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# STATE LAW QUICK REFERENCE

**Bicycles are vehicles.** Bicyclists have the same rights and responsibilities on public roads as motor vehicle drivers. [§40-1-1(14)] [§40-6-29(a)]

**Bicyclists are typically safest and most visible when they travel on the roadway, not the sidewalk.** Sidewalk cycling is illegal for anyone over the age of 12. [§40-6-144]

**Bicycles must travel in the same direction as motor vehicle traffic.** When in a designated bike lane, follow the direction indicated. [§40-6-144]

**Cyclists can — and should — take the whole travel lane where there are poor road conditions,** such as debris or potholes, or if the lane is too narrow to share safely. [§40-6-294]

**Bicyclists may lawfully ride two abreast.** [§40-6-294(b)]  
Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

## Motorists Passing Cyclist 3-Foot Law

The operator of a motor vehicle approaching a bicycle shall approach the bicycle with due caution and shall proceed as follows: (1) Make a lane change into a lane not adjacent to the bicycle if possible in the existing road and traffic conditions; or (2) If a lane change under paragraph (1) of this subsection would be impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be at least ten miles per hour less than the posted speed limit or 25 miles per hour, whichever is more, and proceed around the bicycle with at least three feet between such vehicle and the bicycle at all times. (Updated version took effect July 1, 2021) [§40-6-56]

**Aggressive driving** is considered a misdemeanor of a high and aggravated nature in Georgia. [§ 40-6-398(a) (b)]

**Bicycle lane** means a portion of the roadway that has been designated by striping, pavement markings, or signage for the exclusive use of persons operating bicycles. [§40-6.1]

**Electric assisted bicycles** are allowable on bicycle paths. [§ 40-6-294(g)]

# LEGAL STATUS OF BICYCLISTS

A bicycle is defined as a vehicle in Georgia. [§40-1-1 (14)] [§40-6-291 (a)]

A bicycle with an electric helper motor is included in this definition. A person operating a bicycle is not required to have a driver's license. [§40-1-1 (15)] [§40-1-1 (75)]

A person in control of a vehicle on a street or highway is a "driver" per state law. As such, a person riding a bicycle must follow the traffic rules common to all drivers in Georgia, as well as rules adopted especially for bicycles. [§40-1-1 (14)]

**A cyclist has all of the rights to the roadway applicable to any driver, except as to the special regulations for bicycles.**

Cyclists who violate traffic laws will be subject to the same penalties as drivers of motor vehicles, except that no penalty shall be assessed against a cyclist's motor vehicle driver's license.

# RULES OF THE ROAD

The following section outlines how to:

- » Follow traffic signs and signals
- » Be predictable
- » Signal your intentions
- » Bike in the same direction as traffic
- » Yield when changing lanes
- » Position yourself in the lane based on your destination

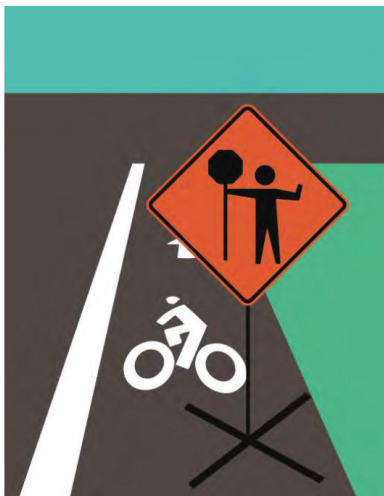


**Number of Riders:** A bicycle may not be used to carry more persons at one time than the number for which it is designed, or equipped; an adult bicyclist may carry a child in a sling, child seat, or trailer designed to carry children. [§ 40-6-292 (c,d)]

**Clinging to Vehicles:** No person riding a bicycle shall attach him or herself to any other vehicles upon the roadway. [§40-6-293]

**Taking the Lane:** Every person riding a bicycle may “take the lane” when turning left or avoiding hazards to safe cycling, when the lane is too narrow to share safely with a motor vehicle, when traveling at the same speed as traffic, or when passing a standing or parked vehicle.

