

BILL ANALYSIS

C.S.H.B. 307
By: Farias
Transportation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law prohibits a person from operating a bicycle at nighttime unless the bicycle is equipped with a front lamp and a rear reflector or lamp. There are concerns that the existing requirements are insufficient and that drivers have a difficult time seeing bicyclists on busy roads, particularly during periods of poor visibility. Interested parties contend that the safety of both drivers and bicyclists would be enhanced by increasing the visibility of bicyclists and bicycles through the use of front and back lamps on the bicyclist or the bicycle. C.S.H.B. 307 seeks to enhance the safety of drivers and bicyclists by changing the safety equipment requirements for certain bicyclists.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 307 amends the Transportation Code, in a provision requiring a bicycle at nighttime to be equipped with a lamp that emits a light visible from the front and from the rear of the bicycle, to provide for the satisfaction of that requirement by having either the bicycle or the person operating the bicycle be so equipped; to specify that the white light visible in front of the bicycle is to be flashing or steady; and to remove the specification that the lamp emitting that white light be located on the front of the bicycle. The bill removes the option for the bicycle to have a red reflector on the rear of the bicycle as an alternative to a lamp that emits a red light visible to the rear of the bicycle and specifies that the red light emitted by the lamp is a flashing or steady light.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 307 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 551.104(b), Transportation Code, is amended to read as follows: (b) A person may not operate a bicycle at	SECTION 1. Section 551.104(b), Transportation Code, is amended to read as follows: (b) A person may not operate a bicycle at

83R 15245

13.71.672

Substitute Document Number: 83R 8863

nighttime, during the 30-minute period before sunset, or during the 30-minute period after sunrise unless the person or bicycle is equipped with:

(1) a lamp [~~on the front of the bicycle~~] that emits a white light visible from a distance of at least 500 feet in front of the bicycle; and

(2) [~~on the rear of the bicycle:~~

~~[(A) a red reflector that is:~~

~~[(i) of a type approved by the department; and~~

~~[(ii) visible when directly in front of lawful upper beams of motor vehicle headlamps from all distances from 50 to 300 feet to the rear of the bicycle; or~~

~~[(B)]~~ a lamp that emits a red light visible from a distance of 500 feet to the rear of the bicycle.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2013.

nighttime unless the person or bicycle is equipped with:

(1) a lamp [~~on the front of the bicycle~~] that emits a flashing or steady white light visible from a distance of at least 500 feet in front of the bicycle; and

(2) [~~on the rear of the bicycle:~~

~~[(A) a red reflector that is:~~

~~[(i) of a type approved by the department; and~~

~~[(ii) visible when directly in front of lawful upper beams of motor vehicle headlamps from all distances from 50 to 300 feet to the rear of the bicycle; or~~

~~[(B)]~~ a lamp that emits a flashing or steady red light visible from a distance of 500 feet to the rear of the bicycle.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.