

Information provided by Preston Tyree

Texas Vehicle Code: <http://www.capitol.state.tx.us/statutes/tn.toc.htm>

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## Rating of Texas Bicycle Traffic Laws

**Texas Bicycle Traffic Laws earn a TENTATIVE rating of D (63 points)**

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

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]
<b>-30</b>	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]
	Local authorities may mandate registration (rather than voluntary program) [-1]
	<b>§ 542.202. POWERS OF LOCAL AUTHORITIES.</b>
	(a) This subtitle does not prevent a local authority, with respect to a highway under its jurisdiction and in the reasonable exercise of the police power, from:
	(4) regulating the operation and requiring registration and licensing of a bicycle or electric bicycle, including payment of a registration fee, except as provided by Section 551.106;
	(7) regulating or prohibiting the turning of a vehicle or specified type of vehicle at an intersection;
<b>-10</b>	"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]
	<b>§ 551.103. OPERATION ON ROADWAY.</b>
	(a) Except as provided by Subsection (b), a person operating a bicycle on a roadway who is moving slower than the other traffic on the roadway shall ride as near as practicable to the right curb or edge of the roadway, unless: [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) Lower deduction depending on exceptions	[-10] [-5]
<b>??</b>	<b>Motor</b> vehicle restrictions that should not apply to bicycles: (following too closely, racing, etc.)	[up to -5]
<b>-3</b>	Irresponsible brake requirements (skid braked wheel) § 551.104. SAFETY EQUIPMENT. (a) A person may not operate a bicycle unless the bicycle is equipped with a brake capable of making a braked wheel skid on dry, level, clean pavement.	[-3]
	“Nuisance” safety equipment required (bell, front, wheel & pedal reflectors, etc) However, reflector must be “of a type approved by the department”	[-2]
	Right-arm right turn signal not authorized	[-2]
<b>-2</b>	Unreasonable turn signal requirement (continuous, or even if not safe)	[-2]
	Authorizes bicycle-specific traffic control devices	[-2]
	Lacks provision allowing bicycle access to freeway shoulders	[-1]
<b>-1</b>	Slow vehicle “as close as practicable to the right-hand curb”	[-1]
<b>-1</b>	Missing language “intent is to facilitate overtaking” in slow veh. rule	[-1]
	Other excessive or unnecessary regulation	[?]
<b>-3</b>	<b>Minor Defects (scored as a group, Y=Yes)</b>	
<b>Y</b>	Lacks provision allowing preparing for left turn early	
<b>Y</b>	Lacks exception to no-passing zone rule for passing of slow vehicles	
<b>Y</b>	Lacks language prohibiting “points” for bicycle violations	
<b>Y</b>	“Give way to the right on audible signal”	
<b>Y</b>	Lacks cycling skills course for violators	
<b>Y</b>	Police authorized to inspect bicycles	
<b>Y</b>	Lacks child seat or trailer language or allow child in backpack	
<b>Y</b>	Lacks language authorizing additional lights or reflectors	
<b>Y</b>	Lacks language saying riding two abreast does not impede traffic if no conflicting traffic	
<b>Y</b>	Poor definition of bicycle (not recognizing recumbents or trikes) Definition does not allow for adult tricycle and the Health & Safety Code would exempt most recumbents. § 758.001. DEFINITIONS. In this chapter: (1) "Bicycle" means a human-powered vehicle with two wheels in tandem designed to transport by a pedaling action of a person seated on a saddle seat.	
<b>Positive Factors (points added)</b>		

+8	<p>Have issued a good state “Bicycle Drivers' Manual” [up to +15]  and/or --- Drivers Handbook has vehicular cycling info.  <b>Drivers’ Lic. Handbook:</b> <a href="http://www.txdps.state.tx.us/ftp/forms/DLhandbook.pdf">http://www.txdps.state.tx.us/ftp/forms/DLhandbook.pdf</a>  The handbook has a really good section for cyclists and another directed at motorists. Each describes typical mistakes that the other may make. Unfortunately, word “practicable” used in the law has been changed to “possible” in the Texas driver’s handbook. This encourages unsafe lane position.  § 525.001. MOTORCYCLE AND BICYCLE AWARENESS.  (b) The Department of Public Safety shall include motorcycle and bicycle awareness information in any edition of the Texas driver's handbook published after the department exhausts the supply of the handbook that the department had on September 1, 1993.</p>
+3	<p>Cycling education program (possibly financed by Share the Road license plate) [+5]  § 504.633. SHARE THE ROAD LICENSE PLATES.  (a) The department shall issue specialty license plates that include the words "Share the Road" and the image of a bicycle or a bicycle with a rider. The department shall design the plates in consultation with the Texas Bicycle Coalition Education Fund.</p>
N	<p>Permits and requires motorists to merge into a bike lane before turning. [+2]</p>
+2	<p>Permits but does not require cycling on the shoulder. [+2]</p>
N	<p>Local authorities may reduce the fine for bicycling offenses [+2]</p>
N	<p>Language to discourage unsafe sidewalk riding [+2]</p>
	<p>Other positive factors</p>