

# Florida Bicycling Street Smarts

## CyclingSavvy Edition

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## Bicycle Drivers and the Florida Uniform Traffic Control Law

Operating a vehicle safely and efficiently in traffic requires the ability to collect and process information about traffic conditions, determine a course of action, and execute it—all on a continuous basis. As a cyclist on a roadway, you are the driver of a vehicle and are responsible for complying with the Florida Uniform Traffic Control Law. This code, set forth in Chapter 316 of the Florida Statutes, governs the operation of all vehicles operated on public roads in Florida.

A bicycle is classified as a vehicle [§ 316.003(3)]. A person in control of a vehicle on a street or highway is a driver [§ 316.003(19)]. As a driver, you must follow the traffic rules common to all drivers. As the driver of a bicycle, you must also obey rules developed specially for bicycles. As a cyclist, you have all of the rights to the roadway applicable to any driver, except as to special regulations for bicycles [§ 316.2065(1)]. A cyclist is not required to have a driver license [§ 322.01(43)].

**Bicycle** [§ 316.003(3)] Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. A person under the age of 16 may not operate or ride upon a motorized vehicle.

### Equipment and passengers

**Lighting equipment** [§ 316.2065(7)] A bicycle in use between sunset and sunrise shall be equipped with a lamp on the front exhibiting a white light visible from 500 feet to the front, and a light and reflector on the rear each exhibiting a red light from 600 feet to the rear. A bicycle or its rider may be equipped with lights or reflectors in addition to those required.

**Comment:** *The risk of fatal or incapacitating injury increases sharply at night. Moderately priced bike lights cost far less than a trip to the emergency room and bicycle replacement or repair.*

**Brakes** [§ 316.2065(13)] Every bicycle must be equipped with a brake or brakes that allow the rider to stop within 25 feet from a speed of 10 mph on dry, level, clean pavement.

**Bicycle helmet** [§ 316.2065(3)(d)] A bicycle rider or passenger under 16 years of age must wear a bicycle helmet that is properly fitted, is fastened

securely, and meets the federal safety standard for bicycle helmets.

**Comment:** *The federal safety standard for bicycle helmets is adopted by the Consumer Product Safety Commission. It comprises a standard for helmets for riders age five and older and another for riders age one and older. Bicycle helmets, properly fitted and secured, have been found effective in reducing the incidence and severity of head, brain, and upper facial injury. (Head injuries account for about one third of the hospital emergency room visits of injured cyclists.) Use of helmets by adult role models promotes use among youth. The lack of a bicycle helmet does not indicate carelessness or fault on the part of the cyclist.*

**Headsets not to be worn** [§ 316.304] A cyclist may not wear a headset, headphone or listening device, other than a hearing aid, while riding.

**Comment:** *Loud headphones can damage hearing and shut out the outside world. However, no cyclist should depend on hearing before turning or changing lane position.*

**Carrying a passenger** [§ 316.2065(3)] A bicycle may not be used to carry more persons at one time than the number for which it is designed or equipped; an adult cyclist may carry a child in a backpack or sling, child seat or trailer designed to carry children.

### Laws for all drivers

**Driving on right side of roadway** [§ 316.081] Upon all two-way roadways of sufficient width, a vehicle must be driven on the right half of the roadway. Exceptions include (a) when overtaking and passing another vehicle under the rules governing such movement and (b) when an obstruction exists making it necessary to drive to the left of the center of the highway. However, any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction within such distance as to constitute an immediate hazard.

**Comment:** *A cyclist driving against the direction of traffic on the roadway should be warned or cited. This is a major contributing factor in bicycle-motor vehicle crashes; motorists entering and leaving the roadway at intersections and driveways do not expect traffic to approach from the wrong direction.*

**Obedience to traffic control devices** [§ 316.074] A driver shall obey all applicable traffic control devices (signs, markings, and traffic signals).

