

Traffic Laws for Cyclists and Motorists

Courtesy of the Florida Department of Transportation

Operating in traffic is a cooperative activity, conducted according to rules. Following the rules and applying the skills needed to observe them promotes safe and efficient travel. Drivers who see and can predict each other's actions are less likely to conflict with each other. The Florida Uniform Traffic Control Law ([Chapter 316, Florida Statutes](#);) governs the operation of all vehicles operated on public roads in Florida. For the actual wording of the sections cited below, the text of the Uniform Traffic Control Law should be consulted.

Legal status of bicycles

(Sections 316.003(2), (10) and 316.2065(1), F.S.)

A bicycle is classified as a vehicle. A person in control of a vehicle on a street or highway is a driver. As a driver, a cyclist must follow the traffic rules common to all drivers. As the driver of a bicycle, he must also obey regulations adopted specially for bicycles. A person riding a bicycle has all the rights applicable to any driver, except as to special regulations for bicycles.

Definition of "Bicycle"

(Section 316.003(2), F.S.)

▶ 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. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or a similar device. No person under the age of 16 may operate or ride upon a motorized bicycle.

Comment: A motorized bicycle that satisfies this definition is nevertheless subject to restrictions on sidewalks (see "[Sidewalk riding](#)" below).

Traffic law highlights - for cyclists

Driving on right side of roadway

(Section 316.081, F.S.)

▶ Upon all roadways of sufficient width, a vehicle shall be driven on the right half of the roadway.

Comment: A cyclist on a roadway must ride on the side reserved for his direction of travel. Riding in the opposite direction, so as to face oncoming traffic, doubles the risk of collision with a motor vehicle and is a contributing factor in about 15 percent of bicycle-motor vehicle crashes. Motorists entering and leaving roadways at intersections and driveways do not expect traffic to approach from the wrong direction.

Equipment requirements and carriage of passengers

(Section 316.2065(2), (3), (7), (8), and (14), F.S.)

▶ A bicycle operated between sunset and sunrise must be equipped with a lamp on the front exhibiting a white light visible from 500 feet to the front and both a red reflector and a lamp on the

rear exhibiting a red light visible from 600 feet to the rear.

Comment: Over half of fatal bicycle crashes in Florida occur after sunset, even though most cycling is done during daylight hours. Battery-and generator-powered headlamps are available. If a cyclist uses battery-powered lamps, it may be necessary to carry spare batteries or to mount additional lamps as spares (some LED lamps last for many hours). Rear reflector and taillamp should be aimed straight back.

▶ A bicycle rider or passenger under 16 years of age must wear a bicycle helmet that is properly fitted, fastened securely, and meets a nationally recognized standard.

Comment: Head injuries account for about one third of hospital emergency room visits for bicycle-related injuries. Bicycle helmets, properly fitted and worn, have been found effective in reducing the incidence and severity of head, brain, and upper facial injury. The role model effect of adults is an important factor in enhancing helmet wearing by youth. By federal law, bicycle helmets sold in the US are required to meet the standard of the Consumer Product Safety Commission.

▶ Bicyclists must use a fixed, regular seat for riding.

▶ 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 bicyclist may carry a child in a backpack or sling, child seat or trailer designed to carry children.

▶ A bicyclist may not allow a passenger to remain in a child seat or carrier when not in immediate control of the bicycle.

▶ At least one hand must be kept on the handlebars while riding.

▶ Every bicycle must be equipped with a brake or brakes which allow the rider to stop within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.

Sidewalk riding

(Section 316.2065(10) and (11), F.S.)

▶ A person propelling a vehicle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk, has all the rights and duties applicable to a pedestrian under the same circumstances.

Comment: Sidewalks are not designed for bicycle speeds, but a bicycle propelled by human power may be used except where prohibited by local ordinance (e.g. in the central business districts of many cities). [No bicycle may be propelled by other than human power on a sidewalk.](#) Although a cyclist riding on a sidewalk has the rights and duties of a pedestrian, he is still a "bicycle rider" and his bicycle is still a "bicycle". Consequently, laws that pertain to required equipment and to carriage of passengers (see above) are still applicable.

Since a cyclist riding on a sidewalk does not have the duties (or rights) of a driver, he 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. Crash risk is 3 to 4 times as great for sidewalk riders who ride facing roadway traffic as for sidewalk riders who ride in the direction of traffic.)

At a signalized intersection, a sidewalk rider must obey the instructions of any applicable pedestrian control signal. 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 (Section 316.075, F.S.).

▶ A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

Roadway position

(Section 316.2065(5) and (6), F.S.)

