

PENNSYLVANIA

STATUTES

From the Pennsylvania Bicycle Driver's Manual

Title 75 of the Pennsylvania Consolidated Statutes contains the laws which govern the operation of vehicles on Pennsylvania roads.

Chapter 33 - OPERATION OF VEHICLES

Section 3336. Method of giving hand and arm signals.

All signals given by hand and arm shall be given from the left side of the vehicle in the following manner except as indicated for pedalcycles and motorcycles and the signals shall indicate as follows:

- (1) For a left turn, the hand and arm shall be extended horizontally.
- (2) For a right turn, the left hand and arm shall be extended upward, except that the operators of motorcycles and pedalcycles may also be permitted to signal a right turn by extending the right hand and arm horizontally.
- (3) To stop or decrease speed, the left hand and arm shall be extended downward.

Chapter 35 - SPECIAL VEHICLES AND PEDESTRIANS

Subchapter A - Operation of Pedalcycles (Bicycles)

Section 3501. Applicability of traffic laws to pedalcycles.

(a) General rule. -- Every person riding a pedalcycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except as to special provisions in this subchapter and except as to those provisions of this title which by their nature can have no application.

(b) Application of subchapter. -- The provisions of this subchapter apply whenever a pedalcycle is operated upon any highway or upon any path set aside for the exclusive use of pedalcycles subject to the exceptions stated in subsection (a).

Comment: Bicycles are considered vehicles under Pennsylvania Laws and must obey all the rules of the road which apply to vehicles. These are the "responsibilities" mentioned above. The "rights" refer to the roadway space required to operate the bicycle in a safe, lawful manner.

Section 3502. Penalty for violation of subchapter.

Any person violating any provision of this subchapter is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$10.

Section 3503. Responsibility of parent or guardian.

The parent of any child and the guardian of any ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of this title relating to the operation of pedalcycles.

Section 3504. Riding on pedalcycles.

(a) Use of seat by operator. -- A person propelling a pedalcycle shall not ride other than upon or astride a permanent and regular seat attached to the pedalcycle.

(b) Number of riders. -- No pedalcycle shall be used to carry more persons at one time than the number for which the pedalcycle is designed and equipped, except that an adult rider may transport a child in a pedalcycle or in a child carrier which is securely attached to the pedalcycle or in a trailer which is towed by a pedalcycle.

Section 3505.

(a) General rule. -- Except as provided in subsections (b) and (c), every person operating a pedalcycle upon a highway shall obey the applicable rules of the road as contained in this title.

Comment: This statement reiterates the necessity for cyclists to conform to the expectations of other road users in order to ensure the safety of all.

(b) Operation on shoulder. -- A pedalcycle may be operated on the shoulder of a highway and shall be operated in the same direction as required of vehicles operated on the roadway.

Comment: A bicycle may be operated on either a shoulder or on the roadway (the travel lanes). The locations will be based upon traffic volume, the physical condition of the travel lanes or the shoulder, traffic speed, the bicyclist's intended direction, and other safety factors.

(c) Slower than prevailing speeds.-- A pedalcycle operated at slower than prevailing speed shall be operated in accordance with the provisions of Section 3301(b), unless it is unsafe to do so.

[3301(b). Vehicle proceeding at less than normal speed.

Upon all roadways, any vehicles proceeding at less than the normal speed of traffic at the time and place under the conditions than existing shall be driven in the right-hand lane then available for traffic, or 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 or when preparing for a left turn at an intersection or into an alley, private road or driveway. This subsection does not apply to a driver who must necessarily drive in a lane other than the right-hand lane to continue on his intended route.]

Comment: Taken together, 3505 (c) and 3301 (b) state that slower vehicles should keep to the right, which is the normal expectation of all road users, while permitting bicyclists to make movements consistent with their intended route.

(d) One-way roadways. -- Any person operating a pedalcycle upon a roadway, which carries traffic in one direction only and has two or more marked traffic lanes, may ride as

near the left-hand curb or edge of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

Comment: Bicycles may ride in the left lane of a one-way street which contains two or more lanes. However, this does not apply to pedalcyclists on freeways. See Section 3511(d), below.

(e) Limitation on riding abreast. -- Persons riding pedalcycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of pedalcycles.

Section 3506.

No person operating a pedalcycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

Section 3507. Lamps or other equipment on pedalcycles.

(a) Lamps and reflectors. -- Every pedalcycle when in use between sunset and sunrise shall be equipped on the front with a lamp which emits a beam of white light intended to illuminate the pedalcycle operator's path and visible from a distance of at least 500 feet to the front, a red reflector facing to the rear which shall be visible at least 500 feet to the rear, and an amber reflector on each side. Operators of pedalcycles may supplement the required front lamp with a white flashing lamp, light-emitting diode or similar device to enhance their visibility to other traffic and with a lamp emitting a red flashing lamp, light emitting diode or similar device visible from a distance of 500 feet to the rear. A lamp or lamps worn by the operator of a pedalcycle shall comply with the requirements of this subsection if the lamp or lamps can be seen at the distances specified.

Comment: Many car-bike crashes occur at night and involve a poorly illuminated bicyclist. Bicyclists should understand that headlamps serve two purposes: a) primarily, they advise other road users of their presence (vitaly important to prevent unsuspecting motorists from cutting across the paths of cyclists they cannot even detect), b) secondarily, illuminate the bicyclist's path.

