

PROPOSED LEGISLATION

March 1, 2011

Section 1. Amend Chapter 41, Title 21, Delaware Code by adding the following section:

“Section 4137: The driver of a vehicle entering a right turn only lane shall yield the right-of-way to any bicycle already traveling in the right turn only lane.”

Section 2. Amend Section 4196(a), Chapter 41, Title 21, Delaware Code by adding the following:

“(4) When proceeding straight in a right turn only lane, in which case the bicyclist shall ride as close as practicable to the left-hand edge of the right turn only lane.”

Current Delaware Code

§ 4196. Position on roadway.

(a) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand edge of the roadway except under any of the following circumstances:

(1) When overtaking and passing another bicycle or vehicle proceeding in the same direction;

(2) When preparing for a left turn at an intersection or into a private road or driveway; or

(3) When reasonably necessary to avoid conditions including, but not limited to fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or substandard width lanes that make it unsafe to continue along the right-hand edge of

roadway. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.

(b) Any person operating a bicycle upon a 1-way highway with 2 or more marked traffic lanes and a posted speed limit of less than 30 miles per hour may ride as near the left-hand edge of such roadway as practicable.

(c) Persons riding bicycles upon a roadway shall not ride more than 2 abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding 2 abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.