

# Model Municipal Bicycle Code

## by Fred Oswald, PE, Certified Cycling Safety Instructor

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For updates, see <http://bikelaws.org/>

### PREFACE

This document presents typical municipal bicycle traffic ordinances extensively modified to correct provisions that require or encourage dangerous practices and to encourage safer bicycle operation instead. These model laws can help to improve safety of all users of the roadways. They may also save a community that adopts them from liability for mandating practices known to be dangerous.

For a brief explanation of reasons behind what you see here, please see the [Notes](#) at bottom.

### CHANGES TO OHIO LAW FROM HOUSE BILL 389

The model laws presented here are consistent with changes made by House Bill 389, effective 21 Sep 2006. You can read the bill as passed by the 126th Ohio General Assembly at [www.legislature.state.oh.us/bills.cfm?ID=126\\_HB\\_389](http://www.legislature.state.oh.us/bills.cfm?ID=126_HB_389). You can also access any chapter of the Ohio Revised Code including Chapter 4511, (the "Rules of the Road") at <http://codes.ohio.gov/orc/4511>.

#### The most important changes from H.B. 389 clarify "local regulation of the operation of bicycles"

- § 4511.07(A)(8) *".. no such regulation shall be fundamentally inconsistent with the uniform rules of the road prescribed by this chapter."*
- § 4511.07(A)(8) *".. no such regulation shall prohibit the use of bicycles on any public street or highway except as provided in section 4511.051 of the Revised Code."* (4511.051 pertains to freeways.)
- § 4511.07(B) *No ordinance or regulation enacted under division (A) ... (8), ... of this section shall be effective until signs giving notice of the local traffic regulations are posted upon or at the entrance to the highway or part of the highway affected, as may be most appropriate."*
- § 4511.711 *".. no local authority may require that bicycles be operated on sidewalks."*

#### Other changes to Ohio bicycle traffic laws include:

- § 4511.55(A), (Position on roadway). [See model section 373.07 \(B\) below.](#)
- § 4511.25 ("Slow Vehicle Rule") Clarifying language including: *Nothing ... requires a driver of a slower vehicle to compromise the driver's safety to allow overtaking by a faster vehicle."*
- § 4511.31 Allows passing of slow vehicles in certain circumstances.
- § 4511.22 (Slow Speed Rule). *".. trier of fact, ... shall consider the capabilities of the vehicle and its operator."*
- § 4511.39 (Turn Signals). [See model section 373.07 \(C\) below.](#)
- § 4511.52 Regarding citation of violators, no "points" assessed, allows bicycling skills course except for violations of 4511.19 (driving under influence). [See model section 373.01 below.](#)
- § 4511.53 (Riding upon or astride the seat and child seats). [See model section 373.02 below.](#)
- § 4511.56 (Safety equipment). [See model section 373.06 below.](#)

### CHARACTERISTICS OF THE IDEAL LAW: [1]

- Simply stated; has clear meaning.
- Completely successful in solving the problem it addresses.
- Interacts synergistically with other laws.
- Produces no harmful side effects.
- Optimally serves the purpose of democracy.

### PRIORITIES

- Reform local ordinances to eliminate dangerous, discriminatory and non-uniform provisions.
- Educate citizens, public officials and police about the best cycling practices.
- If you have a police bike patrol, ask uniformed officers to set a good example by **riding correctly on the**

**streets.**

- Enforce laws to deter the common mistakes that cause accidents. These include riding at night without lights; wrong-way riding; failing to stop for traffic lights, etc.
- Take effective steps to deter harassment of cyclists and other "road rage".
- Repair road defects that endanger cyclists.
- Ensure that vehicle detectors detect bicycles and mark the "sweet spot".
- Encourage building owners to provide **secure** bicycle parking.
- For more good ideas, see the [Cyclist Friendly Communities Toolkit](#). Your community may gain an award from the Ohio Bicycle Federation.

