

FLORIDA BICYCLE LAW ENFORCEMENT GUIDE



**A review of Florida's bicycle traffic laws to help
with warnings, citations and crash reports**

Fall 2019

All citations are to the 2019 Florida Statutes



Bicycles are Vehicles

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The Challenge of Bicycle Law Enforcement [F.S. 316.2065]

Operating in traffic is a cooperative activity, governed by laws. Traffic laws incorporate practices found, through experience, to facilitate safe and efficient travel. Since not everyone has enough experience to appreciate the rationale of the laws, seasoned and informed enforcement is necessary to help instill safe habits. Law Enforcement members exercise discretion in enforcement actions; an effective method involves being prepared to explain the laws as they apply and principles involved when a cyclist or motorist uses poor judgment.

Key traffic principles for cyclists include:

- ***Cyclists on roadways fare best when they act and are treated as drivers of vehicles.***

Riding as a driver makes a cyclist visible and predictable. Nationally, only about 30 percent of bicycle injuries treated in emergency rooms involve collisions with motor vehicles and fewer than one in 700 bicycle injuries is fatal. Many times, crashes in traffic are caused by avoidable errors. In 70 percent of police-reported bicycle-motor vehicle crashes, the cyclists involved had violated traffic laws; in about 45 percent, motorists had violated the laws. Cyclists who understand how the traffic laws support cyclist safety are more likely to follow the laws.

- ***A cyclist is safer riding with traffic than facing it.***

A cyclist who rides facing oncoming traffic increases their risk of being hit by a motorist by two to four times. Drivers entering and exiting the roadway at side streets, alleys and driveways do not expect bicycle traffic to approach from this direction.

- ***Lamps are required equipment on a bicycle after sunset to alert other drivers.***

A red rear reflector may not be recognized as being attached to a moving vehicle. A frontward-facing white light is needed to illuminate a path of travel and to alert drivers not approaching from the rear. Nighttime collisions are much more likely to result in incapacitating injury or death. About 60 percent of fatal bicycle crashes in Florida occur during non-daylight hours. Though allowed by law, flashing white lights on the front of a bicycle are not as detectable as a steady white light.

- ***A cyclist traveling more slowly than other traffic should ride in the rightmost through lane, except to pass, to make a left turn, or when necessary to avoid hazards. When a lane is too narrow to share, the cyclist may control the entire lane.***

A cyclist should ride in the rightmost through lane to make it easier for faster vehicles to pass, and should follow a predictable line. Swerving left to avoid a parked car, broken pavement edge, a drain cover, pooled water, gutter debris, etc., may surprise an overtaking motorist. A cyclist who stays very far right within the travel lane is less visible to drivers emerging from driveways and side streets and to oncoming drivers making left turns. A cyclist may leave the right-most side of the roadway when (1) moving as fast as other traffic, (2) passing another vehicle, (3) making a left turn, (4) avoiding roadside hazards, (5) where a lane is too narrow for a bicycle and another vehicle to travel safely side by side. (Moving left in such a lane helps cue an overtaking driver who might otherwise misjudge passing space.) Most travel lanes are too narrow for a cyclist and motorist to safely share side by side. Lanes wide enough to be safely shared are often restriped to include a bicycle lane.

What to Enforce

Note: this document is not intended as a cyclist's handbook. For this purpose, readers are referred to Florida Bicycling Street Smarts CyclingSavvy Edition, available from Florida Bicycle Association.

The following statistics* were identified as actual or likely contributing factors in bicycle-motor vehicle crashes.

Cyclist -

Failed to yield right of way	14.43%
Riding against traffic (head-on)	6.37%

Motorist -

Failure to yield right of way	24.70%
Careless or Negligent driving	10.15%

General Statistics -

Drivers in fatal bicycle crashes / Florida residents	96%
Bicyclist fatalities / Florida residents	96%
Drivers moving straight at time of crash	43.50%
Drivers turning right at time of crash	29.97%
Crashes involving bicyclists during clear weather81%
Crashes involving bicyclists during day light hours	74.99%
Crashes involving bicyclists at intersections	55.49%

**Source: Florida's Integrated Report Exchange System (FIRES), USF Center for Urban Transportation Research Data Collection and Analysis (2015).*

Uniform Traffic Control Law Synopsis

For purposes of reducing high-crash-risk behaviors, **the most important sections below are indicated with asterisks (*)**. Citations are to the Florida Uniform Traffic Control Law (Chapter 316, Florida Statutes).

Legal Status of Bicyclist

A bicycle is defined as a vehicle [§316.003(4)]. Every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. A person under the age of 16 may not operate or ride upon a motorized bicycle.

Any person who drives or is in actual physical control of a vehicle on a highway is a driver [§316.003(20)]. Every person propelling a vehicle by human power has all of the rights and duties applicable to the driver of any other vehicle, except as to special regulations for bicycles [§316.2065(1)]. A bicyclist is not required to have a driver license [§322.01(44)].

- ***A person propelling a vehicle by human power upon and along a sidewalk or crosswalk has all the rights and duties of a pedestrian [§316.2065(09)], as well as certain other duties (see “Laws for sidewalk riders” in another section).***

- Infractions of bicycle regulations in §316.2065 and moving and non-moving violations of other sections of Chapter 316 are subject to civil penalties as provided in §318.18. (For an infraction by a child cyclist, an officer should consider issuing a verbal or written warning.)
- Points are not assigned to the driver license of a person who committed a violation while driving a bicycle. Points apply only to motor vehicle operation [§322.27(3)].
- Local authorities may require bicycle registration or prohibit riding on sidewalks and roads under their jurisdiction, etc. [§316.008(1)(h)].

Equipment and Passengers

***Lighting Equipment** [§§316.2065(7)]

Every bicycle in use between sunset and sunrise shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least 500 feet to the front and a lamp and reflector on the rear each exhibiting a red light visible from a distance of 600 feet to the rear. A bicycle or its rider may be equipped with lights or reflectors in addition to those required. ***The risk of fatal or incapacitating injury increases sharply at night. Moderately priced bike lights cost far less than a trip to the emergency room.***

Brakes [§316.2065(13)]

Every bicycle must be equipped with a brake or brakes that allow the rider to stop within 25 feet from a speed of 10 mph on dry, level, clean pavement.

Bicycle Helmet [§316.2065(3)(d)]

A bicycle rider or passenger under 16 years of age must wear a bicycle helmet that is properly fitted and is fastened securely upon the passenger's head with a strap and that meets the federal safety standard for bicycle helmets. *The federal safety standard for bicycle helmets is adopted by the Consumer Product Safety Commission. It comprises a standard for helmets for riders age five and older and another for riders age one and older. Bicycle helmets, when properly fitted and secured, have been found effective at reducing the incidence and severity of head, brain and upper facial injury. (Head injuries account for about one-third of the hospital emergency room visits of injured bicyclists.) Use of helmets by adult role models promotes use among youth. The lack of a bicycle helmet does not indicate carelessness or fault in a crash on the part of a bicyclist.*

Headset Not to be Worn [§316.304(1)]

No person shall operate a vehicle while wearing a headset, headphone, or other listening device, other than a hearing aid. This does not apply to using a headset in conjunction with a cellular telephone that only provides sound through one ear and allows surrounding sounds to be heard with the other ear [§316.304(2)(d)].

