

Cyclists Are Required to Obey the “Rules of the Road” in New York State

Except for limited access highways, cyclists are authorized to share the road with motor vehicles in New York State, provided that they follow the “rules of the road” for cyclists. Those rules are found in various places within New York’s Vehicle and Traffic (“V&T”) Law.

Many of the following rules found within the V&T are well-known to experienced cyclists; others may surprise you. While some of these provisions can appear to be ridiculous to even the most cautious rider, violations could expose cyclists to possible fines. Think about that on your next group ride.

- a. **V&T §1230**: Provides generally that the applicable regulations within the Vehicle and Traffic Law (“V&T”), apply to bicycles operated on any public highway, on any private road that is open to public motor vehicle traffic, and on any path set aside for the use of bicycles.
- b. **V&T §1231**: “[e]very person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle....” Use this one if an officer tries to tell you that you are not authorized to be on a public road.
- c. **V&T §1234 (a)**: Bicycles shall be driven on a “usable bicycle lane” if one is provided, or if a “usable bicycle lane” is not provided, “near the right-hand curb or edge of the roadway or upon a usable right-hand shoulder in such a manner as to prevent undue interference with the flow of traffic except when preparing for a left turn...” Bicyclists may leave these areas “when reasonably necessary to avoid conditions that would make it unsafe to continue along near the right hand curb or edge.”
 - If there is a designated bicycle lane, riders should stay in it unless temporarily avoiding parked cars or other hazards. This brings to mind the YouTube video by the angry cyclist who crashes into objects within the bike lane to make a point, because he was ticketed for not riding within the blocked lane. You can legally leave a marked bike lane to go around objects in your path.
 - Cyclists may leave the right edge of the road in order to avoid glass, potholes, parked cars, etc., but then must return to the right edge or to the shoulder when the hazard has passed.

- d. **V&T 1234 (b)**: If riding on the roadway, cyclists may not ride more than two abreast. If riding in a bike lane or upon the shoulder, cyclists may ride two or more abreast if sufficient space is available, except when passing a vehicle or other cyclists or pedestrians. Cyclists shall ride in single file when being overtaken by a vehicle.

- e. **V&T 1234 (c)**: Any cyclist entering a roadway from a private road, driveway, alley, or from over a curb shall come to a complete stop before entering the roadway.

- f. **V&T §1146**: Drivers “shall exercise “due care” to avoid colliding with any bicyclist, pedestrian or domestic animal upon any roadway and shall give warning by sounding the horn when necessary.” This is an important provision which places the burden on drivers to avoid cyclists. It is a very helpful rule in the event of a vehicle/bicycle accident (unless you happen to be the driver of the vehicle).

- g. **V&T §1236(a)**: Every bicycle operating between one-half hour after sunset and one-half hour before sunrise must be equipped with a white light in the front and a red or amber light in the rear (visible for 300 feet).

- h. **V&T §1236(b)**: No person shall operate a bicycle unless it is equipped with a bell or other device capable of emitting a signal audible for a distance of at least 100 feet (but may not use a siren or whistle).

- i. **V&T §1236(d)**: Every bicycle shall be equipped with reflective tires or reflectors mounted on the spokes (amber or colorless in front/red or colorless in the rear). Oops. How many of you removed those reflectors even before you removed the “pie plate” behind the cassette?

- j. **V&T §375 24-a**: It is unlawful to operate a bicycle on the public highways if the operator is wearing more than one earphone attached to an electronic device.

- k. **V&T §1237**: The following hand signals must be used by cyclists:
 - **Left Turn**: Left hand and arm extended horizontally;

- Right Turn: Left hand and arm extended upward, or, right hand and arm extended horizontally;
- Stop or Decreasing Speed: Left hand and arm extended downward.

There are more, but you get the point. Many of these rules are breached on every ride. While it is rare to see law enforcement officers ticketing cyclists, a violation of many of these provisions could definitely impact the assessment of liability in the event of an accident.

Ride safely.