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City Council Gives Green Light to Safe Passing Ordinance

Beaumont, Texas – The City Council recently made Beaumont's roads a little safer for pedestrians, cyclists and other "vulnerable road users" with the adoption of a three-foot safe passing law.

Council passed the ordinance Jan. 11. It requires that motorists give a minimum three feet of distance when approaching or passing a cyclist, pedestrian or other specified road user. Commercial vehicles are required to give six feet, and all vehicles are required to change lanes to avoid cyclists and pedestrians whenever possible.

"Making Beaumont more walkable and more bike-friendly is good for the city's economy, quality of life, and the health and safety of its citizens," said Mayor Becky Ames. "This ordinance protects cyclists and pedestrians who use these modes of transportation, either for recreation, or out of necessity."

Current state law requires motorists to provide a "safe distance" when passing, with no specific distance required. The ordinance establishes a three-foot buffer, and establishes a penalty for not observing that buffer. Five other cities in Texas have adopted the ordinance: Austin; El Paso, Helotes; New Braunfels; and San Antonio.

The new ordinance will be supported by an extensive education campaign, which will target not only motorists, but pedestrians and cyclists as well.

The complete Code of Ordinances is available on the city's website, cityofbeaumont.com, in the City Clerk section.

Safe Passing Ordinance

Talking Points

- 3-ft. safe passing ordinance passed by City Council on Jan. 11, 2011.
- Ordinance requires motorists to give a minimum of three-feet clearance when approaching or passing a pedestrian, cyclist, or other vulnerable road user. Commercial vehicles are required to give six feet.
- The purpose of the ordinance is:
 - To ensure that a penalty can be assessed if a motorist is at fault in striking a vulnerable road user who is operating lawfully
 - To ensure that gross neglect or willful endangerment can be assigned fault. All persons with legal right to be on the road or roadside are entitled to protection from such actions. However, there is NO PRESUMPTION of motorist fault under this ordinance.
 - To provide a platform for education on the rights and responsibilities of all road users, including motorists AND cyclists.
- This ordinance in no way supersedes any state or local laws that require cyclists to obey traffic laws. Cyclists have a legal right to use the city's roadways, and they will continue to be required to obey the law.
- Walking and cycling are legitimate forms of transportation, and this ordinance protects cyclists and pedestrians who choose to – or must – use these modes of transportation, either for recreation, or out of necessity.
- Sidewalks and bike lanes are vitally important in making our city safe and fun for runners, walker and cyclists. However, they require capital investment. This ordinance is a cost-free way to make every street in Beaumont safer and more accessible for cyclists and pedestrians.
- Beaumont is one of six cities in Texas with a safe passing ordinance. Current cities: Austin; El Paso; Helotes; New Braunfels; San Antonio.
- A pedestrian- and cycling-friendly culture is good for the city's image, quality of life, and economy, and the health and safety of its citizens.