(Loud headphones can damage hearing and shut out the outside world.)

Carrying a Passenger [§316.2065(3)(a)(b)]

A bicycle may not be used to carry more persons at one time than the number for which it is designed or equipped, except that an adult rider may carry a child securely attached to his or her person in a backpack or sling or in a seat or carrier that is designed to carry a child that secures and protects the child from the moving parts of the bicycle.

Laws for All Drivers (Motorists & Cyclists)

Impartial enforcement of traffic law on all roadway users improves the climate for bicycle enforcement.

Duty to Exercise Due Care [§316.130(15)]

Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human-powered vehicle and give warning when necessary and exercise proper precaution upon observing any child or any obviously confused or incapacitated person. Any person operating a vehicle upon the streets or highways within the state shall drive the same in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic, and all other attendant circumstances, so as not to endanger the life, limb, or property of any person. Failure to drive in such a manner shall constitute careless driving [§316.1925].

***Not to Drive Under the Influence**

- It is unlawful to operate any vehicle while under the influence of alcohol or drugs [§316.193].
- The requirement to submit to a breath test [§316.1932] does not apply to a bicyclist, since consent is deemed to have been given only by a person with a driver license who is operating a motor vehicle.
- It is unlawful for any person to possess an open container of an alcoholic beverage while operating a vehicle, or while one is a passenger in or ON any vehicle [§316.1936(2)].

***Driving on Right Side of Roadway** [§316.081]

Upon all two-way roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway. Exceptions include (a) when overtaking and passing another vehicle under the rules governing such movement (see *Overtaking and Passing a Vehicle, below*) and (b) when an obstruction exists making it necessary to drive to the left of the center of the highway; provided any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard.

A bicyclist driving against the direction of traffic on the roadway should be warned or cited. This is a major contributing factor in bicycle-motor vehicle crashes; motorists entering and leaving the roadway at intersections and driveways do not expect traffic to approach from the wrong direction.

***Obedience to Traffic Control Devices** [§316.074]

The driver of any vehicle shall obey the instructions of any official traffic control device (signs, markings, and traffic signals).

***Entering Stop or Yield Intersections**

[§§316.123 & 316.130(7)]

In the U.S., the STOP sign has been the sign most commonly used to control priority at intersections and public driveways; YIELD signs may also be used for this purpose. A driver who approaches a STOP or YIELD sign must, before proceeding into the intersection, (1) stop at a marked stop line, if present, and otherwise before the crosswalk (at a STOP sign) (2) yield to a pedestrian crossing in the crosswalk (whether marked or unmarked) and (3) yield to drivers in the crossing

road. The legal difference is that, at a YIELD sign, the driver is required to slow to a speed reasonable for the existing conditions but need stop only if necessary to yield or otherwise necessary for safety.

Proper yielding prevents crashes; stopping and proceeding without yielding does not. A study by the Insurance Institute for Highway Safety found that 70 percent of crashes that occurred at one- and two-way stop signs involved stop sign violations, but in two thirds of these cases, the driver **did** stop; the crash occurred when the driver then proceeded without yielding.

Enforcement should prioritize motorists and cyclists who fail to prepare to yield at stop or yield intersections. Enforcement of the “full stop” requirement at a stop sign should be applied evenhandedly to motorists and cyclists, or it will not be perceived as impartial.

Traffic Control Signal Devices [§316.075]

Vehicular traffic must comply with indications of traffic control signal devices.

An electrical circuit with loops embedded in the pavement is commonly used to detect vehicles waiting for a green light at a signalized intersection. These loops are essentially metal detectors. The most sensitive position for a two-wheeled vehicle is (usually) directly over a pavement cut, but if the detector’s sensitivity is set too low, a bicycle or motorcycle may not be detected; the signal will stay red until a car stops over the loop. An unresponsive loop should be reported to the local traffic engineering office.

Intersection Where Traffic Lights Are Inoperative

[§316.1235]

The driver of a vehicle approaching an intersection in which the traffic lights are inoperative shall stop in the manner indicated in [§316.123(2)] for approaching a stop intersection.

***Yielding on Entry to Roadway [§316.125(2)]**

The driver of a vehicle emerging from an alley, building, private road or driveway shall stop the vehicle immediately prior to driving onto a sidewalk crossing, and shall yield to all vehicles and pedestrians which are so close thereto as to constitute an immediate hazard. *Failure to observe this rule is a typical factor in crashes involving sidewalk cyclists.*

***Overtaking and Passing a Vehicle**

The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. The driver of a vehicle overtaking a bicycle or other non-motorized vehicle must pass the bicycle or other non-motorized vehicle at a safe distance of not less than 3 feet between the vehicle and the bicycle or other non-motorized vehicle. *See the exception discussed below in "When overtaking on the right is permitted." To pass a cyclist with safe clearance, it may be necessary for a motorist to enter (at least partially) the next lane, when and where it is safe to do so.*

No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless the left side is clearly visible and free of

oncoming traffic for a sufficient distance ahead to permit passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction of any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable and, in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within 200 feet of any approaching vehicle [§316.085].

The prohibition of passing in a no-passing zone does not apply when the obstruction exists making it necessary to drive to the left of the center of the highway [§316.0875(3)]. *When a cyclist is traveling so slowly as to constitute an "obstruction," a motorist may cross the center line in a no-passing zone to pass the cyclist if the way is clear to do so, i.e., when it can be seen that any oncoming traffic is far enough ahead that the motorist could finish passing before coming within 200 feet of an oncoming vehicle.*

About one percent of bicycle-motor vehicle crashes involve motorists who misjudge the width or length necessary to pass a cyclist. Close passing causes some cyclists to "hug the curb," or ride on the sidewalk, where crash risk actually increases.

