

# ***A BICYCLIST'S GUIDE TO TRAFFIC LAW***

*in Tucson and Pima County*



***Traffic Laws, Fines and Phone Numbers***

*This booklet contains a listing of relevant Arizona State, Pima County and City of Tucson laws as of January, 2010.*

*Additional civil and criminal traffic laws may apply to bicyclists, motorists and pedestrians throughout Arizona.*

*This booklet does not constitute a legal standard.*

*Refer to Arizona Revised Statutes and to local traffic ordinances.*

# TABLE OF CONTENTS

3

<b>Arizona Traffic Laws</b> .....	<b>5</b>
Definition of a Bicycle .....	5
Overtaking a vehicle on the left.....	5
Overtaking bicycles; civil penalties.....	8
Method of giving hand and arm signals .....	10
School crossings.....	12
Parent and guardian responsibility.....	13
Applicability of traffic laws to bicycle riders.....	14
Riding on bicycles .....	15
Clinging to vehicle.....	15
Riding on roadway and bicycle path .....	15
Carrying article on bicycle.....	18
Bicycle equipment .....	18

Opening vehicle door .....	19
<b>Pima County Bicycle Laws .....</b>	<b>20</b>
Requirement for helmet use .....	20
Civil penalties .....	20
Waiver of fine .....	21
<b>Tucson Bicycle Laws .....</b>	<b>22</b>
Parking of bicycles .....	22
Riding on sidewalks, paths, and through underpasses .....	22
Enforcement .....	23
Bicycle helmets .....	23
Motorized bicycles .....	24
Local traffic fines .....	25
<b>Useful phone numbers .....</b>	<b>28</b>
A word about stop signs .....	30

## **28-101 Definitions**

“Bicycle” means a device, including a racing wheelchair, that is propelled by human power and on which a person may ride and that has either:

- (a) Two tandem wheels, either of which is more than sixteen inches in diameter.
- (b) Three wheels in contact with the ground, any of which is more than sixteen inches in diameter.

## **28-601 Definitions**

“Stop”, if required, means complete cessation from movement.

## A Word About Stop Signs-

Arizona traffic law defines a stop as-

**“Stop, if required, means complete cessation from movement.”**

While bicyclists and motorists are required to stop at stop signs, it is **not** necessary to put your foot on the ground to meet the letter of the law.

*Running stop signs on major streets is extremely dangerous and can result in a fine of \$212 with points added to your driver's license.*

*Running stop signs sets a bad example for younger riders.*



## **28-704. Minimum speed limits; requirement to turn off roadway**

### ***This statute has been applied to bicyclists***

- A. A person shall not drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when either of the following applies:
1. Reduced speed is necessary for safe operation or in compliance with law.
  2. The reasonable flow of traffic exceeds the maximum safe operating speed of the lawfully operated implement of husbandry.
- B. If the director or local authorities within their respective

jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, the director or local authority may determine and declare a minimum speed limit below which a person shall not drive a vehicle except when necessary for safe operation or in compliance with law.

- C. If a person is driving a vehicle at a speed less than the normal flow of traffic at the particular time and place on a two-lane highway where passing is unsafe, and if five or more vehicles are formed in a line behind the vehicle, the person shall turn the vehicle off the roadway at the nearest place designated as a turnout by signs erected by the director or a local authority, or wherever sufficient area for a safe turnout exists, in order to permit the vehicles following to proceed.

## **28-725. Limitations on overtaking on the left**

A person shall not drive a vehicle 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 is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completed without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.

The overtaking vehicle shall return to the right-hand side of the roadway before coming within one hundred feet of any vehicle approaching from the opposite direction.

**28-735. Overtaking bicycles; civil penalties**

- A. When overtaking and passing a bicycle proceeding in the same direction, a person driving a motor vehicle shall exercise due care by leaving a safe distance between the motor vehicle and the bicycle of not less than three feet until the motor vehicle is safely past the overtaken bicycle.
- B. If a person violates this section and the violation results in a collision causing:
1. Serious physical injury as defined in section 13-105 to another person, the violator is subject to a civil penalty of up to five hundred dollars.
  2. Death to another person, the violator is subject to a civil penalty of up to one thousand dollars.

