

October 3, 2011

Jim Brown
California Bicycle Coalition
1017 L Street, #288
Sacramento, CA 95814

Dear Mr. Brown:

Thank you for your recent inquiry about Wisconsin's "3-Foot Passing Law." Wisconsin Statute 346.075 requires:

The operator of a motor vehicle overtaking a bicycle or electric personal assistive mobility device proceeding in the same direction shall exercise due care, leaving a safe distance, but in no case less than 3 feet clearance when passing the bicycle or electric personal assistive mobility device, and shall maintain clearance until safely past the overtaken bicycle or electric personal assistive mobility device.

Passed in 1973, this law has helped create a safer environment for bicyclists and users of personal assistive mobility devices on Wisconsin roadways.

I am not aware of any negative repercussions on traffic safety or capacity due to the passage of this law. Even in congested environments motorists can safely maneuver around bicyclists to pass safely, and it is highly unusual for traffic to queue behind a bicycle due to the inability to safely pass. If this is a significant concern, I would point out that California VC §21656 requires slow moving vehicles to pull to the side of the road if five or more vehicles are queued behind them.

Wisconsin's law enforcement community is generally supportive of the law. Citations for violations of the law are routinely issued, although unfortunately, this is generally after a crash as it is unusual for a law enforcement officer to witness a violation.

Wisconsin's "3-Foot Law" has been on the books for 38 years. The law has increased the safety of specific road users (bicyclists) without impacting the safety or utility of other road users (motorists).

Please contact me if you have further questions.

Thank you,



Kevin Hardman
Executive Director