When Overtaking on the Right is Permitted [§316.084]

(1) The driver of a vehicle may overtake and pass on the right of another vehicle only under the following conditions: (a) when the vehicle overtaken is making or about to make a left turn; (b) upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of

moving traffic in each direction; (c) upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles. (2) The driver of a vehicle may overtake and pass another vehicle on the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway. *A bicyclist traveling on a roadway in a bicycle lane, or in a lane wide enough for motor vehicles and bicycles safely to share (see "Roadway position") may pass motor vehicles on the right, because there is sufficient width in this case for two lines of moving traffic—motor vehicle traffic and bicycle traffic. However, the cyclist should proceed with care—"only under conditions permitting such movement in safety." Cars or trucks may turn at driveways, or at the next intersection.*

***Method of Turning Right at Intersections**

[§316.151(1)(a)]

Both the approach for a right turn and the turn shall be made as closely as practicable to the right-hand curb or edge of the roadway. ***For this reason, a driver preparing to turn right should—after yielding to any bicycle driver present—enter or closely approach a bicycle lane, if one is present. This reduces conflicts with following drivers, makes the driver's intention more clear than signaling alone, and prevents an overtaking cyclist from trying to pass on the right and possibly colliding. A motorist who makes a sharp right turn immediately after passing a cyclist has turned incorrectly.***

***Not to Stand or Park in a Bicycle Lane** [§316.1945(1)(b)6]

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall stand or park a vehicle, whether occupied or not, in a bicycle lane, except momentarily to pick up or discharge a passenger or passengers.

Appropriate Driving Speed [§316.185]

The fact that the speed of a vehicle is lower than the prescribed limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, or when special hazards exist or may exist with respect to pedestrians or other traffic or by reason of weather or other roadway conditions, and speed shall be reduced as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or entering the street in compliance with legal requirements and the duty of all persons to use due care [§316.130(15)]. Speed shall be controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance or object on or entering the highway in compliance with legal requirements and the duty of all persons to use due care [§316.183(1)].

Laws for Bicycle Drivers

*Position on Roadway

[§316.2065(5)]

(a) 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 in the lane marked for bicycle use

or, if no lane is marked for bicycle use, as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:

- when overtaking and passing another bicycle or vehicle proceeding in the same direction;
- when preparing for a left turn;
- when reasonably necessary to avoid any condition or potential conflict, including, but not limited to, a fixed or moving object, parked or moving vehicle, bicycle, pedestrian, animal, surface hazard, turn lane, or substandard-width lane, which makes it unsafe to continue along the right-hand curb or edge or within a bicycle lane. A "substandard-width lane" is a lane that is too narrow for a bicycle and another vehicle to travel safely side by side within the lane.

(b) A bicyclist operating on a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable.

A bicycle lane is a lane marked with a stripe and symbols for the preferential use of bicycles on a roadway (motorists may enter or cross



a bicycle lane, after exercising due care, to turn into or off a roadway at intersections and driveways). The official symbol marking used in Florida to designate a bicycle lane is shown in the above figure (FDOT Design Standards Index 17347 and Florida Greenbook).

A cyclist may leave a bicycle lane for any of the purposes listed in the law. Bicycle lanes are typically designed for through travel. (To make a right turn where a right turn lane is provided to the right of a bicycle lane, a cyclist should leave the bicycle lane, since continuing in the bike lane to the intersection and making a sharp right turn could surprise a motorist in the right turn lane.)

Where no bicycle lane is marked, a cyclist going through an intersection should not ride in a lane marked exclusively for turns, i.e., one marked or signed with the word "ONLY."

Roads with curbs: the gutter is not part of the "roadway," i.e., not "ordinarily used for vehicular travel" [§316.003(70)]. Cyclists need to keep clear of the gutter area; pavement joints, drain grates or debris can cause steering difficulties or damage. On lower-speed curbed streets, parallel parking of vehicles adjacent to the curb is commonly allowed.

A cyclist riding past a parallel-parked car generally needs to maintain clearance of 4 feet to avoid risk of collision with an opening driver-side door. Doors on some vehicles swing open more than 3 ft.

Roads with flush shoulders: where no bicycle lane is marked, a white edge line is typically marked to indicate the edge of the roadway; any pavement to the right of the edge line is shoulder pavement, not a bicycle lane unless it is marked with the bicycle lane symbol.

Since the definition of "roadway" excludes shoulders, cyclists are not required to ride on paved shoulders that are not marked as bicycle lanes, although they may prefer to do so. A cyclist who rides on a

paved shoulder typically needs to maintain 2 feet of clearance from the pavement edge. The cyclist should still travel on the right because (1) this reduces crash risk at intersections and driveways (drivers don't expect traffic on shoulders to approach from the "wrong" direction) and (2) whenever the cyclist enters the roadway (e.g., to pass a pedestrian or other cyclist, cross an intersection, avoid debris or obstructions, etc.), ride-side operation becomes mandatory.

Outside traffic lanes: as the minimum clearance for passing a bicyclist is 3 feet [§316.083, 316.085] and the total width of larger motor vehicles (with extending mirrors) is commonly 8 feet or more, an outside traffic lane less than 14 feet wide is typically not wide enough to accommodate a cyclist and passing motor traffic within the lane. The Florida Department of Transportation's Manual of Uniform Minimum Standards for Streets and Highways (chapter 9, www.fdot.gov/roadway/floridagreenbook/fgb.shtm) advises: "Wide outside lanes on curbed roadways are through lanes that provide a minimum of 14 feet in width, which allows most motor vehicles to pass cyclists safely within the travel lane. Bicycle lanes are preferred for arterial and collector roadways, however, in some conditions, such as resurfacing projects, wide outside lanes may be the only practical option for a bicycle facility." Lanes wide enough to share tend to get restriped as a bike lane and a travel lane over time. Most travel lanes are NOT wide enough to share. In some cases, an R4-11 "Bikes May Use Full Lane" sign may be installed to clearly indicate when a lane is too narrow to share. (please see graphics on pages 24–25).

Operation on Limited Access Highways [§316.091(4)]

No person shall operate a bicycle or other human-powered vehicle on the roadway or along the shoulder of a limited access highway, including bridges, unless official signs and a designated, marked bicycle lane are present at the entrance of highway

indicating that such use is permitted pursuant to a pilot program of the Department of Transportation.

A limited access facility is “a street or highway especially designed for through traffic and over, from, or to which owners or occupants of abutting land or other persons have no right or easement, or only a limited right or easement, of access” [§316.003(33)].

Riding Two Abreast [§316.2065(6)]

Bicyclists may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Bicyclists riding two abreast may not impede traffic when traveling at less than the normal speed of traffic at the time and place and under the conditions then existing and shall ride within a single lane.

In a lane “too narrow for a bicycle and another vehicle to travel safely side by side” (see “Position on roadway” above), passing cyclists “at a safe distance” requires use of the next lane (see “Overtaking and passing a vehicle” above). In this case, cyclists riding two abreast cause no additional impediment to traffic.

Method of Turning at Intersections [§316.151]

Left turn -

A bicyclist intending to make a left turn is entitled to the full use of the lane from which the turn may legally be made. Option: instead of making a left turn as a motorist does, a bicyclist may proceed through the rightmost portion of the intersection and turn as close to the curb or edge as practicable at the far side. Before proceeding in the new direction of travel, the bicyclist shall comply with any official traffic control device or police officer regulating traffic.

Right turn -

See “Method of turning right at intersections” under “Laws for all drivers.”

