

# BIKES AND THE LAW

MS 7

## DISCUSSION

In the eyes of the law, bikes are moving vehicles. This means we need to obey all the same traffic laws that drivers do.

**CAVC 21200** states that every person riding a bicycle upon a street or highway has all the rights and is subject to all the duties applicable to the driver of a vehicle.

## RIDE IN THE STREET

Part of being a moving vehicle means you should ride in the street. After age 10, you should transition away from riding on the sidewalk. Believe it or not, the street is the safest place for a cyclist. The sidewalk has many hazards that the street does not have, including pedestrians who have the right of way. Riding on the sidewalk in the same direction as traffic makes you twice as likely to be involved in an accident. Riding on the sidewalk in the opposite direction of traffic makes you 4x as likely to be in a crash! Riding in the street in the opposite direction of traffic makes you 14x more likely to get in a crash. It is not predictable. Drivers are not looking for you and you don't have the maneuverability to hop out of the way. We know this because every time police or medics get called to the scene of an accident, they try to find out what happens. They compile statistics on who gets in accidents and what was happening. Our information comes from them. The safest and most predictable place to ride is on the right side of the street, going in the same direction as other traffic.

## OBEY ALL TRAFFIC SIGNS

Because you are a moving vehicle you need to obey all the same laws as the drivers. This means you need to stop at all stop signs. This means your foot leaves the pedal and touches the ground. You look left, right, and left again, just like you did when you were a kid learning how to cross the street. Don't count on the other drivers to see you unless you have made eye contact. The law at a stop sign is the driver who reaches the stop sign first has the right of way. If both drivers arrive at the same time the driver on the right gets to go first.

## ONE RIDER PER SADDLE

**CAVC 21204** states that no person operating a bicycle on a highway shall ride other than on a permanent and regular attached seat. No person operating a bicycle on a highway shall allow anyone to ride as a passenger other than on a separate attached seat.

Only a saddle counts as a seat. Handlebars do not count as a seat. Having someone on your handlebars is not only against the law, it is unsafe. It makes it hard to see and steer. Riding on pegs is also against the law. Pegs are made for doing tricks, not giving rides. Similarly, racks are not a safe place for a rider to sit. The only time you can have more than one person on a bike is if it's a tandem or if you have a child seat or trailer. They are considered regular attached seats.

## HELMET LAW

**CAVC 21212** states that all young persons under the age of 18 must wear a bicycle helmet while riding a bike.

Wearing a helmet isn't just a good idea; it is also the law. If you are under 18 you can get a ticket for not wearing a helmet just like a ticket for not wearing a seatbelt. The fine for not wearing a helmet is \$25.00 the first time. The second time it goes up to \$65.00. Plus, you may have to pay the fees to take a bicycle safety class. Wearing your helmet unclipped is the same as not wearing a helmet in the eyes of the law.

## HEADSETS AND EARPLUGS

**CAVC 27400** states that no person operating any vehicle or bicycle shall wear any headset covering, or any earplugs, in both ears.

These inhibit a rider's ability to hear a siren or horn from emergency vehicles or other motor vehicles. Having a headphone in only one ear still impairs your ability to hear and can reduce your reaction time in an emergency.

This is just a sample of excerpts from CA Vehicle Code as it pertains to bicycle law. Some sections have been reworded or abbreviated. If you are interested in the exact language or in researching additional bike law in the CA Vehicle Code you can go to **California Vehicle Code Division 11 - Rules of the Road** <http://www.dmv.ca.gov/pubs/vctop/vc/tocd11c1a4.htm>