**Entering stop or yield intersections** [§ 316.123; 316.130(7)]

**Comment:** *In the U.S., the Stop sign has been the sign most commonly used to control priority at intersections and public driveways; Yield signs may also be used for this purpose. A driver who approaches a Stop or Yield sign must,*

before proceeding into the intersection (1) stop at a marked stop line, if present, and otherwise before the crosswalk (at a Stop sign), (2) yield to a pedestrian crossing in the crosswalk (whether marked or unmarked) and (3) yield to drivers in the crossing road. The legal difference is that, at a Yield sign, the driver is required to slow to a speed reasonable for the existing conditions but need stop only if necessary to yield or otherwise necessary for safety. Proper yielding prevents crashes; stopping and proceeding without yielding does not.

**Traffic control signals** [§316.075] Vehicular traffic must comply with indications of traffic control signals.

**Comment:** An electrical circuit with loops embedded in the pavement is commonly used to detect vehicles waiting for a green light at a signalized intersection. These loops are essentially metal detectors. Many bicyclists are unaware of this system or do not understand how it works. The most sensitive position for a two-wheeled vehicle is (usually) directly over a pavement cut, but if the detector's sensitivity is set too low, a bicycle or motorcycle may not be detected; the signal will stay red until a car stops over the loop. An unresponsive loop should be reported to the local traffic engineering office.

**Intersection where traffic lights are inoperative** [§316.1235] The driver of a vehicle approaching an inoperative traffic light [signal] shall stop as for a stop intersection [stop sign].

**Yielding on entry to roadway** [§316.125(2)] The driver of a vehicle emerging from an alley, building, private road or driveway shall stop the vehicle immediately prior to driving onto a sidewalk crossing, and shall yield to all vehicles and pedestrians which are so close thereto as to constitute an immediate hazard.

**Comment:** Failure to observe this rule is a typical factor in crashes involving sidewalk cyclists.

**Overtaking and passing a vehicle** [§316.083] The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. The driver of a vehicle overtaking a bicycle or other non-motorized vehicle must pass the bicycle or other non-motorized vehicle at a safe distance of not less than 3 feet between the vehicle and the bicycle or other non-motorized vehicle.

[§316.085] No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless the left side is clearly visible and free of oncoming traffic for a sufficient distance ahead to permit passing to be made without interfering with the operation of any vehicle ap-

proaching from the opposite direction. In every event an overtaking vehicle must return to an authorized lane of travel as soon as practicable and, in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within 200 feet of any approaching vehicle.

[§316.0875(3)] The prohibition of passing in a no-passing zone does not apply when the obstruction exists making it necessary to drive to the left of the center of the highway.

**Comment:** When a cyclist is traveling so slowly as to constitute an "obstruction," a motorist may cross the center line in a no-passing zone to pass the cyclist if the way is clear to do so, i.e., when it can be seen that any oncoming traffic is far enough ahead that the motorist could finish passing before coming within 200 feet of an oncoming vehicle. About one percent of bicycle-motor vehicle crashes involve motorists who misjudge the width or length necessary to pass a cyclist. Close passing causes some cyclists to "bug the curb," or ride on the sidewalk, where crash risk actually increases.

**When overtaking on the right is permitted** [§316.084] (1) The driver of a vehicle may overtake and pass on the right of another vehicle only under the following conditions: (a) when the vehicle overtaken is making or about to make a left turn, (b) upon a street or highway with unobstructed pavement not occupied by parked vehicles, of sufficient width for two or more lines of moving traffic in each direction, (c) upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles. (2) The driver of a vehicle may overtake and pass another vehicle on the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off pavement or main-traveled portion of the roadway.

**Comment:** A cyclist traveling on a roadway in a bicycle lane, or in a lane wide enough for motor vehicles and bicycles safely to share, may pass motor vehicles on the right, because there is sufficient width in this case for two lines of moving traffic—motor vehicle traffic and bicycle traffic. However, the cyclist should proceed with care—"only under conditions permitting such movement in safety." Cars or trucks may turn at driveways, or at the next intersection.

**Method of turning right at intersections** [§316.151(1)(a)] Both the approach for a right turn and the turn are to be made as closely as practicable to the right-hand curb or edge of the roadway.

**Comment:** For this reason, a motor vehicle driver preparing to turn right should—after yielding to any bicycle driver present—enter or closely approach a bicycle lane, if one is present. This reduces conflicts with following drivers and makes the driver’s intention more clear than signaling alone, and prevents an overtaking cyclist from trying to pass on the right and possibly colliding. A motorist who makes a sharp right turn immediately after passing has turned incorrectly.