Signaling a Turn or Stop [§316.155(2)(3), §316.157(1)]

A signal of intention to turn must be given during the last 100 feet traveled by a vehicle before turning. If a bicyclist needs both hands for control, the signal need not be given continuously. No person may stop or suddenly decrease speed without first giving an appropriate signal to the driver of any vehicle immediately to the rear, when there is an opportunity to give such signal.

A bicyclist signals intent to:

- turn left by extending the left arm and hand horizontally;
- turn right by extending the right hand and arm horizontally, or by extending the left hand and arm upward;
- stop or decrease speed by extending the left hand and arm downward.

Laws for Sidewalk Riders: Operating as a Pedestrian [§316.2065(9)]

- A person propelling a vehicle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk, has the rights and duties of a pedestrian. *A bicyclist riding on a sidewalk has the rights of a pedestrian, and so may ride in either direction. (However, it is safer to ride in the direction of traffic since drivers do not expect bicyclists to come from the other direction at driveways and crosswalks.) Equipment and passenger regulations still apply since the cyclist is still a “bicycle rider.” Sidewalks are not designed for bicycle speeds, but bicycles are permitted where not prohibited by local ordinance (use is prohibited downtown in some cities).*

- A bicyclist riding on a sidewalk or crosswalk shall yield the right-of-way to pedestrians and shall give an audible signal before passing [§316.2065(10)].
- At a signalized intersection, a bicyclist approaching on a sidewalk must obey the instructions of any applicable pedestrian control signal [§316.130]. *That is, he may start to cross a roadway in a crosswalk only during a steady Walk phase, if one is displayed. If no pedestrian signal is provided, the bicyclist may proceed in accordance with the signal indications for the parallel roadway traffic flow.*
- A person may not drive any vehicle other than by human power upon a bicycle path, sidewalk or sidewalk area [§316.1995], except if municipalities allow golf carts or utility vehicles on sidewalks at least 5ft wide and must yield to pedestrians [§316.2126(1)(e)].

Bicycle Crash Investigation

Careful reporting of bicycle crashes can help traffic safety specialists choose effective countermeasures. Some bicycling-related factors are not adequately addressed in the standard crash form. Noting these in the narrative will help provide information to assess what factors did (or did not) contribute to the crash, and assure fair treatment of all parties. Some injuries to bicyclists do not involve motor vehicles but can be serious. Potentially relevant information includes:

General

- Position of sun, time of day, glare factor.
- Surface hazards: surface debris, standing water, potholes, pipe lids, railroad tracks, pavement subsidence or cracks, etc. that might have caused the cyclist to swerve.

- View obstructions: trees, bushes, parked cars, utility poles, etc. that might have interfered with the cyclist's and motorist's views of each other.
- Site location: was the cyclist in a bike lane? On some curbed roadways, a shoulder strip is separated by an edge line but is not signed or marked as a bike lane. A bike lane is present only where when a strip is designated with bicyclist symbol markings.

The Cyclist

- Lamps and reflectors: If crash occurred after sunset and bicycle headlamp and/or tail lamp were in use, enter the "Lighting" code in the "Safety Equipment" fields of the "Non-Motorist" section (note details in narrative). If lamps were damaged in crash, are the batteries charged? The "Reflective Clothing" code can be used for worn reflective items (ankle straps, backpack, etc.).
- Helmet: Note use in the "Safety Equipment" fields.
- Injured cyclist should save all clothing and equipment damaged in the crash, refrain from repairing or cleaning such items and have injuries properly examined and documented.
- If a cyclist alleges they didn't see a motorist in daylight where views were unrestricted, the possibility of drug or alcohol use, distractions or fatigue should be considered.

The Motorist

- Did the motorist fail to scan for a cyclist approaching from the right on a sidewalk?

- If a motorist alleges he didn't see a cyclist in daylight where views were unrestricted, the possibility of drug or alcohol use, distractions or fatigue should be considered.

Fatalities and Incapacitating Injuries

- Do not move the bicycle until its location and position has been photographed or otherwise accurately recorded.
- The bicycle should be thoroughly inspected by the investigator.
- The bicycle should be held as evidence and only released when the case is closed.

Micromobility Devices and Motorized Scooters

A micromobility device is “[a]ny motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips and which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters and bicycles.” [§316.003(38)].

A motorized scooter is “[a]ny vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground” [§316.003(45)].

Requirements

- The operator of a motorized scooter or micromobility device has all of the rights and duties applicable to the rider of a bicycle. Local governments may prohibit the operation of

micromobility devices and motorized scooters on roads under their jurisdiction [§316.2128(1)].

- A motorized scooter or micromobility device is not required to satisfy registration, insurance or licensing requirements [§316.2128(2)].
- A person is not required to have a driver license to operate a motorized scooter or micromobility device [§316.2128(3)].
- A person who offers motorized scooters or micromobility devices for hire is responsible for securing all such devices located in any area of the state where an active tropical storm or hurricane warning has been issued by the National Weather Service [§316.2128(4)].

Mopeds

A moped is “[a]ny vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground...” [§316.003(41)].

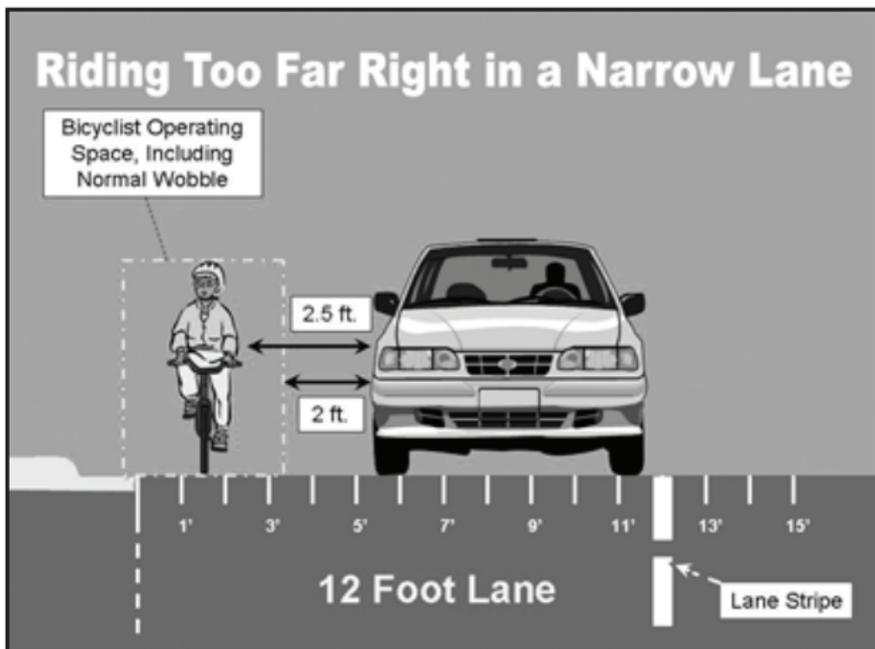
Mopeds are classified as motor vehicles for purposes of driver license law [§322.01(27)]. A person operating a moped is therefore required to have a driver license [§322.03]. A moped must be registered and have a license plate [§320.0803].

