

# New Bicycle Laws in North Carolina

What Drivers & Cyclists Need to Know



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**Disclaimer:** This publication provides general information regarding new bicycle laws in North Carolina and is not intended to be, nor is it, legal advice. If legal advice or other professional assistance is required, the services of competent professional person should be sought.

As this publication is not intended as legal advice, any use of this information will not create an attorney-client relationship. After an initial consultation, and before representing you on any claim, a written attorney-client agreement must be signed in order to create such a relationship.

## Introduction

In October and December of 2016, several North Carolina state laws changed regarding bicycles on the roadway. These new rules were part of a process months in the making that involved collaboration from many different facets of the community, including cyclists, law enforcement officials, truckers, and others who interacted directly with the state Department of Transportation.

From making it legal for cars to pass slower-moving bicycles in no-passing zones to stiffening penalties for aggressive motorists and more, the new laws were designed to increase safety on the road—for drivers and bicyclists alike.

Here, we've provided a detailed overview of the various new bicycle laws effective in



North Carolina as well as the different rights and responsibilities that now apply to both parties.

# The Four-Foot Rule

One of the most significant legal changes in 2017 is a change in the amount of margin between passing cars that bicyclists have a right to while on the road. For years, North Carolina had a law that was commonly referred to as the “two-foot rule,” meaning that when a motor vehicle was on the road and passing a cyclist, the driver had to give at least two feet of passing room.

In contrast, more than half of the states in the United States have a three-foot passing rule while a few, such as Pennsylvania, have four-foot rules. Recently, a law went into effect in North Carolina expanding the old two-foot rule into a new four-foot rule.

Thus, now cars passing in a no-passing zone (which defines most urban roadways and



narrow country roads) must give bicyclists at least four feet clearance or be fully in the other lane. Additionally, cars must give way to bicyclists making left-hand turns.

# Giving Directions

Another new law that recently went into effect in North Carolina is one that affects how bicyclists can give directions. Historically, riders were required to indicate their intention to make a turn or stop with their left hand only.

This practice is a holdover from when early cars had no lights or turn signals, and so these hand signals were used for road safety. Obviously, in a car, the use of the left arm was necessary because drivers couldn't be expected to stick their right arm out of the right, passenger window while operating the vehicle. Now, the new law that is in effect codifies that bicyclists can use either arm to give directions.



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Even with this updated law, cyclists need to be aware of what's happening around them at all times. For example, if a rider is indicating a turn with his right arm but a driver behind him cannot see the arm for whatever reason, this could easily become a dangerous situation for the safety of the bicyclist.

Therefore, although legally riders can use either arm to indicate, using more than one signal to indicate your intentions may be helpful in ensuring that any cars in your proximity are aware and can react appropriately. A heightened level of awareness benefits both riders and drivers by eliminating confusion and ensuring that all parties get where they're going safely.

# Protecting Bicycle Riders Like Motorcyclists

One of the new laws that recently went into effect in North Carolina was originally established a number of years ago to protect motorcyclists but now applies to bicyclists as well.



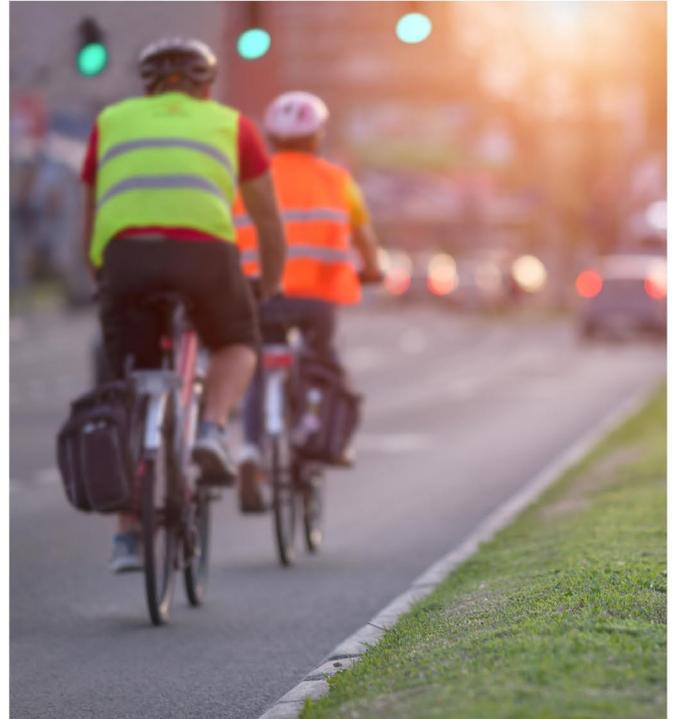
The law now penalizes drivers who force bicyclists out of a lane or off the road by levying fines against them. Fines start at a minimum of \$250 but, if any damage is caused by the action, the fine doubles to \$500.

If the damage amounts to more than \$5,000 or the bicyclist suffers what's classified under the law as a "serious personal injury"—which usually means the cyclist needs medical attention—the fine jumps to \$750. Additional penalties for drivers who force cyclists to change travel lanes, crash, or leave the road could include suspension or revocation of their driver's license.

# Visibility Requirements

Not all of the laws coming into effect are new rights given to bicyclists—some of them are new requirements and responsibilities for bike riders. One major new requirement to note regards the issue of visibility. Historically, in North Carolina, when riding at night, bicyclists had to have a front light and a rear reflector. The rear reflector had to be visible from at least 250 feet back.

Now, riders must have a light—not a reflector, but a light—on the back of the bike that's visible from 300 feet away. Alternatively, riders can have reflective clothing or a reflective vest that's visible from 300 feet to the rear. When riding in the dark, most experienced riders recommend having both, a light and reflective clothing as it increases visibility and, thus, their safety.



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In fact, although the law only requires that bicyclists use these visibility markers at night, it's a good idea to use them at all times when riding, even during the day. Bicycle accidents tend to occur when a car is passing a cyclist and turns short or a car is coming towards the rider and makes a turn in front of them. In these situations, it's often not an issue of intentionality but an issue of visibility. Therefore, the more visible you are, the more likely drivers are to see you, which makes both rider and driver safer.

In recent years, technology has changed drastically, and outfitting bicycles with this gear is more sustainable and affordable than ever. Lightweight, USB-rechargeable LED lights are easy to find, detachable, and relatively budget-friendly. In short, the investment is a worth-it trade-off for the safety it imparts.

# Being a Bike Safety Ambassador

While these new laws are a win for safety for both bicyclists and motorists, it's important to remember, that a majority of drivers on the road are not aware of these new state laws. On average, around 30 cyclists are killed every year in North Carolina and more than 700 are injured. The vast majority of these injuries occur on urban roads targeted by the new four-foot rule and most of the deaths occur in more rural areas.

That's primarily a result of higher speed thoroughfares and roads that haven't seen improvements such as added bicycle lanes and other traffic awareness devices.

As such, bicyclists do have a right to more space when cars are passing and a responsibility to be more visible while riding.

However, because of the reality of uneducated drivers and unimproved roads, they also have a responsibility to help educate the community by being good ambassadors for the ongoing safety of cyclists.



# Contact Information

## Have Questions? Get in Touch!

At Daggett Shuler Law, we are happy to answer questions and address any concerns you might have about the new bicycle laws in North Carolina.

We're easily accessible online through email at [www.DaggettShulerLaw.com](http://www.DaggettShulerLaw.com) and through our Facebook page (<https://www.facebook.com/DaggettShulerLaw/>). You can also give us a call at 336-724-1234.

You can depend on us!

