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**SENATE BILL NO. 566**

Offered January 13, 2010

Prefiled January 13, 2010

A *BILL to amend and reenact §§ 46.2-816, 46.2-838, and 46.2-839 of the Code of Virginia and to amend the Code of Virginia by adding in Article 7 of Chapter 8 of Title 46.2 a section numbered 46.2-869.1, relating to motor vehicle offenses; penalties.*

Patrons—Ticer, Deeds, Marsden, Miller, J.C., Puckett and Whipple

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 46.2-816, 46.2-838, and 46.2-839 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 7 of Chapter 8 of Title 46.2 a section numbered 46.2-869.1 as follows:**

§ 46.2-816. Following too closely.

The driver of a motor vehicle shall not follow another motor vehicle, trailer, or semitrailer, *bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped* more closely than is reasonable and prudent, having due regard to the speed of both vehicles and the traffic on, and conditions of, the highway at the time.

§ 46.2-838. Passing when overtaking a vehicle.

The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at least ~~two~~ *three* feet to the left of the overtaken vehicle and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle, except as otherwise provided in this article.

§ 46.2-839. Passing bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, animal, or animal-drawn vehicle.

Any driver of any vehicle overtaking a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, animal, or animal-drawn vehicle proceeding in the same direction shall pass at a reasonable speed at least ~~two~~ *three* feet to the left of the overtaken bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, animal, or animal-drawn vehicle and shall not again proceed to the right side of the highway until safely clear of such overtaken bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, animal, or animal-drawn vehicle.

§ 46.2-869.1. *Careless driving; penalty.*

*Any person who drives a vehicle on any highway carelessly without due care and attention or without reasonable consideration for other persons or vehicles using the highway is guilty of a Class 3 misdemeanor.*

INTRODUCED

SB566