bill no. 487, ninety-third general assembly, first regular session, and 304.678 as enacted by house committee substitute for senate committee substitute for senate bill no. 372, ninety-third general assembly, first regular session, and to enact in lieu thereof two new sections relating to bicycle riders, with a penalty provision.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 300.411, RSMo, and 304.678 as enacted by senate substitute for  
2 senate committee substitute for house bill no. 487, ninety-third general assembly, first regular  
3 session, and 304.678 as enacted by house committee substitute for senate committee substitute  
4 for senate bill no. 372, ninety-third general assembly, first regular session, are repealed and two  
5 new sections enacted in lieu thereof, to be known as sections 300.411 and 304.678, to read as  
6 follows:

300.411. The operator of a motor vehicle overtaking a bicycle proceeding in the same  
2 direction on the roadway, as defined in section 300.010, **or on the shoulder of the roadway**  
3 shall leave a safe distance when passing the bicycle, **but in no case less than three feet**, and  
4 shall maintain clearance until safely past the overtaken bicycle.

304.678. 1. The operator of a motor vehicle overtaking a bicycle proceeding in the same  
2 direction on the roadway, as defined in section 300.010, **or on the shoulder of the roadway**  
3 shall leave a safe distance, when passing the bicycle, **but in no case less than three feet**, and  
4 shall maintain clearance until safely past the overtaken bicycle.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5           2. Any person who violates the provisions of this section is guilty of an infraction unless  
6 [an accident is involved in which case it shall be a class C misdemeanor.] :

7           **(1) The person intentionally violates the provisions of this section; or**

8           **(2) An accident is involved.**

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10 **In such cases, the person who violated the provisions of this section is guilty of a class C**  
11 **misdemeanor.**

                  [304.678. The operator of a motor vehicle overtaking a bicycle  
2 proceeding in the same direction on the roadway, as defined in section 300.010,  
3 shall leave a safe distance when passing the bicycle, and shall maintain clearance  
4 until safely past the overtaken bicycle.]

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