**Not to stand or park in bicycle lane** [§316.1945(1)(b)6] Except when necessary to avoid conflict with other traffic, or in compliance with the directions of a police officer or official traffic control device, no person shall stand or park a vehicle, whether occupied or not, in a bicycle lane, except momentarily to pick up or discharge a passenger or passengers.

**Not to drive under the influence** [§316.193] It is unlawful to operate any vehicle while under the influence of alcohol or drugs.

[§316.1932] The requirement to submit to a breath test does not apply to a cyclist, since consent is deemed to have been given only by a person with a driver license who is operating a motor vehicle.

[§316.1936(2)] It is unlawful for any person to possess an open container of an alcoholic beverage while operating a vehicle, or while one is a passenger in or ON any vehicle.

**Duty to exercise due care** [§316.130(15)] Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or cyclist and give warning when necessary and exercise proper precaution upon observing any child or any obviously confused or incapacitated person. [§316.1925] Any person operating a vehicle upon the streets or highways within the state shall drive the same in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and all other attendant circumstances, so as not to endanger the life, limb, or property of any person.

## Laws for bicycle drivers

**Position on Roadway** [§316.2065(5)] Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride must in the lane marked for bicycle use or, if no lane is marked for bicycle use, as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:

- when passing another vehicle moving in the same direction;
- when preparing for a left turn;

- when reasonably necessary to avoid any condition or potential conflict including, but not limited to, a fixed or moving object, parked or moving vehicle, pedestrian, animal, surface hazard, or turn lane;
- when a lane is too narrow for a bicycle and another vehicle to travel safely side by side.

A cyclist operating on a one-way street with two or more marked traffic lanes may ride as close to the left-hand edge of the roadway as practicable.

**Comment:** A bicycle lane is a lane marked with a stripe and symbols for the preferential use of bicycles on a roadway (motorists may enter or cross a bicycle lane to turn into or off a roadway at intersections and driveways). The official symbol marking used in Florida to designate a bicycle lane is shown in the above figure (FDOT Design Standards Index: 17347 and Florida Greenbook).



A cyclist may leave a bicycle lane for any of the purposes listed in the law. Bicycle lanes are typically designed for through travel. (To make a right turn where a right turn lane is provided to the right of a bicycle lane, a cyclist should leave the bicycle lane, since continuing in the bike lane to the intersection and making a sharp right turn could surprise a motorist in the right turn lane.)

Where no bicycle lane is marked, a cyclist going through an intersection should not ride in a lane marked exclusively for right turns, i.e., one marked or signed with the word “ONLY.”

**Roads with curbs:** the gutter is not part of the “roadway,” i.e. not “ordinarily used for vehicular travel” [§316.003(42)]. Cyclists need to keep clear of the gutter area; pavement joints, drain grates or debris can cause steering difficulties or damage. On lower-speed curbed streets, parallel parking of vehicles adjacent to the curb is commonly allowed.

A cyclist riding past a parallel-parked car generally needs to maintain clearance of 4 feet to avoid risk of collision with an opening driver-side door. Doors on some vehicles swing open more than 3 feet.

**Road with flush shoulders:** where no bicycle lane is marked, a white edge line is typically marked to indicate the edge of the roadway; any pavement to the right of the edge line is shoulder pavement, not a bicycle lane unless it is marked with the bicycle lane symbol.

Since the definition of “roadway” excludes shoulders, cyclists are not required to ride on paved shoulders that are not marked as bicycle lanes, although they may prefer to do so. A cyclist who rides on a paved shoulder typically needs to maintain 2 feet of clearance from the pavement edge. The cyclist should still travel on the right because (1) this

reduces crash risk at intersections and driveways (drivers don't expect traffic on shoulders to approach from the "wrong" direction) and (2) whenever the cyclist enters the roadway (e.g., to pass a pedestrian or other cyclist, cross an intersection, keep clear of a vehicle approaching to enter the roadway at a driveway, avoid debris or obstructions, etc.), right-side operation becomes mandatory