Rules on roadway position are virtually the same as for bicyclists [§316.208(2)]. A moped may not be propelled upon and along a sidewalk while the motor is operating [§316.208(4)].

When is a Lane Shareable?

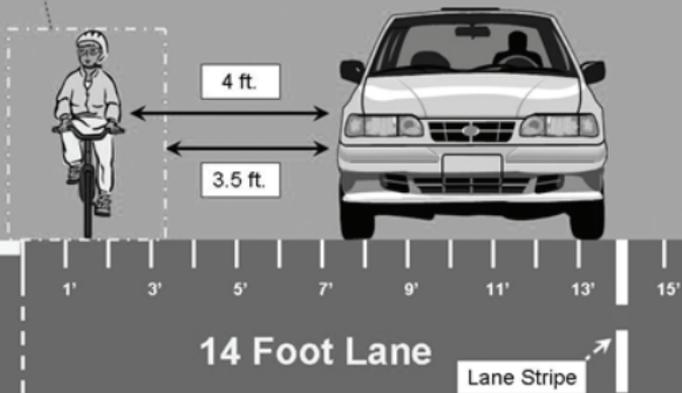
Florida's 3 feet minimum separation rule (see page 11) poses questions for both cyclists and drivers of motor vehicles. Although the law allows cyclists to leave the right-hand side of the lane if the lane is too narrow (see page 17), nothing in the statutes defines how wide such a lane should be.

FDOT's recommendation is 14 feet, which gives cyclists a maneuverable width and still allows the minimum passing feet separation. Riding too far right in a narrow lane may encourage motorists to squeeze by at an unsafe distance. In a lane too narrow (less than 14 feet) for motorists to pass safely, moving left into the center or left third of the travel lane will clearly indicate to motorists the need to "change lanes" to pass to maintain the required separation.



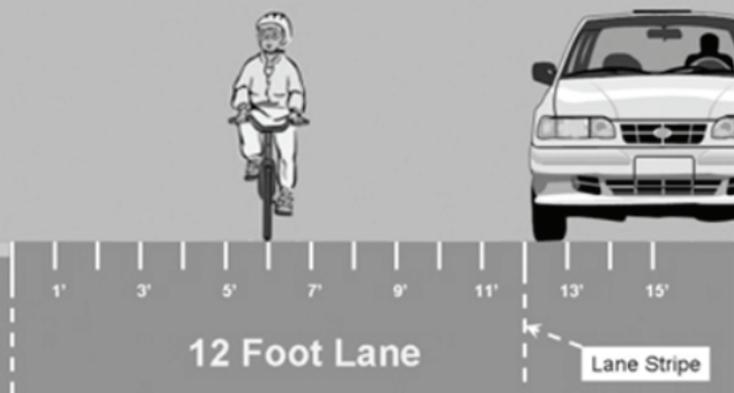
Correct Position in a Shareable Lane

Bicyclist Operating Space, Including Normal Wobble



Correct Position in a Narrow Lane

Motorist Must Make a Conscious Pass by Moving Into the Adjacent Lane





FLORIDA PEDESTRIAN LAW ENFORCEMENT GUIDE

A review of Florida's pedestrian traffic laws to help with warnings, citations and crash reports

Fall 2019

All citations are to the 2019 Florida Statutes



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The Challenge of Pedestrian Law Enforcement

Many of Florida's streets and roads were laid out when there was little expectation of future pedestrian use. New streets and highways were designed to facilitate motor vehicle travel at higher speeds and to minimize delays at controlled intersections, so that slowing or stopping to observe the legal duty to yield to pedestrians in crosswalks became an unaccustomed inconvenience. Such conditions shaped a road user culture in which pedestrian use is usually sparse outside central business districts, and drivers and pedestrians have not acquired the shared experience that informs a sense of mutual obligations. Traffic law enforcement must be based on a recognized code of behavior. The challenge of pedestrian law enforcement is to promote greater appreciation and observance of practices conducive to pedestrian safety and mutual courtesy between all roadway users.

Key Traffic Principles for Pedestrians and Drivers include:

- ***A road user's right of way must be exercised with "due care."***
Traffic laws state who must yield the right of way to whom, but do not assign an absolute right of way.

Signals, crosswalk markings, lane markings and other traffic control devices do not confer an absolute right of way for any user. Right of way must be exercised in a reasonable manner with "due care" for the safety of one's self and of other road users.

- ***Pedestrians may cross at most mid-block locations, but must yield outside a crosswalk.***

Mid-block crossing outside a crosswalk is allowed if, in either direction, the nearest intersection is unsignalized. When crossing mid-block, a pedestrian must yield to any approaching driver, except when crossing in a marked crosswalk.

- ***A driver is required to yield the right of way to a pedestrian lawfully crossing in a crosswalk.***

Safe yielding requires stopping if the crossing pedestrian is in the driver's lane, the lane into which the driver is turning, or an adjoining lane. A condition for crossing "lawfully" is that the pedestrian began crossing when it was legal to do so. A crosswalk is legally present on each leg of an intersection except where crossing is prohibited by signs. Crosswalks are left unmarked at most unsignalized intersections. The driver and the pedestrian should use due care.

- ***If a sidewalk is provided, no pedestrian shall, unless required by other circumstances, walk along and upon the portion of a roadway paved for vehicular traffic.***

A roadway is that portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder [§316.003(70)].

