

International Precedent: Minimum 1 Metre Overtaking Distance

Australia

States and Territories in Australia currently provide the following guidance for motorists when overtaking bicycle riders.

State	Link	Guidance
NSW	http://www.rta.nsw.gov.au/roadsafety/bicycles/index.html	When overtaking give bicycle riders a safe amount of space. This means at least one metre to the side in a 50 km/h zone, if the speed limit is higher, then bicycle riders need more space for their safety.
ACT	Nil, no mention in guidelines or cycling sites	
QLD	Nil mention to a distance in guidelines	
NT	http://www.transport.nt.gov.au/__data/assets/pdf_file/0006/19923/section3.pdf	When overtaking give bicycle riders a safe amount of space. This means at least one metre to the side in a 50 km/h zone, if the speed limit is higher, then bicycle riders need more space for their safety.
WA	http://www.ors.wa.gov.au/Demographic-Pages/I-Am-A-Driver/Sharing-the-Road	As a driver, you should share the road with cyclists and be aware of their movements at all times. Cyclists may need to ride slightly away from the kerb or gutter at times due to debris and other hazards. They should be given at least one metre of space when being overtaken. Remember that bicycles are regarded as a vehicle, so cyclists have the same rights as a motor vehicle driver.
SA	http://www.dpti.sa.gov.au/roadsafety/safe_road_users/cyclists	Give cyclists plenty of room; a minimum of 1m clearance when overtaking.
VIC	http://www.vicroads.vic.gov.au/Home/SafetyAndRules/SaferRiders/BikeRiders/SharingTheRoad.htm	Be patient and give bike riders a clearance of at least one metre when passing them, more if travelling over 60km/h.
Tas	http://www.cyclingsouth.org/images/stories/Documents/str-final.pdf	Leave space when overtaking. When passing bicycle riders, either riding single file or two abreast, give at least one metre clearance in urban areas and two metres clearance on the open road.

Precedent in the USA

21 States in the United States have implemented the '3 foot law' as at July 2012. These States are: Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Kansas, Louisiana, Maine, Maryland, Minnesota, Mississippi, Nebraska (2012), Nevada, New Hampshire, Oklahoma, Tennessee, Utah and Wisconsin—and the District of Columbia. 1 State (Virginia) has a 2-foot passing law and 1 State (Pennsylvania) has a 4-foot (~1.20m) passing law.

In 19 other states there are general laws that provide that motorists must pass at a "safe distance." Independently many US cities have 3-foot laws including Oklahoma City and Edmond, Oklahoma, as well as Austin, Fort Worth, Edinburg, Beaumont, El Paso, Helotes, New Braunfels, San Antonio, and Denton, in Texas.

The image below shows all states with distances, the included table has listed all states with a 3 feet or more road rule.

