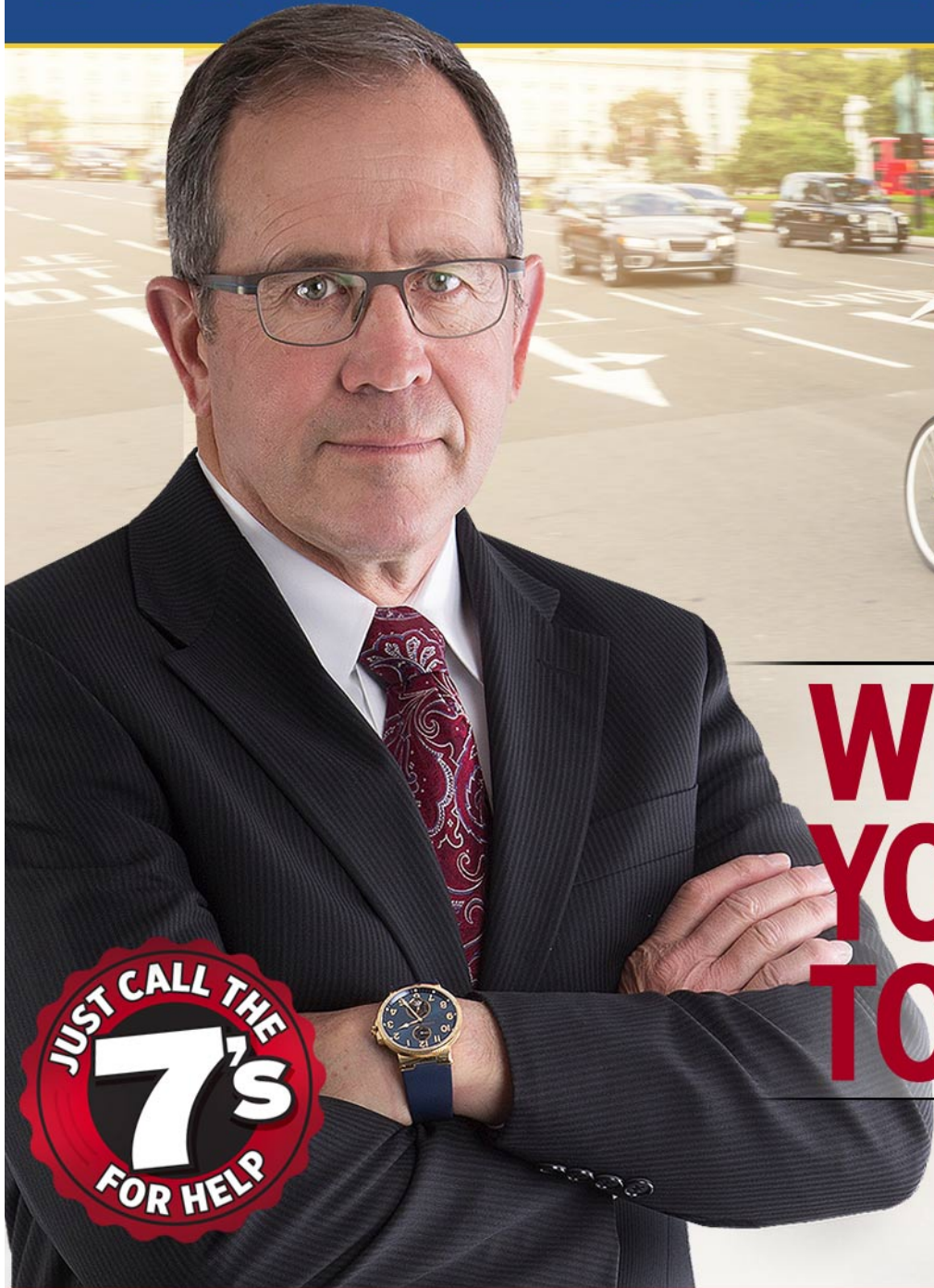




PENNSYLVANIA



BICYCLE SAFETY LAW



WHAT YOU NEED TO KNOW

Richard Freeburn, Attorney



FREEBURN HAMILTON

Your Personal Injury & Workers' Compensation Attorneys

717-777-7777

570-777-7777

"Call the 7's For Help"

Mission Statement

Freeburn Hamilton is committed to providing the best legal service, and getting its clients the most money possible. Freeburn Hamilton proudly represents only injury victims and injured workers. It does not represent the wrongdoers, insurance carriers or employers.

Areas of Practice

- Auto Accidents
- Bicycle accidents
- Tractor Trailer/Big Truck Accidents
- Motor Cycle Accidents
- Pedestrian Accidents
- Workers' Compensation
- Dog Bites,
- Defective Products/Equipment
- Wrongful Death
- Slip & Fall
- Hunting Accidents
- General Negligence

Disclosure

This book contains general principles of law and is not legal advice, or legal representation. You should not rely on this book alone for legal guidance. Talk to an experienced bicycle injury attorney. Call Freeburn & Hamilton at the 7's, (717)-777-7777, or (570) 777-7777, for a FREE consultation.