## MISTAKES TO AVOID

Many of the mistakes below involve ordinances that are invalid under Ohio Revised Code §4511.07(A)(8), which requires that *no such regulation shall be fundamentally inconsistent with the uniform rules of the road prescribed by this chapter ...*

- Mandating dangerous practices. For example, *A person operating a bicycle shall ride upon the sidewalk rather than the roadway when sidewalks are available.* "Or *Whenever a designated usable path for bicycles has been provided adjacent to a street, bicycle riders shall use such path and shall not use the street.*"
- Mandating unsafe roadway position: *Every person operating a bicycle shall keep to the right-hand curb upon all streets, highways and other public ways in the City.* "Or *Every person operating a bicycle or tricycle upon a roadway shall ride within three feet of the right edge of the roadway.*"
- Having rules incompatible with the uniform "rules of the road", such as *A person operating a bicycle shall yield the right of way to vehicular traffic on a roadway.*"
- Closing roads (other than urban freeways) to cyclists.
- Discriminatory rules, such as: *No person shall ride a bicycle across or through any intersection.*"
- Nuisance requirements for ineffective safety equipment that distracts attention from that which is really needed. Unnecessary equipment includes a bell or other noisemaker, as well as front, side and wheel reflectors. Instead, emphasis must be given to the essentials, such as good brakes, headlight, bright rear reflector and rear lights.
- Requirements to park in a bike rack if one is present. Many bike racks are poorly designed "wheel benders" and they are often placed in out-of-the-way places that facilitate theft.
- Other unnecessary or excessive regulation, such as requiring riding single file or with both hands on the handlebars.
- Treating (or even thinking of) bicycles as toys, rather than serious vehicles.

### CHAPTER 373

#### Bicycles and Motorcycles

##### 373.01 CODE APPLICATION TO BICYCLES. [\(See Note 1.\)](#)

(A) Every person riding a bicycle upon a street shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle. Every person riding a bicycle upon a sidewalk shall be granted all of the rights and shall be subject to all of the duties applicable to a pedestrian.

(B) The provisions of this Traffic Code shall apply to bicycles, except those provisions which by their nature are not applicable.

(C) A violation of any traffic law by an operator of a bicycle shall be ticketed using the same procedure as is used for motor vehicle infractions, except that any violation committed while operating a bicycle shall not affect the status of the violator's motor vehicle operator's license. When a citation is issued to a bicycle operator, the fact that the violation involves a bicycle shall be clearly indicated on the citation.

(D) Whenever there is a violation of traffic law by a bicycle operator or a violation by a motorist that endangers a bicycle operator, the court may permit demonstration of successful completion of a court approved cycling knowledge course or test in lieu of or in addition to a fine or other penalty.

### 373.02 RIDING UPON SEATS; CARRYING PACKAGES. [\(See Note 2.\)](#)

(A) A person operating a bicycle or motorcycle shall not ride other than upon or astride the permanent and regular seat attached thereto, nor carry any other person upon such bicycle or motorcycle other than upon a firmly attached and regular seat thereon, nor shall any person ride upon a bicycle or motorcycle other than upon such a firmly attached and regular seat.

(B) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(C) The provisions of parts (A) and (B) above shall not prohibit the carrying of a child in a seat or trailer designed for carrying children and firmly attached to the bicycle.

(D) No person operating a bicycle shall carry any package, bundle or article that prevents the driver from keeping at least one (1) hand upon the handle bars.

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### 373.03 ATTACHING BICYCLE OR SLED TO VEHICLE.

No person riding upon any motorcycle, bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

No operator shall knowingly permit any person riding upon any motorcycle, bicycle, coaster, roller skates, sled or toy vehicle to attach the same or himself to any vehicle while it is moving upon a roadway. This Section does not apply to the towing of a disabled vehicle, nor to the towing of a trailer designed for this purpose.

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### 373.04 RIDING BICYCLES AND MOTORCYCLES ABREAST. [\(See Note 3.\)](#)

Persons riding bicycles or motorcycles upon a roadway shall ride not more than two (2) abreast in a single lane, except on paths or parts of roadways set aside for the exclusive use of bicycles or motorcycles.

