

2009 -- H 5074

LC00098

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2009

A N A C T

RELATING TO MOTOR VEHICLES AND OTHER VEHICLES -- PASSING, USE OF
LANES, AND RULES OF THE ROAD

Introduced By: Representatives Gemma, Flaherty, Ferri, and Trillo

Date Introduced: January 13, 2009

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 31-15 of the General Laws entitled "Passing, Use of Lanes, and
2 Rules of the Road" is hereby amended by adding thereto the following section:

3 **31-15-18. Keeping a three foot passing distance when passing a bicycle. -- (a) A**
4 **person operating a motor vehicle, when approaching a bicyclist, shall insure the safety and**
5 **protection of the bicyclist by leaving a reasonable and prudent distance between the vehicle and**
6 **the bicycle. A three foot (3') passing distance between the motor vehicle and passing bicycle shall**
7 **be deemed to be reasonable and prudent. When impossible to achieve the three foot (3') passing**
8 **distance, then the vehicle shall reduce its speed to ten (10) to twenty (20) miles per hour below**
9 **the posted speed limit.**

10 **(b) Violations of this section are subject to fines enumerated in section 31-41.1-4.**

11 SECTION 2. Section 31-41.1-4 of the General Laws in Chapter 31-41.1 entitled
12 "Adjudication of Traffic Offenses" is hereby amended to read as follows:

13 **31-41.1-4. Schedule of violations. --** (a) The penalties for violations of the enumerated
14 sections, listed in numerical order, correspond to the fines described. However, those offenses for
15 which punishments which may vary according to the severity of the offense, or punishment which
16 require the violator to perform a service, shall be heard and decided by the traffic tribunal or
17 municipal court. The following violations may be handled administratively through the method
18 prescribed in this chapter. This list is not exclusive and jurisdiction may be conferred on the

1 traffic tribunal with regard to other violations.

2 VIOLATIONS SCHEDULE

3	Section of		Total
4	General Laws		Fine
5	8-8.2-2	DOT, DEM, or other agency and	
6		department violations	\$85.00
7	24-10-17	Soliciting rides in motor vehicles	85.00
8	24-10-18	Backing up prohibited	85.00
9	24-10-20	Park and ride lots	85.00
10	24-12-37	Nonpayment of toll	100.00
11	31-3-12	Visibility of plates	85.00
12	31-3-18	Display of plates	85.00
13	31-3-32	Driving with expired registration	85.00
14	31-3-34	Failure to notify division of change of address	85.00
15	31-3-35	Notice of change of name	85.00
16	31-3-40	Temporary plates - dealer issued	85.00
17	31-4-3	Temporary registration - twenty	
18		(20) day bill of sale	85.00
19	31-10-10	Rules as to armed forces license	85.00
20	31-10-30	Driving on expired license	85.00
21	31-10-32	Notice of change of address	85.00
22	31-10.1-4	No motorcycle helmet (operator)	85.00
23	31-10.1-5	Motorcycle handlebar violation	85.00
24	31-10.1-6	No motorcycle helmet (passenger)	85.00
25	31-10.1-7	Inspection of motorcycle required	85.00
26	31-12-12	Local motor vehicle ordinance	85.00
27	31-13-04	Obedience to devices	85.00
28	31-13-6(3)(i)	Eluding traffic light	85.00
29	31-13-09	Flashing signals	85.00
30	31-13-11	Injury to signs or devices	85.00
31	31-14-1	Reasonable and prudent speed	95.00
32	31-14-03	Condition requiring reduced speed	95.00
33	31-14-09	Below minimum speed	95.00
34	31-14-12	Speed limit on bridges and structures	95.00

1	31-15-1	Leaving lane of travel	85.00
2	31-15-2	Slow traffic to right	85.00
3	31-15-3	Operator left of center	85.00
4	31-15-4	Overtaking on left	85.00
5	31-15-5(a)	Overtaking on right	85.00
6	31-15-6	Clearance for overtaking	85.00
7	31-15-7	Places where overtaking prohibited	85.00
8	31-15-8	No passing zone	85.00
9	31-15-9	One way highways	85.00
10	31-15-10	Rotary traffic islands	85.00
11	31-15-11	Laned roadway violation	85.00
12	31-15-12	Following too closely	85.00
13	31-15-12.1	Entering intersection	100.00
14	31-15-13	Crossing center section of divided highway	85.00
15	31-15-14	Entering or leaving limited access roadways	85.00
16	31-15-16	Use of emergency break-down lane for travel	85.00
17	13-15-17	Crossing bicycle lane	85.00
18	31-15-18	Failure to keep a three foot (3') passing	85.00
19		distance when passing a bicycle	
20	31-16-1	Care in starting from stop	85.00
21	31-16-2	Manner of turning at intersection	85.00
22	31-16-4	U turn where prohibited	85.00
23	31-16-5	Turn signal required	85.00
24	31-16-6	Time of signaling turn	85.00
25	31-16-7	Failure to give stop signal	85.00
26	31-16-8	Method of giving signals	85.00
27	31-16.1-3	Diesel vehicle idling rules	
28		first offense not to exceed	100.00
29		second and subsequent offense not	
30		to exceed	500.00
31	31-17-1	Failure to yield right of way	85.00
32	31-17-2	Vehicle turning left	85.00
33	31-17-3	Yield right of way (intersection)	85.00
34	31-17-4	Obedience to stop signs	85.00

