



BICYCLE FRIENDLY STATE

TREATMENT OF BIKES AS VEHICLES LAWS

According to the [Pedestrian and Bicycle Information Center](#) in response to the Frequently Asked Question "Are bicyclists allowed to ride on the road?" they say, "Yes! In all 50 states, bicyclists are either considered vehicles or have the same rights and responsibilities as the operator of a motor vehicle." While the answer of PBIC is technically true, it also masks a very complicated issue. In some cases, despite bicycles being treated as vehicles do to either the definition of a "vehicle" or a law that grants bicyclists the same rights and responsibilities as an operator of a motor vehicle, courts have found that certain traffic laws that apply to vehicle interactions do not apply to vehicle-bicycle interactions. In 2016, Illinois amended its law after a bicyclist, [Dennis Jur](#), was killed by a driver and a judge determined that the driver could not be cited for failing to yield to the bicyclist because of a bicycle was not a "vehicle." As of 2017, 20 states had a similar definition of "vehicle" that may similarly deprive bicyclists of the protections afforded by traffic laws. Learn more at bikeleague.org/bike-law-university.

| State | Bicycle as Vehicle | | Bicyclists have Rights and Duties applicable to Drivers | | | | |
|------------|---------------------------------|------------------------|---|---|---|---|---|
| | Definition of Vehicle Statute | Are Bicycles Vehicles? | Rights and Duties Statute | Rights and Duties Statute Text | Sections of Vehicle Law Specifically Applicable to Bicyclists | Is there a "by their nature" exception? | Public Space(s) where Rights and Duties Statute Applies |
| Alabama | 32-1-1.(81) | Yes | 32-5A-260 | Every person riding a bicycle 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 chapter, except as to special regulations in this article and except as to those provisions of this chapter which by their nature can have no application. | This chapter (32-5A) | Yes | "upon a roadway" |
| Alaska | 28.90.990(16); 28.90.990(28) | Yes | 13 AAC 02.385. | Every person operating a bicycle upon a roadway has all the rights and is subject to all of the duties applicable to the driver of any other vehicle as set out in this chapter, in addition to special regulations in secs. 385 - 420 of this chapter, except as to those provisions of this chapter which by their nature have no application. | This chapter (13-02) | Yes | "upon a roadway" |
| Arizona | 28-101(57) | No | 28-812. | 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. | Chapters 3, 4 and 5 | Yes | "on a roadway or on a shoulder adjoining a roadway" |
| Arkansas | 27-49-219 | No | 27-49-111. | Every person riding a bicycle or an animal, or driving any animal drawing a vehicle upon a highway, shall have all the rights and all of the duties applicable to the driver of a vehicle, except those provisions of this act which by their nature can have no applicability. | No laws specified | Yes | "upon a highway" |
| California | VC 670 | No | 21200 | A person riding a bicycle or operating a pedicab upon a highway has all the rights and is subject to all the provisions applicable to the driver of a vehicle by this division, including, but not limited to, provisions concerning driving under the influence of alcoholic beverages or drugs, and by Division 10 (commencing with Section 20000), Section 27400, Division 16.7 (commencing with Section 39000), Division 17 (commencing with Section 40000.1), and Division 18 (commencing with Section 42000), except those provisions which by their very nature can have no application. | Certain sections related to DUI laws | Yes | "upon a highway" |
| Colorado | 42-1-102(112) | Yes | 42-4-1412. | Every person riding a bicycle or electrical assisted bicycle shall have all of the rights and duties applicable to the driver of any other vehicle under this article, except as to special regulations in this article and except as to those provisions which by their nature can have no application. Said riders shall comply with the rules set forth in this section and section 42-4-221, and, when using streets and highways within incorporated cities and towns, shall be subject to local ordinances regulating the operation of bicycles and electrical assisted bicycles as provided in section 42-4-111. | This article (42-4) | Yes | Not specified, except as to local ordinances, they only apply "when using streets and highways" |

