

What Happens When A Car Passes A Bicycle Too Closely In Georgia?

A Close Pass Can Send A Cyclist To The Ground Even When There's No Direct Hit

A [bicycle crash](#) doesn't always start with a dramatic impact. Sometimes it starts with a driver who comes too close, clips the rider, forces the rider off the road, or creates enough wind, panic, or lost space to send the cyclist down. What looks like a "small" passing mistake from inside a car can leave the person on the bike with a broken collarbone, a [head injury](#), [road rash](#), or [much worse](#).

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our Georgia bicycle accident lawyers know these cases often turn on a simple question: how much room did the driver actually give the cyclist?

Georgia law answers that more clearly than many drivers realize. Under Georgia's safe-passing law, a motorist overtaking and passing a bicycle in the same direction must leave at least three feet of clearance when feasible and maintain that space until safely past the rider. Georgia DDS also tells drivers that the minimum legal space for passing a bicyclist is three feet.

The Georgia Rules That Usually Matter Most

Georgia's roadway rules matter in these cases because they shape both the driver's duty and the cyclist's right to be there.

Georgia's safe-distance statute, [O.C.G.A. § 40-6-56](#), defines a "safe distance" as not less than three feet and says drivers should leave that clearance when overtaking a bicycle, when feasible, until they are safely past. Georgia Department of Driver Services adds practical guidance that drivers should approach bicyclists with due caution and, if possible under existing traffic conditions, make a lane change into a lane not adjacent to the bicycle. DDS also says bicyclists are legally entitled to use the full lane and are not required to ride in a bike lane even when one is present.

Georgia's bicycle roadway statute adds another important layer. [O.C.G.A. § 40-6-294](#) explains where bicyclists should ride and when they may lawfully move away from the right edge, including to avoid hazards, parked vehicles, or lanes too narrow to share safely. That matters because insurers often try to act like a cyclist was "too far left" when the cyclist may have been riding exactly where Georgia law allowed.

How These Crashes Usually Happen

A too-close passing case doesn't always look the same. The driver may hit the cyclist directly, but sometimes the rider goes down while trying to avoid the vehicle, the mirror, the shoulder edge, or a roadside hazard.

Common versions of these crashes include:

- **Mirror Or Side-Swipe Contact:** The vehicle passes so close that it strikes the rider, handlebars, or bicycle frame.
- **Forced-Off-The-Road Crash:** The cyclist moves right to avoid being hit and ends up in gravel, a drainage edge, a curb, or a parked car.
- **No-Contact Loss Of Control:** The driver misses the cyclist physically, but the close pass creates enough panic or instability to cause a fall.
- **Multi-Lane Pressure Situation:** A driver squeezes by instead of waiting or changing lanes, even when traffic conditions make a safe pass impossible.

That's one reason these claims can become disputed. The driver may say, "I never hit the bike," as if that ends the case. It doesn't. A dangerous pass can still cause a serious crash even without a perfect metal-on-metal impact. In many of these situations, the cyclist is already riding in a predictable line, while the driver's decision to pass introduces the sudden risk.

When The Driver Is Usually At Fault

In many of these cases, fault starts with the driver because the driver chose to pass before there was enough room to do it safely.

Georgia's three-foot law exists for a reason. Bicycles are more vulnerable to wind, road defects, uneven shoulders, and sudden loss of balance than cars. [DDS](#) specifically warns drivers to leave plenty of room because a bicyclist may need to swerve to avoid a pothole or other danger in the road. If a driver passes too closely and the cyclist goes down, that passing decision often becomes the center of the case.

For example, a driver on a two-lane road may decide not to wait for oncoming traffic to clear and instead tries to squeeze past a cyclist. If the bike is clipped, forced off the shoulder, or thrown off balance, the crash may look sudden, but the underlying mistake usually happened the moment the driver chose space they didn't actually have.

Where The Defense Usually Tries To Shift Blame

The insurance company almost never wants a close-passing crash to sound as preventable as it really was.

The defense may argue the cyclist swerved unexpectedly, was riding too far into the lane, was moving without lights, or should have yielded more room to the passing vehicle. In some cases, it may even say the cyclist fell on their own and that the vehicle was never really part of the problem.

That's where Georgia's bicycle rules become so important. [DDS](#) says bicyclists are entitled to use the full lane, and O.C.G.A. § 40-6-294 recognizes that cyclists may lawfully ride away from the far right edge when avoiding hazards or when the lane is too narrow to share safely. Those rules can make a big difference when the defense tries to portray ordinary, lawful bike positioning as careless behavior.

Georgia comparative fault principles can still come into play, which means the defense may try to assign some percentage of blame to the cyclist. That's one more reason insurance companies focus heavily on shifting blame, even when the decision to pass the cyclist created the danger in the first place.

