

Information provided by Philip Cook.

State Vehicle Code: <http://www3.state.id.us/idstat/TOC/idstTOC.html>

For explanation of the law rating system, see <http://www.geocities.com/fredoswald/law-reform.html>

Please send new results or direct questions to Fred Oswald, <fredoswald@yahoo.com>

Rating of Idaho Bicycle Traffic Laws

Idaho Bicycle Traffic Laws earn a **TENTATIVE rating of C (73 points)**

Note: A bicycle IS defined as a vehicle in Idaho.

A: 91 points or above	(89-90 is A-, over 99 is A+)
B: 79 to 86 points	(87-88 is B+, 77-78 is B-)
C: 66 to 74 points	(75-76 is C+, 64-65 is C-)
D: 52 to 61 points	(62-63 is D+, 50-51 is D-)
F: 40 to 47 points	(48-49 is F+, below 40 points is F-)

Traffic Law Defects	
	Mandates riding wrong way (Automatic failing score) [-100]
	Mandates riding on sidewalk (creates failing score) [-80]
	Prohibits bicycles from all main streets (a "stealth" sidewalk law) [-80]
	Lower deduction if prohibition applies only where speed limit is above 50 mph [-30]
	Lower deduction if engineering study, alternate route & signs reqd. [-30]
	Mandates riding on sidewalk only for under age 16 [-30]
	Mandates riding on sidepath, shoulder or bike lane [-40]
	Lower deduction if applies only where sidepath is "usable" and signed [-25]
	Restriction only for under age 16 [-25]
	Lower deduction if includes UVC "far right" type exceptions [-20]
	Lower deduction if also includes CA "right turn authorized" exceptions [-15]
-15	Unlimited local "regulation of the operation of bicycles" (non-uniform laws) [-30]
	Lower deduction if allows only local sidepath ordinance. [-20]
	Allows local bicycle ban only on major highway [-15]
	The problem is that virtually no local authorities understand correct bicycle operation.
	49-208. POWERS OF LOCAL AUTHORITIES.
	(1) The provisions of this title shall not be deemed to prevent local authorities with respect to highways under their jurisdiction and within the reasonable exercise of the police power from
	(1) Prohibiting or regulating the use of heavily traveled highways by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic;
-10	"Shall ride within 3 feet of right edge of road" (or similar unsafe rule) [-25]
	"Shall ride as close as practicable to the right-hand curb", with no exceptions [-20]
	Lower deduction if includes all UVC exceptions [-10]
	The phrase "as close as practicable" in 814.717 is often misinterpreted by police and courts as requiring riding as close as POSSIBLE to the edge of the road. Although the usual position of bicycles is near the right edge of the road, there are situations where this is unsafe and unreasonable. This provision encourages the novice cyclist's mistake of "hugging the curb".
	49-717. POSITION ON HIGHWAY.
	(1) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and

	place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations: [UVC exceptions not shown]	
	Mandatory helmet law that includes adult cyclists	[-20]
	Lower deduction if applies only to children under 12	[-15]
	Lower still if also includes strong “contributory negligence” exclusion	[-5]
	Prohibits normal vehicular left turn	[-10]
	“Shall ride single file” (no exceptions)	[-10]
	Lower deduction depending on exceptions	[-5]
-5	Encourages construction of dangerous facilities 40-616. SIDEWALKS OR SIDE PATHS. Commissioners and boards of commissioners of any highway district are empowered to set apart on and along any public highway outside the boundaries of incorporated cities a strip of land not exceeding eight (8) feet in width for a sidewalk or side path and make an order designating the width of the path and cause the line separating the path from the highway proper to be located and marked with stakes, posts, grade or other marker. After the sidewalks and paths have been set apart and the line separating them from the highway has been located and marked, the use shall be restricted to pedestrians and riders of bicycles propelled solely by the power of the rider.	[-5]
-2	Motor vehicle restrictions that should not apply to bicycles: (following too closely, racing, parking lights, tire tread depth, etc.) 49-638. FOLLOWING TOO CLOSELY. (1) The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicle, the traffic upon and the condition of the highway. 49-660. STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES. Except when necessary to avoid conflict with other traffic, in compliance with law, the directions of a peace officer or traffic control device, no person shall: (a) Stop, stand or park a vehicle : 2. On a sidewalk;	[up to -5]
	Irresponsible brake requirements (skid braked wheel)	[-3]
	“Nuisance” safety equipment required (bell, front, wheel & pedal reflectors, etc)	[-2]
	Right-arm right turn signal not authorized	[-2]
-1	Unreasonable turn signal requirement (continuous, or even if not safe) 49-720 (4) A signal of intention to turn right or left shall be given during not less than the last one hundred (100) feet traveled by the bicycle before turning, provided that a signal by hand and arm need not be given if the hand is needed in the control or operation of the bicycle.	[-2]
	Authorizes bicycle-specific traffic control devices	[-2]
	Local authorities may mandate registration (rather than voluntary program)	[-1]
	Lacks provision allowing bicycle access to freeway shoulders No language prohibiting access.	[-1]
-1	Slow vehicle “as close as practicable to the right-hand curb”	[-1]
-1	Missing language “intent is to facilitate overtaking” in slow veh. rule	[-1]

