

Proposed Local Law Number 3 of 2025

County Of Ulster

A Local Law To Ensure the Safety of Vulnerable Road Users in Ulster County

BE IT ENACTED, by the County Legislature of the County of Ulster, New York, as follows:

SECTION 1. TITLE.

This Local Law shall be known and referred to as the “Ulster County Safe Passing Law”.

SECTION 2. LEGISLATIVE INTENT AND FINDINGS.

This Legislature finds and determines that it is the duty of Ulster County to protect the health, safety and welfare of its residents. This Legislature also finds and determines that many Ulster County residents ride bicycles for exercise, recreation, or as a primary mode of transport.

The Ulster County Legislature recognizes that bicyclists, pedestrians, and other vulnerable road users often need to share roadways with motor vehicles out of necessity. The Legislature also acknowledges that in these situations, vulnerable road users are susceptible to the actions of motor vehicle operators who can pose a threat to their health and safety if passing too closely or from the right side of the road.

Therefore, this Legislature finds it necessary to establish a minimum passing distance for motor vehicles approaching or passing vulnerable road users and to penalize those who disregard their safety.

SECTION 3. DEFINITIONS.

As used in this local law the following terms shall have the meanings indicated:

- A. “Vulnerable Road User” (“VRU”) shall mean any of the following:
 1. A pedestrian
 - a. An individual in a wheelchair or other device driven by muscular or any other kind of power that is designed for and used by a person whose mobility is limited by one or more conditions or functional impairments;
 - b. Persons using service animals, plus the animal itself;

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- c. An individual waiting to board, or just having alighted, mass transit including but not limited to a bus, taxicab, shuttle, train, ferry and streetcar;
 - d. Any other individuals existing upon a roadway and outside of any vehicles;
2. Any rider of a horse, mount or other animal, plus the animal itself;
 3. An individual who is on the highway because the individual is engaged in construction, maintenance, repair or a similar function while on that part of the highway;
 4. An individual who
 - a. is an emergency-services personnel, and
 - b. is acting in the course of their duties, and
 - c. is not in or on a motor vehicle, streetcar or other motor vehicle running only upon rails, motorized snow vehicle, traction engine, farm tractor, self-propelled instrument of husbandry or road-building machine;
 5. An individual on a bicycle or on a motor-assisted bicycle;
 6. A person who due to race or economic disparity has been excluded from the expectation of safe, accessible transportation.

SECTION 4. MINIMUM DISTANCE REQUIREMENTS FOR MOTOR VEHICLES PASSING VULNERABLE ROAD USERS.

The operator of a motor vehicle that is approaching or overtaking, from behind, a VRU on the same side of the road shall pass to the left of such VRU at a distance of at least three (3) feet until safely clear thereof. The three-foot distance requirement shall not apply on roads with clearly marked bicycle lanes as defined by New York Vehicle and Traffic Law § 102-a.

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SECTION 5. PENALTIES.

A. Any person committing the above-referenced offense shall be guilty of a violation and subject to a fine not to exceed \$225 for a first offense, \$325 for a second offense and \$425 for any third or subsequent offense(s).

B. This section does not preclude a person from being charged with, convicted of, or punished for any other violation of law.

SECTION 6. SEVERABILITY.

In the event that any portion of this Local Law is found to be preempted by state law, or otherwise invalidated, such finding will not have any effect on either the remaining portions or applications of this Local Law or any provisions of the Ulster County Charter, which shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE.

This Local Law shall take effect upon its filing with the New York State Secretary of State.