1	31-17-5	Entering from private road or driveway	85.00
2	31-17-8	Vehicle within right of way, rotary	85.00
3	31-17-9	Yielding to bicycles on bicycle lane	85.00
4	31-18-3	Right of way in crosswalks	85.00
5			first
6			violation
7			\$100.00 sec-
8			ond violation
9			or any subse-
10			quent viola-
11			tion
12	31-18-5	Crossing other than at crosswalks	85.00
13	31-18-8	Due care by drivers	85.00
14	31-18-12	Hitchhiking	85.00
15	31-18-18	Right of way on sidewalks	85.00
16	31-19-3	Traffic laws applied to bicycles	85.00
17	31-19-20	Sale of new bicycles	85.00
18	31-19-21	Sale of used bicycles	85.00
19	31-19.1-2	Operating motorized bicycle on an	
20		interstate highway	85.00
21	31-19.2-2	Operating motorized tricycle on an	
22		interstate highway	85.00
23	31-20-1	Failure to stop at railroad crossing	85.00
24	31-20-2	Driving through railroad gate	85.00
25	31-20-9	Obedience to stop sign	85.00
26	31-21-4	Places where parking or stopping prohibited	85.00
27	31-21-14	Opening of vehicle doors	85.00
28	31-22-2	Improper backing up	85.00
29	31-22-4	Overloading vehicle	85.00
30	31-22-5	Violation of safety zone	85.00
31	31-22-6	Coasting	85.00
32	31-22-7	Following fire apparatus	85.00
33	31-22-8	Crossing fire hose	85.00
34	31-22-9	Throwing debris on highway - snow removal	85.00

1	31-22-11.5	Improper use of school bus	- not to ex
2			ceed five
3			hund-
4			red dollars
5			(\$500)
6			for each day
7			of
8			improper use
9	31-22-22(a)	No child restraint	85.00
10	31-22-22(a)	Child restraint/seat belt but not in	
11		any rear seating position	85.00
12	31-22-22(b), (f)	No seat belt - passenger	85.00
13	31-22-22(g)	No seat belt - operator	85.00
14	31-22-23	Tow trucks - proper identification	275.00
15	31-22-24	Operation of interior lights	85.00
16	31-23-1(b)(2)	U.S. department of transportation	
17		motor carrier safety	
18		rules and regulations	Not less than
19			\$85.00
20			or more than
21			\$500.00
22	31-23-1(e)(6)	Removal of an "out of service vehi-	
23		cle" sticker	125.00
24	31-23-1(e)(7)	Operation of an "out of service ve-	
25		hicle"	100.00
26	31-23-2(b)	Installation or adjustment of un-	
27		safe or prohibited parts, equip-	
28		ment, or accessories:	(first offense)
29			250.00
30			(second of-
31			fense) 500.00
32			(third and
33			subsequent
34			offenses)

1			1,000.00
2	31-23-4	Brake equipment required	85.00
3	31-23-8	Horn required	85.00
4	31-23-10	Sirens prohibited	85.00
5	31-23-13	Muffler required	85.00
6	31-23-13.1	Altering height or operating a mo-	
7		tor vehicle with an	
8		altered height	85.00
9	31-23-14	Prevention of excessive fumes or smoke	85.00
10	31-23-16	Windshield and window stickers	
11		(visibility)	85.00
12	31-23-17	Windshield wipers	85.00
13	31-23-19	Metal tires prohibited	85.00
14	31-23-20	Protuberances on tires	85.00
15	31-23-26	Fenders and wheel flaps required	85.00
16	31-23-27	Rear wheel flaps on buses, trucks	
17		and trailers	85.00
18	31-23-29	Flares or red flag required over	
19		four thousand pounds (4,000 lbs.)	85.00
20	31-23-40	Approved types of seat belt re-	
21		quirements	85.00
22	31-23-42.1	Special mirror - school bus	85.00
23	31-23-43	Chocks required (1 pair) - over	
24		four thousand pounds (4,000 lbs.)	85.00
25	31-23-45	Tire treads - defective tires	85.00
26	31-23-47	Slow moving emblem required	85.00
27	31-23-49	Transportation of gasoline – pas-	
28		senger vehicle	85.00
29	31-23-51	Operating bike or motor vehicle	
30		wearing ear phones	85.00
31			(first offense)
32			95.00 second
33			offense
34			140.00 for the

