



## 2. Bicycle and Pedestrian Terms, Definitions, and State Statutes

The terms used throughout this document are defined below. The definitions are from the *Guide for the Development of Bicycle Facilities* by the American Association of State Highway and Transportation Officials (AASHTO), 1999 and the Arizona Revised Statutes.

### **Bicycle and Pedestrian Terms and Definitions from AASHTO**

**BICYCLE** – Every vehicle propelled solely by human power upon which any person may ride, having two tandem wheels, except scooters and similar devices. The term “bicycle” for this publication also includes three- and four-wheeled human-powered vehicles, but not tricycles for children.

**BICYCLE FACILITIES** – A general term denoting improvements and provisions made by public agencies to accommodate or encourage bicycling, including parking and storage facilities, and shared roadways not specifically designated for bicycle use.

**BICYCLE LANE OR BIKE LANE** – A portion of a roadway that has been designated by striping, signing, and pavement markings for the preferential or exclusive use of bicyclists.

**BICYCLE PATH or BIKE PATH** – See Shared-Use Path.

**BICYCLE ROUTE SYSTEM** – A system of bikeways designated by the jurisdiction having authority with appropriate directional and informational route markers, with or without specific bicycle route numbers. Bicycle routes should establish a continuous routing, but may be a combination of any and all types of bikeways.

**BICYCLIST TYPE** – AASHTO suggests three categories of bicyclists, A, B, and C, defined as follows:

**A**dvanced or experienced riders generally use their bicycles as they would a motor vehicle. They are riding for convenience and speed, and want direct access to destinations with a minimum of detour or delay. They are typically comfortable riding with motor vehicle traffic; however, they need sufficient operating space on the traveled way or the shoulder to eliminate the need for either themselves or a passing motor vehicle to shift position.

**B**asic or less confident adult riders who may also be using their bicycles for transportation purposes (e.g., going to the store or visiting friends) but prefer to avoid roads with fast and busy motor vehicle traffic, unless there is ample roadway width to allow easy overtaking by the faster motor vehicles. Thus, basic riders are comfortable riding on neighborhood streets and shared-use paths, and prefer designated facilities such as bicycle lanes or wide shoulder lanes on busier streets.

**C**hildren, riding on their own or with their parents, may not travel as fast as their adult counterparts but still may require access to destinations in their community, such as schools, convenience stores, and recreational facilities. Residential streets with low motor vehicle speeds, shared-use paths, and busier streets with well-defined pavement markings between bicycles and motor vehicles can accommodate children without their needing to ride in the travel lane of major arterials.



**BIKEWAY** – A generic term for any road, street, path or way which in some manner is specifically designated for bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

**BICYCLE ROUTE** – See Signed Shared Roadway.

**HIGHWAY** – A general term denoting a public way for purposes of vehicular travel, including the entire area within the right-of-way.

**RAIL-TRAIL** – A shared-use path, paved or unpaved, built within the right-of-way of an existing or former railroad.

**RIGHT-OF-WAY** – A general term denoting land, property, or interest therein, usually in a strip, acquired for or devoted to transportation purposes.

**RIGHT OF WAY** – The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian.

**ROADWAY** – The portion of the highway, including shoulders, intended for vehicular use.

**RUMBLE STRIPS** – A textured or grooved pavement sometimes used on or along shoulders of highways to alert motorists who stray onto the shoulder.

**SHARED ROADWAY** – A roadway, which is open to both bicycle and motor vehicle travel. This may be an existing roadway, street with wide curb lanes, or road with paved shoulders.

**SHARED-USE PATH** – A bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way. Pedestrians, skaters, wheelchair users, joggers, and other non-motorized users may also use shared-use paths.

**SHOULDER** – The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use, and for lateral support of sub-base, base, and surface courses.

**SIDEWALK** – The portion of a street or highway right-of-way designed for preferential or exclusive use by pedestrians.

**SIGNED SHARED ROADWAY (SIGNED BIKE ROUTE)** – A shared roadway which has been designated by signing as a preferred route for bicycle use.

