

This document is for information only about Texas Law regarding bicycles, it is not the actual code and it should not be used as a legal document. Please consult an attorney for legal advice. The Official Texas Law Website is: <http://www.statutes.legis.state.tx.us/>

CHAPTER 551. OPERATION OF BICYCLES, MOPEDS, AND PLAY VEHICLES

Sec. 551.001. Persons Affected.

This chapter applies only to a person operating a bicycle on:

(1) a highway; or

(2) a path set aside for the exclusive operation of bicycles.

[note that "highway" is [defined elsewhere](#) to mean any public street]

[\[back to list of TX laws\]](#) Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 551.002. Moped Included.

A provision of this subtitle applicable to a bicycle also applies to a moped, other than a provision that by its nature cannot apply to a moped.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 551.101. Rights and Duties.

(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.

Required safety equipment

Sec. 551.104. Safety Equipment.

(a) A person may not operate a bicycle unless the bicycle is equipped with a brake capable of making a braked wheel skid on dry, level, clean pavement.

(b) A person may not operate a bicycle at nighttime unless the bicycle is equipped with:

(1) **a lamp on the front of the bicycle** that emits a white light visible from a distance of at least 500 feet in front of the bicycle; and

(2) on the **rear of the bicycle**:

(A) **a red reflector** that is:

(i) of a type approved by the department; and

(ii) visible when directly in front of lawful upper beams of motor vehicle headlamps from all distances from 50 to 300 feet to the rear of the bicycle; **or**

(B) **a lamp that emits a red light** visible from a distance of 500 feet to the rear of the bicycle.

Bicycles excluded from automobile equipment requirements

CHAPTER 547. VEHICLE EQUIPMENT SUBCHAPTER A. GENERAL PROVISIONS

Sec. 547.002. Applicability.

Unless a provision is specifically made applicable, this chapter and the rules of the department adopted under this chapter do not apply to:

(1) an implement of husbandry;

(2) road machinery;

(3) a road roller;

(4) a farm tractor;

(5) **a bicycle, a bicyclist, or bicycle equipment; ...**

"Highway" means "any street"

Sec. 541.302. Traffic Areas.

(5) "Highway or street" means the width between the boundary lines of a publicly maintained way any part of which is open to the public for vehicular travel.

(6) "Improved shoulder" means a paved shoulder.

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How to ride

CHAPTER 551. OPERATION OF BICYCLES, MOPEDS, AND PLAY VEHICLES

Sec. 551.102. General Operation.

(a) A person operating a bicycle shall ride only on or astride a permanent and regular seat attached to the bicycle.

(b) A person may not use a bicycle to carry more persons than the bicycle is designed or equipped to carry.

(c) A person operating a bicycle may not use the bicycle to carry an object that prevents the person from operating the bicycle with at least one hand on the handlebars of the bicycle.

(d) A person operating a bicycle, coaster, sled, or toy vehicle or using roller skates may not attach either the person or the bicycle, coaster, sled, toy vehicle, or roller skates to a streetcar or vehicle on a roadway.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 551.103. Operation on Roadway.

(a) Except as provided by Subsection (b), a person operating a bicycle on a roadway who is moving slower than the other traffic on the roadway shall ride as near as practicable to the right curb or edge of the roadway, unless:

(1) the person is passing another vehicle moving in the same direction;

(2) the person is preparing to turn left at an intersection or onto a private road or driveway; or

(3) a condition on or of the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal, or surface hazard prevents the person from safely riding next to the right curb or edge of the roadway.

(4) the person is operating a bicycle in an outside lane that is:

(A) less than 14 feet in width and does not have a designated bicycle lane adjacent to that lane; or

(B) too narrow for a bicycle and a motor vehicle to safely travel side by side.

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

(c) Persons operating bicycles on a roadway may ride two abreast. Persons riding two abreast on a laned roadway shall ride in a single lane. Persons riding two abreast may not impede the normal and reasonable flow of traffic on the roadway. Persons may not ride more than two abreast unless they are riding on a part of a roadway set aside for the exclusive operation of bicycles.

[\[back to list of TX laws\]](#) Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995, amended 2001.

Bicycles may ride on the shoulder

Sec. 545.058. Driving on Improved Shoulder. [i.e., a paved shoulder outside the traffic lane]

(a) An operator may drive on an improved shoulder to the right of the main traveled portion of a roadway if that operation is necessary and may be done safely, but only:

(1) to stop, stand, or park;

(2) to accelerate before entering the main traveled lane of traffic;

(3) to decelerate before making a right turn;

(4) to pass another vehicle that is slowing or stopped on the main traveled portion of the highway, disabled, or preparing to make a left turn;

(5) to allow another vehicle traveling faster to pass;

(6) as permitted or required by an official traffic-control device; or

(7) to avoid a collision.

