



DAVID J. SWARTS
Commissioner

STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

"P" 23 (2010)

Albany, New York

October 29, 2010

TO: All Enforcement Agencies

SUBJECT: Chapter 413 of the Laws of 2010 – Vehicle Overtaking a Bicycle on the Same Side of the Road

Effective November 1, 2010, Chapter 413 of the Laws of 2010 amends the Vehicle and Traffic Law regarding a vehicle overtaking a bicycle as follows:

- Section 1120 (a)(2) is amended to include overtaking or passing bicyclists that are on the right half of the road as one of the exceptions when a vehicle does not have to be driven on the right half of the road.
- A new section 1122-a is added to provide that the driver of a vehicle overtaking a bicycle which is proceeding on the same side of a roadway shall pass to the left of the bicycle at a safe distance until safely clear of it.

A copy of Chapter 413 is attached for your reference. Please share this information with appropriate staff. Thank you.

David J. Swarts
Commissioner

Attachment

STATE OF NEW YORK

Ch. 413, L of 2010
App. August 13, 2010
Eff. November 1, 2010

7897

IN SENATE

May 20, 2010

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed,
and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to vehicles
passing bicycles on roadways

**The People of the State of New York, represented in Senate and Assembly, do enact
as follows:**

- 1 Section 1. Paragraph 2 of subdivision (a) of section 1120 of the vehi-
2 cle and traffic law, as amended by chapter 653 of the laws of 1964, is
3 amended to read as follows:
4 2. When overtaking or passing **bicyclists**, pedestrians, animals or
5 obstructions on the right half of the roadway;
6 § 2. The vehicle and traffic law is amended by adding a new section
7 1122-a to read as follows:
8 **§ 1122-a. Overtaking a bicycle. The operator of a vehicle overtaking,**
9 **from behind, a bicycle proceeding on the same side of a roadway shall**
10 **pass to the left of such bicycle at a safe distance until safely clear**
11 **thereof.**
12 § 3. This act shall take effect on the first of November next succeed-
13 ing the date on which it shall have become a law.

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
[-] is old law to be omitted.

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