

**STATE OF GEORGIA  
CITY OF DUNWOODY**

**RESOLUTION 2011-02-16**

**A RESOLUTION IN SUPPORT OF HOUSE BILL 180, A PROPOSED AMENDMENT OF  
THE OFFICIAL CODE OF GEORGIA ANNOTATED, TO PROVIDE FOR GREATER  
AUTOMOBILE, PEDESTRIAN, AND BICYCLE SAFETY**

**WHEREAS,** the City of Dunwoody, Georgia is a Georgia municipal corporation; and

**WHEREAS,** the Mayor and Council are the governing authority of the City; and

**WHEREAS,** Mayor and Council are charged with the protection of the health, safety and welfare of the citizens of Dunwoody; and

**WHEREAS,** the City of Dunwoody has unanimously approved an Action Plan to become officially recognized by the League of American Bicyclists as a Bicycle Friendly Community; and

**WHEREAS,** the City recognizes an investment in its infrastructure will produce a dramatic rise in the number of bicyclists in all areas of the City; and

**WHEREAS,** the increase in bicyclists and motorists using the same corridors could potentially pose a public safety concern; and

**WHEREAS,** the Mayor and Council believe that House Bill 180, attached hereto and incorporated by reference, is in the best interests of the citizens of the City of Dunwoody.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Dunwoody, Georgia, and it is hereby resolved by the authority of same, that the Mayor and Council of the City of Dunwoody hereby support House Bill 180 currently before the State of Georgia General Assembly which provides for an amendment to Title 40, Chapter 6, Article 3 of the *Official Code of Georgia Annotated*, relating to driving on the right side of the roadways, overtaking and passing and following too closely, so as to require the operator of a motor vehicle to leave a safe distance between such motor vehicle and a bicycle when such vehicle is passing the bicycle; to provide for a definition; and to provide for related matters.

Let a copy of this Resolution be forwarded to all state legislators serving the City of Dunwoody.

**SO RESOVLED AND EFFECTIVE** this 28<sup>th</sup> day of February, 2011.

Approved:

\_\_\_\_\_  
Ken Wright, Mayor

Attest:

\_\_\_\_\_  
Sharon Lowery, City Clerk

(Seal)

House Bill 180

By: Representatives Willard of the 49<sup>th</sup>, Powell of the 29<sup>th</sup>, Holt of the 112<sup>th</sup>, Riley of the 50<sup>th</sup>, Taylor of the 79<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to driving on the right side of the roadway, overtaking and passing, and following  
3 too closely, so as to require the operator of a motor vehicle to leave a safe distance between  
4 such motor vehicle and a bicycle when such vehicle is passing the bicycle; to provide for a  
5 definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to  
9 driving on the right side of the roadway, overtaking and passing, and following too closely,  
10 is amended by adding a new Code section to read as follows:

11 "40-6-55.

12 (a) As used in this Code section, the term 'safe distance' means not less than three feet.

13 (b) Notwithstanding any provision of this article to the contrary, when feasible, the  
14 operator of a motor vehicle, when overtaking and passing a bicycle that is proceeding in  
15 the same direction on the roadway, shall leave a safe distance between such vehicle and the  
16 bicycle and shall maintain such clearance until safely past the overtaken bicycle."

17 **SECTION 2.**

18 All laws and parts of laws in conflict with this Act are repealed.

## Defining a Three Feet Minimum Safe Passing Distance in Georgia

Georgia Bikes Alliance, the statewide advocacy organization, asks for your **SUPPORT** on HB 988.

### **Problem Definition**

Bicyclists traveling on Georgia’s roadways face risks associated with motorists passing too closely, even when cyclists are riding as far to the right as practicable (in accordance with state and local laws). This practice is known as being “*buzzed*,” and is both an unnecessary risk and a causal factor in too many bicycle crashes.

### **Benefits of Defining the Minimum Safe Passing Distance**

- 1) Prevent crashes
- 2) Add clarity to driver education
- 3) Facilitate enforcement

#### **1) Crash prevention – Georgia Crash Data: 2004-2006**

- 2,819 bicycle crashes reported
- 1,049 involved a car and a bicycle both traveling straight
- 34 of the cyclists in these crashes were killed

Over half (54%) the total number of cyclists killed on Georgia’s roadways over the three-year period were involved in crashes in which the motor vehicle and bicycle were both traveling straight, i.e. an overtaking scenario. Requiring drivers to give at least three feet when passing, if adequately promoted and enforced, would greatly lessen the risk of cyclists being hit by passing cars in Georgia.

2004	2005	2006
20	23	19

Reported Cyclist Deaths in Georgia 2004-2006

According to a University of North Carolina Highway Safety Research Center study of a six state sample, motorists passing too closely accounted for 1.2% of crashes, but 22% of those crashes resulted in serious injury or death, indicating a very dangerous crash type.

### **2) Education**

This law would help organizations charged with improving the safety of Georgia’s roadways to better educate the public on the minimum safe distance for passing bicyclists. Currently, many motorists including professionals such as taxi and bus drivers believe simply avoiding contact with a bicyclist is all that is required. They are often unaware of the danger of passing a cyclist too closely, which even in instances in which the cyclist is not hit can lead to a crash from the cyclist’s reflexive action.

### **3) Enforcement**

Defining the minimum safe passing distance as three feet would give law enforcement a measurable tool for improving safety. Officers in Woodstock, Georgia conducted an undercover operation in 2008 to demonstrate the safe passing distance to drivers, and simply carried a yardstick to give drivers not giving sufficient passing distance a better sense of the measurement.

### **Other States:**

Current Law in 14: AZ, AR, CO, CT, FL, IL, LA, ME, MN, NH, OK, TN, UT, WI

Pending in 7: GA, MD, MO, OH, SD, VA, WA

### **Sources:**

National Center for Statistics and Analysis, National Highway Traffic Safety Administration (NHTSA), Georgia DOT Traffic Records, University of North Carolina Highway Safety Research Center