

TENNESSEE BICYCLE Law Enforcement Guide

A REVIEW OF TENNESSEE BICYCLE TRAFFIC LAWS



The Knoxville Regional Bicycle Program

About the Knoxville Regional Bicycle Program

The Knoxville Regional Transportation Planning Organization (TPO) coordinates a comprehensive, multi-modal transportation planning process for the Knoxville urban area. Members include: Cities of Alcoa, Knoxville and Maryville, Town of Farragut, Lenoir City, Blount, Knox, Loudon, and Sevier Counties, Tennessee Department of Transportation, and East Tennessee Development District.

As a component of the TPO, the Knoxville Regional Bicycle Program envisions a convenient, efficient transportation system where people can bike safely to all destinations.

Bicycling is a great way to get around town. It saves money, improves air quality and is good exercise. The purpose of the Bicycle Program is to integrate bicycling into the transportation system. The program works with all City and County departments within the TPO boundary to implement the Regional Bicycle Plan.

Nationwide, communities are realizing they cannot build their way out of congestion. They must look to other solutions, such as transit, carpooling and bicycling. A healthy transportation system provides safe, convenient choices. Improving bicycling conditions provides alternatives for the increasing numbers of citizens who can't afford, don't want to or are physically unable to drive motor vehicles.

Bicycling is the healthy transportation choice. Regular exercise helps prevent heart disease, osteoporosis, diabetes, colon cancer, depression and many more diseases. Obesity has increased at alarming rates, even in children. Bicycling to work, school or for errands is an easy way to make exercise a part of your daily life.

For more information, please visit our website at www.knoxtrans.org

Introduction

Traffic rules exist to improve everyone's safety and are based on collective experience. Most crashes can be avoided if both bicyclists and motorists follow the rules of the road. Heightened awareness among law officers of these rules can lead to: enforcing of laws, modeling of good behaviors, and taking advantage of teachable moments with both bicyclists and motorists. The ultimate goal is to enhance traffic safety and prevent crashes.

KEY TRAFFIC PRINCIPLES FOR BICYCLISTS

- **Bicyclists fare best when they act and are treated as drivers of vehicles.** Bicycles are legal vehicles and, unless specifically prohibited (e.g. interstates), can be expected on all roadways. Bicyclists are subject to the same traffic laws as drivers of other vehicles.
- **A bicyclist is safer riding with traffic than against it.** A cyclist who rides facing oncoming traffic increases his/her risk of being hit by a motorist. Drivers entering and exiting the roadway at side streets and driveways do not expect bicyclists to approach from the wrong direction.
- **Lights must be used on a bicycle after dark.** Headlights are not just used so that the bicyclist can see where he/she is going – the most important purpose of lights and reflectors is to let motorists know that the bicyclist is there.
- **A bicyclist should ride as far to the right as “practicable,” which means they can move left to pass, make a left turn, avoid hazards, when the lane is too narrow to share, or when moving as fast as other traffic.** A bicyclist should ride to the right so that other vehicles can pass, but the bicyclist should ride in a predictable straight line. Swerving left to avoid potholes, parked cars, broken glass and other hazards can surprise motorists who are attempting to pass. A bicyclist who stays too far to the right is less visible to drivers. Moving left when the lane is too narrow to for a bicycle and another vehicle to share helps motorists who might otherwise misjudge passing space.

What to Enforce

BICYCLIST TARGET AREAS

- **Operating against the flow of traffic**
- **Failure to yield**
 - when entering roadway
 - when moving across the road
 - when turning left
- **Failure to obey traffic signals/stop signs**
- **Riding at night without required front lights and reflectors**
- **Riding on sidewalk unsafely** (too fast, not yielding at intersections)
NOTE: This is not illegal but dangerous.