**“Hazards to safe cycling”** include, but are not limited to: surface debris, rough pavement, drain grates that are parallel to the side of the roadway, parked or stopped vehicles, potentially opening car doors, or any other objects that threaten the safety of a person operating a bicycle. [§40-6-294 (a)]



**Any person operating a bicycle in a bicycle lane shall ride in the same direction as traffic on the roadway.**

[§ 40-6-294(f)]

**Riding two abreast:** Persons riding bicycles upon a roadway shall not ride more than two abreast except on bicycle paths, bicycle lanes, or parts of roadways set aside for the exclusive use of bicycles, or when a special event permit issued by a local governing authority permits riding more than two abreast. [§ 40-6-294]



**Riding on Sidewalks:** No person (over age 12) shall drive any vehicle upon a sidewalk or sidewalk area, except upon a permanent or duly authorized driveway.  
[§ 40-6-144]

**Carrying Bags and Packages:** No person operating a bicycle shall carry any package, bundle, or other article that prevents him or her from keeping at least one hand upon the handlebars. [§ 40-6-295]

**Tip:** A great way to carry items on your bike is with a rack and panniers or a basket. Your local bike shop can help you find a system that works for you.







### Group Ride Etiquette

- » Know what to expect during the ride, including route, pace, distance, type of paceline and formation.
- » Communication is important in staying safe.
- » Know how the group identifies potholes, cars, traffic lights and stopping, etc while riding. Know how to respond when problems or changes in the ride occur.
- » Use brakes sparingly by using other methods to slow down: sitting up, getting into the wind, pedaling slowly.
- » Keep the pace: Pull longer instead of harder and pull shorter instead of slower.
- » Set the pace of climbs for those in the middle of the group.
- » Arrive on time and prepared with food, tools, and good attitude.
- » Follow traffic signs and signals.

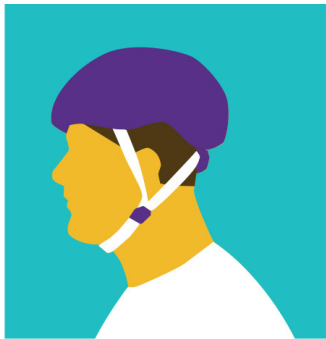


**Lights and Visibility:** Every bicycle when in use at nighttime shall be equipped with a white front light visible from a distance of 300 feet and with a red rear light visible from a distance of 300 feet or a red rear reflector. Additional lighting is permitted and highly recommended!

**Brakes:** Every bicycle sold or operated shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level pavement. [§ 40-6-296(b)]

**Bicycle Helmet:** A bicycle rider or passenger under 16 years of age must wear a helmet that:

- » Is of good fit
- » Is fastened securely
- » Meets nationally-recognized safety standard [§ 40-6-296(d)]



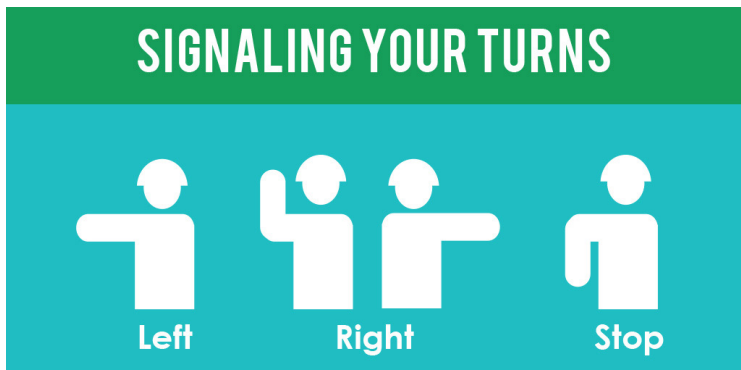
**Handlebars:** No bicycle shall be equipped or operated while equipped with a set of handlebars so raised that the operator must elevate his hands above his shoulders in order to grasp the normal steering grip area.

**Obedience to Traffic Control Devices :** A driver must obey all applicable traffic control devices (markings, signs, and traffic signals).

**Stop and Yield Signs:** Except when directed by a police officer, every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line.

After stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard. [§ 40-6-72(b)]

**Signaling a Turn or Stop:** Any stop or turn when required shall be given either by means of the hand and arm by signal lights. [§ 40-6-124(a)] If a cyclist needs both hands for control, the signal need not be given continuously.



