

State Vehicle Code: <http://www.ncga.state.nc.us/gascripts/Statutes/StatutesTOC.pl?0020>

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Rating of N. Carolina Bicycle Traffic Laws

N. Carolina Bicycle Traffic Laws earn a **TENTATIVE rating of B (86 points)**

Note: A bicycle IS defined as a vehicle in N. Carolina.

A: 91 to 98 points	(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]
	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]
	“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]
	Mandatory helmet law that includes adult cyclists [-6]
	Lower deduction if applies only to children under 12 [-3]
-3	Additional deduction if law lacks strong “contributory negligence” exclusion [-10] <div style="font-size: small; color: green; margin-top: 5px;">§ 20-171.9. (c) No negligence or liability shall be assessed on or imputed to any party on account of a violation of subsection (a) or (b) of this section.</div>
	Prohibits normal vehicular left turn [-10]
	“Shall ride single file” (no exceptions) [-10]
	Lower deduction depending on exceptions [-5]
-2	Motor vehicle restrictions that should not apply to bicycles: [up to -5] (following too closely, racing, parking lights, tire tread depth, etc.)
	Irresponsible brake requirements (skid braked wheel) [-3]
	“Nuisance” safety equipment required (bell, front, wheel & pedal reflectors, etc) [-2]

-2	Right-arm right turn signal not authorized	[-2]
-2	Unreasonable turn signal requirement (continuous, or even if not safe)	[-2]
	Authorizes bicycle-specific traffic control devices	[-2]
	Local authorities may mandate registration (rather than voluntary program)	[-1]
-1	Lacks provision allowing bicycle access to freeway shoulders	[-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]
	Other excessive or unnecessary regulation	[?]
-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	
Y	Lacks language prohibiting “points” for bicycle violations	
Y	“Give way to the right on audible signal”	
Y	Lacks cycling skills course for violators	
	Police authorized to inspect bicycles	
	Lacks child seat or trailer language or allow child in backpack	
	Lacks language authorizing additional lights or reflectors	
Y	Lacks language saying riding two abreast does not impede traffic if no conflicting traffic	
	Poor definition of bicycle (not recognizing recumbents or trikes) Bicycle. - A nonmotorized vehicle with two or three wheels tandem, a steering handle, one or two saddle seats, and pedals by which the vehicle is propelled.	
Positive Factors (points added)		
0	Have issued a good state “Bicycle Drivers' Manual” and/or --- Drivers Handbook has vehicular cycling info. The state has <i>A Guide to North Carolina Bicycle and Pedestrian Laws</i> http://www.ncdot.org/transit/bicycle/laws/resources/lawsguidebook.html . Unfortunately, this is ruined by uninformed interpretations of state law that could jeopardize the rights of a cyclist injured by a negligent motorist. NC has a "contributory negligence" law that bars a plaintiff from recovery if he "contributed" even one percent to the accident. On page 8, the <i>Guide</i> says: “ However, no matter how well equipped bicyclists might be using lights, reflectors, reflector vest, and flashing LED lights, they should always use extreme caution while riding at night and only do so when necessary. ” This language suggests that riding in the dark is “extremely dangerous”. It could trigger the contributory negligence clause. Also, on page 8, under “Riding on the Right” it says, “ Also, the bicyclist must travel in the right-hand lane and should ride as close as practicable to the right hand edge of the highway. ” Besides encouraging unsafe lane position, the <i>Guide</i> misquoted state law. NC does not have the “far right rule”. The <i>Guide</i> implies that it does.	[up to +15]

	Permits <u>and</u> 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	[+2]
	Other positive factors	[?]

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