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### 373.05 SIGNAL DEVICE ON BICYCLE. [\(See Note 4.\)](#)

A bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

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### 373.06 LIGHTS AND REFLECTOR ON BICYCLE; BRAKES. [\(See Note 5.\)](#)

(A) Every bicycle when in use at the times specified in Section 4513.03 of the Ohio Revised Code (from sunset to sunrise or when otherwise necessary), shall be equipped with the following:

(1) A lamp mounted on the front of either the bicycle or the operator that shall emit a white light visible from a distance of at least five hundred (500) feet to the front and 300 feet to the sides. A generator powered lamp, which emits light only when the bicycle is moving, may be used to meet this requirement;

(2) A red reflector on the rear of a type that shall be visible from all distances from one hundred feet to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle;

(3) A light emitting either flashing or steady red light visible from a distance of five hundred (500) feet to the rear shall be used in addition to the reflector. If the red light performs as a reflector such that it is visible as specified in (2) above, it shall satisfy the requirement for a reflector.

(B) Additional lights and reflectors may be used in addition to those required under part (A) above except that red lights and reflectors shall not be used on the front of the bicycle nor shall white or colorless lights or reflectors be used on the rear of the bicycle.

(C) Every bicycle shall be equipped with an adequate brake when used on a street or highway.

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### 373.07 BICYCLE OPERATION ON ROADWAY.

(A) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable obeying all traffic rules applicable to vehicles and exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) This section does not require a person operating a bicycle to ride at the edge of the roadway when it is unreasonable or unsafe to do so. Conditions that may require riding away from the edge of the roadway include when necessary to avoid fixed or moving objects, parked or moving vehicles, surface hazards, or if it is otherwise unsafe or impracticable to do so,

including if the lane is too narrow for the bicycle and an overtaking vehicle to travel safely side by side within the lane.

[\(See Note 6.\)](#)

(C) When a bicycle is operated on the roadway, the operator shall give hand signals to other vehicle operators in the vicinity before turning or changing lanes. Such signals shall conform with the motor vehicle laws of Ohio. The signal shall be made not less than one time but is not required to be continuous. A bicycle operator is not required to make a signal if the bicycle is in a designated turn lane, and a signal shall not be given when the operator's hands are needed for the safe operation of the bicycle. [\(See Note 7.\)](#)

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#### 373.08 RECKLESS OPERATION; CONTROL, WEAVING COURSE.

No person shall operate a bicycle:

(A) Without due regard for the safety and rights of pedestrians and drivers and occupants of all other vehicles, and so as to endanger the life, limb or property of any person while in the lawful use of the streets or sidewalks or any other public or private property;

(B) Without exercising reasonable and ordinary control over such bicycle;

(C) By trick riding or in a weaving or zigzag course unless such irregular course is necessary for safe operation in compliance with law. [\(See Note 8.\)](#)

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#### 373.09 COMPLIANCE WITH TRAFFIC SIGNAL CONTROL DEVICES REQUIRED.

(A) Any person operating a bicycle shall obey the instructions of official traffic signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(B) Whenever authorized signs are erected that no right or left or "U" turns are permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians. [\(See Note 9.\)](#)

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#### 373.10 RIDING ON SIDEWALK [\(See Note 10.\)](#)

(A) Except as provided in section (B) below, It shall be legal to operate a bicycle upon a sidewalk when sidewalks are available and not congested with pedestrian traffic. If the sidewalk is congested with pedestrian traffic, any bicycle operator using the sidewalk shall walk the bicycle.

(B) No person shall ride a bicycle upon a sidewalk in a business district or upon or along which signs have been erected by authority of the Director of Public Safety prohibiting such bicycle riding.

(C) 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 audible signal before overtaking and passing such pedestrian. This audible signal may be given by the voice or by a bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle person or persons being overtaken and passed.

(D) A person operating a bicycle upon a sidewalk, before overtaking and passing a blind person carrying a white cane or guided by a dog, shall dismount and overtake or pass on foot, if necessary for safety.

(E) A person shall not operate a bicycle from a sidewalk so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.