- C. Subsection B of this section does not apply to a bicyclist who is injured in a vehicular traffic lane when a designated bicycle lane or path is present and passable.

### **28-756. Method of giving hand and arm signals**

- A. Except as provided by subsection B, a person shall give all hand and arm signals required by this article from the left side of the vehicle in the following manner, and the signals shall indicate as follows:
1. Left turn. Hand and arm extended horizontally.
  2. Right turn. Hand and arm extended upward.
  3. Stop or decrease speed. Hand and arm extended downward.
- B. A person operating a bicycle may give a right turn signal by extending the right hand and arm horizontally to the right side of the bicycle.

# How to Signal a Turn



RIGHT TURN  
both are legal  
signals



TURNING  
LEFT



SLOWING  
DOWN



## **28-797. School crossings; civil penalty; assessment; definition.**

Law applies to bicyclists in the roadway or in bike lanes and makes it clear that school zones shall be signed as no passing zones.

*Excerpts:*

- F. A vehicle shall not proceed at a speed of more than fifteen miles per hour between the portable signs placed on the highway indicating that there shall be no passing, that school is in session and that the driver shall stop when children are in the crosswalk.
- G. When a school authority places and maintains the required portable signs indicating that there shall be no passing, that school

is in session and that the driver shall stop when children are in the crosswalk, all vehicles shall come to a complete stop at the school crossing when the crosswalk is occupied by a person.

- H. A vehicle approaching the crosswalk shall not proceed at a speed of more than fifteen miles per hour between the portable signs placed on the highway indicating that there shall be no passing, that school is in session, that the driver shall stop when children are in the crosswalk and that the civil penalty will double.

### **28-811. Parent and guardian responsibility; applicability of article**

- A. The parent of a child and the guardian of a ward shall not authorize or knowingly permit the child or ward to violate this chapter.

- B. Except as otherwise provided in this article, this chapter applies to a bicycle when it is operated on a highway or on a path set aside for the exclusive use of bicycles.

### **28-812. Applicability of traffic laws to bicycle riders**

A person riding a bicycle on a roadway or on a shoulder adjoining a roadway is granted all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter and chapters 4 and 5 of this title, except special rules in this article and except provisions of this chapter and chapters 4 and 5 of this title that by their nature can have no application.

**28-813. Riding on bicycles**

- A. A person propelling a bicycle shall not ride other than on or astride a permanent and regular seat attached to the bicycle.
- B. A person shall not use a bicycle to carry more persons at one time than the number for which it is designed and equipped.

**28-814. Clinging to vehicle**

A person riding on a bicycle, coaster, sled or toy vehicle or on roller skates shall not attach the bicycle, coaster, sled, toy vehicle or roller skates or that person to a vehicle on a roadway.

**28-815. Riding on roadway and bicycle path; bicycle path usage**

- A. A person riding a bicycle on 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:

1. If overtaking and passing another bicycle or vehicle proceeding in the same direction.
2. If preparing for a left turn at an intersection or into a private road or driveway.
3. If reasonably necessary to avoid conditions, including fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals or surface hazards.
4. If the lane in which the person is operating the bicycle is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.

- B. Persons riding bicycles on a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.
- C. A path or lane that is designated as a bicycle path or lane by state or local authorities is for the exclusive use of bicycles even though other uses are permitted pursuant to subsection D or are otherwise permitted by state or local authorities.
- D. A person shall not operate, stop, park or leave standing a vehicle in a path or lane designated as a bicycle path or lane by a state or local authority except in the case of emergency or for crossing the path or lane to gain access to a public or private road or driveway.
- E. Subsection D does not prohibit the use of the path or lane by the appropriate local authority.

## **28-816. Carrying article on bicycle**

A person shall not carry a package, bundle or article while operating a bicycle if the package, bundle or article prevents the driver from keeping at least one hand on the handlebars.

## **28-817. Bicycle equipment**

- A. A bicycle that is used at nighttime shall have a lamp on the front that emits a white light visible from a distance of at least five hundred feet to the front and a red reflector on the rear of a type that is approved by the department and that is visible from all distances from fifty feet to three hundred feet to the rear when the reflector is directly in front of lawful upper beams of head lamps on a motor vehicle. A bicycle may have a lamp that emits a red light visible from a distance of five hundred feet to the rear in addition to the red reflector.

