

Bicycle Laws that Apply in New York City

General

VTL §1231: Bicyclists are granted all of the rights and are subject to all of the duties as the driver of a motor vehicle.

VTL §1232 Cyclists must ride on a permanent seat; feet must be on pedals; and bike must carry only the number of persons for which it is designed and equipped.

34 RCNY 4-12(p)(3) Bicyclists may ride on either side of one-way roadways that are at least 40 feet wide.

34 RCNY 4-12 (e) - Cyclists must have at least one hand on handlebars at all times.

34 RCNY 4-12 (h) - Cyclists involved in accidents resulting in death or injury to person or damage to property must stop and make a report to the Police Department. (If you're in an accident with a car, you should get a police report even if you don't think you're injured—bike accidents go underreported!)

34 RCNY 4-12 (o) - Bicycles are prohibited on expressways, drives, highways, interstate routes and thruways unless authorized by signs.

AC 19-176 - Riding bicycles on sidewalks is prohibited. Bicycles may be confiscated.

NOTE: Tickets for riding on the sidewalk fall under the jurisdiction of the Environmental Control Board (ECB). If you are given a ticket or summons that requires you to appear in criminal court instead, you should be able to get the ticket thrown out for lack of jurisdiction. VTL §1237 - When turn signals are required, left turns shall be signaled with the left hand, and right turns may be signaled with either hand.

VTL §1233 - Clinging to vehicles - Attaching bike to other vehicle being operated on roadway is prohibited.

34 RCNY § 4-12(c) It is illegal to get out of a vehicle in a manner which endangers cyclists (dooring).

NOTE: VTL §1234, which states that you must ride by the right-hand curb and no more than two abreast DOES NOT APPLY IN NEW YORK CITY. It is specifically superseded by 34 RCNY 4-02 (e).

Bike Lanes

You are NOT required to ride in the bike lane.

34 RCNY 4-12(p)(1) states that bicyclists should ride in usable bike lanes, unless they are preparing to turn, or are avoiding unsafe conditions (including but not limited to, fixed or moving objects, motor vehicles, bicycles, pedestrians, pushcarts, animals, surface hazards).

Equipment

VTL 1236 (a)&(e) Bicycles must have a white headlight, a red taillight, and reflectors between dusk and dawn.

(b) Bicycles must have a bell or other audible signal

(d) Every new bicycle shall be equipped with reflective tires (i.e. you should not get a ticket for this)

VTL 375 (24)(a) Cyclists may not wear more than one earphone attached to a radio, tape player or other audio device while riding.

Full Text of Laws

VTL § 1231: Traffic laws apply to persons riding bicycles or skating or gliding on in-line skates Every person riding a bicycle or skating or gliding on in-line skates upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except as to special regulations in this article and except as to those provisions of this title which by their nature can have no application.

VTL § 1232: Riding on bicycles

(a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto, nor shall he ride with his feet removed from the pedals.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

34 RCNY 4-12(p)(3): Bicycles permitted on both sides of 40-foot wide one-way roadways. Any person operating a bicycle upon a roadway that carries traffic in one direction only and is at least 40 feet wide may ride as near as is practicable to either the left or the right hand curb or edge of such roadway, provided that bicycles are not prohibited from using said roadway.

AC § 19-176 Bicycle operation on sidewalks prohibited.

a. For purposes of this section:

(1) The term "bicycle" shall mean a two or three wheeled device upon which a person or persons may ride, propelled by human power through a belt, a chain or gears, with such wheels in a tandem or tricycle, except that it shall not include such a device having solid tires and intended for use only on a sidewalk by a child.

(2) The term "sidewalk" shall mean that portion of the street, whether paved or unpaved, between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians. Where it is not clear which section is intended for the use of pedestrians the sidewalk will be deemed to be that portion of the street between the building line and the curb.

(3) The term "child" shall mean a person less than fourteen years of age.

b. No person shall ride a bicycle upon any sidewalk unless permitted by an official sign. A person who violates this subdivision may be issued a notice of violation and shall be liable for a civil penalty of not more than one hundred dollars which may be recovered in a proceeding before the environmental control board.

c. A person who violates subdivision b of this section in a manner that endangers any other person or property shall be guilty of a misdemeanor, punishable by a fine of not more than one hundred dollars or imprisonment for not more than twenty days or both such fine and imprisonment. Such person shall also be liable for a civil penalty of not less than one hundred dollars nor more than three hundred dollars, except where a hearing officer has determined that where there was physical contact between the rider and another person, an additional civil penalty of not less than one hundred dollars nor more than two hundred dollars may be imposed. Such civil penalties may be recovered in a proceeding before the environmental control board. Enforcement agents shall indicate on the summons or notice of violation issued pursuant to this subdivision whether physical contact was made between the rider and another person. Any person who violates any provision of this subdivision more than once within any six month period shall be subject to the imposition of civil penalties in an amount that is double what would otherwise have been imposed for the commission of a first violation. It shall be an affirmative defense that physical contact between a rider and another person was in no way the fault of the rider.

d. Where a summons or notice of violation is issued for a violation of subdivision c of this section, the bicycle may be seized and impounded.

