

2021 -- H 5093 SUBSTITUTE A

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LC000158/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

**RELATING TO MOTOR AND OTHER VEHICLES -- PASSING, USE OF LANES, AND
RULES OF THE ROAD**

Introduced By: Representative Joseph M. McNamara

Date Introduced: January 22, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 31-15 of the General Laws entitled "Passing, Use of Lanes, and Rules
2 of the Road" is hereby amended by adding thereto the following section:

3 **31-15-20. Unsafe passing of a vulnerable road user.**

4 (a) For purposes of this section, "vulnerable road user" means:

5 (1) A pedestrian who is acting in compliance with chapter 18 of title 31;

6 (2) A bicyclist who is acting in compliance with chapter 19 of title 31;

7 (3) A police officer or emergency worker on duty when outside of a vehicle;

8 (4) A highway worker performing duties outside of a vehicle;

9 (5) A person riding on or driving a wheelchair, motorized or not who is acting in
10 compliance with chapter 18 of title 31;

11 (6) A person using a skateboard, inline skates, or roller skates who is acting in compliance
12 with chapter 19 of title 31;

13 (7) A person riding on or driving an animal;

14 (8) A person riding on a scooter who is acting in compliance with chapter 19.1 of title 31.

15 (b) Notwithstanding any other provision of the general or public laws to the contrary, any
16 person, while operating a motor vehicle on a street or highway, who fails to exercise due care to
17 avoid colliding with a vulnerable road user, who is the proximate cause of injury, serious injury, or
18 death to the vulnerable road user, shall be guilty of an offense pursuant to this section and shall be

1 sentenced, in addition to any other applicable criminal or civil statute, as follows:

2 (1) When bodily injury of a vulnerable road user is caused by a violation of this section,
3 the offending operator shall be fined two hundred dollars (\$200).

4 (2) When serious bodily injury of a vulnerable road user is caused by a violation of this
5 section, the offending operator shall be fined five hundred dollars (\$500), and his or her driver's
6 license shall be suspended for a period of three (3) months.

7 (3) When the death of a vulnerable road user is caused by a violation of this section, the
8 offending operator shall be fined one thousand dollars (\$1,000) and his or her driver's license shall
9 be suspended for a period of one year.

10 (c) As used in this section, "serious bodily injury" means physical injury that creates a
11 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment
12 of the function of any bodily member or organ.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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1 This act would provide for specific fines and sanctions to operators of motor vehicles who
2 fail to exercise due care to avoid colliding with a vulnerable road user causing injury, serious injury,
3 or death to the vulnerable road user.

4 This act would take effect upon passage.

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