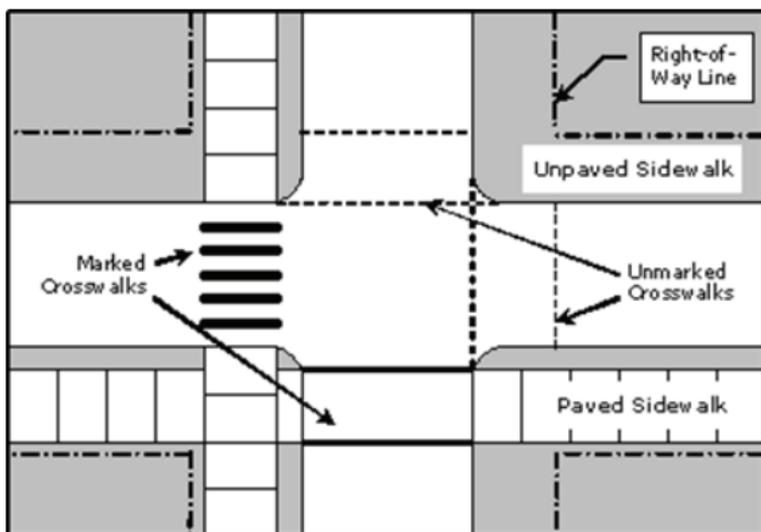
Uniform Traffic Control Law Synopsis

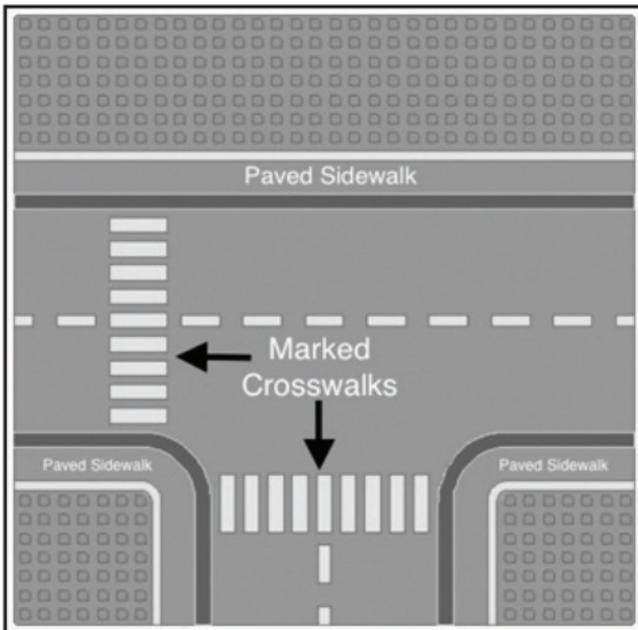
Sectional citations not otherwise identified are to the Florida Uniform Traffic Control Law (Chapter 316, Florida Statutes).

Definitions

CROSSWALK: “(a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway, measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway,” or “(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface” [§316.003(16)].

For purposes of the driving task, crosswalks must be assumed to be in place across both the approach and departure legs of an intersection, regardless of whether markings are present, since a driver at the critical decision distance for yielding can usually not determine whether the crossing street has sidewalks.





A legal crosswalk extending the sidewalk corridor across an intersection leg is presumed to be present unless the responsible authority has closed the crosswalk and posted signs to that effect. This includes 3-way or "T" intersections.

Jaywalking:

"Jaywalking" is a slang word and is not used in Florida statutes nor does this commonly used term appear in traffic codes. It generally refers to mean a pedestrian crossing a roadway where they are not permitted to do so, such as crossing between two signalized intersections where there is not a crosswalk present.



MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD): manual published by the Federal Highway Administration and adopted by the Florida Department of Transportation as the “manual of uniform traffic control devices which defines the uniform system [of “traffic control devices for use on the streets and highways of the state”],” pursuant to §316.0745. The MUTCD is online at <http://mutcd.fhwa.dot.gov/>.

PEDESTRIAN: “Any person afoot” [§316.003(53)]. By custom, this is understood to include “a person afoot, in a wheelchair, on skates, or on a skateboard” (meaning of “pedestrian” as used in the MUTCD, Section 1A.13) as well as a person on a foot-powered scooter (nothing in Florida Statutes indicates otherwise). A person propelling a vehicle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk has the duties and rights of a pedestrian [§316.2065(9)]. A bicyclist riding on a sidewalk or crosswalk shall yield the right-of-way to pedestrians and shall give an audible warning before passing [§316.2065(10)]. A person may operate an electric personal assistive mobility device (EPAMD/Segway®) on a sidewalk, if the person operating the device yields the right-of-way to pedestrians and gives an audible signal before overtaking and passing [§316.2068(1)(e)]. No other duties are explicitly assigned to EPAMD operators, except the requirement for an operator under the age of 16 to wear a bicycle helmet [§316.2068(4)].

ROADWAY: "That portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two or more separate roadways, the term 'roadway' as refers to any such roadway separately, but not to all such roadways collectively" [§316.003(70)].

SHOULDER: not defined in Florida Statutes, but generally understood to be the (graded) portion of a highway contiguous with the traveled way that accommodates stopped vehicles, emergency use, and lateral support of base and surface pavement courses (American Association of State Highway and Transportation Officials). Shoulders may be partially or entirely unpaved.

SIDEWALK: "That portion of a street between the curbline, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians" [§316.003(76)]. The public right-of-way reservation typically includes width for sidewalks and utilities. Unpaved sidewalks (beaten paths or other firm surfaces) may be practical for some pedestrian use, but generally do not meet technical provisions for "accessible trails" or "accessible [pedestrian] routes" as defined in federal accessibility standards and guidelines.

Laws for Pedestrians and Drivers

Pedestrian Travel Along a Street or Highway

Where sidewalks are provided, no pedestrian shall, unless required by other circumstances, walk along and upon the portion of a roadway paved for vehicular traffic [§316.130(3)]. Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the shoulder on the left side of the roadway in relation to the pedestrian's direction of travel, facing traffic which may approach from the opposite direction [§316.130(4)].

Encroaching vegetation, cracks and upheaval caused by tree roots, illegally parked vehicles and "other circumstances" can make even paved sidewalks impractical to use at points and highly problematic for those with mobility impairments. Where sidewalk areas have been left unpaved, natural vegetation or landscaping, wet or muddy conditions, nearby ditches, and hidden hazards (wasp nests, sharp objects, tripping hazards, etc.) can similarly make use impractical.

Where such circumstances occur on a street with curbs and there is no shoulder per se, the customary rule for pedestrians is to travel on the left side of the roadway, so as to face any traffic approaching in the adjacent lane, is still applicable when practicable. A driver and a pedestrian who face each other are generally more aware of each other and crash risk is therefore reduced for pedestrians who travel on the left facing traffic. (Note: because of their much greater speeds and other differences in operating characteristics, cyclists do not enhance their safety by following this rule. On the contrary, it increases a cyclist's crash risk. Roadway cyclists are required to travel on the right with traffic.)

Pedestrian travel on the left side may be impracticable or be disadvantageous if it requires making otherwise unnecessary crossings of a multi-lane highway, especially one with high traffic speeds or volumes.

No Standing in the Roadway [§316.130(5)]

No person shall stand in the portion of a roadway paved for vehicular traffic for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.

Stopping, Standing, Parking or Driving on Sidewalk

- Except as provided in §316.008, §316.212(8), or §316.2128, a person may not drive any vehicle other than by human power upon a bicycle path, sidewalk, or sidewalk area, except upon a permanent or duly authorized temporary driveway [§316.1995(1)]. *Exceptions, such as micro mobility devices, have all the rights and duties applicable to the rider of a bicycle and shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian [§316.2065(10)].*
- No person shall stop, stand or park a vehicle on a sidewalk [§316.1945(1)(a)(2)]. *Although the pavement surface may change at a driveway, the legal sidewalk extends across the driveway. Blocked sidewalks force pedestrians to enter the roadway.*

Driver Duty to Pedestrian at Vehicular Roadway

Connections [§316.125(2)]

The driver of a vehicle emerging from an alley, building, private road or driveway within a business or residence district shall stop the vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across the alley, building entrance, road or driveway and shall yield to all vehicles and pedestrians which are so close as to constitute an immediate hazard.