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| Connecticut | 14-212(5); (10) [bikes are motor vehicles] | Yes | 14-286a. | Every person riding a bicycle, as defined by section 14-286, upon the traveled portion of a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any vehicle subject to the requirements of the statutes relating to motor vehicles, except as to those provision which by their nature can have no application and except that each town, city, or borough and the State Traffic Commission within its jurisdiction as provided in section 14-298 shall have authority to regulate bicycles as provided in section 14-289 and said section 14-298, and except as provided by section 14-286c. | "statutes relating to motor vehicles" and local regulations | Yes | "upon the traveled portion of a highway" |
| Delaware | § 101 | No | § 4193. | Every person propelling a vehicle by human power or riding a bicycle shall have all of the rights and all of the duties applicable to the driver of any other vehicle by this title, except as to special regulations in this subchapter and except as to those provisions of this title which by their nature can have no application. | This title (21) | Yes | Not specified |
| District of Columbia | § 50-2201.02(9) | Yes | 18-1201 | 1201.1. Every person who propels a vehicle by human power or rides a bicycle on a highway shall have the same duties as any other vehicle operator under this title, except as otherwise expressly provided in this chapter, and except for those duties imposed by this title which, by their nature or wording, can have no reasonable application to a bicycle operator. | This title (18) | Yes | 1200 = "public space"; 1201 = "on a highway" |
| Florida | 316.003(75) | Yes | 316.2065 | Every person propelling a vehicle by human power has all of the rights and all of the duties applicable to the driver of any other vehicle under this chapter, except as to special regulations in this chapter, and except as to provisions of this chapter which by their nature can have no application. | This chapter (316) | Yes | Not specified |
| Georgia | 40-1-1(75) | Yes | 40-6-291. | The provisions of this chapter that apply to vehicles, but not exclusively to motor vehicles, shall apply to bicycles, except that the penalties prescribed in subsection (b) of Code Section 40-6-390, subsection (c) of Code Section 40-6-391, and subsection (a) of Code Section 40-6-393 shall not apply to persons riding bicycles. | This chapter (40-6) | Yes | Not specified |
| Hawaii | §291C-1 | Yes | §291C-142 | Every person riding a bicycle 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 chapter, except as to special regulations in this part and except as to those provisions of this chapter which by their nature can have no application. | This chapter (291C) | Yes | "upon a roadway" |
| Idaho | 49-114; 49-123 | Yes | 49-714. | (1) Every person operating a vehicle propelled by human power or riding a bicycle shall have all of the rights and all of the duties applicable to the driver of any other vehicle under the provisions of chapters 6 and 8 of this title, except as otherwise provided in this chapter and except as to those provisions which by their nature can have no application. | Chapters 49-6 and 49-8 | Yes | Not specified |
| Illinois | 1-217 | No | 11-1502. | Every person riding a bicycle upon a highway shall be granted all of the rights, including, but not limited to, rights under Article IX of this Chapter, and shall be subject to all of the duties applicable to the driver of a vehicle by this Code, except as to special regulations in this Article XV and those provisions of this Code which by their nature can have no application. | This Article XV (625 ILCS 5/) | Yes | "upon a highway" |

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| Indiana | 9-13-2-196(c) | No | IC 9-21-11-2 | Sec. 2. A person riding a bicycle upon a roadway has all the rights and duties under this article that are applicable to a person who drives a vehicle, except the following: (1) Special regulations of this article. (2) Those provisions of this article that by their nature have no application. | This article (9-21) | Yes | "upon a roadway" |
| Iowa | 321.1(90) | No | 321.234 | A person, including a peace officer, riding a bicycle on the highway is subject to the provisions of this chapter and has all the rights and duties under this chapter applicable to the driver of a vehicle, except those provisions of this chapter which by their nature can have no application or those provisions for which specific exceptions have been set forth regarding police bicycles. | This chapter (321) | Yes | "upon a roadway" |
| Kansas | 8-126 | No | 8-1587. | Every person riding a bicycle 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 act, except as otherwise provided in K.S.A. 8-1586 to 8-1592, inclusive, and except as to those provisions of this act which by their nature can have no application. | This act (ch. 8) | Yes | "upon a roadway" |
| Kentucky | 189.01(19) | No | 601 KAR 14:020(7) | (1) A bicycle shall be operated in the same manner as a motor vehicle, except that the traffic conditions established in paragraphs (a) and (b) of this subsection shall apply. (a) A bicycle may be operated on the shoulder of a highway unless prohibited by law or ordinance. (b) If a highway lane is marked for the exclusive use of bicycles, the operator of a bicycle shall use the lane unless:....(6 exceptions) | 601 KAR 14:020(7) only explicitly addresses duties, not rights. | No | Not specified |
| Maine | 29-A: 1 §101(91) | No | 29-A: §2063 | A person riding a bicycle or scooter or operating roller skis on a way has the rights and is subject to the duties applicable to the operator of a vehicle, except as to: A. Special regulations; and B. Provisions in this Title that by their nature can have no application. | No laws specified | Yes | Not specified |
| Maryland | § 11-176 | Yes | § 21-1202. | Every person operating a bicycle or a motor scooter in a public bicycle area has all the rights granted to and is subject to all the duties required of the driver of a vehicle by this title, including the duties set forth in § 21-504 of this title, except: (1) As otherwise provided in this subtitle; and (2) For those provisions of this title that by their very nature cannot apply. | This title (21) | Yes | "in a public bicycle area" |
| Massachusetts | Part I-Title XIV- Ch. 90-Sec. 1 [defines motor vehicle only] | No | Section 11B Chapter 85 Title XIV Part I | Every person operating a bicycle upon a way, as defined in section one of chapter ninety, shall have the right to use all public ways in the commonwealth except limited access or express state highways where signs specifically prohibiting bicycles have been posted, and shall be subject to the traffic laws and regulations of the commonwealth and the special regulations contained in this section, except that:.... (3 exceptions) | "traffic laws and regulations of the commonwealth" | Yes | "upon a way" |
| Michigan | 257.79 | No | 257.657 | Each person riding a bicycle, electric personal assistive mobility device, or moped or operating a low-speed vehicle or commercial quadricycle upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle under this chapter, except for special regulations in this article and except for the provisions of this chapter that by their nature do not apply. | This chapter (257) | Yes | "upon a roadway" |