(b) An operator may drive on an improved shoulder to the left of the main traveled portion of a divided or limited-access or controlled-access highway if that operation may be done safely, but only:

(1) to slow or stop when the vehicle is disabled and traffic or other circumstances prohibit the safe movement of the vehicle to the shoulder to the right of the main traveled portion of the roadway;

(2) as permitted or required by an official traffic-control device; or

(3) to avoid a collision.

(c) A limitation in this section on driving on an improved shoulder does not apply to:

(1) an authorized emergency vehicle responding to a call;

(2) a police patrol; or

(3) a bicycle.

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Giving turn signals

Sec. 545.107. Method of Giving Hand and Arm Signals.

An operator who is permitted to give a hand and arm signal shall give the signal from the left side of the vehicle as follows:

- (1) to make a left turn signal, extend hand and arm horizontally;
- (2) to make a right turn signal, extend hand and arm upward, except that a bicycle operator may signal from the right side of the vehicle with the hand and arm extended horizontally; and
- (3) to stop or decrease speed, extend hand and arm downward.

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Blocking Traffic

Texas Penal Code, Sec. 42.03. Obstructing Highway or Other Passageway

- (a) A person commits an offense if, without legal privilege or authority, he intentionally, knowingly, or recklessly:
- (1) obstructs a highway, street, sidewalk, railway, waterway, elevator, aisle, hallway, entrance, or exit to which the public or a substantial group of the public has access, or any other place used for the passage of persons, vehicles, or conveyances, regardless of the means of creating the obstruction and whether the obstruction arises from his acts alone or from his acts and the acts of others; or
 - (2) disobeys a reasonable request or order to move issued by a person the actor knows to be or is informed is a peace officer, a fireman, or a person with authority to control the use of the premises:
 - (A) to prevent obstruction of a highway or any of those areas mentioned in Subdivision (1); or
 - (B) to maintain public safety by dispersing those gathered in dangerous proximity to a fire, riot, or other hazard.
- (b) For purposes of this section, "obstruct" means to render impassable or to render passage unreasonably inconvenient or hazardous.
- (c) An offense under this section is a Class B misdemeanor. [maximum fine is \$2,000, or 180 days in jail, or both]

[Note: In 10/97, Dobie Mall tried to tell customers that they couldn't lock their bikes to street signs because they would be violating Sec. 42.03 which requires sidewalks not be obstructed. However, merely locking the

bikes to street signs doesn't obstruct the sidewalk, and it's doubtful that a cyclist would actually be convicted for this, if the ticket were defended competently.]

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Bikes can park on the sidewalk, cars can't

Sec. 545.302. Stopping, Standing, or Parking Prohibited in Certain Places.

(a) An operator may not stop, stand, or park a vehicle:

(1) on the roadway side of a vehicle stopped or parked at the edge or curb of a street;

(2) on a sidewalk; [this is intended to apply to cars]

(3) in an intersection;

(4) on a crosswalk;

(5) between a safety zone and the adjacent curb or within 30 feet of a place on the curb immediately opposite the ends of a safety zone, unless the governing body of a municipality designates a different length by signs or markings;

(6) alongside or opposite a street excavation or obstruction if stopping, standing, or parking the vehicle would obstruct traffic;

(7) on a bridge or other elevated structure on a highway or in a highway tunnel;

(8) on a railroad track; or

(9) where an official sign prohibits stopping.

(b) An operator may not, except momentarily to pick up or discharge a passenger, stand or park an occupied or unoccupied vehicle:

(1) in front of a public or private driveway;

(2) within 15 feet of a fire hydrant;

(3) within 20 feet of a crosswalk at an intersection;

(4) within 30 feet on the approach to a flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;

(5) within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within 75 feet of the entrance, if the entrance is properly marked with a sign; or

(6) where an official sign prohibits standing.

(c) An operator may not, except temporarily to load or unload merchandise or passengers, park an occupied or unoccupied vehicle:

(1) within 50 feet of the nearest rail of a railroad crossing; or

(2) where an official sign prohibits parking.

(d) A person may stop, stand, or park a bicycle on a sidewalk if the bicycle does not impede the normal and reasonable movement of pedestrian or other traffic on the sidewalk.

(Also see [42.03, Blocking Traffic](#), above. And here's the [Austin version of the sidewalk parking law](#).)

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No Requirement to Carry ID

TX Penal Code: Sec. 38.02. Failure to Identify.

(a) A person commits an offense if he intentionally refuses to give his name, residence address, or date of birth to a peace officer who has lawfully arrested the person and requested the information.

(b) A person commits an offense if he intentionally gives a false or fictitious name, residence address, or date of birth to a peace officer who has:

(1) lawfully arrested the person;

(2) lawfully detained the person; or

(3) requested the information from a person that the peace officer has good cause to believe is a witness to a criminal offense.