(F) No person shall operate a bicycle on a sidewalk at a speed greater than an ordinary walk when approaching or entering a crosswalk or approaching or crossing a driveway if a vehicle is approaching the crosswalk or driveway. This paragraph does not require reduced speeds for bicycles when other vehicles are not present.

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#### 373.11 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right of way to all pedestrians approaching on such sidewalk area and upon entering the street shall yield the right of way to all vehicles approaching on said street.

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### 373.12 PARKING. [\(See Note 11.\)](#)

(A) No person shall park a bicycle upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic, or upon a roadway so as to unduly interfere with vehicular traffic.

(B) Bicycles shall be parked in such a manner as not to interfere with building entrances.

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### 373.13 IMPOUNDING. [\(See Note 12.\)](#)

Whenever any minor under the age of eighteen years operates a bicycle or motorized bicycle in violation of any Section of this Traffic Code, the bicycle may be seized by any member of the police department and impounded. A bicycle or motorized bicycle so impounded shall be surrendered to the owner, or if the owner is a minor, to the parents or guardians of such minor, and no charge shall be made. A full explanation of the reason for the impounding shall be made to the owner, parent or guardian. A complete record of each such impounding shall be kept in the office of the chief of police.

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### 373.99 PENALTY.

Whoever violates any provision of this Chapter for which no classification is otherwise provided is guilty of a minor misdemeanor.

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(Note: The Model Municipal Bicycle Code above does not include provisions written only for motorcycles or motorized bicycles.)

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## ABOUT "HELMET LAWS"

Some communities have passed ordinances requiring use of a helmet by child cyclists. This author recommends wearing a helmet (and always wears one himself) but does not support legislation mandating helmet use. There are significant problems with such a law:

1. It overemphasizes "safe crashing" at the expense of "not crashing". At best, a helmet is a supplementary safety device. Cycling education is far more effective for improving safety.
2. A helmet law is a feel-good measure that will give a false sense that the "bicycle safety problem" has been solved, when the core part of the problem has not even been addressed.
3. Such laws tend not to be enforced (or are enforced only occasionally and arbitrarily). This discourages respect for traffic law.
4. "Helmet laws" discourage cycling. The health benefit of riding bicycles, even without helmets, far exceeds the additional risks incurred by not wearing helmets.
5. "Big Brother" should not be telling us what to do to protect ourselves.
6. The police time otherwise expended on giving tickets to 10 year olds would be better used to stop dangerous practices that actually cause crashes. These include riding wrong way, riding in the dark without lights, and other flagrant violations of the rules of the road.
7. Local helmet ordinances (unless limited to local residents only) are incompatible with the concept of uniform laws and contrary to the ORC.
8. A mandatory helmet regulation is a negative measure that imposes fines on parents for non-use of helmets. This is the wrong approach. Organizations such as Safe Kids provide -- and properly fit -- thousands of bicycle helmets on children who may not otherwise be able to afford one. The best of these efforts combine instruction in proper operation with the helmet promotion.

If a "helmet law" MUST be enacted because of political pressure, please adopt features from Pennsylvania's law (§ 3510. Pedalcycle helmets for certain persons): (1) It applies only to children under age 12. (2) Charges will be dismissed upon evidence of purchase of a helmet. (3) There is a very strong disclaimer for contributory negligence (see below).

*Civil actions.-- In no event shall a violation or alleged violation of subsection (a) be used as evidence in a trial of any civil action; nor shall any jury in a civil action be instructed that any conduct did constitute or could be interpreted by them to constitute a violation of subsection (a); nor shall failure to use a pedalcycle helmet be considered as contributory negligence nor shall failure to use a pedalcycle helmet be admissible as evidence in the trial of any civil action.*

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## BICYCLE REGISTRATION

Some communities offer a registration program to deter theft and aid recovery of stolen bicycles. Any such program must be voluntary. We believe it unreasonable to compel a citizen who bought an old bike for \$5 at a garage sale to register this bike with the city.

If police make a serious effort to return stolen bicycles, then registration can be valuable. However, there have been cases where mandatory bicycle registration has become a "tool" for harassing lawful cyclists.

