

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S3/7/19 H3/19/19  
**A Bill**

SENATE BILL 388

By: Senator Irvin

By: Representative Richardson

### **For An Act To Be Entitled**

AN ACT CONCERNING BICYCLE SAFETY; TO ALLOW BICYCLISTS TO YIELD AT STOP SIGNS AND RED LIGHTS UNDER CERTAIN CIRCUMSTANCES; TO AMEND THE LAW CONCERNING THE USE OF BICYCLES, ELECTRIC BICYCLES, AND ANIMALS ON PUBLIC ROADS; AND FOR OTHER PURPOSES.

### **Subtitle**

CONCERNING BICYCLE SAFETY; TO ALLOW BICYCLISTS TO YIELD AT STOP SIGNS AND RED LIGHTS UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND THE LAW CONCERNING THE USE OF BICYCLES, ELECTRIC BICYCLES, AND ANIMALS ON PUBLIC ROADS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 27, Chapter 51, is amended to add an additional subchapter to read as follows:

#### Subchapter 18

#### - Bicycles

#### 27-51-1801. Definitions.

#### As used in this subchapter:

(1) "Bicycle" means a human-powered vehicle:

(A) With two (2) or more wheels in tandem, designed to



transport by the act of pedaling one (1) or more persons seated on one (1) or more saddle seats on its frame; and

(B) Used on a public road, bicycle path, or right-of-way;  
and

(2) "Immediate hazard" means a vehicle approaching a person operating a bicycle at a proximity and rate of speed sufficient to indicate to a reasonably careful person would that there is a danger of collision or accident.

27-51-1802. Rights and duties.

A person operating a bicycle has the rights and duties applicable to a driver of a vehicle, unless:

- (1) A provision of this subchapter alters a right or duty; or
- (2) A right or duty applicable to a driver of a vehicle cannot by its nature apply to a person operating a bicycle.

27-51-1803. Entering stop or yield intersection.

(a)(1) A person operating a bicycle approaching a stop sign shall:

- (A) Slow down;
- (B) If required to avoid an immediate hazard, stop at the stop sign before entering the intersection; and
- (C) Cautiously enter the intersection and yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(2) If a person operating a bicycle meets the requirements provided in subdivision (a)(1) of this section, he or she may cautiously make a right or left turn, or proceed through the intersection without stopping at the stop sign.

(b)(1) A person operating a bicycle approaching a steady red traffic control light shall:

- (A) Make a complete stop at the steady red traffic control light before entering the intersection; and
- (B) Yield the right-of-way to all oncoming traffic that constitutes an immediate hazard during the time that he or she is moving across or within the intersection.

(2) If a person operating a bicycle meets the requirements as

provided in subdivision (b)(1) of this section, he or she may proceed through the steady red traffic control light with caution.

(3) However, a person operating a bicycle may make a:

(A) Right-hand turn at a steady red traffic control light without stopping after slowing to a reasonable speed and yielding the right-of-way, if required, to oncoming traffic that constitutes an immediate hazard; or

(B) Left-hand turn onto a one-way road at a steady red traffic control light after stopping and yielding to oncoming traffic that constitutes an immediate hazard.

SECTION 2. Arkansas Code § 27-49-111 is amended to read as follows.

27-49-111. Use of ~~bicycles, electric bicycles, or~~ animals.

~~Every person riding a bicycle, electric bicycle, or an animal, or driving any animal drawing a vehicle upon a highway, shall have all the rights and all of the duties applicable to the driver of a vehicle, except those provisions of this act which by their nature can have no applicability.~~

A person riding an animal or driving any animal drawing a vehicle upon a highway has the rights and duties applicable to a driver of a vehicle.

*/s/Irvin*