**A turn is to be indicated at least 200 feet from the turn.**

**Left Turn:** Left hand and arm extended horizontally.

**Right Turn:** Left hand and arm extended upward or by right hand and arm horizontally extended. [§ 40-6-124(b)]

**Stop or Decrease Speed:** Left hand and arm extended downward. [§ 40-6-125] [§ 40-6-291 (c)]

**Caution:** If road conditions make signaling hazardous, keep both hands on the handlebars to maintain safe control of your bicycle.

**Passing on the Right:** The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

- » When the vehicle being overtaken is making or about to make a left turn.
- » Upon a street or highway with unobstructed pavement of sufficient width for two or more lanes of moving vehicles in the direction being traveled by the overtaking vehicle. [§40-6-43(a)(1,2)(b)]
- » Such movement shall not be made by driving off the roadway.



**A cyclist traveling in a bicycle lane, or in a shared lane wide enough for motor vehicles and bicycles to share, may pass motor vehicles on the right, but she or he must take care to avoid right-turning vehicles.**

# AGGRESSIVE DRIVING

## What is Aggressive Driving?

(a) A person commits the offense of aggressive driving when he or she operates any motor vehicle with the intent to annoy, harass, molest, intimidate, injure, or obstruct another person, including without limitation violating Code Section 40-6-42, 40-6-48, 40-6-49, 40-6-123, 40-6-184, 40-6-312, or 40-6-39 with such intent.

(b) Any person convicted of aggressive driving shall be guilty of a misdemeanor of a high and aggravated nature. [§ 40-6-397]

**All bicycle crashes involving a motor vehicle should be reported to 911 or first responders, so a crash report can be created. Data from crash reports is also used to determine where, when, and why crashes are occurring and can guide efforts to improve street design and other efforts to make roadways safer.**

# SMART CYCLING

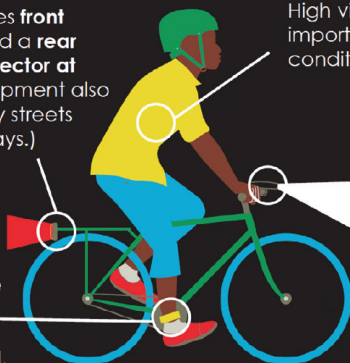
Beyond obeying state laws and following the **Rules of the Road**, there are simple steps every bicyclist can take to ensure a safer, more enjoyable ride.

## TIPS FOR STAYING VISIBLE

The law requires **front white lights** and a **rear red light or reflector at night** (this equipment also helps on shady streets and cloudy days.)

High visibility clothing is important, even in sunny conditions!

Reflective tape or fabric is also strongly recommended.



**Predictability:** Being predictable means maintaining your line of travel by riding in a straight line. Weaving in and out of the travel lane is not predictable and confuses other road users. Riding in a predictable, straight line will significantly reduce the odds of a crash.

### **“Rule of Thirds”**

**Lane position communicates one’s intention of travel direction.**

You can show your intentions — and increase your visibility — through the position you take in the travel lane.

Imagine the travel lane as divided into equal thirds. The third you occupy communicates your intended destination. If you’re continuing straight through an intersection, position yourself in the middle third, and move into the right-most third for a right turn. If you’re making a left turn, move into the left-most third of the lane.

Together with hand signals, using the “Rule of Thirds” will help other road users better predict your movements and will make you more visible to motorists.



## SAFE CYCLING TIPS

Never assume a motorist sees you!

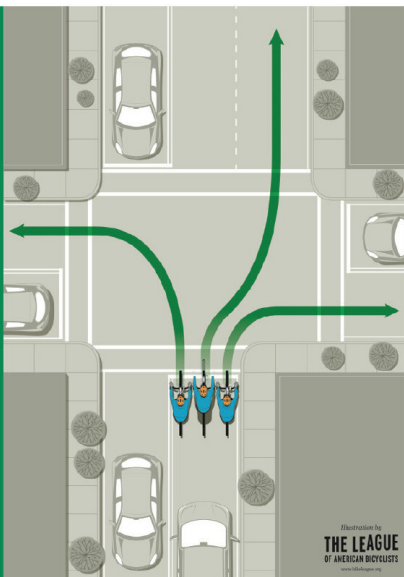
Make eye contact with other drivers.

