
Common Questions: Laws About Bicycles



April, 1994

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Over the years, various laws have been passed mandating specific topics for safety education. Among the topics, bicycle safety has been addressed. Additionally, many of the New York State Vehicle and Traffic Laws relate to bicycles and their use. To follow are some of the most commonly asked questions about these laws; the section of the law referred to is indicated in parentheses:

Is bicycle education required to be taught in the schools?

Yes. According to Education Law 806/Commissioner's Regulation 107.1 (Safety Education), instruction in safety education must be provided in the areas of highway and traffic safety and bicycle safety (in addition to school, home, recreational, industrial and occupational safety). A complete provision can be found in the appendix of the Safety Education Syllabus, grades K-12, published by the State Education Department.

When is instruction given and by whom?

Safety education, of which bicycle safety is a component, shall be taught in grades 1-8 not less than 30 periods or equivalent and in grades 9-12, not less than 15 periods or equivalent, each year. Instruction is provided by classroom teachers as a special subject or as topics integrated within content areas or within special education classes.

What traffic laws apply to bicyclists?

Although New York State law does not define the bicycle as a vehicle, traffic regulations are

applicable to all bicyclists. Bicyclists of all ages must obey all traffic lights and signs and should signal for turns when traveling along a roadway, a bike lane or a bike path (§102, 159 & 1231).

Can a bicyclist get a traffic ticket?

Yes. Adult bicyclists who violate traffic laws are subject to traffic tickets. Parents who knowingly permit their children to violate the law can be held accountable (§1230 & 1231).

Where is bicycling permitted?

Bicycling is permitted on all public highways except interstates and expressways. Bicyclists must ride on a usable bike lane if one exists. Otherwise, the bicyclist must travel near the right-hand edge of the roadway or upon the right-hand shoulder of the road. Bicycling is permitted on interstates only when paths or parts of the highways have been provided for such use. Bicycling is not allowed on sidewalks where restricted by local ordinance (§1234-a & 1229-a).

Are bicyclists required to use a bike path adjacent to a roadway?

No. A bicyclist may choose to drive either on the bike path or on the roadway. Bike paths are not always suitable for all bicyclists. They have limited points of access and do not always go where a bicyclist wants to go. Additionally, a bicyclist may experience a false sense of security and be less alert to the conditions unique to a bike path (debris, intersections, pedestrians, joggers, skateboarders, etc.) (§1234).

Should bicyclists travel with the flow of traffic or against it?

Bicyclists should always travel with the flow of motor vehicle traffic. Driving against traffic is a leading cause of bicycle accidents. Driving with the flow of traffic makes the bicyclist more visible to other drivers and makes their movements more predictable. This increases both motorist and bicyclist safety (§1234-a).

May bicyclists ride side-by-side on a roadway?

Bicyclists are not allowed to ride more than two abreast on a roadway and must be single file when being overtaken by another vehicle. As a general rule though, bicyclists should travel single file (§1234-b).

What equipment is required on bicycles at night?

You must have a front lamp with a white light visible at least 500 feet, and a rear red lamp visible for 200 feet from each side. In addition, all bicycles must be equipped with reflective tires or reflectors attached to the spokes of both wheels (§1236).

Are headphones legal while bicycling?

It is not legal to bicycle on a public highway while wearing more than one earphone attached to a radio, tape player or other audio device. It is important to be totally alert to traffic and conditions around you; headphones can be distracting (§375 24-a).

What are the acceptable means of signalling turns?

Bicyclists are permitted to signal a right-hand turn either by extending their right arm horizontally or extending their left arm bent upward at the elbow. A left-hand turn is to be indicated by extending one's left arm out horizontally. What's most important is that the bicyclists communicate their intentions to motorists and be taught to scan over their left shoulder (§1237).

New York State's helmet law:

In New York State, as of 1989, children between the ages of one and five years must wear an approved bicycle helmet and be seated in a seat attached to the bicycle when riding as a passenger. Effective June 1, 1994, all persons between the ages of one and 13 will be required to wear a safety helmet while on a bicycle. It is highly recommended, however, that all bicyclists wear helmets. Seventy-five percent of all bicycle fatalities and serious injuries involve brain damage that could have been prevented or lessened in severity if a helmet had been worn (§1238).

*Children under one year of age may
not be carried on a bicycle.*

For a complete accounting of the vehicle and traffic laws pertaining to bicycles, the Governor's Bicycle Advisory Council's Sharing the Road brochure is available from the Governor's Traffic Safety Committee.