

Ohio's New 3-Foot Passing Law (Effective 3/21/17)

Sec. 4511.27. (A) The following rules govern the overtaking and passing of vehicles or trackless trolleys proceeding in the same direction:

(1) The operator of a vehicle or trackless trolley overtaking another vehicle or trackless trolley proceeding in the same direction shall, except as provided in division (A)(3) of this section, signal to the vehicle or trackless trolley to be overtaken, shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle or trackless trolley. **When a motor vehicle overtakes a bicycle, the safe passing distance shall be not less than three feet.**

Why such a law?

The previous law stated only that a passing vehicle must do so “at a safe distance.” Obviously that vagueness leaves it open to debate as to what is a “safe” distance, both to law enforcement and to drivers who pass bicyclists ... and to bicyclists.

Ask any cyclist who has been passed very closely or even brushed against by a passing vehicle and they will say how scary that is. Plus, it is very dangerous to the cyclist because when a passing vehicle is very close, there is no lateral distance for correcting steering or to steer around hazards, such as potholes or debris. Three feet seems to be an accepted “safe” distance for most situations, as this is the language included in about 30 states’ vehicular laws.

How is that distance measured? The law does not say. Generally, that distance would be from the left side of the cyclist’s body to the right side of the passing vehicle, or any part of it, such as mirrors that protrude out the right, or wheels on trailers that are wider than the vehicle itself.

The problems with the law

The main difficulty with the new law is that it is difficult to enforce. No one carries a measuring stick while riding so it is hard to see if a vehicle was actually passing at less than three feet. In the event of an infraction that becomes public and the law is involved, it likely will become a matter of opinion as to just how close the passing vehicle was. Some vehicles use on-board cameras and a few bicyclists use cameras but those are very few, even rare.

How the new law is good for bicyclists

Since safe passing was already part of the law, this addition reinforces that bicyclists are legally part of traffic and that they have the right to be riding on the road. (There are many motorists who still do not believe or understand this.) Hopefully, our cities and counties and state will be using this new law to help educate motorists about cyclists rights. Many are posting billboards and signs along roadways where cyclists are commonly seen. Such information will slowly grind its way into the psyche of motorists. At least we hope so.