IMPORTANT NOTE: Every case requires appropriate action, and there are time limits for those actions and within which lawsuits must be filed. The failure to take such actions or file suit within the appropriate time limits would result in the loss of your rights. **FREEBURN & HAMILTON DOES NOT REPRESENT YOU AND WILL TAKE NO ACTION OR FILE SUIT ON YOUR BEHALF UNLESS AND UNTILL IT HAS SIGNED A WRITTEN REPRESENTATION AGREEMENT SETTING FORTH THE MATTER FOR WHICH IT HAS AGREED TO PROVIDE REPRESENTATION AND THE TERMS OF THE REPRESENTATION.**

	<u>Page</u>
I. Background Of Pennsylvania Bicycle Law	4
II. What Should I Do If I Am In A Bicycle Accident?	4
III. General Rule	4
IV. Where Can I Ride My Bicycle?	5
A. Roadways	5
B. Sidewalks	5
C. Bicycle Paths	5
V. Do I Have To Stop At Stop Signs And Red Lights?	6
VI. Hand And Arm Signals	6
VII. Are The Rules Different For Children Riding Bicycles?	6
VIII. What Are My Responsibilities As A Parent?	6
IX. Do I Need To Wear A Helmet When I Ride A Bicycle?	6
X. Am I Liable If I Lend Somebody A Helmet And They Get Injured?	7
XI. Can I Be Convicted of DUI From Riding A Bicycle?	7
XII. Must Motor Vehicles Steer Clear Of Bicycles?	7
XIII. Are Motor Vehicles That Are Turning Required To Yield The Right-Of-Way To Bicycles That Are Going Straight?	7
XIV. Are Motor Vehicles Permitted To Pass Bicycles In No-Passing Zones?	7
XV. What Rights Do Pedestrians Have Relative To Bicycles?	8
XVI. Can I Transport Others With My Bicycle?	8
XVII. What Equipment Do I need When I Ride My Bicycle?	8
A. Every Time You Ride	8
B. Riding Between Sunset and Sunrise	8
XVIII. Can I Transport Property With My Bicycle?	9
XIX. Where Can I Park My Bicycle?	9
XX. Rules For Bicycles With Electric Assist, And Motorized Pedalcycles	9
XXI. Definitions	9-10

I. Background Of Pennsylvania Bicycle Law

Bicycling is fun for all ages, and is a great way to spend time with others, protect the environment, work out, or just relax. However, there are also risks associated with the bicycling that you need to be aware of.

In 2015, there were 16 bicycle deaths and another 1,268 bicycle injuries on Pennsylvania highways according to the Pennsylvania Department of Transportation. Children ages 5 to 14 were the most vulnerable to death and injury while riding a bicycle. The majority of bicyclists' injuries occurred during daylight hours and at intersections. However, the majority of fatal bicycle accidents did not happen at intersections.

Having a clear understanding of the bicycle safety laws will help to keep the road a safer place for bicyclists.

This book provides general answers to some of the questions that a bicyclist might have about what they can and cannot do under the law when bicycling. For each question, a general answer is provided. More specific answers may be found in the Pennsylvania statutes, and court decisions.

In addition, please feel free to call the 7s, (717) 777-7777, or (570) 777-7777 and speak with an experienced bicycle injury lawyer at Freeburn Hamilton.

II. What Should I Do If I Am In A Bicycle Accident?

- Call 911
- Wait for the police and EMS to arrive
- Document what happened
- Take pictures of the scene, vehicles, and injuries
- Obtain driver, and witness, and police contact information
- Seek prompt medical attention for all injuries
- Leave everything in the condition it was in as a result of the accident
- Call the 7's (717) 777-7777, or (570) 777-7777 to speak with an experienced bicycle injury lawyer

III. General Rule

Bicyclists generally have all of the rights that operators of other types of vehicles on the roadway have. However, bicyclists are also subject to the same duties and responsibilities of operators of other types of vehicles.

IV. Where Can I Ride My Bicycle?

A. *Roadways:*

Bicycles must be ridden in the same direction as required of other vehicles on the roadway. As a general rule, bicyclists traveling at less than the normal speed of traffic must ride on the right-hand lane, or as close as practicable to the right-hand curb or edge of the road, except when overtaking and passing another vehicle proceeding in the same direction, or when preparing for a left turn at an intersection or into an alley, private road or driveway.

Bicycles may be operated on the shoulder of the highway.

Bicyclists may use any portion of the roadway due to unsafe surface conditions.

A bicyclist traveling on a one-way roadway, which has two or more marked traffic lanes, may ride as near to the left-hand curb or edge of the roadway as practicable.

