

By: Lopez of Bexar

H.B. No. 535

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the operation of a motor vehicle passing a pedestrian or
3 a person operating a bicycle in certain municipalities; creating a
4 criminal offense.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter B, Chapter 545, Transportation Code,
7 is amended by adding Section 545.0571 to read as follows:

8 Sec. 545.0571. MOTOR VEHICLE PASSING PEDESTRIAN OR BICYCLE
9 OPERATOR. (a) This section applies only to a person operating a
10 motor vehicle within the boundaries of a municipality with a
11 population of 100,000 or more.

12 (b) An operator of a motor vehicle shall exercise due care
13 to avoid colliding with a pedestrian or a person operating a bicycle
14 on a highway or street.

15 (c) For the purposes of Section 545.053(a), safe distance
16 from a pedestrian or any part of a bicycle is:

17 (1) at least three feet if the operator's vehicle is a
18 passenger car or a light truck; or

19 (2) at least six feet if the operator's vehicle is a
20 commercial motor vehicle as defined by Section 522.003 or a truck
21 other than a light truck.

22 (d) For the purposes of Section 545.057(a), conditions
23 permit safely passing a pedestrian or a bicycle to the right only if
24 the motor vehicle passes:

1 (1) at least three feet from the pedestrian or any part
2 of the bicycle if the operator's vehicle is a passenger car or a
3 light truck; or

4 (2) at least six feet from the pedestrian or any part
5 of the bicycle if the operator's vehicle is a commercial motor
6 vehicle as defined by Section 522.003 or a truck other than a light
7 truck.

8 (e) An operator of a motor vehicle passing a pedestrian or a
9 person operating a bicycle on a highway or street that has two or
10 more marked lanes running in the same direction shall move the motor
11 vehicle to a lane other than the lane used by the pedestrian or
12 bicycle operator while passing the pedestrian or bicycle operator.

13 (f) It is an affirmative defense to prosecution under this
14 section that at the time of the offense the pedestrian or bicycle
15 operator was acting in violation of a traffic law in a manner that
16 contributed to the offense under this section.

17 SECTION 2. Section 545.055, Transportation Code, is amended
18 by amending Subsection (b) and adding Subsection (b-1) to read as
19 follows:

20 (b) Except as provided by Subsection (b-1), an [An] operator
21 may not drive on the left side of the roadway in a no-passing zone or
22 on the left side of any pavement striping designed to mark a
23 no-passing zone.

24 (b-1) Subsection (b) [~~This subsection~~] does not prohibit a
25 driver from:

26 (1) crossing pavement striping, or the center line in
27 a no-passing zone marked by signs only, to make a left turn into or

1 out of an alley or private road or driveway; or

2 (2) passing a pedestrian or a person operating a
3 bicycle in a no-passing zone if the operator of the motor vehicle
4 otherwise complies with the requirements of this chapter.

5 SECTION 3. The changes in law made by this Act apply only to
6 an offense committed on or after the effective date of this Act. An
7 offense committed before the effective date of this Act is governed
8 by the law in effect on the date the offense was committed, and the
9 former law is continued in effect for that purpose. For purposes of
10 this section, an offense was committed before the effective date of
11 this Act if any element of the offense occurred before that date.

12 SECTION 4. This Act takes effect September 1, 2025.