-2	Minor Defects (scored as a group)	
Y	Lacks provision allowing preparing for left turn early	
Y	Lacks exception to no-passing zone rule for passing of slow vehicles	
N	No language prohibiting “points” for bicycle violations 49-123. DEFINITIONS -- V. (7) "Violation" means a conviction of a misdemeanor charge involving a moving traffic violation, or an admission or judicial determination of the commission of an infraction involving a moving traffic infraction, except bicycle infractions.	
Y	“Give way to the right on audible signal”	
Y	Lacks cycling skills course for violators	
	Police authorized to inspect bicycles	
Y	Lacks child seat or trailer language or allow child in backpack A backpack or sling is a very dangerous place to carry children while cycling. 49-715 (3) An adult rider may carry a child securely attached to his person in a backpack or sling or in a child carrier attached to the bicycle.	
N	Lacks language authorizing additional lights or reflectors	
Y	Lacks language saying riding two abreast does not impede traffic if no conflicting traffic	
Y	Poor definition of bicycle (not recognizing recumbents or trikes)	
Positive Factors (points added)		
10	Have issued a good state “Bicycle Drivers' Manual” and/or --- Drivers Handbook has vehicular cycling info. <i>Idaho is in process of issuing Bicycling Street Smarts as a bicycle drivers’ manual. There is also an online commuter guide. http://www.itd.idaho.gov/planning/reports/bikecommute/bike_commuter_guide.pdf</i>	[up to +15]
	Permits and requires motorists to merge into a bike lane before turning.	[+2]
	Expressly permits but does not require cycling on the shoulder.	[+2]
	Local authorities may reduce the fine for bicycling offenses	[+2]
	Share the road license plate or similar with proceeds to benefit cycling	[+2]
	Language to discourage unsafe sidewalk riding	

Below are some unusual provisions or amusing inconsistencies and contradictions in Idaho traffic law. Bicycles cannot have accidents. Adult tricycles are not classed as bicycles. Cyclists are drivers but not operators of their vehicles. These were not including in the rating above.

49-102. DEFINITIONS -- A.

(3) "Accident" means any event that results in an unintended injury or property damage attributable directly or indirectly to the motion of a **motor** vehicle or its load, a snowmobile or special mobile equipment.

49-103. DEFINITIONS -- B.

(1) "Bicycle" means every vehicle propelled exclusively by human power upon which any person may ride, having **two (2) tandem wheels**, and except scooters and similar devices.

49-105. DEFINITIONS -- D.

(14) "Driver" means every person who drives or is in actual physical control of a vehicle.

49-116. DEFINITIONS -- O.

(1) "Operator" means every person who is in actual physical control of a **motor** vehicle upon a highway or private property open to public use.

Idaho permits bicycle drivers to treat stop signs as yield signs. Some think this is a good. However, it is inconsistent with the important principle that cyclists are **drivers** who should follow standard traffic laws. We have not considered this provision on rating Idaho laws.

49-720. STOPPING -- TURN AND STOP SIGNALS.

(1) A person operating a bicycle or human-powered vehicle approaching a stop sign shall slow down and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the person shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the person is moving across or within the intersection or junction of highways, except that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a turn or proceed through the intersection without stopping.

(2) A person operating a bicycle or human-powered vehicle approaching a steady red traffic-control signal shall stop before entering the intersection, except that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a right-hand turn without stopping or may cautiously make a left-hand turn onto a one-way highway without stopping.

Rev. 11/20/05