

HOUSE BILL NO. 1266

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation

on _____)

(Patron Prior to Substitute--Delegate Willett)

A BILL to amend and reenact § 46.2-905 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-821.1, relating to bicycles, certain other vehicles, and pedestrians.

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-905 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 46.2-821.1 as follows:

§ 46.2-821.1. Exception to stopping requirement; bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or motorized skateboard or scooter.

Notwithstanding the provisions of §§ 46.2-821 and 46.2-830, any person operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or motorized skateboard or scooter may yield instead of stop at an intersection controlled by a stop sign if all the following conditions are met:

- 1. Each intersecting highway has no more than three motor vehicle travel lanes;
- 2. The person is at least 15 years of age or accompanied by an adult;
- 3. The person slows to a reasonable speed based on existing conditions; and
- 4. Before proceeding into the intersection, the person stops for any pedestrian within the crosswalk, as required pursuant to § 46.2-924, and for any other vehicle approaching or entering such intersection from another direction.

§ 46.2-905. Riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards or scooters, and mopeds on roadways and bicycle paths.

Any person operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, motorized skateboard or scooter, or moped on a roadway at less than the normal speed of traffic

27 at the time and place under conditions then existing shall ride as close as safely practicable to the right
28 curb or edge of the roadway, except under any of the following circumstances:

- 29 1. When overtaking and passing another vehicle proceeding in the same direction;
- 30 2. When preparing for a left turn at an intersection or into a private road or driveway;
- 31 3. When reasonably necessary to avoid conditions including, ~~but not limited to,~~ fixed or moving
32 objects, parked or moving vehicles, pedestrians, animals, or surface hazards, ~~or substandard width lanes~~
33 that make it unsafe to continue along the right curb or edge;
- 34 4. When the travel lane is not wide enough to allow an overtaking motor vehicle to pass in the
35 manner required by this chapter while in the same lane as the overtaken bicycle, electric personal assistive
36 mobility device, electric power-assisted bicycle, motorized skateboard or scooter, or moped;
- 37 5. When avoiding riding in a lane that must turn or diverge to the right; and
- 38 ~~5-6.~~ When riding upon a one-way road or highway, a person may also ride as near the left-hand
39 curb or edge of such roadway as safely practicable.

40 ~~For purposes of this section, a "substandard width lane" is a lane too narrow for a bicycle, electric~~
41 ~~personal assistive mobility device, electric power-assisted bicycle, motorized skateboard or scooter, or~~
42 ~~moped and another vehicle to pass safely side by side within the lane.~~

43 Persons riding bicycles, electric personal assistive mobility devices, electric power-assisted
44 bicycles, or motorized skateboards or scooters on a highway shall not ride more than two abreast. ~~Persons~~
45 On roadways with only one travel lane in the direction of such person and a posted speed limit of 35 miles
46 per hour or more, persons riding two abreast shall not impede the normal and reasonable movement of
47 traffic ~~and shall move into a single-file formation as quickly as is practicable when being overtaken from~~
48 ~~the rear by a faster-moving vehicle. However, the failure.~~ Failure to move into a single-file formation shall
49 not constitute negligence per se in any civil action. This section shall not change any existing law, rule, or
50 procedure pertaining to any such civil action, nor shall this section bar any claim that otherwise exists.

51 Notwithstanding any other provision of law to the contrary, the Department of Conservation and
52 Recreation shall permit the operation of electric personal assistive mobility devices on any bicycle path
53 or trail designated by the Department for such use.

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