1			third and
2			each subse-
3			quent offense
4	31-24-1	Times when lights required	85.00
5	through		
6	31-24-54		
7	31-25-03	Maximum width of one hundred	
8		and two inches (102") exceeded	85.00
9	31-25-04	Maximum height of one hundred	
10		sixty-two inches (162") exceeded	85.00
11	31-25-06	Maximum number and length of	
12		coupled vehicles	500.00
13	31-25-07	Load extending three feet (3')	
14		front, six feet (6') rear exceeded	85.00
15	31-25-9	Leaking load	85.00
16	31-25-11	Connections between coupled vehi-	
17		cles	85.00
18	31-25-12	Towing chain, twelve inch (12")	
19		square flag required	85.00
20	31-25-12.1	Tow truck - use of lanes (first	
21		offense)	85.00
22		second offense	95.00
23			100.00 for the
24			third and
25			each subse-
26			quent offense
27	31-25-14(d)(1)	Maximum weight and tandem ax-	
28		les	125.00
29	31-25-14(d)(2)	Maximum weight and tandem ax-	
30		les	125.00
31	31-25-14(d)(3)	Maximum weight and tandem ax-	
32		les	125.00
33	31-25-16(c)(2)	Maximum weight shown in regis-	
34		tration	85.00 per

1			thousand lbs.
2			overweight or
3			portion
4			thereof.
5	31-25-16(c)(3)	Maximum weight shown in regis-	
6		tration	125.00 per
7			thousand lbs.
8			overweight or
9			portion
10			thereof.
11	31-25-16(c)(4)	Maximum weight shown in regis-	
12		tration	1,025.00 plus
13			\$125.00 per
14			thousand
15			pounds
16			overweight or
17			portion
18			thereof.
19	31-25-17	Identification of trucks and truck-	
20		tractors (first offense)	85.00
21		(second offense)	95.00
22			125.00 for the
23			third and
24			subsequent
25			offenses
26	31-25-24	Carrying and inspection of excess	
27		load limit	175.00
28	31-25-27(c)	Maximum axle	3,000.00 (first
29			offense)
30			not to exceed
31			5,000.00 for
32			each and ev-
33			ery subse-
34			quent offense

1	31-25-30	Maximum axle Pawtucket River	
2		Bridge and Sakonnet River Bridge	3,000.00 (first
3			offense) not
4			to exceed
5			5,000.00 for
6			each and ev-
7			ery subse-
8			quent offense
9	31-27-2.3	Refusal to take preliminary breath	
10		test	85.00
11	31-28-7(d)	Wrongful use of handicapped	
12		parking placard	500.00
13	31-28-7(f)	Handicapped parking space viola-	
14		tion:	
15		First offense	100.00
16		Second offense	175.00
17		Third offense and subsequent of-	
18		fenses	325.00
19	31-28-7.1(e)	Wrongful use of institutional	
20		handicapped parking placard	125.00
21	31-33-2	Failure to file accident report	85.00
22	31-36.1-17	No fuel tax stamp (out-of-state)	85.00 and not
23			exceeding
24			(\$100) for
25			subsequent
26			offense
27	31-38-3	No inspection sticker	85.00
28	31-38-4	Violation of inspection laws	85.00
29	31-47.2-06	Heavy-duty vehicle emission in-	
30		spections:	
31		First offense	125.00
32		Second offense	525.00
33		Third and subsequent offenses	1,025.00
34	37-15-7	Littering	not less than

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO MOTOR VEHICLES AND OTHER VEHICLES -- PASSING, USE OF
LANES, AND RULES OF THE ROAD

1 This act would require that there be a three foot (3') passing distance between a motor
2 vehicle passing a bicycle and if impossible to achieve the required distance, the vehicle shall
3 reduce its speed to ten (10) to twenty (20) miles per hour the below the posted speed limit. Fines
4 would be imposed as delineated in section 31-41.1-4.

5 This act would take effect upon passage.

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