		bicycle or individual.
Kansas	K.S.A. § 8-1516	Pass to the left at a distance of not less than three (3) feet and do not drive to the right side of the roadway until the vehicle is safely clear of the overtaken bicycle.
Louisiana	La. R.S. 32:76.1	Pass with not less than three (3) feet and maintain such clearance until safely past the overtaken bicycle.
Maine	29-A M.R.S. § 2070	Pass with a distance between the motor vehicle and the bicycle of not less than three (3) feet.
Maryland	Md. TRANSPORTATION Code Ann. § 21-1209	Must pass safely at a distance of not less than three (3) feet.
Massachusetts	ALM GL ch. 89, § 2	If it is not possible to overtake a bicycle or other vehicle at a safe distance in the same lane, the overtaking vehicle shall use all or part of an adjacent lane if it is safe to do so or wait for a safe opportunity to overtake.
Minnesota	Minn. Stat. § 169.18	Leave a safe distance, but in no case less than three (3) feet clearance, when passing a bicycle or individual and maintain clearance until safely past the overtaken bicycle or individual.
Mississippi	Miss. Code Ann. § 63-3-1309	Leave a safe distance of not less than three (3) feet between the vehicle and the bicyclist and maintain such clearance until safely past the bicycle.
Nevada	Nev. Rev. Stat. Ann. § 484B.270	Must pass to the left with no less than three (3) feet between any portion of the vehicle and the bicycle.
New Hampshire	RSA 265:143-a	Leave a reasonable and prudent distance between the vehicle and the bicycle. The distance shall be presumed to be reasonable and prudent if it is at least three (3) feet when the vehicle is traveling at 30 miles per hour or less, with one additional foot of clearance required for every 10 miles per hour above 30 miles per hour.
Oklahoma	47 Okl. St. §11-1208	Pass with a safe distance between the motor vehicle and the bicycle of not less than three (3) feet until the motor vehicle is safely past the overtaken bicycle.
Pennsylvania	75 Pa.C.S. § 3303	Pass to the left of the pedalcycle within not less than four (4) feet at a careful and prudent reduced speed.
Tennessee	Tenn. Code Ann. § 55-8-175	Leave a safe distance between the motor vehicle and the bicycle of not less than three feet (3') and shall maintain the clearance until safely past the overtaken bicycle.
Utah	Utah Code Ann. § 41-6a-706.5	A motor vehicle may not knowingly, intentionally, or recklessly operate a motor vehicle within three (3) feet of a moving bicycle, unless the operator of the motor vehicle operates the motor vehicle within a reasonable and safe distance of the bicycle.
Wisconsin	Wis. Stat. § 346.075	Exercise due care, leaving a safe distance, but in no case less than three (3) feet clearance when passing the bicycle and maintain clearance until safely past the overtaken bicycle.

Global Precedent

In contrast with the US and Australia, countries in Europe and cities in Canada are at the forefront of creating balanced transportation systems incorporating cars with transit, bicycles, and pedestrians. The combination of improved infrastructure, policies, vulnerable road user legislation (drivers have presumed or default liability) and education have led to higher rates of bicycling and increased safety rates in most European cities.

Countries confirmed with 1 metre minimum overtaking distance law include Netherlands, France, and Nova Scotia (Canada). It is considered that parts of Belgium and Poland also have 1 metre legislation. A major campaign for 1 metre overtaking distance is running in the UK currently.

Effectiveness of minimum overtaking distance legislation

The effectiveness of implementation of 1 metre (or 3 feet) minimum overtaking distance internationally has been demonstrated in the following ways:

- Consistency in 'distance' and 'language' from jurisdiction to jurisdiction improves effectiveness of the law. Of the twenty-one US States that have passed the law, the legal language defining the provision is largely consistent; at a minimum, each provision contains language which defines safe passing distance to be three feet.
- Increased opportunity to train police officers on bicycle safety and the enforcement of all bicycle related laws.
- Education of the law is as important for behaviour change as the enforcement element: specific educational programming to the road user community that has helped includes:
 - Licensing and road user handbooks,
 - awareness of penalties,
 - public campaigns and public service announcements,
 - permanent roadside signage,
 - apparel.
- Implementation of a fine, regardless of whether a collision occurs demonstrates that the behaviour is the focus, rather than punishment 'after the crime'.
- Creates a 'virtual' bike lane providing up to 2m protection for cyclists (from curb to the left side of the vehicle), particularly on roads where there is no bike lane or off-road option.

References

*Source: <http://www.ncsl.org/issues-research/transport/safely-passing-bicyclists.aspx>

For more information related to the implementation and execution of the rule, read this document: http://njbikeped.org/wp-content/uploads/2013/04/3-Foot-Final-Report-Draft_V7.pdf

Update as at Sept. 28, 2012 from Biking Bis shows all 21 states with a 3 feet (1 metre) minimum passing road rule: <http://www.bikingbis.com/2012/04/01/20-states-require-motorists-give-3-feet-or-more-when-passing-cyclists/>