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## CONCERNING RIDING ON SHOULDERS, INCLUDING FREEWAY SHOULDERS

Shoulders are a popular place for touring cyclists riding in the country. Riding on the shoulder is appropriate for someone cycling along a freeway. But on an urban road, the shoulder is generally NOT a safe place to ride. A shoulder cyclist is much more likely to suffer a collision with turning traffic because other drivers do not look for conflicting traffic off the roadway. In addition, the shoulder is likely to accumulate glass, gravel and other debris because passing traffic does not "sweep" it clean. In some states, operating a vehicle (including a bicycle) on the shoulder is technically illegal. This could cause a serious legal problem in the event of an accident. For these reasons, experienced cyclists avoid shoulders on urban roads.

There are engineering purposes for shoulders. A small shoulder on a road protects the edge of the pavement from being broken by keeping heavy wheels nearer the middle of the road where the pavement is better supported. A two foot shoulder is usually enough for this benefit. A wider shoulder becomes wasted pavement unless a "breakdown lane" is needed.

The Ohio Revised Code does not presently allow bicycle use on any part of a freeway. However, in many U.S. states (especially in the West) cyclists are permitted access to the shoulder of freeways particularly in rural areas or where a reasonable alternate route is not available. The safety record for such access is quite good because, except at interchanges, there is no turning or crossing traffic to produce a hazard. Shoulder cycling should be in the same direction as adjacent traffic.

Even in cities, there are places where cyclists should be allowed freeway shoulder access to cross an obstruction, such as a river, by entering just before the bridge and exiting just after. In some cases, a freeway replaced an older route that once provided cyclist access. Moreover, a new, cyclist-prohibited freeway bridge is likely to be safer than the old, cyclist-permitted bridge. Please support reform of Ohio traffic law to permit freeway shoulder access in selected locations.

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## NOTES

The "Rules of the Road" were developed to minimize collisions and other conflicts between drivers. One of the most important safety features of traffic laws is uniformity. Uniformity, simplicity and fairness are fundamental traffic principles.

Motor vehicle traffic laws are generally uniform throughout the 50 states. A motorist traveling from state to state need not learn a new set of laws with each border crossing. Likewise, within each state, local ordinances may not vary significantly between communities. Unnecessary variations in the rules reduce the predictability and reliability of the system. This is why rules for cyclists must not conflict with the rules followed by other drivers.

Very few special rules for bicycle operation are necessary. Most existing rules are discriminatory and detrimental to safety. Special rules should be adopted only where clearly needed.

You can see a summary and ratings of bicycle traffic ordinances for seventy-five NE Ohio communities at <http://bikelaws.org/cb/neo-bikelaws.htm>.

The Ohio Department of Public Safety issued *Ohio Bicycling Street Smarts* by John Allen in 2002. This booklet, which serves as a driver's manual, is an excellent, concise reference to the best practices of cycling. You can read the commercial version online at [www.bikexpert.com/streetsmarts/usa/index.htm](http://www.bikexpert.com/streetsmarts/usa/index.htm).

The most comprehensive source of cycling information are the books of John Forester, *Effective Cycling* and *Bicycle Transportation*. These can be difficult reading because of their confrontational tone. The *Effective Cycling* video is an excellent training tool. Most of these are available through the Cuyahoga County Public Library.

As of 2009, there is a new and very good book about bicycle operation, *Cyclecraft* (North American edition) by John

Franklin.

**Note 1:** A bicycle is a vehicle, both in fact and in law, when operated on the roadway. The safest way to operate one is by following the same rules of the road as other drivers.

ORC §4511.07(A)(8) allows local authorities powers for "*Regulating the operation of bicycles; provided that no such regulation shall be fundamentally inconsistent with the uniform rules of the road prescribed by this chapter and that no such regulation shall prohibit the use of bicycles on any public street or highway except as provided in section 4511.051 of the Revised Code.*" (§4511.051 prohibits cycling on freeways.) §4511.07(B) adds: *No ordinance or regulation enacted ... shall be effective until signs giving notice of the local traffic regulations are posted upon or at the entrance to the highway or part of the highway affected, as may be most appropriate.*

ORC §4511.52(B) states that *A person who commits any such violation while operating a bicycle shall not have any points assessed against the person's driver's license ...* (except for driving while intoxicated).