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| Minnesota | 169A.03(15); 169.011(92) | Yes | 169.222 | Every person operating a bicycle shall have all of the rights and duties applicable to the driver of any other vehicle by this chapter, except in respect to those provisions in this chapter relating expressly to bicycles and in respect to those provisions of this chapter which by their nature cannot reasonably be applied to bicycles. | This chapter (169) | Yes | Not specified |
| Mississippi | 63-3-103 | Yes | 63-3-207 | Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a highway shall have all of the rights and all of the duties applicable to the driver of a vehicle under this chapter, except those provisions of this chapter which by their nature can have no application. | This chapter (63-3) | Yes | "upon a highway" |
| | | | 63-3-1303 | (1) This article applies to bicycles whenever they are operated upon any roadway or highway, or upon any path set aside for the exclusive use of bicycles. (2) A person riding a bicycle upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle, except as may be otherwise provided in this article. | No laws specified under 63-3-1303. | No | "upon an roadway or highway, or upon any path set aside for the exclusive use of bicycles" |
| Missouri | 300.010(41) | No | 307.188. | Every person riding a bicycle or motorized bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle as provided by chapter 304, except as to special regulations in sections 307.180 to 307.193 and except as to those provisions of chapter 304 which by their nature can have no application. | Chapter 304, 307.180 to 307.193 | Yes | "upon a street or highway" |
| Montana | 61-1-101(90) | Yes | 61-8-602. | A person operating a bicycle or moped is granted all of the rights and is subject to all of the duties applicable to the driver of any other vehicle by chapter 7, chapter 9, and this chapter except for special regulations in this part or the provisions of chapter 7, chapter 9, and this chapter that by their nature cannot apply. | Chapter 7, Chapter 8, and Chapter 9 | Yes | Not specified |
| Nebraska | 60-638 | No | 60-6,314. | (1) Any person who operates a bicycle upon a highway shall have all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under the Nebraska Rules of the Road except for special bicycle regulations in the rules, except for those provisions of the rules which by their nature can have no application, and except as provided in section 60-6,142. (2) Regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside by the Department of Roads or a local authority for the exclusive use of bicycles. | Nebraska Rules of the Road and as provided in 60-6,142 (allows riding on shoulders). | Yes | "upon a highway" and exclusive bicycle paths |
| Nevada | 484A.320; 482.135; 483.19 | No | 484B.763 | Every person riding a bicycle or an electric bicycle upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle except as otherwise provided in NRS 484B.767 to 484B.783, inclusive, and except as to those provisions of chapters 484A to 484E, inclusive, of NRS which by their nature can have no application. | NRS 484B.767-783, and 484A-484E | Yes | "upon a roadway" |
| New Hampshire | 259:122 | Yes | 265:143 | Every person propelling a vehicle by human power or riding a bicycle shall have all of the rights and be subject to all of the duties applicable to the driver of any other vehicle under the rules of the road, except as provided in paragraph II and as to special regulations in this subdivision and except as to those provisions which by their nature can have no application. | Rules of the Road (ch. 265), except paragraph II | Yes | Not specified |