(b) Audible signal devices. - A pedalcycle may be equipped with a device capable of giving a signal audible for a distance of at least 100 feet except that a pedalcycle shall not be equipped with nor shall any person use upon a pedalcycle any siren.

(c) Brakes. - Every pedalcycle shall be equipped with a braking system which will stop the pedalcycle in 15 feet from an initial speed of 15 miles per hour on a dry, level and clean pavement.

Section 3508. Pedalcycles on sidewalks and pedalcycle paths.

(a) Right-of-way to pedestrians.-- A person riding a pedalcycle upon a sidewalk or pedalcycle path used by pedestrians shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing a pedestrian.

(b) Business districts.-- A person shall not ride a pedalcycle upon a sidewalk in a business district unless permitted by official traffic-control devices, nor when a usable pedalcycle-only lane has been provided adjacent to the sidewalk.

Section 3509. Parking.

(a) Sidewalks.

- (1) A person may park a pedalcycle on a sidewalk unless prohibited or restricted by an official traffic-control device.
- (2) A pedalcycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

(b) Roadways.

- (1) A pedalcycle may be parked on the roadway at any angle to the curb or edge of the roadway at any location where parking is allowed.
- (2) A pedalcycle may be parked on the roadway abreast of another pedalcycle or pedalcycles near the side of the roadway at any location where parking is allowed.
- (3) A person shall not park a pedalcycle on a roadway in such a manner as to obstruct the movement of a legally parked motor vehicle.
- (4) In all other respects, pedalcycles parked anywhere on a highway shall conform with the provisions of Subchapter E of Chapter 33 (relating to stopping, standing and parking).

Section 3510. Pedalcycle helmets for certain persons.

(a) General rule.-- A person under 12 years of age shall not operate a pedalcycle or ride as a passenger on a pedalcycle unless the person is wearing a pedalcycle helmet meeting the standards of the American Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or any other nationally recognized standard for pedalcycle helmet approval.

This subsection shall also apply to a person who rides:

- (1) upon a pedalcycle while in a restraining seat attached to a pedalcycle; or
- (2) in a trailer towed by a pedalcycle.

Comment: The Pennsylvania Department of Transportation strongly recommends that all bicyclists wear approved helmets whenever they ride.

Section 3511. Pedalcycles prohibited on freeways.

(a) General rule.-- No person shall ride a pedalcycle on a freeway.

(b) Exceptions.

- (1) On State-designed freeways, pedalcycles may be authorized under the following limitations:
 - (i) The pedalcycler is 16 years of age or older and is accompanied by a pedalcycler 18 years of age or older.
 - (ii) A written request for review of the freeway route based on the potential unavailability of a reasonable alternate route is made to the department.

(iii) The department determines that no reasonable alternate route exists.

(iv) The department publishes a notice in the Pennsylvania Bulletin authorizing pedalcycle access to the freeway. The notice shall constitute approval for the persons authorized under subparagraph (i) to ride a pedalcycle on the State-designated freeway.

(c) Action by local authorities.-- Action taken by local authorities regarding permission to use pedalcycles on freeways under their jurisdiction shall be:

- (1) by ordinance of the local governing body; or
- (2) by a commission or public official authorized to act on specified matters.

(d) Operation on shoulder.- - If the department authorizes pedalcycle access to a freeway, the pedalcycle shall be operated upon the shoulder of that freeway whenever practicable.

Comment: Bicycles may be permitted on freeways in Pennsylvania with permission of the Department. The applicant must submit a written request (form) to the Department for review. In addition, Section 3511(d) requires the bicycle to be ridden on the shoulder of the freeway.

Section 3112. Traffic-control signals.

(c) Inoperable or malfunctioning signal.-If a traffic-control signal is out of operation or is not functioning properly, vehicular traffic facing a:

- (1) Green or yellow signal may proceed with caution as indicated on subsection(a)(1) and (2).
- (2) Red or completely unlighted signal shall stop in the same manner as a stop sign, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign as provided in section 3323 (relating to stop signs and yield signs).

Comment: Standard traffic signals sometimes do not detect bicycles. You may be unable to pass through a signalized intersection because the green signal is never received. When faced with this problem, you may treat the signal as malfunctioning and take the following steps to safely proceed through the intersection. First, determine that the signal will not detect you. Try to position the bicycle directly over the saw cuts in the pavement behind the white painted "stop bar" at the head of the lane. These cuts, which often take the shape of an elongated hexagon, contain the loop wires that detect vehicles. If no cuts are evident, you may have to guess their location. Wait for a complete cycle of the signal through all legs of the intersection. If you still believe that the signal will not detect you, treat the red signal as a **stop sign** and proceed through the intersection **only after yielding at the right-of-way to all intersecting traffic (including pedestrians) that may be close enough to constitute a hazard during the time when you are moving across or within the intersection or junction of roadways.**

Section 3513. Civil immunity for lenders of pedalcycle helmets.

No person or organization who or which lends to another person or organization a pedalcycle helmet, as described in Section 3510 (relating to pedalcycle helmets for certain persons), shall be liable for any civil damages resulting from any act or omission, except omission resulting in harm to another.