Subsection (D) would allow an educational "diversion" program for offenders. Such education may prevent future offenses. For a "Cycling Knowledge Test" based on the *Effective Cycling* video, see <http://www.cycle-safety.com/CyclingKnowledgeTest.pdf>

**Note 2:** Note the words "upon or astride the ... seat". Without the word astride, this may be misinterpreted to prohibit standing to pedal. Part (C) recognizes child seats or trailers.

Avoid excessive regulation, such as requiring "both hands on the handlebars," which is not consistent with ORC §4511.53.

**Note 3:** There are sometimes good reasons for cyclists to ride abreast. Side-by-side cyclists are more visible. Riding abreast allows communication, which is important for teaching. Wherever passing is illegal or unsafe, such as where the traffic lane is too narrow for faster traffic to pass within the lane, riding abreast does not impede traffic.

**Note 4:** Avoid the mistake of requiring ineffective safety equipment such as a bell, horn or unnecessary reflectors.

**Note 5:** Language here is consistent with ORC §4511.56 as revised in 2006. Note the emphasis on the essential equipment: headlight, tail light, rear reflector and brakes. SAE Automobile reflectors are much brighter (over 10 times brighter) than CSPC-approved bicycle reflectors.

Bicycle wheel reflectors can look impressive when you see them near the road. However, in the situations where a motorist must yield to a cyclist, they are typically outside the area covered by automotive headlights. In other words, these reflectors "work" when they are not needed but often not when they are needed. Cyclists must use headlights at night. Nothing else provides adequate visibility to the front and sides.

Avoid a brake specification that is impossible to meet or unsafe to test. A skidding wheel is not a good indication of effective brakes. It is nearly impossible (and unsafe to try) to skid the front wheel as some rules require. This author recommends that cities simply adopt the ORC requirement of "an adequate brake".

If you prefer a metric to define "adequate", consider the provision shown below from the Uniform Vehicle Code (2000 revision). **However, we do not recommend that cities adopt this on their own. It would be a nightmare for Ohio cyclists if every city in the state adopted its own (inevitably conflicting and inconsistent) equipment requirements. Please urge the Ohio Legislature to adopt the UVC language first.**

*UVC § 12-706 Brake required*

*Every bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle within 15 feet from a speed of 10 miles per hour on dry, level, clean pavement.*

**Note 6:** Paragraph (B) above is identical to ORC §4511.55(C). This added paragraph will help eliminate misinterpretation of this law.

There are several situations where riding at the edge of the road can be unsafe. These include (1) passing another vehicle;

(2) preparing for a left turn; (3) where there are hazards or obstructions at the edge of the road; (4) in a lane too narrow for safe passing within the lane; (5) where passing, even using an adjacent lane, may not be safe (such as a blind curve or hill); (6) where a cyclist at the edge of the road may not be adequately visible; (7) at an intersection; (8) crossing oblique railroad tracks; (9) on a 2-lane road where drivers approaching from the opposite direction may try to pass, thus creating the hazard of a head-on collision; or (10) if there is any other safety hazard that requires riding further left.

In many cases, riding *assertively* near the middle of the lane is much safer than slinking along in the gutter. When a cyclist rides too close to the edge of the road it may appear to an approaching motorist that there is enough room to pass within the lane. Many motorists will assume so and start to pass. When the car gets closer, the motorist may suddenly notice there is not quite enough room. This presents three choices, none good: (1) Pass anyway, with insufficient clearance and hope not to hit the cyclist. (2) Swerve suddenly to the left and hope there is no one there to be sideswiped. (3) Hit the brakes and hope no one is following close enough to create a rear-end collision.

The solution to all these problems is to encourage cyclists to ride far enough into the lane to make it obvious to following drivers that they have to safely change lanes or slow down and wait until it is safe to pass.