The Evidence That Usually Tells The Story

These cases are often won with details, not assumptions.

Some of the most useful evidence usually includes:

- **Dashcam Or Surveillance Video:** This may show how close the vehicle came, whether the driver crossed the center line, and how the cyclist reacted.
- **Bike And Vehicle Damage:** Mirror strikes, paint transfer, bent handlebars, or pedal impact can all matter.
- **Scene Photos:** Lane width, shoulder conditions, debris, skid marks, and sightlines can help explain whether a safe pass was even possible.
- **Witness Statements:** Another driver or pedestrian may have noticed the vehicle crowding the cyclist.
- **Roadway Conditions:** Potholes, parked cars, drainage edges, and narrow lanes can help explain why the cyclist was riding where they were and why the pass became dangerous.

A lot of these crashes stop being vague once the roadway geometry is put on the record. A driver may claim there was "plenty of room," but measurements, photos, and video can tell a very different story.

The Injuries Can Be Severe Even Without A High-Speed Impact

A bicycle rider doesn't have the protection a driver has. So even a low-speed side-swipe or forced-off-road fall can cause major injuries.

These crashes often lead to:

- **Head Injuries:** A cyclist may hit the pavement, the vehicle, or a fixed object during the fall.
- **Fractures:** Wrists, elbows, collarbones, ribs, and hips are especially vulnerable when a rider is thrown sideways.
- **Spinal Injuries:** A hard landing can damage the neck or back.
- **Road Rash And Soft Tissue Trauma:** Sliding across pavement can leave painful and lasting injuries.
- **Secondary Traffic Impact Injuries:** In the worst cases, the cyclist falls into another lane and suffers an even more serious second impact.

That's why these cases shouldn't be minimized just because the driver says it was "only a close pass." For the person on the bike, that close pass can change everything. Even a brief loss of balance can lead to a full-body impact when there's no protection between the rider and the road.

How Damages Are Evaluated In A Close Passing Bicycle Accident Case

A close passing crash can lead to more than immediate medical treatment. Many cyclists face surgery, time away from work, and long-term limitations that affect their daily lives.

In these cases, the value of a claim often depends on how clearly the evidence shows the driver passed without enough space and how significantly the injuries affect the rider moving forward.

Damages are often tied to:

- **The Distance Of The Pass:** Whether the driver left enough space or attempted to squeeze by in unsafe conditions.
- **Loss Of Income Over Time:** Time away from work and any limitations on returning to the same job.
- **Lasting Physical Effects:** Ongoing pain, reduced mobility, or permanent impairment.
- **Medical Care Beyond The Initial Injury:** Surgeries, follow-up treatment, and rehabilitation.
- **Disruption To Daily Routines:** The ability to ride, commute, exercise, or maintain normal activities.
- **Clarity Of The Roadway Conditions:** Evidence showing lane width, traffic, and whether a safe pass was even possible.

In many cases, the difference between a low offer and full compensation comes down to whether the crash is framed as an unavoidable fall or a preventable decision to pass without enough space.

FAQs About Bicycle Passing Laws in Georgia

How Much Space Must A Driver Leave When Passing A Bicycle In Georgia?

Georgia law defines a safe distance as not less than three feet. When feasible, a driver passing a bicycle traveling in the same direction must leave that clearance until safely past the rider

Does A Cyclist Have To Ride In A Bike Lane If One Is Available?

No. Georgia DDS says bicyclists are legally entitled to use the full lane and are not required to ride in a bike lane even when one is present.

What If The Driver Never Actually Hit The Cyclist?

There may still be a claim. A dangerously close pass can force a cyclist off the road or cause a loss of control even without direct contact.

Can A Driver Be Ticketed For Passing A Bicycle Too Closely In Georgia?

Yes. Georgia DDS lists failure to maintain a safe distance from a bicycle as a three-point violation under O.C.G.A. § 40-6-56.

What If The Insurance Company Says The Cyclist Was Too Far Into The Lane?

That doesn't automatically defeat the claim. Georgia law allows bicyclists to ride away from the far right edge when avoiding hazards or when the lane is too narrow to share safely.

A "Close Call" On The Road Can Still Become A Serious Georgia Injury Case

A driver may describe it as a close pass. A cyclist may remember it as the moment the roadway disappeared beneath them. That difference matters. What sounds minor from inside a car can leave the person on the bike with surgery, lost work, chronic pain, and a long fight over who caused it.

At the Law Offices of Gary Martin Hays & Associates, P.C., we've been fighting for Georgia's injured since 1993, and we've recovered [over \\$1 billion](#) for Georgia families. If a driver passed too closely and caused your bicycle crash, give us a call or [contact us online](#) for a free consultation.

We handle bicycle accident claims on a contingency-fee basis, which means you won't need to pay upfront to put our team to work, and our fee comes from the recovery, not from your pocket at the start.