- B. A person shall not operate a bicycle that is equipped with a siren or whistle.
- C. A bicycle shall be equipped with a brake that enables the operator to make the braked wheels skid on dry, level, clean pavement.

### **28-905. Opening vehicle door**

A person shall not open a door on a motor vehicle unless it is reasonably safe to do so and can be done without interfering with the movement of other traffic. A person shall not leave a door open on a side of a motor vehicle exposed to moving traffic for a period of time longer than necessary to load or unload a passenger.

**10.43.010 Requirement for helmet use.**

No person under eighteen years of age shall ride a bicycle or be a passenger on a bicycle, ride in a restraining seat attached to a bicycle, or ride in a trailer towed by a bicycle unless that person is wearing a properly fitted and fastened bicycle helmet which meets the current standards of the American National Standards Institute for protective headgear. (Ord. 1995-12 § 1 (part), 1995)

**10.43.030 Civil penalties.**

Any person in violation of this chapter shall be found guilty of a civil infraction and be required to pay a minimum fine of fifty dollars that cannot be suspended except pursuant to Section 10.43.040. (Ord. 1995-12 § 1 (part), 1995)

### 10.43.040 Waiver of fine.

The penalty provided in this section for a violation of Section 10.43.010 may be waived if an offender presents purchased or otherwise obtained since the time of the violation and that the minor uses or intends to use said helmet whenever required to do so by this chapter. (Ord. 1995-12 § 1 (part), 1995)

*There are **Bike Diversion Classes** for persons who've received a traffic citation while riding their bikes. Please call **243-BIKE** to register for a class.*

*The Prosecutor's Office will dismiss a cyclist's civil traffic citation if he or she submits proof of completion of the Bicycle Diversion Program safety class.*

## **SEC. 5-1. Parking of bicycles.**

It shall be unlawful to park a bicycle upon any public sidewalk or street in a manner that substantially impedes pedestrian or vehicular traffic or obstructs access to public or private facilities.

## **SEC. 5-2. Riding on sidewalks and pedestrian paths, and through underpasses.**

- A. It shall be unlawful to ride a bicycle on any public sidewalks, or upon a designated pedestrian path in any public park, unless signs are posted specifically permitting bicycling.
- B. It shall be unlawful to ride a bicycle through any underpass when signs are posted prohibiting bicycling.

**SEC. 5-3. Enforcement.**

Any violation of a provision of this chapter shall be a civil infraction, unless otherwise specified, subject to the provisions of Chapter 28 of this Code. Violations of this Chapter shall be deemed as civil infractions subject to a sanction of twenty-five-dollars (\$25.00).

**SEC. 20-29. (1). Bicycle helmets.**

No person under eighteen (18) years of age shall ride a bicycle or be a passenger on a bicycle, ride in a restraining seat attached to a bicycle, or ride in a trailer towed by a bicycle unless that person is wearing a properly fitted and fastened bicycle helmet which meets the current standards of the American National Standards.

## Motorized bicycles

All the laws that apply to bicycles apply to motorized bicycles. There are additional laws that apply to motorized bicycles.

- Motorized bicycles may not be ridden by anyone under the age of 16.
- Motorized bicycles may not be ridden faster than 19 mile per hour, or have an engine displacement greater than 50cc.
- Motorized bicycles may not be ridden on shared use paths.

You can view the complete City of Tucson motorized bicycle ordinance (No.10321) at: <http://cms3.tucsonaz.gov/files/agdocs/20060919/sept19-06-509a.pdf>

*There are additional Arizona state laws and definitions that apply to motorized bicycles.*

*The following is a listing of selected laws and fines that apply to motorists and bicyclists. Fines vary depending on jurisdiction. A range of fines from the time of publication is shown here. Fines may be doubled in school zones and construction zones.*

**Running stop signs ..... \$105 - \$212**

First offense, potential points against license or revoking of license  
(driver or cyclist)

**Running stop lights..... \$270 - \$322**

First offense, potential points against license or revoking of license  
(driver or cyclist)

## LOCAL TRAFFIC FINES

27

**Riding at night without a headlight and rear red reflector .....\$105 - \$184**

*A rear red taillight is permitted by law in addition to the rear reflector and is recommended.*