For more information about the safety benefits of an assertive (not aggressive) position on the road, see [Cyclecraft](#) (North American edition) by John Franklin.

**Note 7:** The language here is consistent with ORC §4511.39(A) as revised. Turn and stop signals are often over-emphasized. (Yielding is what prevents accidents.) Signals should be given where practical but maintaining control is much more important. Experienced cyclists find that a head turn often serves as a signal when they are changing lanes.

Stop signals are very rarely needed on a bicycle because the bicycle does not block the view of following drivers. Also, not pedaling is an indication of slowing.

**Note 8:** Avoid micro-management by requiring riding with "both hands upon the handle grips". We presume you do not intend to prohibit adjusting a zipper or even shifting on some bikes.

**Note 9:** A community can help cyclists by exempting them from traffic calming prohibitions, such as "No right turn, 4-6 PM". Such signs are typically erected to deter "cut through" traffic on residential streets. If you apply the restrictions only to "motor vehicles" or explicitly exempt bicycles, then you avoid impacting cyclists. The sign in the photo shows an example.



**Exempting bicycles from traffic calming**

**Note 10:** While sidewalk riding is not generally prohibited (except in congested or business areas) it must never be encouraged because of the hazards. Studies show the collision rate for sidewalk or sidepath cyclists is two to ten times as high as for riding on the adjacent roadway, depending on intersection and driveway density, speed, etc. This is why official design guides warn that sidewalks are not suitable for bicycle use. See "What the AASHTO Guide says and does not say about bicycle sidepaths and sidewalks", [www.bikexpert.com/bikepol/facil/sidepath/aashside.htm](http://www.bikexpert.com/bikepol/facil/sidepath/aashside.htm). The AASHTO Guide is the *Guide for the Development of Bicycle Facilities* by the Amer. Assoc. of State Highway and Trans. Officials.

"Sidewalk laws" mandate dangerous practices. Crossing driveways on a sidewalk, particularly commercial driveways, is nearly as hazardous as crossing through streets via the crosswalk. In addition, sidewalk bicycle operation (particularly at speed) endangers pedestrians. An ordinance requiring bicycle operation on a sidewalk is prohibited in Ohio by §4511.711(A), which includes "*no local authority may require that bicycles be operated on sidewalks.*"

**Note 11:** Avoid requiring use of "bike racks". Besides being an example of micro-management, many such fixtures are "wheel benders" that can damage a good bicycle. They are often placed in out of the way places that facilitate theft.

**Note 12:** Impounding must be a last resort, otherwise it becomes an abuse of police power. Do not impound a bicycle for

any situation where you would allow a motorist to continue operating a motor vehicle.

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## Consulting

We often find mistakes in local ordinances. The most serious mandate unsafe practices as described in this article, but there are others. For example, skidding brakes (described in Note 5 above). We know of a community that requires a rear reflector visible from "from 0 feet to 600 feet", rather than 100 to 600 feet as in state law. This sounds like an improvement but it violates the laws of physics. If you are considering any changes to the Model Laws presented here, this author is willing to review your ordinances for any problems. Please see contact information below.

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## Footnote

[1] From [Quality of Laws Institute](#), which says: *The problem with the rule of law is that it is wholly dependent upon the quality of laws. That is, if the laws of a government are mediocre or ineffective, i.e., of low quality, then the government that enforces those laws must also be mediocre or ineffective.*

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You may be interested in the presentation [Cycling Law & Safety Issues](#) (compact pdf file for on-screen viewing) or [Full Powerpoint presentation file](#). Learning about these issues will provide a personal benefit by making your own cycling safer and more useful. It will also help you to teach your own children the best practices. If you are considering the "Bicycle Friendly Communities" Program, please first see [Guidelines for a 'Cyclist Friendly Community'](#).

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The author is a Professional Engineer in Ohio and a "League Cycling Instructor", (LCI #947) certified by the League of American Bicyclists.

For updates, see <http://bikelaws.org/>

**The principle behind the best practices of *Effective Cycling*:**

**"Cyclists fare best when they act and are treated as operators of vehicles."**