Bicyclists are not allowed to ride on freeways (limited access highways), except when authorized by local authorities for special occasions.

Bicyclists may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicyclists.

B. *Sidewalks*

Bicyclists are not permitted to ride on the sidewalk in a business district unless permitted by official traffic-control devices.

Bicyclists are not permitted to ride on the sidewalk when a usable bicycle only lane has been provided adjacent to the sidewalk.

A bicyclist riding on a sidewalk or bicycle path used by pedestrians must yield the right-of-way to pedestrians and must give an audible signal before overtaking and passing pedestrians.

C. *Bicycle Paths*

Bicyclists are allowed to ride on bicycle paths, but when riding a bicycle on a bicycle path that is also used by pedestrians, the pedestrians have the right-of-way. Bicycle paths are the only location where bicycles can ride with more than two bikes side by side, as long as there is sufficient space to ride safely, and it does not interfere with pedestrians.

V. Do I Have To Stop At Stop Signs And Red Lights?

Bicyclists have to obey all traffic signals in accordance with standard vehicle laws, including stop signs and red lights. If a traffic signal does not detect your bicycle, PennDot recommends that you try positioning the bicycle directly over the saw cuts in the pavement that detect vehicle. If the signal still does not detect your bicycle, you may treat the red signal as a stop sign and proceed through the intersection after yielding to all intersection traffic (including pedestrians). (PennDot).

VI. Hand And Arm Signals

To signal a left turn, extend the left hand and arm horizontally.

To signal a right turn, extend the right hand and arm horizontally, or extend your left hand and arm upward.

To signal a stop or decrease in speed, extend the left hand and arm downward.

(PennDot).

VII. Are The Rules Different For Children Riding Bicycles?

While people younger than license age for motor vehicles can ride bicycles, they are also bound by the same rules of the road as everyone else. See section IX below relating to bicycle helmet requirements.

VIII. What Are My Responsibilities As A Parent?

It is the parent's responsibility to make sure that their children do not break any of the laws regarding bicycles. Parents are responsible for any fines or penalties that are issued as a result of their children breaking any of the bicycle laws.

IX. Do I Need To Wear A Helmet When I Ride A Bicycle?

Bicyclists under the age of 12 are required to wear a bicycle helmet meeting the standards of any nationally recognized standard for bicycle approval. This also applies to any bicycle passengers, including those in a restraining seat or a trailer being towed by the bicycle. The state of Pennsylvania defines wearing a helmet as having a bicycle helmet of good fit fastened securely to one's head through the use of helmet straps.

X. Am I Liable If I Lend Somebody A Helmet And They Get Injured?

People and organizations that lend helmets to others cannot be held liable for any damages or injury caused to the bicycle rider in possession of the helmet, as long as there was no intent to cause harm or any acts of negligence involved.

XI. Can I Be Convicted Of DUI While Riding A Bicycle?

Bicyclists have all of the rights that operators of other types of vehicles have on the roadway, but are also subject to all of the responsibilities that operators of other types of vehicles have. Therefore, bicyclists may be convicted of driving under the influence of alcohol or controlled substances. In addition, bicyclists are subject to Pennsylvania's Implied Consent Law meaning that they are understood to have given consent to chemical tests such as breath, blood, or urine tests in order to determine the blood-alcohol content or presence of other illicit drugs.

XII. Must Motor Vehicles Steer Clear Of Bicycles?

Yes, Pennsylvania has a "steer clear" law for bicycle safety. This law requires drivers of motor vehicles who are passing bicycles traveling in the same direction to pass to the left of the bicycle, no closer than four feet from the bicycle, and at a careful and prudent reduced speed.

In addition, no person shall open any door on a motor vehicle unless and until it is reasonably safe to do so and can be done without interfering with traffic flow.

PennDot cautions that Cyclists may be injured or killed when a door is opened in their line of travel (dooring). Therefore, it recommends that a distance of 4 feet should be kept between parked motor vehicles and the line of travel when riding along parked vehicles. (PennDot).

XIII. Are Motor Vehicles That Are Turning Required To Yield The Right-Of-Way To Bicycles That Are Going Straight?

A motor vehicle that is turning may not interfere with a bicycle that is lawfully proceeding straight.

XIV. Are Motor Vehicles Permitted To Pass Bicycles In No-Passing Zones?

Motor vehicles are permitted to pass bicycles that are moving in the same direction in no-passing zones. However, they must pass to the left of the bicycle, give a minimum of four (4) feet of space, and proceed at a careful, reduced speed. In addition, motor vehicles may not cross the center of the roadway when passing unless the left side is clearly visible and free of traffic. Motor vehicles must pass and return to their lane before coming within 200 feet of any oncoming vehicles, and without interfering with the operations of either oncoming vehicles or the bicycle being passed.

