

enough from the curb to avoid being cut off abruptly by right-turning traffic. See also “When overtaking on the right is permitted” above.

### Special hazards [§316.185]

Every driver shall drive at an appropriately reduced speed when approaching and crossing an intersection, 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.

### Careless driving [§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.

### Driving while under the influence [§316.193; §316.1936(2)]

It is unlawful to drive any vehicle (i.e., including a bicycle) while under the influence of alcohol or drugs, i.e., “when affected to the extent that the person’s normal physical faculties are impaired.” It is unlawful to possess an open container of an alcoholic beverage while operating a vehicle, or while a passenger in or on a vehicle under operation.

# Road riders are drivers



## Florida’s bicycle laws —for cyclists and motorists

Operating in traffic is a cooperative activity, governed by rules. Knowing 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.

## 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 State 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 [Section 316.003(2), F.S.]. **A person in control of a vehicle on a street or highway is a driver** [§316.003(1)]. Only motor vehicle drivers are required to be licensed, but a cyclist may be cited for a traffic violation. As a driver, a cyclist must follow the traffic rules common to all drivers, e.g.,

—obey signs, signals, and pavement markings;

—yield before moving laterally into a path used by other drivers;

—yield the right of way when entering a roadway.

As the driver of a bicycle, you must also obey rules developed specially for bicycles. A cyclist has all of the rights to the roadway applicable to any driver, except as to the special regulations for bicycles [§316.2065(1)].

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### Equipment & carriage

#### Lamps and rear reflector [§316.2065(8)]

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 dark, even though most cycling is done during daylight hours. If you ride at night, use a battery- or generator-powered headlamp; if lights are battery-powered, carry spare batteries, or mount a second lamp as a spare. Rear reflector and taillamp should be aimed straight back. Reflective leg bands and pedal reflectors help to indicate motion.*

*Reflective tape on the bicycle and retroreflective clothing can also help you to be seen.*

#### Brakes [§316.2065(14)]

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
- fastened securely
- meets a nationally recognized standard.

**Comment:** *Bicycle helmets have been found effective at 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 children. By federal law, bicycle helmets are required to meet the standard of the Consumer Product Safety Commission.*

#### Headset 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:** *Wearing a headset blocks sounds of other traffic, so that it is less readily detected.*

#### Carrying a passenger [§316.2065(3)(a)]

A bicycle may not be used to carry more persons at one time than the number for which it is designed or equipped. However, an adult cyclist may carry a child in a backpack or sling, child seat or trailer designed to carry children.

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### Operating on the road

#### Obedience to traffic control devices [§316.074]

A driver must obey all applicable traffic control devices (traffic signs, markings, and signals).

#### Driving on right side of roadway [§316.081]

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

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### For more information, please contact:

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**Comment:** *A cyclist on a roadway must ride in the direction of traffic. Cyclists who ride with traffic have much lower risk of crashing at intersections or driveways. Drivers coming from side streets or driveways, or turning left into side streets or driveways, look in the direction traffic normally comes from.*

### Roadway position [§316.2065(5)]

A person operating a bicycle on a roadway at less than the normal speed of traffic under the conditions existing must ride as close as practicable [safe] to the roadway’s right-hand curb or edge, except under any of the following situations:

- when passing another vehicle
- when making a left turn
- when reasonably necessary to avoid conditions including (but not limited to), a fixed or moving object, parked or moving vehicle, pedestrian, animal, surface hazard
- 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 white edge line is often marked to indicate the right edge of a roadway. On a roadway with curbs, the gutter area is not normally considered part of the roadway. In any case, a cyclist should avoid the gutter.*

*On a road with flush shoulders, the right-hand edge of a roadway is the line between the roadway and the shoulder. Since the definition of “roadway” [§316.003(42)] excludes the shoulder, a cyclist is not required to ride on a paved shoulder, although he may prefer to do so. A cyclist may ride only on a right-side paved shoulder, i.e., must ride in the direction of traffic [§316.082(1)].*

*A cyclist intending to go straight through an intersection should avoid a lane marked exclusively for right turns (see “Obedience to traffic control devices” above). In a lane that may be used for right turns or through travel, a cyclist riding through should stay far enough to the left to avoid conflicts with right-turning traffic.*

*Where restricted conditions prevent inclusion of bicycle lanes or paved shoulders on laned roadways, Florida Department of Transportation engineering guidance recommends an outside lane width greater than 12 feet. A lane width of 14 feet [4.3 m] is recommended for shared use as the “minimum width that will allow passenger cars to safely pass bicyclists within a single lane,” i.e., without the need to use part of the next lane (Florida GreenBook, sect. 9.B.3). See “Overtaking and passing a vehicle” under “Other laws for drivers” below.*

*A cyclist riding past a car parked on a street should maintain a clearance of 3 feet [1 meter] (to avoid risk of collision if a car door on the driver side is opened).*

### Riding two abreast [§316.2065(6)]

Cyclists may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Cyclists riding two abreast may not impede traffic when traveling at less than the normal speed of traffic and must do so within a single lane.

### Method of turning at intersections [§316.151(1)]

—**Right turn:** *see “Method of turning right at intersections” under “Other laws for drivers” below.*

—**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.

**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 with traffic 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 [§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—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.

### When overtaking on the right is permitted [§316.084]

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 share (see Comment on “Roadway position” above), may pass motor vehicles on the right, because in this case there is sufficient width 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.*

### Operation on limited access highways [§316.091]

A cyclist may not ride on a limited access highway, unless the highway is excepted from this provision. A cyclist may not ride on an interstate highway.

## Operating as a pedestrian: riding on a sidewalk or crosswalk

When riding on a sidewalk or crosswalk, a cyclist has the rights and duties of a pedestrian [§316.2065(10)]. A cyclist riding on a sidewalk or crosswalk must yield the right-of-way to pedestrians and must give an audible warning before passing a pedestrian [§316.2065(11)].

**Comment:** *Sidewalks are not designed for bicycle use, but such use is permitted, except where prohibited by local ordinance (e.g., in central business districts of many cities). Bicycle laws not addressed specifically to roadway travel (use of*

*lamps after sunset, helmet, etc.) still apply. Since a cyclist riding on a sidewalk or crosswalk has the rights of a pedestrian, he may ride in either direction. At a signalized intersection, he 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 [§316.084].*

## Other laws for drivers (motorists & cyclists)

### 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.

### Overtaking and passing a vehicle [§316.083; §316.085]

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.

**Comment:** *See the exception discussed above in “When overtaking on the right is permitted.” The clearance recommended for a motor vehicle safely to pass a cyclist is 3 feet [1 m] (Florida Driver’s Handbook). Passing a cyclist with safe clearance may require a motor vehicle driver to enter (at least partially) the next lane, when and where it is safe and legal to do so.*

### Method of turning right at intersection [§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 may—after yielding to any cyclist present—enter a bicycle lane, if one is present. A cyclist turning right should ride far*