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HOUSE BILL 259

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Miguel P. Garcia

AN ACT

RELATING TO BICYCLES; PROVIDING THAT A PERSON RIDING A BICYCLE SHALL SLOW DOWN OR STOP WHEN APPROACHING A STOP SIGN OR A TRAFFIC CONTROL SIGNAL; ALLOWING BICYCLISTS TO PROCEED WITH CAUTION THROUGH AN INTERSECTION WITHOUT STOPPING IN CERTAIN CIRCUMSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 66-3-701 NMSA 1978 (being Laws 1978, Chapter 35, Section 100) is amended to read:

"66-3-701. BICYCLES--EFFECT OF REGULATIONS.--

A. It is a misdemeanor for any person to do any act forbidden or fail to perform any act required by Sections ~~[64-3-701 through 64-3-707 NMSA 1953]~~ 66-3-701 through 66-3-708 NMSA 1978.

B. The parent of any child and the guardian of any

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1 ward shall not authorize or permit ~~[any such]~~ the child or ward
2 to violate any of the provisions of the Motor Vehicle Code.

3 C. ~~[These regulations]~~ Laws applicable to bicycles
4 ~~[shall]~~ apply whenever a bicycle is operated upon any highway
5 or upon any path set aside for the exclusive use of bicycles
6 ~~[subject to those exceptions stated herein]."~~

7 SECTION 2. Section 66-3-702 NMSA 1978 (being Laws 1978,
8 Chapter 35, Section 101) is amended to read:

9 "66-3-702. TRAFFIC LAWS APPLY TO PERSONS RIDING
10 BICYCLES.--Every person riding a bicycle upon a roadway shall
11 be granted all of the rights and shall be subject to all of the
12 duties applicable to the driver of a vehicle except as to the
13 ~~[special regulations]~~ provisions within Sections ~~[64-3-701~~
14 ~~through 64-3-707 NMSA 1953]~~ 66-3-701 through 66-3-708 NMSA 1978
15 and those provisions that by their nature have no application."

16 SECTION 3. A new Section 66-3-708 NMSA 1978 is enacted to
17 read:

18 "66-3-708. [NEW MATERIAL] STOP SIGNS--TRAFFIC CONTROL
19 SIGNALS.--

20 A. A person riding a bicycle and approaching a stop
21 sign shall slow down and, if required for safety, stop before
22 entering the intersection. After slowing to a reasonable speed
23 or stopping, the person shall yield the right of way to a
24 vehicle in the intersection or a vehicle approaching on another
25 highway or street so closely as to constitute an immediate

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1 hazard during the time the person is moving across or within
2 the intersection. After slowing to a reasonable speed and
3 yielding the right of way if required, a person riding a
4 bicycle may cautiously make a turn or proceed through the
5 intersection without stopping.

6 B. A person riding a bicycle and approaching a red
7 traffic control signal shall stop before entering the
8 intersection and shall yield to other traffic; provided that
9 the person, after slowing to a reasonable speed and yielding
10 the right of way if required, may cautiously make a right turn
11 without stopping or a left turn onto a one-way highway or
12 street without stopping."

13 SECTION 4. EFFECTIVE DATE.--The effective date of the
14 provisions of this act is July 1, 2011.