Proceed cautiously through intersections.

If you ride with earphones, make sure the volume is low enough that you can hear your surroundings.

Follow rules of the road.  
Be visible and predictable.

Follow the rule of thirds.



**Bicycle lanes** are set aside for preferential use by bicyclists. When properly installed and well-maintained, they provide a pleasant, safe space for riding a bike.



**You are not required to ride in a bike lane just because it exists.**

In general, use a bike lane when it is safe and convenient to do so based on your destination.

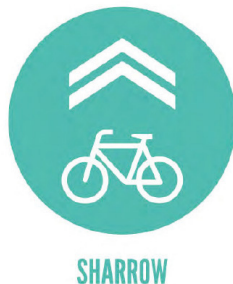
**If a bike lane is full of debris, a parked car, or any other hazard, take the following steps:**

- » Scan, look behind you
- » Signal and yield
- » Merge carefully from the bike lane to another travel lane
- » Stay in this lane until it is safe to move back into the bike lane

**Never make a LEFT turn from a right side bike lane or the right side of the road.**

**Sharrows:** While not a facility, sharrows are on-street pavement markings that indicate a preferred bike route and alert motorists to the presence and typical lane position of bicyclists on the roadway.

They can be effective wayfinding signage and can help make cyclists aware of low volume, low speed roads.



**When riding on a roadway with sharrows, you are not required to ride in the space designated by the sharrow.**



**Multi-Use Paths:** Also called greenways, trails, or bike paths, these facilities are popular with a wide range of users. Bicyclists, joggers, dog walkers, and equestrians often share these facilities. On multi-use paths, bicycles can endanger other users due to their relative size and speed.

**Bicycle facilities exist due to the work of advocacy organizations.** As a result, many communities are installing bike lanes and building multi-use paths. To make the best use of these facilities, practicing trail and lane etiquette is important.

**Whenever riding on a multi-use path, practice the following etiquette:**

- » Ride on the right and pass on the left
- » Announce your intentions with a bike bell or a friendly "Passing on your left!"
- » Slow down if the path is congested

# ABC QUICK CHECK

An easy way to make sure your bike is in safe, working condition is by doing an ABC Quick Check.



## AIR

Be sure tires are properly inflated.



## BRAKES

Test brakes and make sure pads aren't worn.



## CHAIN

Ensure chain is clean and free of any debris.



## QUICK RELEASE

Make sure all quick releases are closed.

## CHECK BIKE

Inspect bike for any loose or broken parts.

# BE CRASH-FREE

Following the law, tips, and advice shared in this guide will help to greatly minimize your risk of having a crash.

Only about half of all bicycle crashes involve a collision with a motor vehicle. The rest involve bicyclists crashing by themselves due to loss of control.

**Most crashes between bikes and cars occur at intersections.** Wrong-way travel by the bicyclist is a major contributing factor.

**In Georgia, the majority of crashes that cause injury occur in low-light/nighttime conditions on arterial roads.**

**Keep your bike in good working condition and pay attention, and you'll cut your already slim odds of a crash in half!**

# WHAT TO DO IF A CRASH HAPPENS

The points below are presented as general guidance, **not legal advice**, for dealing with the aftermath of a collision. However, read thoroughly to know the options available to you. First and foremost, if you are seriously injured, wait for medical assistance!

**1. Record the facts.** Write down the date, time, and location of the crash, including the name, address, e-mail, phone number, and insurance information for any driver involved in the crash. Also obtain the name, address, e-mail, and phone number of any witness to the incident. Take pictures and video whenever possible.

**2. Hang on to relevant documents.** In addition to your own notes, keep handy all documents related to the crash, such as the police report, medical evaluation, insurance forms, property damage estimates, and written or electronic correspondences.

**3. Follow through on insurance claims.** More often than not, the motorist's insurance will deny your initial claim. Treat this denial as the beginning of a negotiation, not the end! Insurance companies count on the fact that most people will give up after receiving a denial letter.