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| New Jersey | 39:1-1 | No | 39:4-14.1 | Every person riding a bicycle 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 chapter four of Title 39 of the Revised Statutes and all supplements thereto except as to those provisions thereof which by their nature can have no application. Regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein. | Chapter 4 of Title 39 | Yes | "upon a roadway" and exclusive bicycle paths |
| New Mexico | 66-1-4.19(B) | No | 66-3-702. | Every person riding a bicycle 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, except as to the special regulations within Sections 66-3-701 through 66-3-707. | No laws specified | Yes | "upon a roadway" |
| New York | VAT §159 | No | VAT § 1231 | 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. | This title (VAT 7) | Yes | "upon a roadway" |
| North Carolina | 20-4.01(49) | Yes | 20-4.01(49) | ... for the purposes of this Chapter [ch. 20] bicycles shall be deemed vehicles and every rider of a bicycle upon a highway shall be subject to the provisions of this Chapter applicable to the driver of a vehicle except those which by their nature can have no application. | This chapter (20) | Yes | Not specified |
| North Dakota | 39-01-01; 39-07-01 | Yes | 39-10.1-02. | Every person riding a bicycle upon 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 title, except as to special regulations in this title and except as to those provisions of this title which by their nature can have no application. | This title (39) | Yes | "upon a roadway" |
| Ohio | 4501.01(A); 4511.01(A) | Yes | 4511.55(A) | (A) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable obeying all traffic rules applicable to vehicles... | 4511.55(A) only addresses duties. | No | "upon a highway" |
| Oklahoma | §47-1-134(B)(4); §47-1-186 | Yes | §47-11-1202. | Every person riding a bicycle 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 act, except as to special regulations in this article and except to those provisions of this act which by their nature can have no application. | This title (47) | Yes | "upon a roadway" |
| Oregon | 801.590; 814.400(2) | Yes | 814.400 | (1) Every person riding a bicycle upon a public way is subject to the provisions applicable to and has the same rights and duties as the driver of any other vehicle concerning operating on highways, vehicle equipment and abandoned vehicles, except: (a) Those provisions which by their very nature can have no application. (b) When otherwise specifically provided under the vehicle code. (2) Subject to the provisions of subsection (1) of this section: (a) A bicycle is a vehicle for purposes of the vehicle code; and (b) When the term vehicle is used the term shall be deemed to be applicable to bicycles. (3) The provisions of the vehicle code relating to the operation of bicycles do not relieve a bicyclist or motorist from the duty to exercise due care. | Any provisions "concerning operating on highways, vehicle equipment, and abandoned vehicles" | Yes | "upon a public way" |

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| Pennsylvania | 75-1-102 | Yes | 75-1-3501 | Every person riding a pedalcycle 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 provisions in this subchapter and except as to those provisions of this title which by their nature can have no application. | This Title (75) | Yes | "upon a roadway" and exclusive bicycle paths |
| Rhode Island | § 31-1-3(ee) | Yes | § 31-19-3 | Every person riding an electric personal assistive mobility device ("EPAMD"), riding an electric motorized bicycle, or propelling a vehicle by human power shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle by chapters 12 - 27 of this title, except as to special regulations in this chapter and except as to those provisions of chapters 12 - 27 of this title which by their nature can have no application. This section shall not forbid a bicyclist, EPAMD or electric motorized bicycle from traveling upon the shoulders of the highway except for those highways which prohibit bicyclists; provided, that an EPAMD shall possess all the rights and obligations of a pedestrian, but shall not have the rights and responsibilities of the operator of a motor vehicle and that cities and towns may regulate the operation of an EPAMD. | Chapters 12-27 of this title (31) | Yes | Not specified, but bicycles cannot be prohibited from shoulders unless they are also prohibited from the highway. |
| South Carolina | 56-5-120 | No | 56-5-3420 | A person riding a bicycle upon a roadway must be granted all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter, except as to special provisions in this article and except as to those provisions of this chapter which by their nature can have no application. | This chapter (5) | Yes | "upon a roadway" |
| South Dakota | 32-14-1(39) | Yes | None Found | "Vehicle," a device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks; including bicycles and ridden animals; | 32-14-1(39) is a definition. | N/A | Not specified |
| Tennessee | 55-8-101(77); (34) | Yes | 55-8-172. | Every person riding a bicycle upon 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 chapter 10, parts 1-5 of this title, except as to special regulations in §§ 55-8-171 55-8-177, and except as to those provisions of this chapter and chapter 10, parts 1-5 of this title that by their nature can have no application. | By this chapter (8), and chapter 10, parts 1-5 of this title | Yes | "upon a roadway" |
| Texas | 541.201(23) | Yes | 551.101 | (a) A person operating a bicycle has the rights and duties applicable to a driver operating a vehicle under this subtitle, unless: (1) a provision of this chapter alters a right or duty; or (2) a right or duty applicable to a driver operating a vehicle cannot by its nature apply to a person operating a bicycle. (b) A parent of a child or a guardian of a ward may not knowingly permit the child or ward to violate this subtitle. | Under this subtitle (title 7, subtitle C Rules of the Road) | Yes | Not specified |
| Utah | 41-6a-102(72) | Yes | 41-6a-1102. | Except as provided under Subsection (2) or as otherwise specified under this part, a person operating a bicycle, a vehicle or device propelled by human power, or a moped has all the rights and is subject to the provisions of this chapter applicable to the operator of any other vehicle. | This chapter (41-6a) | Yes | Not specified |
| Vermont | 23 VSA §4(21) [defines motor vehicle only] | No | 23 VSA §1136 | (c) Every person riding a bicycle is granted all of the rights and is subject to all of the duties applicable to operators of vehicles, except as to those provisions which by their very nature can have no application. | No laws specified | Yes | Not specified |