**TRAVELED WAY** – The portion of the roadway for the movement of vehicles, exclusive of shoulders.

**UNPAVED PATH** – Paths not surfaced with asphalt or Portland cement concrete.



## **Bicycle and Pedestrian Terms, Definitions and Statutes from the Arizona Revised Statutes**

### ARS 28-101. Pertinent Definitions

6. “Bicycle” means a device, including a racing wheelchair, that is propelled by human power and on which a person may ride and that has either:
  - (a) Two tandem wheels, either of which is more than sixteen inches in diameter.
  - (b) Three wheels in contact with the ground, any of which is more than sixteen inches in diameter.
20. “Electric personal assistive mobility device” means a self-balancing two non-tandem wheeled device with an electric propulsion system that limits the maximum speed of the device to fifteen miles per hour or less and that is designed to transport only one person.
30. “Motor vehicle”:
  - (a) Means either:
    - (i) A self-propelled vehicle.
    - (ii) For the purposes of the laws relating to the imposition of a tax on motor vehicle fuel, a vehicle that is operated on the highways of this state and that is propelled by the use of motor vehicle fuel.
  - (b) Does not include a motorized wheelchair or a motorized skateboard. For the purposes of this subdivision:
    - (i) “Motorized wheelchair” means a self-propelled wheelchair that is used by a person for mobility.
    - (ii) “Motorized skateboard” means a self-propelled device that has a motor, a deck on which a person may ride and at least two tandem wheels in contact with the ground.
38. “Pedestrian” means any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a pedestrian unless the manual wheelchair qualifies as a bicycle. For the purposes of this paragraph, “motorized wheelchair” means a self-propelled wheelchair that is used by a person for mobility.
43. “Right-of-way” when used within the context of the regulation of the movement of traffic on a highway means the privilege of the immediate use of the highway. Right-of-way when used within the context of the real property on which transportation facilities and appurtenances to the facilities are constructed or maintained means the lands or interest in lands within the right-of-way boundaries.
47. “State Highway” means a state route or portion of a state route that is accepted and designated by the board as a State Highway and that is maintained by the state.
48. “State route” means a right-of-way whether actually used as a highway or not that is designated by the board as a location for the construction of a State Highway.
49. “Street” or “highway” means the entire width between the boundary lines of every way if a part of the way is open to the use of the public for purposes of vehicular travel.
53. “Vehicle” means a device in, on or by which a person or property is or may be transported or drawn on a public highway, excluding devices moved by human power or used exclusively on stationary rails or tracks.

### ARS 28-601. Definitions

3. “Crosswalk” means:
  - (a) That part of a roadway at an intersection included within the prolongations or connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in absence of curbs, from the edges of the traversable roadway.
  - (b) Any portion of a roadway at an intersection or elsewhere that is distinctly indicated for pedestrian crossing by lines or other markings on the surface.



7. "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or if none, the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling on different highways joining at any other angle may come in conflict. If a highway includes two roadways thirty or more feet apart, each crossing of each roadway of the divided highway by an intersecting highway is a separate intersection. If the intersecting highway also includes two roadways thirty or more feet apart, each crossing of two roadways of the highways is a separate intersection.
9. "Motorized wheelchair" means any self-propelled wheelchair that is used by a person for mobility.
19. "Roadway" means that portion of a highway that is improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. If a highway includes two or more separate roadways, roadway refers to any such roadway separately but not to all such roadways collectively.
20. "Safety zone" means the area or space that is both:
  - (a) Officially set apart within a roadway for the exclusive use of pedestrians.
  - (b) Protected or either marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.
21. "Sidewalk" means that portion of a street that is between the curb lines or the lateral lines of a roadway and the adjacent property lines and that is intended for the use of pedestrians.
26. "Traffic" means pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using a highway for purposes of travel.

ARS 28-641. Traffic control device manual and specifications

The director shall adopt a manual and specifications for a uniform system of traffic control devices for use on highways in this state. Except as provided in section 28-2416, the uniform system shall correlate with and as far as possible conform to the system set forth in the most recent edition of the manual on uniform traffic control devices for streets and highways prepared by the national joint committee on uniform traffic control devices.

ARS 28-645. Traffic control signal legend

A. If traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend. The lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

1. Green indication:

- (a) Vehicular traffic facing a green signal may proceed straight through or turn right or left unless a sign at that place prohibits either turn. Vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.
- (b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow or such other movement as is permitted by other indications shown at the same time. Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
- (c) Unless otherwise directed by a pedestrian control signal as provided in section 28-646, pedestrians facing any green signal, except if the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.



2. Steady yellow indication:

(a) Vehicular traffic facing a steady yellow signal is warned by the signal that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

(b) Unless otherwise directed by a pedestrian control signal as provided in section 28-646, pedestrians facing a steady yellow signal are advised by the signal that there is insufficient time to cross the roadway before a red indication is shown and a pedestrian shall not then start to cross the roadway.

