

Bicycle Law Enforcement Reference Guide *2016 Edition*

Bicycle Violations

The Bicycle Coalition of Maine, in cooperation with the Maine Bicycle and Pedestrian Safety Program, the Maine DOT, Bike Law ME and law enforcement professionals, has developed this reference guide to aid LEOs in enforcing laws that impact roadway safety with respect to bicyclists and motorists. The following are priority violations for which we urge officers to consider making educational and/or enforcement stops. As a result of 2015 Code changes, bicycle violations are now regulated and citable under Title 29-A, §2063 sub §2, 3, 3-A, 6, 9, 10, 11, 12 or 13.

RIDING AGAINST TRAFFIC

Statistically, riding against traffic is perhaps the single most dangerous thing bicyclists can do in traffic because it puts bicyclists where other traffic isn't expecting them. It is a factor in up to 40% of car/bike crashes.

§2063 (13) One-way road. On a public way posted for one-way traffic, unless directed to proceed by a law enforcement officer or traffic-control device, a bicycle may be ridden only in the direction designated.

Title 29-A §2063 (13). Person >=17 yoa riding bic wrong way on one-way roadway.....\$136.00

IGNORING TRAFFIC CONTROL LIGHTS AND SIGNS

Bicyclists who do not stop at stop signs and stop lights place themselves and other roadway users at risk of serious harm.

§2063 (11) Traffic-control devices. A person operating a bicycle or roller skis shall obey a traffic-control device, unless otherwise directed by a law enforcement officer. A traffic control device conforming to the requirements for these devices is presumed to comply with this chapter.

§2063 (12) Stop signs. Unless directed to proceed by a law enforcement officer or traffic control device, a person operating a bicycle or roller skis approaching a stop sign shall stop and: A. Yield the right-of-way to a vehicle that has entered the intersection or that is approaching so closely as to constitute an immediate hazard; and B. Having yielded, a person operating a bicycle or roller skis may proceed. All other operators approaching the intersection shall yield the right-of-way to the person operating a bicycle or roller skis so proceeding.

Title 29-A §2063 (11). BIC/roller ski opr >=17yoa ft obey traffic control device.....\$136.00

Title 29-A §2063 (12). BIC/roller ski opr >=17yoa ft stop at stop sign.....\$136.00

Title 29-A §2063 (12). BIC/roller ski opr >=17yoa ft yield at stop sign.....\$136.00

FAILURE TO YIELD TO PEDESTRIANS

Like motorists, bicyclists must yield to pedestrians in crosswalks. Pedestrians should not be passed too closely or with imprudent speed. In general, riding on sidewalks is often more dangerous to the rider and other users than street riding. State law is silent on the legality of sidewalk riding, but some municipalities ban it—check your local ordinances.

§2063 (10) Duty to yield. A bicyclist, roller skier or other nonmotorized traffic must yield the right-of-way to a pedestrian crossing the way in a marked crosswalk who is proceeding in accordance with a traffic-control device as provided in section 2057 or who is proceeding without a traffic-control device in operation. For purposes of this subsection, "yield the right-of-way" means to slow or stop to avoid colliding with or causing other harm to a pedestrian.

Title 29-A §2063 (10). BIC/roller ski or other non-motorized traffic opr >=17yoa ft yield to ped in xwalk.....\$136.00

OPERATION AFTER DARK WITHOUT LIGHTS AND REFLECTORS

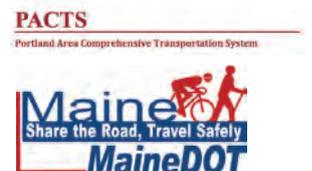
A lack of visibility after dark unquestionably increases risk. In Maine, nighttime operation is considered to begin 1/2 hour after sunset and to end 1/2 hour before sunrise.

Title 29-A §2084 (1). FT have reflector material on foot/ankle at night\$71.00

Title 29-A §2084 (1) (A). Cycle/scooter w/inadequate headlamp\$71.00

Title 29-A §2084 (1) (B). Cycle/scooter w/inadequate rear reflector\$71.00

Title 29-A §2084 (1) (C). Cycle/scooter w/inadequate reflector material on pedals\$71.00



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Motorist Violations

UNSAFE PASSES

Drivers who try to squeeze by bicyclists on a narrow lane, who pass bicyclists at an imprudent speed or who pass bicyclists when on-coming traffic is present are putting bicyclists and other roadway users at risk of harm. Note that §2070 requires motorists to leave a distance of not less than 3 feet while passing bicyclists and has been revised so that if a driver hits a bicyclist while passing, the crash shall be considered prima facie evidence of a violation.

Title 29-A §2070 (1-A) . OPR FT use due care passing bicycle	\$137.00
Title 29-A §2074. Imprudent Speed	\$119.00
Title 29-A 2070 (3). OP on left while psg so as to interfere w/ approaching/overtaken veh	\$139.00
Title 29-A 2070 (5) (A). OP left on a grade/curve	\$139.00

UNSAFE TURNS/FAILURE TO YIELD

Right and left turns into the path of bicyclists are common causes of crashes. Section 2060 was changed in 2013 to clarify that a left turn in front of oncoming traffic (which includes bicycles) and/or a right turn that interferes with the safe and lawful operation of a bicycle are illegal.

Title 29-A §2060 (1-A). IMP rt turn near bicyclists	\$137.00
Title 29-A §2060 (2). IMP left turn on two-way roadway	\$137.00

SPEEDING + IMPRUDENT SPEED

Speeding traffic is the single biggest concern for people regarding bicycle and pedestrian safety, and for good reason. Studies have shown that a person hit by a car going 40 mph stands a 85% likelihood of death, while a person being hit at 20 mph stands only a 5% likelihood of death. Enforcing neighborhood speed limits or imprudent speed statute (2074), where people are likely to walk and bike, can significantly improve safety.

Title 29-A §2073 (3). Speeding 1 to 29 mph over lmt	\$119.00--\$263.00
Title 29-A §2074. Imprudent Speed	\$119.00

DISTRACTED DRIVING

With the advent of electronic devices, there has been an uptick in bike/ped/car crashes associated with distracted driving. Bicyclists and walkers are particularly vulnerable to harm caused by distracted driving.

Title 29-A §2116. OPR <18 using mobile phone or handheld electronic device (1st offense)	\$70.00
(2nd & subsq)	\$310.00
Title 29-A §2118 (2). FT maintain control of mv	\$119.00
Title 29-A §2119 (2). Texting while operating a mv (1st offense)	\$310.00
(2nd & subsq)	\$610.00

AGGRESSIVE AND THREATENING BEHAVIOR.

Bicyclists are sometimes threatened with bodily harm by motorists. This behavior can include anything from using a motor vehicle to “close pass” a bicyclist on a roadway, unnecessarily sounding a horn, stopping a motor vehicle suddenly in front of moving bicyclists, throwing items at bicyclists or directing insults and threats at bicyclists. We urge you to consider whether incidents of aggressive or menacing behavior by motorists towards bicyclists rise to the level of criminal acts.

Title 29-A §1903 (2) Unnecessarily sounded horn or signaling device	\$137.00
Title 29-A §2413. Driving to endanger	
Title 17-A §210. Terrorizing	
Title 17-A §211. Reckless conduct	