e. A bicycle impounded pursuant to this section shall be released to the owner or other person lawfully entitled to possession upon payment of the costs of removal and storage as set forth in the rules of the police department and proof of payment of any fine or civil penalty for the violation or, if a proceeding for the violation is pending in a court or before the environmental control board, upon the posting of a bond or other form of security acceptable to the police department in an amount which will assure the payment of such costs and any fine or civil penalty which may be imposed for the violation. If the court or the environmental control board finds in favor of the defendant or respondent, the owner shall be entitled forthwith to possession of the bicycle without charge or to the extent that any amount has been previously paid for release of the bicycle, such amount shall be refunded. The police department shall establish by rule the time within which bicycles which are not redeemed may be deemed abandoned and the procedures for disposal.

f. The owner of a bicycle shall be given the opportunity for a post seizure hearing within five business days before the environmental control board regarding the impoundment. The environmental control board shall render a determination within three business days after the conclusion of the hearing. Where the board finds that there was no basis for the impoundment, the owner shall be entitled forthwith to possession of the bicycle without charge or to the extent that any amount has been previously paid for release of the bicycle, such amount shall be refunded.

g. Upon the impoundment of a bicycle, the rider shall be given written notice of the procedure for redemption of the bicycle and the procedure for requesting a post seizure hearing. Where the rider of a bicycle is not the owner thereof notice provided to the rider shall be deemed to be notice to the owner. Where the defendant or respondent is less than eighteen years old such notice shall also be mailed to the parent, guardian or where relevant, employer of the respondent, if the name and address of such person is reasonably ascertainable.

h. In any proceeding under this section it shall be an affirmative defense that the defendant or respondent was less than fourteen years old at the time the violation was committed.

i. The provisions of this section may be enforced by the police department or designated employees of the department, the department of sanitation, the department of parks and recreation.

34 RCNY 4-12(e) Operator's hand on steering device. No person shall operate or ride a motor vehicle or bicycle without having his/her hand on the steering device or handle bars. A person riding or leading a horse or driving a horse-drawn carriage shall have the reins in his/her hand continuously.

34 RCNY 4-12 (h) Reporting accidents by operators of other than motor vehicles. The operators of any bicycle or vehicle other than a motor vehicle involved in an accident resulting in death or injury to a person or damage to property must stop and give their names and addresses and information concerning liability insurance coverage to the party sustaining injuries or damage, and in the case of death or injury, he/she must, in addition to the above, without delay report the accident to the nearest police station, unless he/she has supplied the information to a police officer on the scene. Accidents involving motor vehicles must be reported as required by the Vehicle and Traffic Law.

34 RCNY § 4-1(o) Use of roadways. (1) Pedestrians, horses, bicycles and limited use vehicles prohibited. In order to provide for the maximum safe use of the expressways, drives, highways, interstate routes, bridges and thruways set forth in § 4-07 subdivision (i) of these rules and to preserve life and limb thereon, the use of such highways by pedestrians, riders of horses and operators of limited use vehicles and bicycles is prohibited, unless signs permit such use.

34 RCNY § 4-12(c) Getting out of vehicle. No person shall get out of any vehicle from the side facing on the traveled part of the street in such manner as to interfere with the right of the operator of an approaching vehicle or a bicycle.

34 RCNY § 4-12(p) Bicycles.

(1) Bicycle riders to use bicycle lanes. Whenever a usable path or lane for bicycles has been provided, bicycle riders shall use such path or lane only except under any of the following situations:

(i) When preparing for a turn at an intersection or into a private road or driveway.

(ii) When reasonably necessary to avoid conditions (including but not limited to, fixed or moving objects, motor vehicles, bicycles, pedestrians, pushcarts, animals, surface hazards) that make it unsafe to continue within such bicycle path or lane.

34 RCNY § 4-02(e): State law provisions superseded. Pursuant to authority provided by § 1642 of the Vehicle and Traffic Law, the following provisions of such law shall not be effective in the City of New York: § § 1112, 1142(b), 1150, 1151, 1152, 1153, 1156(b), 1157, 1171, 1201, 1202, and 1234.

VTL § 1237. Method of giving hand and arm signals by bicyclists. All signals herein required to be given by bicyclists by hand and arm shall be given in the following manner and such signals shall indicate as follows:

1. Left turn. Left hand and arm extended horizontally.
2. Right turn. Left hand and arm extended upward or right hand and arm extended horizontally.
3. Stop or decrease speed. Left hand and arm extended downward.

VTL § 1233. Clinging to vehicles. 1. No person riding upon any bicycle, coaster, in-line skates, roller skates, skate board, sled, or toy vehicle shall attach the same or himself or herself to any vehicle being operated upon a roadway.

VTL § 1146. Drivers to exercise due care. Notwithstanding the provisions of any other law to the contrary, every driver of a vehicle shall exercise due care to avoid colliding with any bicyclist, pedestrian or domestic animal upon any roadway and shall give warning by sounding the horn when necessary. For the purposes of this section, the term "domestic animal" shall mean domesticated sheep, cattle and goats which are under the supervision and control of a pedestrian.