

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

H

D

HOUSE DRH80319-MA-370 (03/26)

Short Title: Bicycle Protection Act.

(Public)

Sponsors: Representative Harrison.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE LAWS RELATED TO THE OPERATION OF BICYCLES.  
3 The General Assembly of North Carolina enacts:

4 SECTION 1. Part 10A of Article 3 of Chapter 20 of the General Statutes reads as  
5 rewritten:

6 "Part 10A. Operation of Bicycles.

7 "§ 20-171.1. Definitions.

8 As used in this Part, except where the context clearly requires otherwise, the words and  
9 expressions defined in this section shall be held to have the meanings here given to them:

10 Bicycle. – A nonmotorized vehicle with two or three wheels tandem, a steering handle, one  
11 or two saddle seats, and pedals by which the vehicle is propelled.

12 "§ 20-171.2. Bicycle racing.

13 (a) Bicycle racing on the highways is prohibited except as authorized in this section.

14 (b) Bicycle racing on a highway shall not be unlawful when a racing event has been  
15 approved by State or local authorities on any highway under their respective jurisdictions.  
16 Approval of bicycle highway racing events shall be granted only under conditions which assure  
17 reasonable safety for all race participants, spectators and other highway users, and which  
18 prevent unreasonable interference with traffic flow which would seriously inconvenience other  
19 highway users.

20 (c) By agreement with the approving authority, participants in an approved bicycle  
21 highway racing event may be exempted from compliance with any traffic laws otherwise  
22 applicable thereto, provided that traffic control is adequate to assure the safety of all highway  
23 users.

24 "§ 20-171.3. Rights and duties of bicyclists generally.

25 A person riding a bicycle upon a roadway must be granted all of the rights and is subject to  
26 all of the duties applicable to the driver of a vehicle by this Chapter, except as to special  
27 provisions in this Article and except as to those provisions of this Chapter which by their nature  
28 can have no application.

29 "§ 20-171.3A. Bicycle lanes.

30 (a) For purposes of this section, "bicycle lane" means a portion of the roadway or a  
31 paved lane separated from the roadway that has been designated by striping, pavement  
32 markings, and signage for the preferential or exclusive use of bicyclists.

33 (b) Whenever a bicycle lane has been provided adjacent to a roadway, operators of:



- 1           (1) Motor vehicles may not block the bicycle lane to bicycle traffic and shall  
2           yield to a bicyclist in the bicycle lane before entering or crossing the lane;  
3           and  
4           (2) Bicyclists are required to ride in the bicycle lane except when necessary to  
5           pass another person riding a bicycle or to avoid an obstruction in the bicycle  
6           lane. However, bicyclists may ride on the roadway when there is only an  
7           adjacent recreational bicycle path available instead of a bicycle lane.

8 **"§ 20-171.3B. Riding on roadways and bicycle paths.**

9           (a) Except as provided in subsection (b) of this section, every person operating a  
10 bicycle upon a public street or highway shall ride as near to the right side of the roadway as  
11 practicable. A bicyclist may, but is not required to, ride on the shoulder of the roadway in order  
12 to comply with the requirements of this subsection.

13           (b) A bicyclist may ride in a lane other than the right-hand lane if only one lane is  
14 available that permits the bicyclist to continue on his intended route.

15           (c) When operating a bicycle upon a roadway, a bicyclist must exercise due care when  
16 passing a standing vehicle or one proceeding in the same direction.

17           (d) Bicyclists riding bicycles upon a roadway shall not ride more than two abreast  
18 except on paths or parts of roadways set aside for the exclusive use of bicycles.

19 **"§ 20-171.3C. Driver to maintain safe operating distance between motor vehicle and**  
20 **bicycle.**

21           A driver of a motor vehicle must at all times maintain a safe operating distance between the  
22 motor vehicle and a bicycle.

23 **"§ 20-171.3D. Manner of riding bicycles; number of persons which may be carried.**

24           A bicyclist propelling a bicycle may not ride other than upon or astride a permanent and  
25 regular seat attached to the bicycle. No bicycle may be used to carry more persons at one time  
26 than the number for which it is designed and equipped.

27 **"§ 20-171.3E. Harassing or throwing object at person riding bicycle; penalty.**

28           It is unlawful to harass, taunt, or maliciously throw an object at or in the direction of any  
29 person riding a bicycle. A person who violates the provisions of this section is guilty of a  
30 misdemeanor and, upon conviction, shall be fined not less than two hundred fifty dollars  
31 (\$250.00) or imprisoned not more than 30 days, or both in the discretion of the court.

32 **"§ 20-171.3F. Clinging to vehicles prohibited.**

33           A person riding upon any bicycle, coaster, rollerskates, sled, or toy vehicle may not attach  
34 it, them, or himself to a vehicle upon a roadway.

35 **"§ 20-171.3G. Carrying articles.**

36           A bicyclist operating a bicycle may not carry any package, bundle, or article that prevents  
37 the rider from keeping at least one hand upon the handlebars.

38 **"§ 20-171.3H. Signaling turns; penalty.**

39           (a) A bicyclist shall indicate a right turn by extending the left arm upward, by raising  
40 the left arm to the square, or by extending the right arm horizontally to the right.

41           (b) A bicyclist shall indicate a left turn by extending the left arm horizontally.

42           (c) A bicyclist shall indicate stopping or decreasing speed by extending the left arm or  
43 the right arm downward.

44           (d) A bicyclist is not required to give signals provided for in this section continuously if  
45 the hand or arm is needed to control the bicycle.

46           (e) A violation of this section is an infraction punishable by a fine of twenty-five dollars  
47 (\$25.00).

48 **"§ 20-171.3I. Brake on bicycle; penalty.**

49           A bicycle must be equipped with a brake that will enable the bicyclist to make the braked  
50 wheels skid on dry, level, clean pavement. A violation of this section is an infraction  
51 punishable by a fine of twenty-five dollars (\$25.00).

1 **"§ 20-171.3J. Authorized police patrol bicycles; operating as emergency vehicles.**

2 (a) An authorized police patrol bicycle used as a part of a police bicycle patrol may  
3 exercise the privileges of an emergency vehicle provided in G.S. 20-145.

4 (b) An authorized police patrol bicycle may be equipped with a siren or the officer may  
5 utilize a whistle in the performance of his duties, or both.

6 (c) An authorized police patrol bicycle acting as an emergency vehicle is entitled to the  
7 exemptions of an authorized emergency vehicle if it makes use of an audible signal meeting the  
8 requirements of G.S. 20-125(b) or visual signals meeting the requirements of G.S. 20-130.1."

9 **SECTION 2.** This act becomes effective December 1, 2009, and applies to  
10 offenses committed on or after that date.