

Regular Session, 2011

# ACT No. 244

HOUSE BILL NO. 513

BY REPRESENTATIVES WILLIAMS, AUSTIN BADON, BOBBY BADON, BARROW,  
BILLIOT, HENRY BURNS, BURRELL, DIXON, DOWNS, GALLOT, GISCLAIR,  
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GERMAIN, AND WOOTON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 32:1(4), (4.2), (13)(a), and (65), 212(A), and 232(1)(a) and (b)  
3 and R.S. 47:463.148(B) and (D)(1), to enact R.S. 32:74(C) and 329.1, and to repeal  
4 R.S. 32:197(B) and 329, relative to bicycles and traffic; to amend, enact, and repeal  
5 provisions relative to bicycles and traffic; to amend provisions for the "Share the  
6 Road" license plate; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:1(4), (4.2), (13)(a), and (65), 212(A), and 232(1)(a), and (b) are  
9 hereby amended and reenacted and R.S. 32:74(C) and 329.1 are hereby enacted to read as  
10 follows:

11 §1. Definitions

12 When used in this Chapter, the following words and phrases have the  
13 meanings ascribed to them in this Section, unless the context clearly indicates a  
14 different meaning:

15 \* \* \*

16 (4) "Bicycle" means every device upon which any person may ride,  
17 propelled exclusively by human power, and having one or more wheels propelled by  
18 human power upon which any person may ride and designed to travel on two tandem  
19 wheels.

20 \* \* \*

21 (4.2) "Bicycle lane" means the part of the roadway adjacent to the travel  
22 lane, designated by ~~striping, signing, and pavement markers~~ official signs or

markings for the preferential or exclusive use by bicycles and ~~usually electric~~  
electric mobility aid users.

\* \* \*

(13) "~~Cross-walk~~" "Crosswalk" means: (a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks, shoulders, or a combination thereof on opposite sides of the highway measured from the curbs or, in absence of curbs, from the edges of the traversable roadway or if there is neither a sidewalk nor shoulder, a crosswalk is the portion of the roadway at an intersection that would be included within the prolongation of the lateral lines of the sidewalk, shoulder, or both on the opposite side of the street if there were a sidewalk or shoulder.

\* \* \*

(65) "Shoulder" means the portion of the highway contiguous with the roadway for accommodation of stopped vehicles, for emergency use, pedestrian use, mobility aid use ~~or bicyclists when other accommodations are not available, bicycle~~ use, and for lateral support of base and surface.

\* \* \*

~~§212. Pedestrians right of way right-of-way in cross-walks crosswalks~~

A. When traffic-control signals are not in place or not in operation, the driver of a vehicle shall stop and yield the right-of-way ~~right-of-way, slowing down or stopping if need be to so yield,~~ to a pedestrian crossing the roadway within a ~~cross-~~walk ~~crosswalk~~ when the pedestrian is upon ~~the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching closely from the opposite half of the roadway as to be in danger~~ the roadway upon which the vehicle is traveling or the roadway onto which the vehicle is turning.

\* \* \*

## §232. Traffic-control signals

Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special

pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) GREEN indication:

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall stop and yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall stop and yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

\* \* \*

§74. When passing on the right is permitted

\* \* \*

C. This Section does not prohibit the use of a bicycle in a bicycle lane or on a shoulder.

\* \* \*

§329.1. Bicycles; front lamps; rear lamps; side and rear reflectors

A. Any bicycle when in use at the times specified in R.S. 32:301 shall be equipped with the following:

(1) A lamp mounted on the front that shall emit a white light visible from a distance of at least five hundred feet to the front. A generator-powered lamp that emits light only when the bicycle is moving may be used to meet this requirement.

(2) A lamp mounted on the rear that shall emit either a flashing or steady red light visible from a distance of five hundred feet to the rear.

(3) A red reflector mounted on the rear and a reflector on each side facing outward at a right angle to the bicycle frame that shall be visible from all distances

from one hundred feet to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.

B. A bicycle or its operator may be equipped with lights or reflectors in addition to those required by Subsection A of this Section, except that red lamps and red reflectors shall not be used on the front of the bicycle and white lamps and white reflectors shall not be used on the rear of the bicycle.

C. A lamp or lamps worn by the operator of a bicycle shall comply with the requirements of Subsection A of this Section, if the lamp or lamps can be seen at the distances specified.

D. No person shall operate any bicycle on a state highway, parish road, or city street at a time specified in R.S. 32:301 unless such bicycle is equipped with lamps and reflectors to comply with Subsection A of this Section. Whoever violates this Section shall be subject to a fine of not more than twenty-five dollars which shall include all costs of court.

E. No retailer, distributor, wholesaler, or manufacturer in this state shall sell or offer for sale any bicycle unless such bicycle is equipped with lamps and reflectors as required by Subsection A of this Section.

F. This Section shall not apply to operators of bicycles or bicycles while the operator or bicycle is engaged in sanctioned competition races.

Section 2. R.S. 47:463.148(B) and (D)(1) are hereby amended and reenacted to read as follows:

§463.148. Special prestige license plate; "Share the Road"

\* \* \*

B. The special prestige license plate shall be known as the "Share the Road" license plate and shall bear the likeness of a person on a bicycle riding on the road and a pedestrian walking centered on the left side of the ~~license~~ license plate. The "Louisiana" name logo shall be at the top of the plate. The center of the plate shall display a number, with the first issued plate displaying the number one and shall

1 continue in consecutive numerical order for each plate. Centered at the bottom of

2 the plate below the number shall be the words "Share the Road".

3 \* \*

4 D. The department shall collect the following fees for this license plate:

(1) ~~An initial~~ A royalty fee of twenty-five dollars, which shall be disbursed in accordance with Subsection E of this Section.

7 \* \* \*

8           Section 3. R.S. 32:197(B) and 329 are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_