▶ 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 as close as practicable to the right-hand curb or edge of roadway, except under any of the following situations:

- when passing another bicycle or [other] vehicle proceeding in the same direction
- when preparing for a left turn at an intersection or into a private road or driveway
- when reasonably necessary to avoid any hazardous condition, including, but not limited to, a fixed or moving object, parked or moving vehicle, pedestrian, animal, surface hazard, or substandard-width lane, that makes it unsafe to continue along the right-hand curb or edge. For the purposes of this subsection, a "substandard-width lane" is a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

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

Comment: A white edge line is often marked to indicate the right edge of a roadway. On a roadway with curbs, the gutter area is not considered part of the roadway. A cyclist should avoid the gutter area; pavement joints or debris may be hazardous. On a road with flush paved shoulders, the right-hand edge of the roadway is the white line between the roadway and the shoulder. Since the roadway is "that portion of a highway...used for vehicular travel, exclusive of the berm or shoulder" (Section 316.003(42), F.S.), a bicycle driver is not required to ride on a paved shoulder, although he may prefer to do so.

Since the roadway is "that portion of a highway... used for vehicular travel, exclusive of the berm or shoulder" (Section 316.003(42), F.S.), a bicycle driver is not required to ride on a paved shoulder, although he may prefer to do so. A cyclist who rides on a paved shoulder should still travel on the right (not ride against traffic), because this reduces crash risk at intersections and driveways, also because this is generally the only practical way to comply with the [requirement for a bicycle driver to obey all applicable traffic control devices](#); traffic signs and signals are installed so as to face traffic traveling on the right.

The mean swept width (dynamic envelope) of cyclists is 1.0 meter (3.3 feet) and some cyclists sweep widths as great as 1.2 m (4 ft). A cyclist generally tracks at least 1.5 to 2.0 feet from a pavement edge to keep away from edge hazards (so as to be able to give most of his attention to scanning the road corridor for conditions and course changes that might require action in the next 10-15 seconds). Thus, cyclists who ride on shoulder pavement narrower than 3-4 feet effectively use some portion of the adjacent lane.

A cyclist who intends to go straight through an intersection should avoid a lane signed or marked exclusively for right turns, in accordance with the requirement for drivers to obey all traffic control

devices (see above).

A cyclist passing a parallel-parked automobile should maintain at least 1 meter (3.3 feet) of clearance to avoid risk of collision if a car door on the driver side is opened.

A bicycle lane is an extra lane on the roadway designated (with bicycle symbol markings) for the use of bicycles. A cyclist may leave a bicycle lane in any of the exceptional situations listed above. Most bicycle lanes are designed for through travel; to make a right turn where a right turn lane is provided, a cyclist should use the right turn lane. Where a bicycle lane is continued along the right side on an intersection approach, a cyclist who intends to go straight through the intersection may adjust his position to the left to avoid the hazard of being cut off by a right-turning motorist (9 percent of bicycle-motor vehicle crashes that are due to motorist fault involve motorists who overtake and pass cyclists near corners, then make right turns in front of them). A left turn should not be made from a through bicycle lane. See "[Method of turning at intersections](#)" for detailed description of left- and right-turn requirements.

▶ Persons riding bicycles upon a roadway may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast may not impede traffic when traveling at less than the normal speed of traffic at the time and place and under the conditions then existing and shall ride within a single lane.

Roadway position for mopeds (same rules)

(Section 316.208(2)(a), F.S.)

▶ Any person operating a moped upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of roadway, except under any of the following situations:

- when passing another vehicle proceeding in the same direction
- when preparing for a left turn at an intersection or into a private road or driveway
- when reasonably necessary to avoid any hazardous condition, including, but not limited to, a fixed or moving object, parked or moving vehicle, pedestrian, animal, surface hazard, or substandard-width lane, that makes it unsafe to continue along the right-hand curb or edge. For the purposes of this subsection, a "substandard-width lane" is a lane that is too narrow for a moped and another vehicle to travel safely side by side within the lane.

▶ A person operating a moped on a one-way highway with two or more traffic lanes may ride as close to the left hand edge of the roadway as practicable.

Comment: Since roadway positioning rules for mopeds are the same as those for bicycles, and Florida traffic laws do not provide an exception where bicycle lanes are present, moped operators traveling more slowly than other motor traffic on a street typically ride in bicycle lanes, where provided. However, per definition of "moped" (s. 316.003(77), F.S.), the motor of a moped cannot propel it faster than 30 mph on level ground.

Regulations for electric personal assistive mobility devices

(Section 316.003(83) and 316.2068, F.S.)

▶ An electric personal assistive personal mobility device is any self-balancing, two-nontandem-wheeled device, designed to transport only one person, with an electric propulsion system with average power of 750 watts (1 horsepower), the maximum speed of which, on a paved level surface when powered solely by such a propulsion system while being ridden by an operator who

weighs 170 pounds, is less than 20 miles per hour.