MOTORIST TARGET AREAS

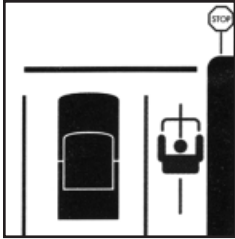
- **Failure to yield**
 - when entering roadway
 - at a stop or yield sign
 - when turning left
- **Unsafe passing** (giving less than 3 feet or pulling back in too soon)
- **Improper right turn** (immediately in front of a cyclist)
- **Driving too fast for conditions**
- **Opening a car door into traffic from a parked car**

Uniform Traffic Control Synopsis

For purposes of reducing high-risk behaviors, the most important sections of the Tennessee Code Title 55 are indicated below.

Legal Status of Bicycles

A bicycle is defined as a vehicle and bicyclists are subject to the same rights and responsibilities of other drivers, except those provisions which by their nature can have no application to bicyclists. (55-8-101, 55-8-172)



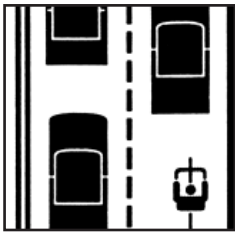
Obedience to Traffic-Control Devices

All drivers, including bicyclists, must obey all official traffic-control devices.

(55-8-109)

Driving on Right Side of Roadway

Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, *except*:



- When passing another vehicle proceeding in the same direction (pass on the left)
- When the right half of a roadway is closed because of construction
- On a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
- On a one-way street (55-8-115)

Paved Shoulders

Since the definition of “roadway” excludes the shoulder (55-8-101), bicyclists are not required to ride on the shoulder, although they may prefer to do so. Shoulders are often filled with debris and broken glass, so they are not always good places to ride.

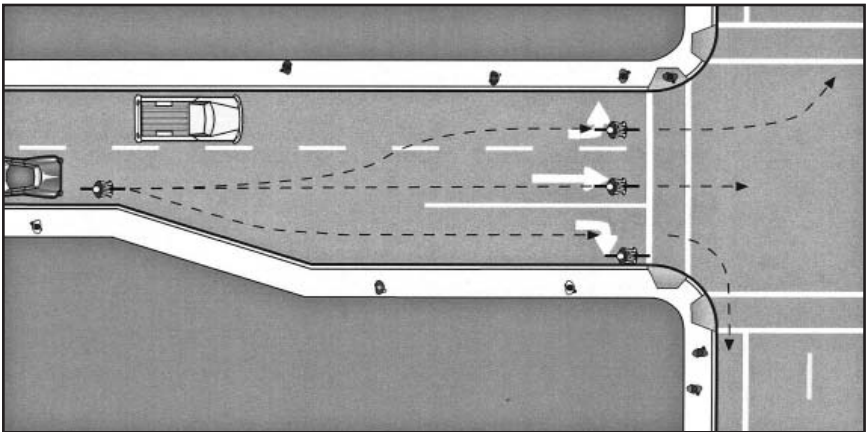
Passing

The operator of a motor vehicle when overtaking and passing a bicycle proceeding in the same direction on the roadway, shall leave a safe distance between the motor vehicle and the bicycle of not less than three feet (3') and shall maintain such clearance until safely past the bicyclist. (55-8-175)

Passing on the right is only allowed when the vehicle overtaken is making or about to make a left turn, on a road with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction; and on a one-way street where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles. The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway. (55-8-117, 55-8-118)

Intersections and Turning Movements

Essentially, a bicyclist should ride in the right-most lane that leads to the bicyclist's destination. (e.g., a bicyclist going straight through an intersection should NOT be in a right-turn-only lane.)



A driver of a vehicle intending to turn at an intersection shall do so as follows:

Right Turns. The law specifies that both the approach to a right turn and the turn itself must be made “in the rightmost lane and as close as practicable to the curb or edge of road.” This is rarely a problem for bicyclists. However, motorists often fail to observe this rule. Passing a bicyclist and then immediately turning right is a violation of this rule. Drivers must pass at a safe distance to the left and not return to the right until safely passed.

Bicyclists intending to go straight ahead who overtake vehicles that are waiting to turn right are at high risk of collision. This is particularly a problem with trucks and buses that must necessarily begin the right turn from a distance away from the right curb. If the motorist is at the intersection first and is clearly indicating a right turn, it is the bicyclist who is at fault for passing on the right, since it is clearly unsafe to do so in such circumstances.

