



NY SAFE Streets Coalition Pass Defined Safe Passing in the NYS Assembly

What is Defined Safe Passing?

Defined Safe Passing (**S1724A/A4346A**) would establish that a motorist should allow at least three feet between vehicle and pedestrians (including wheelchair users), and bicyclists when overtaking or passing. This is a significant improvement over current law, which applies to bicycles only, and specifies “safe distance” which is vague and subjective. Defined Safe Passing provides a specific, defined distance of at least three feet, which increases New York’s ability to educate drivers about what they need to do to protect vulnerable road users.

- Note: Defined Safe Passing applies outside of New York City only, recognizing the unique implementation challenges in the state's largest city. No change to the existing law in NYC which will continue to require “safe distance.”

The ask: Pass Defined Safe Passing in the NYS Assembly this session

Defined Safe Passing passed in the NYS Senate in the 2023 session. The Assembly bill was amended to be ‘same as’ the Senate bill in November 2023. We call on the NYS Assembly to pass Defined Safe Passing before the end of the 2024 session. The bill would save lives, reduce medical costs and prevent horrific injuries: *“Wait the few seconds it takes until you can pass safely -- don’t save a few seconds, save a life!”*

Why do we need this bill?

- Defined Safe Passing helps educate drivers about how to protect vulnerable road users - pedestrians, wheelchair users, and cyclists - this is especially important in municipalities that do not have sidewalks, bike lanes, or similar infrastructure.
- New York is one of only four states rated F or F+ in the League of American Bicyclists Traffic Laws & Practices category. Defined Safe Passing would move NYS to the top 10 bicycle friendly states in the nation, opening New York for more ecotourism opportunities.
- We should join our immediate neighbors - Massachusetts (4’), New Jersey (4’), Pennsylvania (4’), Connecticut (3’), and Ohio (3’) in implementing Defined Safe Passing. New York is one of only 10 states that does not have a defined distance safe passing law.
- New York’s Suffolk and Monroe Counties have already passed three foot defined safe passing laws. A uniform law across the state should be adopted to reduce driver confusion.
- According to a 2015 analysis of bicycle crashes between 2008 and 2012 by the Insurance Institute of Highway Safety (IIHS), 9 percent of crashes and 45 percent of fatalities involved a vehicle hitting the bicyclist from behind or the side while traveling in the same direction.

For more information contact:

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