(c) Except as provided by Subsection (d), an offense under this section is a Class C misdemeanor.

(d) If it is shown on the trial of an offense under this section that the defendant was a fugitive from justice at the time of the offense, the offense is a Class B misdemeanor.

Acts 1973, 63rd Leg., p. 883, ch. 399, Sec. 1, eff. Jan. 1, 1974. Amended by Acts 1987, 70th Leg., ch. 869, Sec. 1, eff. Sept. 1, 1987. Acts 1991, 72nd Leg., ch. 821, Sec. 1, eff. Sept. 1, 1991; Acts 1993, 73rd Leg., ch. 900, Sec. 1.01, eff. Sept. 1, 1994.

Ed. Note: Here's what this law means in plain English.

(1) You don't have to carry a driver's license or other ID, if you're not driving.

(2) If you've been *arrested* you have to give your name, address, and date of birth to a police officer who requests it. (They'll police ask you for lots more than this, but these three items are all you're *legally required* to give them.)

(3) If you've just been *detained*, not arrested, you don't have to give them squat. But refusing to identify might cause them to arrest you anyway and take you downtown so they can determine who you really are. If this happens, you still won't be charged with failing to carry ID, because there is no such crime.

(4) It's a crime to give *false* information about your identity, whether you've been arrested or just detained..

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Official bike races

Sec. 551.105. Competitive Racing.

(a) In this section, "bicycle" means a nonmotorized vehicle propelled by human power.

(b) A sponsoring organization may hold a competitive bicycle race on a public road only with the approval of the appropriate local law enforcement agencies.

(c) The local law enforcement agencies and the sponsoring organization may agree on safety regulations governing the movement of bicycles during a competitive race or during training for a competitive race, including the permission for bicycle operators to ride abreast.

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Bicycle awareness info must be in driver's handbook

Sec. 525.001. Motorcycle and Bicycle Awareness.

... (b) The Department of Public Safety shall include motorcycle and bicycle awareness information in any edition of the Texas driver's handbook published after the department exhausts the supply of the handbook that the department had on September 1, 1993.

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State must compile accident reports, including bicyclists

Sec. 411.0175 of GOVERNMENT CODE:. ACCIDENT REPORTS.

The department shall:

(1) tabulate and analyze the vehicle accident reports it receives;

(2) annually or more frequently publish statistical information derived from the accident reports as to the number, cause, and location of highway accidents, including information regarding the number of accidents involving injury to, death of, or property damage to a bicyclist or pedestrian; and

(3) provide an abstract of the statistical information for each preceding biennium to the governor and the legislature, with its conclusions and findings and recommendations for decreasing highway accidents and increasing highway safety.

[Amended in 2001 to include bicyclists & pedestrians.]

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Safe Routes to School Program

Read about this on the [Texas Legislature website](#).

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Provision for a State Bicycle Coordinator

Sec. 201.902. Road Use by Bicyclists.

(a) The department shall designate:

(1) a statewide bicycle coordinator; and

(2) a bicycle coordinator in each regional office.

(b) A bicycle coordinator shall assist the department in developing rules and plans to enhance the use of the state highway system by bicyclists.

(c) The commission shall adopt rules relating to use of roads in the state highway system by bicyclists, including provisions for:

(1) the specific duties of the statewide bicycle coordinator and the regional bicycle coordinators;

(2) obtaining comments from bicyclists on:

(A) a highway project that might affect bicycle use;

(B) the use of a highway for bicycling events; and

(C) department policies affecting bicycle use of state highways;

(3) the consideration of acceptable national bicycle design, construction, and maintenance standards on a project in an area with significant bicycle use; and

(4) any other matter the commission determines necessary to enhance the use of the state highway system by bicyclists.

(d) A rule adopted under this section may not be inconsistent with Chapter 551.

Definition of Bicycle

Sec. 541.201. Vehicles.

In this subtitle:

... (2) "Bicycle" means a device that a person may ride and that is propelled by human power and has two tandem wheels at least one of which is more than 14 inches in diameter.

*The following **definition of electric bicycle** was passed by the Texas legislature in 2001:*

(10) "Motor-driven cycle" means a motorcycle equipped with a motor that has an engine piston displacement of 250 cubic centimeters or less. The term does not include an electric bicycle.

(11) "Motor vehicle" means a self-propelled vehicle or a vehicle that is propelled by electric power from overhead trolley wires. The term does not include an electric bicycle.

(24) "Electric bicycle" means a bicycle that:

(A) is designed to be propelled by an electric motor, exclusively or in combination with the application of human power;

(B) cannot attain a speed of more than 20 miles per hour without the application of human power;
and

(C) does not exceed a weight of 100 pounds.