

# 2023 BIKE/TRAFFIC SAFETY POLICY INFORMATION

## 1. PROHIBIT HANDHELD PHONE USE WHILE DRIVING

### EXPLANATION:

- Using a cell phone while driving increases crash risk.
- Engaging in tasks such as reaching for a phone, dialing, and texting **tripled the risk** of getting into a crash.
- During 2017, 3,166 people died in motor vehicle crashes in which distraction was deemed a contributing factor.
- Distracted driving pertains to 9 percent of all crash deaths.
- Iowa crashes have doubled in the past 20 years.
- Fatal crashes by distracted drivers have increased from 1 crash in 2001 to 10 crashes in 2021.
- A study of more restrictive cell phone laws in Washington and Oregon have shown to reduce crash rates following implementation of the laws.

A recent crash in Charles City—where the driver admitted to using a phone—killed Ellen Bengtson. The case was dismissed by the courts due to Iowa's lack of distracted driving laws.

## 2. CHANGE LANES TO PASS

### EXPLANATION:

The Iowa Code, Iowa Supreme Court Ruling, Iowa Attorney General opinions, and the Iowa Driver's Manual echo the same sentiment: change lanes to pass bicyclists.

- Over 50% of fatal bicycle crashes in the past decade are bicyclists hit from behind. 85% of bicyclists report having been passed too close for safety.
- Requiring motorists to change lanes to pass bicycles is easy to teach, easy to enforce, and easy to follow.
- The law will reduce confusion on how to pass bicyclists in the courts and law enforcement.
- The law will be easy for driver education instructors to teach.
- As of September 2021, 35 states and the District of Columbia have enacted laws requiring motorists passing bicycles to leave 3 feet of space or more between them.
- Three states have laws that go beyond 3 feet.

Six states require a motorist to completely change lanes when passing a bicyclist— Delaware, Georgia, Kentucky, Nevada, Oklahoma and Washington—currently require this.

- “When passing bicyclists, you must completely change lanes, giving the bicyclist the entire lane like you would with any other vehicle. Do not return to the right until you can see the bicyclist(s) in your rearview mirror.” [Iowa Driver’s Manual, page 54](#)
- An Iowa poll in January of 2016 showed 75% of Iowans support changing lanes to pass bicyclists as a law.
- **85% of motorists studied in simulations do not change lanes to pass bicyclists.** National Advanced Driving Simulator (in Coralville, Iowa)

### 3. STANDARDIZED PENALTIES FOR HITTING A BICYCLIST

#### EXPLANATION:

If a bicyclist is killed or injured on Iowa roadways, it is a lesser penalty than if a motorist, motorcyclist, or pedestrian is struck on Iowa roadways.

- This legislation would not raise the penalty but creates the same penalty regardless of the mode of transportation.
- If the motorist is charged with steering unreasonably close to a bicyclist (321.281) the current result is a traffic ticket regardless of injury severity.
- A crash with a serious injury or fatality must occur to trigger the enhanced penalty.
- This penalty is not likely to deter crashes, but would create a consistency in the Iowa code.
- Under the current Iowa Code, fatal or serious bike crashes are not subject to the same enhanced penalties that fatal or serious injury crashes involving motorists, motorcyclists, or pedestrians.
- This proposal simply adds the infraction to the existing list of similar infractions subject to enhanced penalties.



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