Left Turns. A bicyclist who cannot readily merge left in advance of turning left may turn at the next block or stop at the far side of the intersection, turn left and then proceed across the street after complying with right-of-way rules. But when operating normally on the roadway, bicyclists, like motorists, must move towards the middle of the road before turning left.

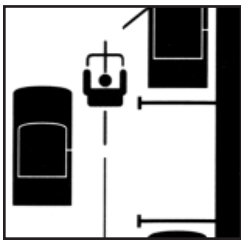
The bicyclist should turn left from the right side of a left-turn lane, or from the middle to left of a lane that also serves through traffic. Moving to the proper position for a left turn may require the bicyclist to begin moving left a block or more in advance of the turn, especially if there are several lanes to cross.

All drivers turning left must yield to traffic coming from the opposite direction. The duty to yield depends on who is turning and who is going straight, not they type of vehicle the operator is driving.

Straight Through. Drivers may have to change lane position in order to go straight through an intersection. If the right lane becomes a right-turn-only lane, bicyclists will need to merge left in order to go straight. If the rightmost lane permits both straight-through and right-turn movements, a bicyclist may merge towards the center of the lane to communicate to following motorists that the bicyclist does not intend to turn right, and to prevent the motorists from overtaking and turning at the same time. (55-8-140)

Road Position for Bicyclists

Bicyclists moving more slowly than other traffic should ride as close as practicable to the right-hand curb or edge of the roadway, except:



- When overtaking and passing another vehicle proceeding in the same direction;
- When preparing for a left turn at an intersection or into a private road or driveway; or
- When reasonably necessary to avoid conditions including, but not limited to, parked vehicles, animals, surface hazards, or a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane. (55-8-175)

Riding Side-by-side

Bicyclists shall 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 shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane. (55-8-175)

Bicycle Lamps and Brakes



Every bicycle when used at night must be equipped with a front white headlight visible at a distance of 500 feet, and a red rear reflector visible at a distance of 50 feet. Bicycles must also be equipped with brakes that allow the bicyclist to stop within 25 feet at 10 mph on dry pavement. (55-8-177)

Carrying Articles on Bicycles

No bicyclist shall carry any package, bundle or article which prevents them from keeping at least one hand upon the handlebars. (55-8-176)

No Passengers

No one can ride a bicycle other than on a permanent seat. No bicycle shall be used to carry more persons than the number for which it is designed. (55-8-173)

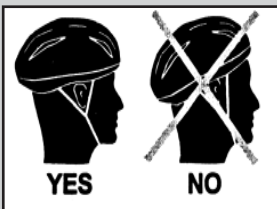
Clinging to Vehicles

A bicyclist may not attach themselves or their bicycle to any other vehicle on a roadway. (55-8-174)

Helmet Law and Child Bicycle Safety

With regard to any bicycle operated on any highway, street or sidewalk, all bicyclists under the age of 16 must wear a protective bicycle helmet of good fit fastened securely upon the head with the straps of the helmet.

All passengers on bicycles must weigh less than 40 pounds or be less than 40 inches in height, and be properly seated in and adequately secured to a restraining seat. (55-52-105)

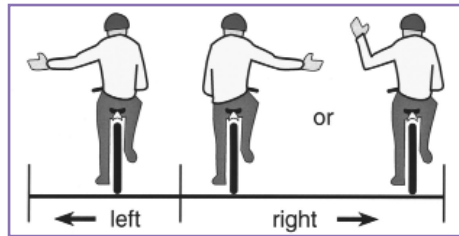


Under federal law, bicycle helmets are required to meet the standards of the Consumer Product Safety Commission. Bicycle helmets, properly fitted and secured, have been found effective at reducing the incidence and severity of head, brain and upper facial injuries. Head injuries account for about 30% of emergency room visits of injured bicyclists.

Signals for Turns

Every driver who intends to start, stop or turn, or partly turn from a direct line, shall first see that such movement can be made in safety, and whenever the operation of any other vehicle may be affected by such movement, shall give a signal required in this section, plainly visible to the driver of such other vehicle of the intention to make such movement.