If you receive a denial letter, wait 45 days after the crash, and write a polite, but firm letter to the insurance company indicating that you will sue the insured if they fail to pay.

Mention the **Georgia Title 33 statute**, which compels insurance companies to settle claims in a timely manner (within 60 days) or face a penalty fee. Clearly state the amount for which you require compensation, and then let them know that you expect a prompt response. Be sure to reference the claim number in the letter and include copies of property damage estimates to support your claim.

**4. Consult an attorney.** Even if you haven't sustained serious injuries, talking with an attorney experienced in bike-related crashes may be helpful. Many attorneys offer consultation at no cost. Look for a bicycle specialist in your area.

**For more information about this guide or bicycling education in Georgia, please contact us!**

*A digital version  
of this guide is available  
on [GeorgiaBikes.org](http://GeorgiaBikes.org)*





# QUICK TIPS

## For Cyclists

- Ride with traffic and signal your intentions
- Use lights in low-light conditions
- Take the lane to avoid hazards
- Wear white, brightly-colored, or high-visibility clothing
- Obey traffic signs & signals
- Wear a well-fitted helmet

## For Motorists

- Change lanes—whenever possible—and slow down to pass bicyclists
- A minimum of three feet of space must be provided when passing or following
- When making turns, watch for and yield to people on bikes
- Do not park in, or block, the bike lane
- Always check mirrors before opening doors, especially if parked next to a bike lane
- Be alert, cautious, and attentive when driving. Do not drive distracted. Do not use your phone.

# BICYCLE-RELATED RESOURCES

## Attorneys

- » **Bike Law Georgia - Hagen Rosskopf LLC**  
[Bruce@BikeLaw.com](mailto:Bruce@BikeLaw.com)

## Resources Available on the Georgia Bikes Website

- » **Statewide directory of advocacy organizations and cycling clubs**
- » **Calendar of bicycle events**
- » **Resources for learning bike safety at home**
- » **Online bike safety quizzes for children and adults**
- » **Bike safety public service announcements**
- » **Library of tools and resources for bike advocates in Georgia**
- » **Details on our annual Georgia Bike-Walk Summit**

## State and Regional Advocacy Organizations

- » **Georgia Trails Alliance**
- » **Southern Off-Road Bicycle Association (local chapters throughout Georgia)**
- » **East Coast Greenway Alliance**
- » **Georgia Interscholastic Cycling League**

## State Agencies and Programs

- » **Governor's Office of Highway Safety: Bicycle and Pedestrian Safety**

- » **Georgia Department of Transportation Bicycle and Pedestrian Program**
- » **Georgia Safe Routes to School Resource Center**
- » **Georgia Commute Options**

## Clubs and Teams

For a larger list of cycling clubs, see USA Cycling's Club Finder

## POC Clubs

- » **Metro Atlanta Cycling Club**
- » **Velo Atlanta**
- » **Gullah Geechee Dream Team Club**
- » **Major Taylor - Middle Georgia Chapter**
- » **OCMA Dream Team (Dublin)**

## Women's Cycling Clubs

- » **Black Girls Do Bike Georgia**
- » **Sorella Cycling**
- » **Women Bike Atlanta**
- » **Ladies on Spokes**

## Other Georgia Resources

- » **Bicycle Ride Across Georgia**

## National Resources

- » **League of American Bicyclists**
- » **People for Bikes**
- » **Adventure Cycling Association**
- » **USA Cycling**

# HOW WE CAN HELP

**Georgia Bikes is ready to assist you with:**

- » Establishing a Complete Streets policy or other safety improvements within a municipality.
- » Promoting bicycling events through our events calendar and other communications channels
- » Founding a local bicycle advocacy organization
- » Scheduling presentations for local governments, civic organizations, schools, and colleges
- » Identifying funding for building bicycle lanes, paths, and projects
- » Engaging with state and national elected officials on bicycle-related issues
- » Organizing bicycle education classes and programs
- » Providing additional copies of this publication
- » Providing free training for law enforcement about bicycle safety and laws
- » Making your community and the state of Georgia safer and friendlier for people who ride bikes
- » Connecting with the Georgia Department of Transportation, regional commissions, and local governments

# NOTES