3. Red indication:

(a) Except as provided in subdivisions (b) and (c) of this paragraph, vehicular traffic facing a steady red signal alone shall stop before entering the intersection and shall remain standing until an indication to proceed is shown. On receipt of a record of judgment for a violation of this subdivision, the department shall order the person to attend and successfully complete traffic survival school training and educational sessions within sixty days after the department issues the order. Notwithstanding section 28-3315, if the person fails to attend or successfully complete traffic survival school training and educational sessions, the department shall suspend the person's driving privilege pursuant to section 28-3306 until the person attends and successfully completes traffic survival school training and educational sessions. A person whose driving privilege is suspended pursuant to this subdivision may request a hearing. If the person requests a hearing, the department shall conduct the hearing as prescribed in section 28-3306.

(b) The driver of a vehicle that is stopped in obedience to a red signal and as close as practicable at the entrance to the crosswalk on the near side of the intersection, or if there is no crosswalk, then at the entrance to the intersection, may make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal. A right turn may be prohibited against a red signal at any intersection if a sign prohibiting the turn is erected at the intersection.

(c) The driver of a vehicle on a one-way street that intersects another one-way street on which traffic moves to the left shall stop in obedience to a red signal but may then make a left turn into the one-way street. The driver shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that such left turn may be prohibited if a sign prohibiting the turn is erected at the intersection.

(d) Unless otherwise directed by a pedestrian control signal as provided in section 28-646, a pedestrian facing a steady red signal alone shall not enter the roadway.

B. If an official traffic control signal is erected and maintained at a place other than an intersection, this section applies except as to those provisions of this section that by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of a sign or marking the stop shall be made at the signal.

C. The driver of a vehicle approaching an intersection that has an official traffic control signal that is inoperative shall bring the vehicle to a complete stop before entering the intersection and may proceed with caution only when it is safe to do so. If two or more vehicles approach an intersection from different streets or highways at approximately the same time and the official traffic control signal for the intersection is inoperative, the driver of each vehicle shall bring the vehicle to a complete stop before entering the intersection and the driver of the vehicle on the left shall yield the right-of-way to the driver of the vehicle on the right.



ARS 28-646. Pedestrian control signals; loitering prohibited

A. If special pedestrian control signals exhibiting the words “walk” or “don't walk” are in place, the signals shall indicate as follows:

1. Walk. Pedestrians facing the signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of vehicles.
2. Don't walk. A pedestrian shall not start to cross the roadway in the direction of the signal, but a pedestrian who has partially completed crossing on the walk signal shall proceed to a sidewalk or safety island while the don't walk signal is showing.

B. A pedestrian shall not loiter or unduly delay crossing the roadway after traffic has stopped to give the right-of-way.

ARS 28-647. Flashing signals

If an illuminated flashing red or yellow signal is used in a traffic sign or signal it requires obedience by vehicular traffic as follows:

1. Flashing red stop signal. If a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line if marked, or if none, then before entering the intersection, and the right to proceed is subject to the rules applicable after making a stop at a stop sign. On receipt of a record of judgment for a violation of this paragraph, the department shall order the person to attend and successfully complete traffic survival school training and educational sessions within sixty days after the department issues the order. Notwithstanding section 28-3315, if the person fails to attend or successfully complete traffic survival school training and educational sessions, the department shall suspend the person's driving privilege pursuant to section 28-3306 until the person attends and successfully completes traffic survival school training and educational sessions. A person whose driving privilege is suspended pursuant to this paragraph may request a hearing. If the person requests a hearing, the department shall conduct the hearing as prescribed in section 28-3306.
2. Flashing yellow caution signal. If a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past the signal only with caution.

ARS 28-704. Minimum speed limits; requirement to turn off roadway (See HB 2503 at end of Section)

A. A person shall not drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

B. If the director or local authorities within their respective jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, the director or local authority may determine and declare a minimum speed limit below which a person shall not drive a vehicle except when necessary for safe operation or in compliance with law.

C. If a person is driving a vehicle at a speed less than the normal flow of traffic at the particular time and place on a two-lane highway where passing is unsafe, and if five or more vehicles are formed in a line behind the vehicle, the person shall turn the vehicle off the roadway at the nearest place designated as a turnout by signs erected by the director or a local authority, or wherever sufficient area for a safe turnout exists, in order to permit the vehicles following to proceed.



ARS 28-724. Overtaking on the right

A. The driver of a vehicle may overtake and pass on the right of another vehicle only under the following conditions:

1. When the vehicle overtaken is making or about to make a left turn.
2. On a street or highway with unobstructed pavement that is not occupied by parked vehicles and that is of sufficient width for two or more lines of moving vehicles in each direction.
3. On a one-way street or on a roadway on which traffic is restricted to one direction of movement and if the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

B. The driver of a vehicle may overtake and pass another vehicle on the right only under conditions permitting the movement in safety. The driver shall not make the movement by driving off the pavement or main traveled portion of the roadway.