Whenever the signal is given by means of the hand and arm, the driver shall indicate the intention to start, stop, or turn, or partly turn, by extending the hand and arm from and beyond the left side of the vehicle, in the following manner:



- For left turn, or to pull to the left, the arm shall be extended in a horizontal position straight from and level with the shoulder;
- For right turn, or pull to the right, the arm shall be extended upward.
(You can also use your right arm, extended straight out. The law was written for drivers of motor vehicles, who cannot use their right arms for turn signals.)
- For slowing down or to stop, the arm shall be extended downward. (55-8-143)

Because a bicyclist's hands may be required to brake or shift gears, it is not always safe for a bicyclist to signal and never practical to signal continuously. Although failing to yield (that is, failing to look and wait until it is safe to go) can be a cause of collisions, inability to signal rarely is.

Sidewalk Riding

Whether bicyclists are allowed on sidewalks is the decision of the local jurisdiction, not the state. The City of Knoxville and Knox County both allow bicycles to be operated on sidewalks and in crosswalks, but bicyclists must act like pedestrians instead of vehicles. Bicyclists must yield to pedestrians and give audible warnings before passing pedestrians. Bicyclists are not allowed on sidewalks where they are prohibited by official traffic control devices. Other jurisdictions, including Farragut, Maryville, Alcoa and Blount County, do not have ordinances related to bicycles on sidewalks. This typically is interpreted to mean that it is allowed, but bicyclists should yield to pedestrians and be respectful.



Although it is legal, bicycling on sidewalks is not recommended except for young children. Motorists are not looking for or expecting bicyclists on a sidewalk, which creates dangerous situations every time the bicyclist crosses a driveway or intersection. Many people assume riding on sidewalks is safer than on the road, but studies show that assumption to be false.

Traffic Signals

At some signalized intersections, an electrical circuit with loops embedded in the pavement is used to detect vehicles waiting for a green light. The light will not turn green until the sensor detects metal, indicating the presence of a vehicle. Some sensors are not sensitive enough to detect the metal in a bicycle, and some bicycles are made of carbon fiber and do not contain enough metal to be detected. The most sensitive position for a bicycle to be detected is directly over the pavement cut. An unresponsive loop should be reported to the local traffic engineering office. A new state law has made it legal for motorcycles to proceed through a red light if the sensor does not detect them, but the law did not include bicycles.

Aggressive Driving/Harassment

This happens to bicyclists more than you would think — motorists verbally threaten bicyclists, or even throw objects at them. Bicyclists are not clear on what to do in this situation. The best thing is for the bicyclist to note the license plate number and a description of the vehicle, and call the appropriate law enforcement agency as soon as possible. Law enforcement agencies (i.e. dispatch) need to know that this is an important issue and should be taken seriously.

Assault

A person commits assault who: (1) Intentionally, knowingly or recklessly causes bodily injury to another; (2) intentionally or knowingly causes another to reasonably fear imminent bodily injury; or (3) intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative.

Assault is a Class A misdemeanor unless the offense is committed under subdivision (a)(3), in which event assault is a Class B misdemeanor. (39-13-101)

Tips for Ticketing Bicyclists

This is largely a review for veteran officers. General Tips: Make the stop as you would with any other vehicle.

If the offender seems confused, a verbal or written warning may be all that is needed to prevent future violations. Handing out safety literature and “Share the Road” cards can be very effective. Reassure bicyclists that you are looking for motorists who may be endangering them as well.

Problems often arise when offenders want to argue about their rights. By citing the specific law, you can be clear about the offense and avoid getting into long debates. Write the ticket or warning, and tell them that they have every right to contest the violation in court.

If your area has not had much bicycle traffic enforcement in the past, bicyclists may be particularly upset or confused when you stop them. Remind them that they have the same responsibilities as motorists when driving on the roads, and they have the same right to be there as well.