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| Virginia | § 46.2-100 | Yes | § 46.2-800. | Every person riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, or an animal or driving an animal on a highway shall be subject to the provisions of this chapter and shall have all of the rights and duties applicable to the driver of a vehicle, unless the context of the provision clearly indicates otherwise. | No laws specified | Yes (if context clearly indicates) | "on a highway" |
| Washington | 46.04.670 | Yes | 46.61.755 | (1) Every person riding a bicycle 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 chapter, except as to special regulations in RCW 46.61.750 through 46.61.780 and except as to those provisions of this chapter which by their nature can have no application. (2) Every person riding a bicycle upon a sidewalk or crosswalk must be granted all of the rights and is subject to all of the duties applicable to a pedestrian by this chapter. | This chapter (46.61) | Yes | "upon a roadway" |
| West Virginia | §17C-1-2 | No | §17C-11-2. | Every person riding a bicycle 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 chapter, except as to special regulations in this article and except as to those provisions of this chapter which by their nature can have no application. | This chapter (17C) | Yes | "upon a roadway" |
| Wisconsin | 340.01(74) | Yes | 346.02 | Subject to the special provisions applicable to bicycles, every person riding a bicycle upon a roadway or shoulder of a highway is granted all the rights and is subject to all the duties which this chapter grants or applies to the operator of a vehicle, except those provisions which by their express terms apply only to motor vehicles or which by their very nature would have no application to bicycles. For purposes of this chapter, provisions which apply to bicycles also apply to motor bicycles, except as otherwise expressly provided. | This chapter (346) | Yes | "upon a roadway or shoulder of a highway" |
| Wyoming | 31-5-102(a)(lviii) | Yes | 31-5-702 | Every person propelling a vehicle by human power or riding a bicycle has all of the rights and all of the duties applicable to the driver of any vehicle under this act, except as to special regulations in this act and except as to those provisions which by their nature can have no application. | Under this act (Wyoming's statutes are organized under Titles, Chapters, Articles, and Sections) | Yes | Not specified |

A BRIEF HISTORY OF BIKES AS VEHICLES

The Uniform Vehicle Code provides for both defining a bicycle as a vehicle and that a person operating a bicycle has all of the rights and duties of a person operating a vehicle. The two sections are:

- 1-215 Vehicle - Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.
- 11-1202 Traffic laws apply to persons on bicycles and other human powered vehicles - Every person propelling a vehicle by human power or riding a bicycle shall have all of the rights and all of the duties applicable to the driver of any other vehicle under chapters 10 [Accidents and Accident Reports] and 11 [Rules of the Road], except as to special regulations in this article [Article 12 - Operation of Bicycles, Other Human-Powered Vehicles, and Mopeds] and except as to those provisions which by their nature can have no application.

There is quite a bit of history to whether a bicycle is a vehicle. In the original Uniform Vehicle Code from 1926 the definition for vehicle included bicycles, but then bicycles were explicitly excluded from 1930 until 1975. During that period most states adopted statutes that either explicitly or otherwise excluded bicycles from the definition of vehicle.