**Outside traffic lanes:** *As the minimum clearance for passing a bicyclist is 3 feet (see "Overtaking and passing a vehicle" above) and the total width of larger motor vehicles (with extending mirrors) is commonly 8 feet or more, an outside traffic lane less than 14 feet wide is typically not wide enough to accommodate a cyclist and passing motor traffic within the lane. The Florida Department of Transportation's Manual of Uniform Minimum Standards for Streets and Highways (chapter 9, [www.dot.state.fl.us/rddesign/FloridaGreenbook/FGB.shtm](http://www.dot.state.fl.us/rddesign/FloridaGreenbook/FGB.shtm)) advises: "Wide outside lanes are through lanes which provide a minimum of 14 feet in width. This width allows most motor vehicles to pass cyclists within the travel lane, which is not possible on more typical 10-ft to 12-ft wide lanes."*

*Lanes wide enough to share tend to get restriped as a bike lane and a travel lane over time. Most travel lanes are NOT wide enough to share. In some cases, an R4-11 "Bikes May Use Full Lane" sign may be installed to clearly indicate when a lane is too narrow to share.*

#### **Operation on limited access highways**

[§316.091(4)] No person shall operate a bicycle or other human-powered vehicle on the roadway or along the shoulder of a limited access highway, including bridges, unless official signs and a designated, marked bicycle lane are present at the entrance of the section of highway indicating that such use is permitted pursuant to a pilot program of the Department of Transportation.

**Comment:** *A limited access facility is "a street or highway especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement, or only a limited right or easement, of access" [§316.003(33)].*

**Riding two abreast** [§316.2065(6)] Cyclists may ride two abreast only within a single lane and when not impeding traffic. Cyclists may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

**Comment:** *In a lane "too narrow for a bicycle and another vehicle to travel safely side by side" (see "Position of roadway" above), passing cyclists "at a safe distance" requires use of the next lane (see "Overtaking and passing a vehicle: above). In this case, cyclists riding two abreast cause no additional impediment to traffic.*

#### **Methods of turning left at intersections** [§316.151]

Left turn: A cyclist intending to make a left turn is entitled to full use of the lane from which a driver may legally make a left turn. Option: instead of making a left turn as a motorist does, a cyclist may proceed through the rightmost portion of the intersection and turn as close to the curb or edge as practicable at the far side. Before proceeding in the new direction of travel, the cyclist must comply with any official traffic control device.

Right turn: See "Method of turning right at intersections" under "Laws for all drivers."

**Signaling a turn or stop** [§316.155(2)(3); §316.157(1)] A signal of intention to turn must be given during the last 100 feet traveled by the vehicle before turning. If a cyclist needs both hands for control, the signal need not be given continuously. A cyclist signals intent to: turn left by extending the left arm horizontally; turn right either by extending the left hand and arm upward or by extending the right hand and arm horizontally to the right side of the bicycle; stop or suddenly to reduce speed by extending the left hand and arm downward.

**Laws for sidewalk riders: operating as a pedestrian** [§316.2065(10)] A cyclist riding on a sidewalk or crosswalk has the rights and duties of a pedestrian.

**Comment:** *Since a cyclist riding on a sidewalk has the rights of a pedestrian, they may ride in either direction. (However, it is safer to ride in the direction of traffic, since drivers do not expect cyclists to come from the other direction at driveways and crosswalks.) Equipment and passenger regulations still apply since the cyclist is still a "bicycle rider." Sidewalks are not designed for bicycle speeds, but bicycles are permitted where not prohibited by local ordinance (use is prohibited downtown in some cities.*

[§ 316.130] At a signalized intersection, a cyclist approaching on a sidewalk must obey the instructions of any applicable pedestrian control signal.

**Comment:** *That is, he may start to cross a roadway in a crosswalk only during a steady Walk phase, if one is displayed. If no pedestrian signal is provided, the cyclist may proceed in accordance with the signal indications for the parallel roadway traffic flow.*

[§ 316.2065(10)] A cyclist riding on a sidewalk or crosswalk must yield the right-of-way to pedestrians and must give audible warning before passing.