

February 3, 1976

also provide that the bike shall be equipped with the reflectorized material on the pedals of the bike, and in essence, that is about all the Committee amendments provide for and I will review it very briefly again. It says it shall apply only to those operating bicycles at night and it also provides that the operator of a bicycle can equip his bike with either reflectorized tires, as the law now requires, or by a wide angle reflector mounted on the spokes of the bike. Wide angle reflector shall mean one that is visible at a 40° angle. I understand that Senator Warner has an amendment to the Committee amendment and I suppose he will be offering that amendment at this time but this, Mr. Chairman, these are the Committee amendments and I move for their adoption.

CLERK: Mr. President, Senator Warner does offer an amendment to the Committee amendment as follows: Read. See page 525, Journal.

SENATOR WARNER: Mr. President, I move adoption of the amendment. To explain briefly the difference, the Committee amendment as it now stands, as Senator Kremer indicated, put the requirement for reflectorized, a reflectorizer on the tire or on the spokes, the requirement was on the rider, and there was no requirement, as the Committee amendment now stands, on the dealer selling. What this amendment does is strikes entirely any requirement for the rider of a bicycle to have either the reflectorized tires or the reflectorized light on the spokes and there would be no penalty on the rider as this is written. It would require that any commercial dealer would be required to equip bikes after April 1, 1976 as they are sold by the dealer only with either of the two requirements. It is my understanding that by May 11th, in any event, at least all new bikes that are manufactured will, by federal statute, be required to have this, if they are going to move it interstate commerce, and this will keep it somewhat consistent with that. I had understood there were those who were concerned that if the penalty was on the riders, as the Committee amendment does and as the old law does, that in all probability, it would not be enforced very frequently. In any event, the \$10 fine on the child riding the bike would probably not be enforced. So this at least will insure that bikes sold through dealers are thus equipped and will eliminate any penalty, as the law now is, for the riders of the bicycle. Also, the way the amendment is written, the repeal of the existing law has the emergency clause, so that would go into effect upon the bill's passage and signed by the Governor and then the requirement on dealers would not take effect until April.

PRESIDENT: Senator Frank Lewis.

SENATOR F. LEWIS: Mr. President, I rise to support the Warner amendments, particularly the amendment which places the responsibility where it legitimately belongs. I was concerned, extremely concerned about the amendment