**Riding on a sidewalk..... \$105**  
(City of Tucson)

**Riding on the wrong side of the roadway .....\$105 - \$184**  
Against the flow of traffic

**Failure to yield..... \$174 - \$212**  
By driver to a cyclist or pedestrian

<b>Failure to wear bicycle helmet</b> .....	<b>\$114 - \$174</b>
By a child under age of 18	
<b>Unsafe passing of a bicyclist by a driver</b> .....	<b>\$212 - \$1000</b>
<b>Bicycling more than 2 abreast</b> .....	<b>\$105 - \$184</b>
<b>Passing in a school zone</b> .....	<b>\$172 - \$322</b>
By a driver or a cyclist	
<b>Speeding in a school zone</b> .....	<b>\$172 - \$322</b>
By a driver or a cyclist	
<b>Failure to yield to a pedestrian in a school crossing</b> .....	<b>\$172 - \$322</b>
<b>Failure to use proper hand signals</b> .....	<b>\$174</b>

## Report road maintenance needs to:

Arizona DOT Street Maintenance.....	388-4200
Marana Streets Department .....	382-2500
Oro Valley Street Maintenance .....	229-5070
Pima County Street Maintenance.....	740-2639
Sahuarita Public Works .....	648-1972
South Tucson Public Works.....	792-2424
Tucson Street Maintenance.....	791-3154
Tucson Police Dept. Road Rage Hotline.....	235-RAGE

**Bicycle Advocacy and Local Government**

Marana Bicycle Coordinator .....	382-2612
Oro Valley Bicycle Coordinator .....	229-5057
Pima Association of Governments Regional Bicycle Coordinator .....	792-1093
Pima County Bicycle & Pedestrian Program.....	243-BIKE
Sahuarita Bicycle Coordinator .....	822-8824
South Tucson Bicycle Coordinator .....	792-2424
Tucson Bicycle and Pedestrian Program.....	791-4371
Tucson-Pima County Bicycle Advisory Committee.....	791-4371



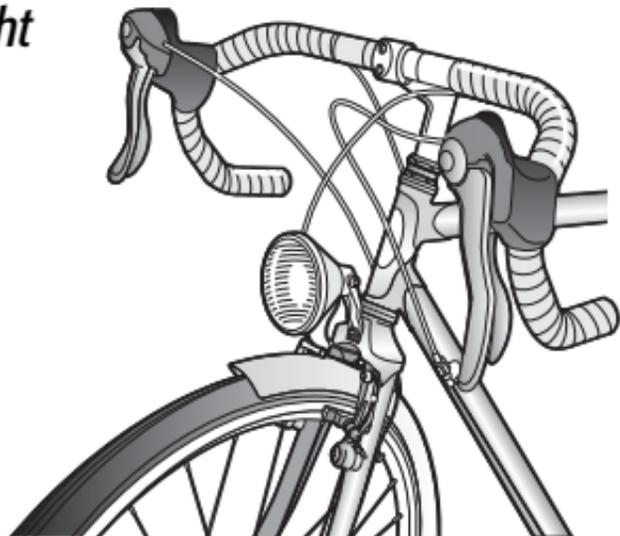
# ***Bike Classes for Everyone!***

***FREE classes for kids, beginners, racers, mechanics & more!***

***Classes include FREE bike light  
kits, helmets, U-locks  
& other great items.***

**Call 243-BIKE  
to sign up or visit  
[www.bikeped.pima.gov](http://www.bikeped.pima.gov)**

***Sponsored by Pima County and  
the City of Tucson***





## **Pima County Board of Supervisors**

Ramón Valadez, Chairman, District 2

Ann Day, Supervisor, District 1

Sharon Bronson, Vice-Chair, District 3

Raymond J. Carroll, Supervisor, District 4

Richard Elías, Supervisor, District 5

## **Pima County Administrator**

C.H. Huckelberry

© 2011, 1st Edition • *Pima County Bicycle & Pedestrian Program,*  
*Matthew Zoll, Program Manager • [www.BikePed.Pima.gov](http://www.BikePed.Pima.gov)*

*Design by Pima County Graphic Services*