TIPS FOR TICKETING BICYCLISTS

- **Same procedure as with motorists**
- **Correct ticket book**
- **Obtain identification**
 - Bicyclists not required to carry ID, but failure to give name and address may be an arrestable offense
 - If no ID, ask for information at beginning and end of interview
- **Written warning - or pass out safety information**
- **Can issue violation to parent of a minor**

Bicycle Crash Investigation

It's the worst part of your job sometimes, but it may also be the most important. A crash can result in a minor bump where the worst damage is only a few jangled nerves, or a crash can be a horrendous fatality. Either way it is important that you know what to look for so that you may help prevent it from happening again.

A crash can be between vehicles or between a vehicle and another object or person. Crashes can occur without any contact, for example in the case of an evasive maneuver or a simple fall. They are essentially the same as you would note for any crash report. As you know, it is vital that nothing be moved before locations are recorded and/or photos are taken.

CRASH INVESTIGATION NOTES

- Injuries and damage**
- Location of collision and/or final resting places of all objects and individuals**
- Any suspected traffic violations**
- Driver impairments**
- Give equal credence to the statements of cyclists, motorists, and witnesses**
- Roadway/environmental conditions**
They are often left off of crash reports, making it very difficult for everyone when analyzing the incident afterwards.
 - Lighting: sun, glare, nighttime**
 - Weather conditions** (wind direction and strength)
 - Pavement condition**
 - Any skid marks on pavement**
 - Road and lane widths**
 - Roadway markings**
 - Traffic signs and signals** (and condition)
 - Any physical or visual obstructions**
 - Type of facility adjacent to road**
(e.g. paved sidewalk, car parking area, sand, etc.)

Be especially observant for confusing or missing signage or road markings, or for poor sightlines caused by overgrown vegetation, parked motor vehicles, poorly placed mailboxes, etc. Bring these types of problems to the attention of your department of public works or department of transportation immediately so that they may be corrected.

Information about the bicycle (vehicle) and the bicyclist (driver) should be recorded just as information about the motor vehicle and driver.

BICYCLIST INFORMATION

- Advise bicyclists to save all clothing and equipment involved in the crash, and to document injuries**
- What was the bicyclist doing with respect to the traffic law?**
 - On the sidewalk or road?**
 - With or against traffic?**
 - Yielding at an intersection?**
 - Entering the roadway?**
 - Safety equipment – usage and condition**
(lights, helmet, sunglasses, reflectors, etc.)
- Note type of bicycle**
(mountain, road, commuter, loaded touring, recumbent, kids, etc.)
- Note type and condition of brakes, tires, chain, wheels, and gear selection**
- Consult a bicycle mechanic for expert analysis**

MOTORIST INFORMATION

- What was the motorist doing with respect to the traffic law?**
- Is the motorist aware of traffic rules?**
- Motorists are required to report crashes involving personal injury or property damage**
- Condition/usage of safety equipment**
(lights, brakes, tires, mirrors, windows, windshield wipers)
- Analyze a motorist's claim not to have seen the cyclist**
(was cyclist in full view?)
- If belligerent or otherwise impaired, do not allow to continue driving vehicle**

Injury or Damage with No Collision

If there is a fall with injury or damage, fault may still be attributed to another driver. Bicyclists are sometimes able to avoid colliding with a motor vehicle that otherwise would have hit them, but the escape maneuver may itself cause them to fall, such as by braking too hard. If another driver's violation was the cause of the fall, then the violator should be held accountable for both the injury and the violation, just as if they caused another motorist to crash.

- Collision is not necessary for issuing citations or being found at fault
- Note suspected traffic violations by any individuals involved
- Record same information as with a collision

FATALITIES

- The crash site is a crime scene if there is a fatality.
- As with any other fatality involving a vehicle, a trained crash re-constructionist should be called in.
- Do not move the vehicles until their location and position have been photographed or otherwise recorded.
- The bicycle should be thoroughly inspected and held by the department.

REFERENCES

- Tennessee Code, www.lexis.com (all citations in this document are from the Tennessee Code, as of January 2008)
- Florida Bicycle Law Enforcement Guide, June 2004
- <http://www.bicyclinginfo.org/ee/enforcement.htm>, December 2005



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