For a driver exiting a roadway at such a location, no duty to yield to pedestrians on a sidewalk area is specifically stated. However, the driver must “exercise due care to avoid colliding with any pedestrian” (see below).

Driver Duty to Exercise Care to Avoid Pedestrian

[§316.130(15)]

Notwithstanding other provisions, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human-powered vehicle.

Crossing a Roadway Mid-block, Not in a Crosswalk

- A Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway [§316.130(10)].
- Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway [§316.130(7)(c)]. Since, at mid-block locations, this

duty is already implied by the provision above, the only effect of this provision is at (rare) intersection crossings where a pedestrian tunnel or overpass has been provided.

- Between adjacent intersections at which travel control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk [§316.130(11)]. *Adjacent signalized intersections are generally found in larger central business districts, less commonly in suburban areas. At suburban locations with adjacent signalized intersections, the distance to detour to the nearest signalized crosswalk is often perceived as impractical by pedestrians.*
- No pedestrian shall, except in a marked crosswalk, cross a roadway at any other place than by a route at right angles to the curb or by the shortest route to the opposite curb [§316.130(12)].

Crossing a Roadway in an Unsignalized Crosswalk

(marked or unmarked crosswalk at intersection, or crosswalk marked mid-block)

- The driver of a vehicle at any crosswalk where signage so indicates shall stop and remain stopped to allow a pedestrian to cross a roadway when the pedestrian is in the crosswalk or steps into the crosswalk and is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger [§316.130(7)(b)].

The sign that “so indicates” should be a traffic sign authorized under the MUTCD.

Stop For [Pedestrian Symbol] Within Crosswalk

- When traffic control signals are not in place or in operation and there is no signage indicating otherwise, the driver of a vehicle shall yield, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a (marked or unmarked) crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger [§316.130(7)(c)].
- No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield [§316.130(8)].

A pedestrian who sets foot in a (marked or unmarked) crosswalk where traffic signals are not in place, or are in place but not operating, obliges an approaching driver to yield, so long as it is feasible for the driver to do so. The driver's duty to yield applies regardless of whether the crossing location is controlled by any signs (Stop or Yield). Yielding may take the form of slowing or stopping; safe yielding requires stopping (and waiting) if the crossing pedestrian is in the driver's lane, in the lane into which the driver is turning, or in an adjoining lane.

- Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle [§316.130(9)].

This is a critical provision for pedestrian safety. When one driver stops to let a pedestrian cross, the stopped vehicle may screen the pedestrian from the view of an approaching driver and also

screen the approaching vehicle from the pedestrian's view. The law therefore requires a driver approaching a vehicle stopped at a crosswalk from the rear to assume that a pedestrian may be crossing, even when none can be seen at the moment. A violation of this rule can cause serious injury because the overtaking driver is traveling at speed. (To reduce this risk, seasoned pedestrians pause at the outside edge of any "screen.")

- No pedestrian shall cross an intersection diagonally unless authorized by official traffic control devices [§316.130(14)].

Note on roundabouts: A roundabout functions as a loop of yield-controlled T-intersections. Roundabout entries are often designed with the crosswalk marked about one car length before the yield line. A driver may pull up directly to the yield line if no pedestrian is in the crosswalk. The car length spacing leaves the crosswalk unblocked when the presence of circulating traffic in the roundabout obliges the driver to wait for a suitable opening. The same spacing also accommodates an exiting driver (without causing a blockage of the roundabout), when the presence of a pedestrian in the crosswalk requires him to yield.

Crossing a Roadway in a Signalized Crosswalk [§316.075]

Respective rights of way and duties of pedestrians and drivers at signalized locations depend on the signal indications that are illuminated.

Red indication-

- **Pedestrians:** Unless otherwise directed by a pedestrian control signal, pedestrians facing a steady red signal shall not enter the roadway.

- **Drivers:** Vehicular traffic shall stop before the crosswalk, clearly marked stop line, or if none marked, before entering the intersection. However, when a pedestrian is in the crosswalk or steps into the crosswalk and is (a) upon the half of the roadway upon which the vehicle is traveling or (b) is approaching so closely from the opposite half of the roadway as to be in danger, the driver shall stop before entering the crosswalk, and shall remain stopped to allow the pedestrian to cross the roadway on an indication that so permits.

Otherwise, having stopped, a driver may make a right turn, except where prohibited by sign, but must yield to pedestrians and other traffic proceeding in accordance with signals (such pedestrians might be crossing in the parallel crosswalk that the driver must turn across). A driver making a left turn from a one-way street onto a one-way street after stopping on red (where not prohibited by sign) must also yield to pedestrians and other traffic proceeding in accordance with signals.

Green indication-

- **Pedestrians:** A pedestrian facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk (i.e., in the direction controlled by the signal face), unless directed otherwise by a pedestrian control signal.
- **Drivers:** Vehicular traffic facing a circular green signal may proceed cautiously straight through or turn right or left unless a sign at such place prohibits either such turn, but shall yield the right-of-way to pedestrians lawfully within the intersection or an adjacent crosswalk.

Vehicular traffic facing a green arrow signal may cautiously enter the intersection only to make the movement indicated by such arrow, but must yield to pedestrians lawfully within an adjacent crosswalk.

A pedestrian is considered to be lawfully within a crosswalk if he started crossing in it when it was legal to do so, and is finishing crossing without undue delay. Under the provisions of this section and current MUTCD standards, a driver facing a green arrow signal displayed by a properly operating signal should not encounter a pedestrian in a parallel crosswalk. A driver facing either type of green indication may need to wait for a pedestrian to finish crossing in the crosswalk immediately before him.

Steady yellow indication-

- **Pedestrians:** A pedestrian facing a steady yellow signal shall not start to cross. *A pedestrian facing a steady yellow signal (i.e., from a corner) will generally not have sufficient time to cross before a red indication is displayed. The yellow indication does not apply to a pedestrian who started crossing (in the direction controlled by the signal face) before it was illuminated.*
- **Drivers:** *For a driver already (still waiting) in the intersection to make a permitted left turn, the duty to yield to lawfully crossing pedestrians (described for the green indication) still applies.*

Pedestrian control signals-

For pedestrians the directions of a pedestrian control signal supersede those of the associated traffic signal. Such signals may also be placed at mid-block locations. The meanings of the symbolic signal indications

(some older pedestrian signal heads still use word messages) are assumed to be self-evident and are not described in law, but are described in the MUTCD (Section 4E.02). Still, many pedestrians and motorists do not understand the meaning of the flashing UPRAISED HAND indication.

