

**Rep. Lalley – S.309 language on use of roadway by pedestrians, bicycle operators,  
and vulnerable users – for HTC discussion**

1 Sec. A. 23 V.S.A. § 4(67) is amended to read:

2 (67) “Pedestrian” means any ~~person~~ individual ~~walking~~ walking or operating a  
3 wheelchair or other personal mobility device, whether motorized or not, and shall also  
4 ~~include any person 16 years of age or older operating~~ including an electric personal  
5 assistive mobility device. ~~The age restriction of this subdivision shall not apply to a~~  
6 ~~person who has an ambulatory disability as defined in section 304a of this title.~~

7 Sec. B. 23 V.S.A. § 1033 is amended to read:

8 § 1033. PASSING MOTOR VEHICLES AND VULNERABLE USERS

9 \* \* \*

10 (b) Approaching or passing vulnerable users. ~~The operator of~~ individual operating a  
11 motor vehicle approaching or passing a vulnerable user as defined in subdivision 4(81) of  
12 this title shall exercise due care, which includes reducing speed and increasing clearance  
13 to a ~~recommended~~ distance of at least four feet, to pass the vulnerable user safely, and  
14 shall cross the center of the highway only as provided in section 1035 of this title. ~~A~~  
15 ~~person~~ An individual who violates this subsection shall be subject to a civil penalty of not  
16 less than \$200.00.

17 (c) Approaching or passing certain stationary vehicles. ~~The operator of~~ individual  
18 operating a motor vehicle approaching or passing a stationary sanitation, maintenance,  
19 utility, or delivery vehicle with flashing lights shall exercise due care, which includes  
20 reducing speed and increasing clearance to a recommended distance of at least four feet,  
21 to pass the vehicle safely, and shall cross the center of the highway only as provided in

1 section 1035 of this title. ~~A person~~ An individual who violates this subsection shall be  
2 subject to a civil penalty of not less than \$200.00.

3 Sec. C. 23 V.S.A. § 1055 is amended to read:

4 § 1055. PEDESTRIANS ON ROADWAYS

5 (a) ~~Where public sidewalks are provided, no person may walk along or upon an~~  
6 ~~adjacent roadway.~~ [Repealed.]

7 (b) ~~Where public sidewalks are not provided, any~~ Any pedestrian walking along and  
8 upon a highway shall, when practicable, walk only on the left side of the roadway or its  
9 shoulder facing the direction of possible oncoming traffic.

10 Sec. D. 23 V.S.A. § 1139 is amended to read:

11 § 1139. RIDING ON ROADWAYS AND BICYCLE PATHS

12 (a) ~~A person~~ Due care and riding on the right. An individual operating a bicycle upon  
13 a roadway shall exercise due care when passing a standing vehicle or one proceeding in  
14 the same direction. Bicyclists generally shall ride as near to the right side of the  
15 improved area of the highway right-of-way as is safe, except that a bicyclist:

16 (1) Shall ride to the left or in a left lane when:

17 (A) preparing for a left turn at an intersection or into a private roadway or  
18 driveway;

19 (B) approaching an intersection with a right-turn lane if not turning right at the  
20 intersection; or

21 (C) overtaking another vulnerable user.

22 (2) May ride to the left or in a left lane when taking reasonably necessary  
23 precautions to avoid hazards or road conditions. Examples include objects on the road,

1 parked or moving vehicles, pedestrians, animals, surface conditions that may impair the  
2 bicyclist's stability, or safety hazards caused by a narrow road or steep embankment, road  
3 geometry, or unfavorable atmospheric conditions.

4 (b) ~~Persons riding~~ Riding two abreast. Individuals operating bicycles upon a roadway  
5 may not ride more than two abreast except on paths or parts of roadways set aside for the  
6 exclusive use of bicycles or except as otherwise permitted by the Commissioner of Public  
7 Safety in connection with a public sporting event in which case the Commissioner shall  
8 be authorized to adopt such rules as the public good requires. ~~Persons~~ Individuals riding  
9 two abreast shall not impede the normal and reasonable movement of traffic and, on a  
10 laned roadway, shall ride within a single lane.

11 (c) Obedience to traffic-control devices and traffic-control signals; **exception.**

12 **(1) Except as otherwise provided in subdivision (2) of this subsection, an**  
13 individual operating a bicycle shall follow all traffic-control devices and traffic-control  
14 signals governing motor vehicles.

15 **(2) Notwithstanding subdivision (1) of this subsection, an** individual operating a  
16 bicycle while crossing an intersection may follow pedestrian-control devices and  
17 pedestrian-control signals when present, except where otherwise indicated by traffic-  
18 control devices and traffic-control signals and provided that the bicyclist shall yield to  
19 pedestrians in the crosswalk.

20 (d) Riding on a partially controlled access highway. Bicycles may be operated on the  
21 shoulders of partially controlled access highways, which are those highways where  
22 access is controlled by public authority but where there are some connections with  
23 selected public highways, some crossings at grade, and some private driveway

1 connections. The Traffic Committee may determine that any portion of these highways is  
2 unsafe and therefore closed to ~~bicycle operation~~ bicyclists.

3 **Sec. E. AGENCY OF TRANSPORTATION; DEPARTMENT OF PUBLIC**

4 **SAFETY; IDAHO STOP STUDY; REPORT**

5 **The Agency of Transportation, in collaboration with the Department of Public**  
6 **Safety and in consultation with bicycle safety organizations and other relevant**  
7 **stakeholders, shall study the potential effects of implementing a statewide policy**  
8 **that allows an individual operating a bicycle to treat stop signs as yield signs and red**  
9 **lights at traffic signals as stop signs, also known as an “Idaho Stop.” On or before**  
10 **December 15, 2025, the Agency shall report to the House and Senate Committees on**  
11 **Transportation with its findings and recommendations, including a**  
12 **recommendation on whether Vermont should enact legislation adopting the Idaho**  
13 **Stop.**