

**CITY OF REXBURG
ORDINANCE 1255**

DRIVING WITH BICYCLES AND PEDESTRIANS

AN ORDINANCE PROVIDING FOR CERTAIN SAFETY REGULATIONS FOR DRIVING AMONGST BICYCLIST AND PEDESTRIAN TRAFFIC; AMENDING CITY OF REXBURG, MADISON COUNTY, IDAHO ORDINANCE NO. 482 WITH THE ADDITION OF SECTION 10.04.120 TITLED DRIVING WITH BICYCLES AND PEDESTRIANS; REQUIRING A SAFE DISTANCE OF AT LEAST THREE (3) FEET BETWEEN A MOTOR VEHICLE AND BICYCLE OR PEDESTRIAN WHILE PASSING; TO PROVIDE FOR A PENALTY OF INFRACTION FOR MALICIOUS INTIMIDATION OR HARRASSMENT TO PEDESTRIANS AND BICYCLISTS; AND REPEALING OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVING CLAUSE; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

NOW THEREFORE, be it ordained by the Council of City of Rexburg, in the State of Idaho, as follows:

SECTION 1: **ADOPTION** “10.04.115 Driving With Bicycles And Pedestrians” of the Rexburg Municipal Code is hereby *added* as follows:

BEFORE ADOPTION

10.04.115 Driving With Bicycles And Pedestrians (Non-existent)

AFTER ADOPTION

10.04.115 Driving With Bicycles And Pedestrians(*Added*)

The operator of a motor vehicle overtaking a bicycle or pedestrian on a road shall leave a safe distance, but not less than three feet (3'), when passing the bicycle or pedestrian and shall maintain that distance until safely past the overtaken bicycle or individual.

It shall be an infraction, subject to penalty as provided in section [10.01.070](#) of this Code, for any person, maliciously and with the specific intent to intimidate or harass or cause another person to crash, stumble or fall because that other person is walking along the roadway or operating a bicycle along the roadway, to:

1. Threatening: Threaten, by word or act, to cause physical injury to the pedestrian or bicyclist; or
2. Throwing Object: Throw or otherwise expel any object at or in the direction of the

pedestrian or bicyclist.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

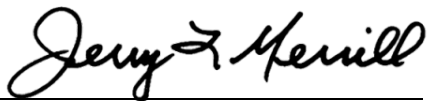
SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from April 21, 2021 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF REXBURG COUNCIL APRIL 21, 2021.

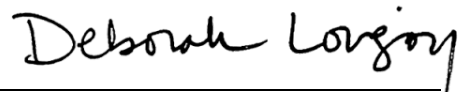
	AYE	NAY	ABSENT	ABSTAIN
Council President Jordan Busby	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Brad Wolfe	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Tisha Flora	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Christopher Mann	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Mikel Walker	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Bryanna Johnson	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Jerry L Merrill, Rexburg Mayor, City
of Rexburg



Deborah Lovejoy, Rexburg City Clerk
City of Rexburg