XV. What Rights Do Pedestrians Have Relative To Bicycles?

Bicycles must yield the right-of-way to pedestrians on sidewalks or bicycle paths used by pedestrians, and must give an audible signal before overtaking and passing pedestrians.

XVI. Can I Transport Others With My Bicycle?

A bicycle can only be used to transport as many people at one time as it was designed and equipped to transport. Additionally, children may be transported with either a child carrier secured to a bicycle or a trailer that is towed behind a bicycle.

XVII. What Equipment Do I Need When I Ride My Bicycle?

A. *Every Time You Ride*

Bicycles must have a permanent and regular seat attached to the bicycle. Bicyclists must have one leg on either side of the seat when riding. Bicycles are also required to have a braking system, which will stop the bicycle within 15 feet from an initial speed of 15 miles per hour on dry, clean, and level pavement.

For bicyclists under the age of 12, a helmet must be worn at all times. See Section VIII relating to helmet requirements.

Bicycles are not permitted to have any sort of siren, but devices that emit a signal/sound a distance of 100 feet are allowed. These devices can be used to alert pedestrians when passing them on sidewalks or bicycle paths.

B. *Riding Between Sunset And Sunrise*

When riding between sunset and sunrise, bicycles must be equipped with:

- A front lamp which can emit a beam of white light which is visible from a distance of 500 feet in front of the bicycle.
**This lamp can be supplemented with a white flashing lamp, light-emitting diode, or similar device visible from 500 feet to the front of the bicycle.
- Side and rear reflectors which are visible from 500 feet away. The side reflectors must be amber in color, and the rear reflectors must be red in color.
**The rear reflector can be supplemented with a red flashing lamp, light-emitting diode, or similar device visible from 500 feet to the rear of the bicycle.
**The required lamps may be worn by the bicyclist as long as they can be seen at the distances specified.

XVIII. Can I Transport Property With My Bicycle?

Bicyclists are allowed to transport items such as packages or bundles as long as at least one hand is always on the handlebars. Using a basket to carry items or holding items with one hand is ok as long as the other hand is always on the handlebars and it does not interfere with safely riding the bicycle.

XIX. Where Can I Park My Bicycle?

Bicycles may be parked on a sidewalk as long as they do not obstruct the movement of pedestrians or anyone else on the sidewalk such as other bicyclists.

Bicycles may be parked on a roadway next to the curb on any road where parking is allowed. When parked on the side of the road, bicycles can be placed at any angle to the curb or side of the road. Bicycles must also be parked in a way which does not obstruct the movement of a parked vehicle. Otherwise, bicycles follow the same rules as cars with parking.

XX. Rules For Bicycles With Electric Assist, And Motorized Bicycle

A person must be 16 years of age or older to operate bicycles with electric assist.

No motorized bicycle shall be operated on any limited access highway.

XXI. Definitions

For purposes of this article, the term, "bicycle," shall be used in place of the term "pedalcycle" as referenced in the Pennsylvania Vehicle Code. Pertinent definitions contained in the Pennsylvania Vehicle Code are set forth below and may also be provided within each topic.

"Vehicle." Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks. The term does not include a self-propelled wheelchair or an electrical mobility device operated by and designed for the exclusive use of a person with a mobility-related disability.

"Person." A natural person, firm, co-partnership, association or corporation.

"Bicycle." A vehicle propelled solely by human-powered pedals or a bicycle with an electric assist. The term does not mean a three-wheeled human-powered pedal-driven vehicle with a main driving wheel 20 inches in diameter or under and primarily designed for children six years of age or younger.

"Motorized bicycle." A motor-driven cycle equipped with operable pedals, a motor rated no more than 1.5 brake horsepower, a cylinder capacity not exceeding 50 cubic centimeters, an automatic transmission, and a maximum design speed of no more than 25 miles per hour or an electric motor-driven cycle equipped with operable pedals and an automatic transmission powered by an electric battery or battery pack-powered electric motor with a maximum design speed of no more than 25 miles per hour.

"Bicycle with electric assist." A vehicle weighing not more than 100 pounds with two or three wheels more than 11 inches in diameter, manufactured or assembled with an electric motor system, rated at not more than 750 watts, and equipped with operable pedals and capable of a speed not more than 20 miles per hour on a level surface when powered by the motor source only. The term does not include a device specifically designed for use by persons with disabilities.

"Official traffic-control devices." Signs, signals, markings and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

"Right-of-way." The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger or collision unless one grants precedence to the other.

"Roadway." That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder even though such sidewalk, berm or shoulder is used by bicycles. In the event a highway includes two or more separate roadways the term "roadway" refers to each roadway separately but not to all such roadways collectively.

"Sidewalk." That portion of a street between curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

See Pennsylvania Vehicle Code, 75 Pa. C.S. Section 3300, et seq. for more information