- **steady WALKING PERSON (symbolizing WALK) indication:** pedestrian facing the signal indication is permitted to start to cross the roadway in the direction of the signal indication. Pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the time that the WALKING PERSON signal indication is first shown.
- **flashing UPRAISED HAND (symbolizing DON'T WALK) indication:** pedestrian shall not start to cross the roadway in the direction of the signal indication, but any pedestrian who has already started to . . . cross on a steady WALKING PERSON signal indication shall proceed out of the traveled way.
- **steady UPRAISED HAND (symbolizing DON'T WALK) indication:** pedestrian shall not enter the roadway in the direction of the signal indication.

Pedestrian signal indications apply to pedestrians, not indications as described above.

At some locations a slower walker (who entered the crosswalk during the WALKING PERSON indication) may not have reached the far side of the roadway when the steady UPRAISED HAND indication is first displayed. However, some crossing time still remains. Per the MUTCD (Section 4E.10), the pedestrian clearance

time is comprised of three intervals: the pedestrian change interval (the interval during which a flashing UPRAISED HAND indication is displayed), the yellow change interval (when the steady UPRAISED HAND is displayed and the traffic signal for the parallel vehicular movement displays a yellow indication), and any red clearance (“all red”) interval. The recommended duration of the pedestrian clearance time is sufficient to allow a pedestrian crossing in the crosswalk who left the curb or shoulder during the WALKING PERSON indication to travel at a speed of 3.5 ft per second to at least the far side of the traveled way or to a median of sufficient width for pedestrians to wait.

Many pedestrian signal heads now incorporate **countdown pedestrian signals**. These signals count the seconds remaining in the pedestrian change interval (flashing UPRAISED HAND displayed). At the end of this interval, the countdown signal briefly displays a zero and the steady UPRAISED HAND indication is displayed. As explained above, some time may still remain in the pedestrian clearance time.

Crossings by Visually or Mobility Impaired Pedestrians

- It is unlawful for any person, unless totally or partially blind or otherwise incapacitated, while on any public street or highway, to carry in a raised or extended position a cane or walking stick which is white in color or white tipped with red [§316.1301(1)].
- Whenever a pedestrian is crossing, or attempting to cross, a public street or highway, guided by a dog guide or carrying in a raised or extended position a cane or walking stick which is white in color or white tipped with red, the driver of every vehicle

approaching the intersection or place where the pedestrian is attempting to cross shall bring his or her vehicle to a full stop before arriving at such intersection or place of crossing and, before proceeding, shall take precautions as may be necessary to avoid injuring such pedestrian [§316.1301(2)].

- Whenever a pedestrian who is mobility impaired is in the process of crossing a public street or highway with the assistance of a guide dog or service animal designed as such with a visible means of identification, a walker, a crutch, an orthopedic cane or wheelchair, the driver of a vehicle approaching the intersection shall bring his or her vehicle to a full stop before arriving at the intersection and, before proceeding, shall take precautions necessary to avoid injuring the pedestrian [§316.1303].

Priorities for Enforcement and Awareness

The following conditions were identified* as common contributing factors in pedestrian-motor vehicle crashes.

Primary Error by Pedestrian-

Failure to yield, crossing roadway	19.1%
Dash/Dart out	14.0%
Parking lot	6.7%

Primary Error by Driver-

Failure to yield, crossing roadway	15.7%
Backing vehicle (failed to detect pedestrian)	8.0%

**Source: Florida's Integrated Report Exchange System (FIRES), USF Center for Urban Transportation Research Data Collection and Analysis.*

Relative frequencies of pedestrian crash types vary to some extent with development character (urban, rural), prevailing speeds, light condition, number of lanes, presence or absence of sidewalks, etc.

Enforcing Pedestrian Duties to Yield (where and when required)

Enforcement of pedestrian duty to yield at mid-block locations without crosswalks requires observing a driver taking evasive action (braking or changing lanes) to avoid the pedestrian.

When enforcing pedestrian duties at or near signalized intersections, officers should concentrate on pedestrians who commit blatant violations—especially ones whose example inspires a larger group of pedestrians to follow, or who cause drivers to brake or swerve—and pedestrians who seem impaired or inattentive to conditions (especially under dark conditions, when such individuals are at high risk).

Enforcing Motorist Duties to Yield (where and when required)

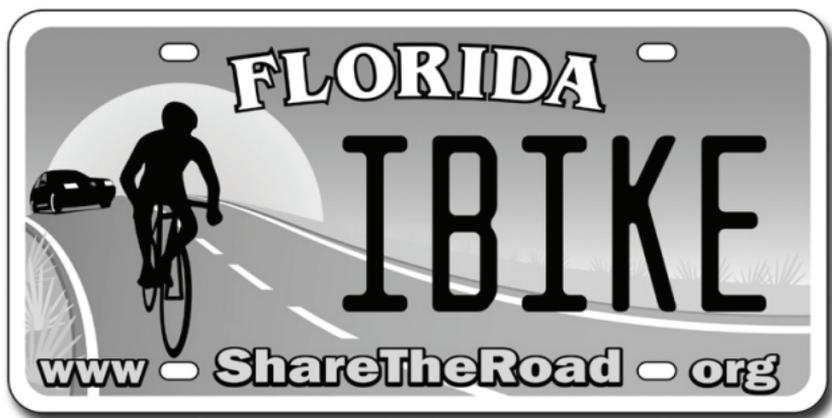
Drivers' failure to yield is frequently given by pedestrians as a reason for not using crosswalks. The movement of a queue of drivers turning right on green, for example, can induce a pack mentality that leaves less assertive or agile pedestrians insufficient time to cross. Since locations away from intersections and major driveways usually have few or no turning vehicles to attend to, pedestrians often find crossings at such locations simpler to execute, especially where frequent gaps in traffic do not require long waits (while one yields to drivers), or where a median refuge allows a crossing to be made in two stages. However, intersection crosswalks provide the most direct and practical paths for many pedestrian purposes.

Warning Pedestrians Using Wrong Shoulder

Pedestrians observed walking (or running) along roadways with their backs to traffic should generally be warned. Many pedestrians are not aware of the safety advantage of walking along the left side, so as to face approaching drivers, in places where sidewalks are not provided. Judgment should be used; crossing a roadway so as to walk facing traffic may be risky or impractical under some conditions.

Awareness of, and by, Backing Drivers

Pedestrians hit by backing drivers who failed to detect their presence were most commonly struck in parking lots. Others were stepping into streets behind parked cars, or walking past driveways and alleys. Small children are especially vulnerable in driveways. The FHWA study cited above found that 9 percent of pedestrian-motor vehicle collisions occurred in parking lots. Pedestrians in parking lots should be attentive to any signs of a backing vehicle and walk in front of cars when possible. Backing drivers should look over both shoulders and continue looking while backing.



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This edition is based on a document originally funded by a grant from the Florida Department of Transportation. For more information on bicycle and pedestrian programs, law enforcement and videos, contact:



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