- ▶ An electric personal assistive mobility device may be operated on a marked bicycle path, on any street or road where bicycles are permitted, and on a sidewalk, if the person operating the device yields the right-of-way to pedestrians and give an audible signal before overtaking and passing a pedestrian.
- ▶ A county or municipality may prohibit the operation of electric personal assistive mobility devices on any road, street or bicycle path under its jurisdiction if the governing body of the county or municipality determines that such a prohibition is necessary in the interest of safety.
- ▶ The Department of Transportation may prohibit the operation of electric personal assistive mobility devices on any road under its jurisdiction if it determines that such operation is necessary in the interest of safety.

Comment: At this time, the only electric personal assistive mobility device is the Segway? Human Transporter. Since bicycles are permitted on almost all streets, so are EPAMDs, except on those where operation has been prohibited by managing jurisdictions. Guidance for use of bicycle lanes is provided above.

When overtaking on the right is permitted

(Section 316.084, F.S.)

- ▶ Overtaking on the right is permitted 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. The driver of a vehicle may overtake and pass another vehicle on the right only under conditions permitting such movement in safety.

Comment: A cyclist traveling in a bicycle lane, or in a lane wide enough for motor vehicles and bicycles to travel side by side within the lane, may pass motorists on the right, because there is sufficient width in this case for two lines of traffic - motor vehicles and bicycles. However, the cyclist should proceed with care. Cars or trucks may turn right at driveways, or at the next intersection, or a car door may open; drivers may not have noticed the cyclist.

Method of turning at intersections

(Section 316.151(1)(b)(c), F.S.)

- ▶ Right turn: see "[Method of turning right at intersections](#)" in "Other laws for all drivers"
- ▶ Left turn: A bicyclist intending to make a left turn is entitled to full use of the lane from which a driver may legally make a left turn.
- ▶ Instead of making a left turn as a motorist does, a cyclist may proceed through the right-most 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 bicyclist must comply with any official traffic control device.

Comment: When using the second method to make a left turn, a cyclist should never swerve left from the far right corner. There are risks of conflict from several directions. The cyclist should stop at the far corner and walk to a point where traffic can be reentered safely.

Signaling a turn or stop

(Sections 316.155(2), (3) and 316.157(1), F.S.)

- ▶ A signal of intention to turn must be given during the last 100 feet traveled by the vehicle before turning. If a bicyclist 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 - by extending the right arm horizontally (or by extending the left hand and arm upward);
 - ▶ stop or suddenly reduce speed - by extending the left hand and arm downward.

Operation on limited access highways

(Section 316.091(2) and (4), F.S.)

- ▶ No person shall operate a bicycle on a limited access facility, except as otherwise provided. No person shall operate a bicycle on an interstate highway.

Comment: At this time, the only exception provided is for the Jacksonville Expressway System (Section 349.04(1), F.S.). 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" (Section 316.003(19), F.S.). Highways identified with state highway route signs that include the word TOLL are limited access facilities. Other roads where bicycle use is prohibited should be identified by BICYCLES PROHIBITED signs posted at their entrances.

Wearing of headsets

(Section 316.304(1), F.S.)

- ▶ No person shall operate a bicycle while wearing a headset, headphone or other listening device, other than a hearing aid or instrument for the improvement of defective human hearing.

Comment: Use of such devices can be distracting. However, a cyclist should not rely on hearing when changing lane position, crossing intersections, etc. Sounds of an approaching vehicle may be masked by other traffic or, in some cases (bicycle, hybrid-electric car) too soft to be heard.

Opening doors of motor vehicles

(Section 316.2005, F.S.)

- ▶ No person shall open any door on a motor vehicle unless and until it is reasonable safe to do so and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

Not to drive while under the influence

(Section 316.193, F.S.)

- ▶ It is unlawful to drive any vehicle while under the influence of alcohol or drugs.

Driver responsibility to exercise care

(Sections 316.130 and 316.1925, F.S.)

- ▶ Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human-powered vehicle and give warning when necessary and exercise proper precaution upon observing any child or any obviously confused or incapacitated person.
- ▶ 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.

Following too closely

(Section 316.0895)

- ▶ The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon, and the condition of, the highway.

Driving speeds

(Sections 316.183 and 316.185, F.S.)

- ▶ No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be controlled as may be necessary to avoid colliding with any person, or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.
- ▶ The driver of every vehicle shall drive at an appropriately reduced speed when approaching and going around a curve; approaching a hill crest; traveling upon any narrow or winding roadway; or when any special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.