ARS 28-735. Overtaking bicycles; civil penalties (See HB 2503 at end of Section)

A. When overtaking and passing a bicycle proceeding in the same direction, a person driving a motor vehicle shall exercise due care by leaving a safe distance between the motor vehicle and the bicycle of not less than three feet until the motor vehicle is safely past the overtaken bicycle.

B. If a person violates this section and the violation results in a collision causing:

1. Serious physical injury as defined in section 13-105 to another person, the violator is subject to a civil penalty of up to five hundred dollars.
2. Death to another person, the violator is subject to a civil penalty of up to one thousand dollars.
3. Subsection B of this section does not apply to a bicyclist who is injured in a vehicular traffic lane when a designated bicycle lane or path is present and passable

ARS 28-756. Method of giving hand and arm signals

A. Except as provided by subsection B, a person shall give all hand and arm signals required by this article from the left side of the vehicle in the following manner, and the signals shall indicate as follows:

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

B. A person operating a bicycle may give a right turn signal by extending the right hand and arm horizontally and to the right side of the bicycle.

ARS 28-791. Pedestrians subject to traffic rules

A. Pedestrians are subject to traffic control signals at intersections as provided in section 28-645 unless required by local ordinance to comply strictly with the signals. At all places other than intersections, pedestrians are accorded the privileges and are subject to the restrictions stated in this article.

B. A local authority may require by ordinance that pedestrians strictly comply with the directions of an official traffic control signal and may prohibit by ordinance pedestrians from crossing a roadway in a business district or crossing a designated highway except in a crosswalk.



ARS 28-792. Right-of-way at crosswalk

A. Except as provided in section 28-793, subsection B, if traffic control signals are not in place or are not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be in order to yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is on the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. A pedestrian shall not suddenly leave any curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impossible for the driver to yield.

B. If a vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of another vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

ARS 28-793. Crossing at other than crosswalk

A. A pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles on the roadway.

B. A pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles on the roadway.

C. Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

ARS 28-794. Drivers to exercise due care

Notwithstanding the provisions of this chapter every driver of a vehicle shall:

1. Exercise due care to avoid colliding with any pedestrian on any roadway.
2. Give warning by sounding the horn when necessary.
3. Exercise proper precaution on observing a child or a confused or incapacitated person on a roadway.

ARS 28-795. Pedestrians to use right half of crosswalk

Pedestrians shall move expeditiously, when practicable, on the right half of crosswalks.

ARS 28-796. Pedestrian on roadways

A. If sidewalks are provided, a pedestrian shall not walk along and on an adjacent roadway.

B. If sidewalks are not provided, a pedestrian walking along and on a highway shall walk when practicable only on the left side of the roadway or its shoulder facing traffic that may approach from the opposite direction.

C. A person shall not stand in a roadway for the purpose of soliciting a ride from the driver of a vehicle.

ARS 28-797. School crossings; definition

A. The director, with respect to State Highways, or the officer, board or commission of the appropriate jurisdiction, with respect to county highways or city or town streets, by and with the advice of the school district implementing board or county school superintendent may mark or cause to be marked by the department or local authorities crosswalks in front of each school building or school grounds abutting the crosswalks where children are required to cross the highway or street.



B. The department or local authorities may approve additional crossings across highways not abutting on school grounds on application of school authorities and with written satisfactory assurance given the department or local authorities that guards will be maintained by the school district at the crossings to enforce the proper use of the crossing by school children.

C. The manual prescribed in section 28-641 shall provide for yellow marking of the school crossing, yellow marking of the center line of the roadway and the erection of portable signs indicating that vehicles must stop when persons are in the crossing. The manual shall also provide the type and wording of portable signs indicating that school is in session and permanent signs that warn of the approach to school crossings.

D. When the school crossings are established, school authorities shall place within the highway the portable signs indicating that school is in session. This placement shall be not more than three hundred feet from each side of the school crossing. In addition, portable “stop when children are in crosswalk” signs shall be placed at school crossings. School authorities shall maintain these signs when school is in session and shall cause them to be removed immediately when school is not in session.

E. A vehicle approaching the crosswalk shall not proceed at a speed of more than fifteen miles per hour between the portable signs placed on the highway indicating “school in session” and “stop when children are in crosswalk”.

F. Notwithstanding any other law:

1. An agency of appropriate jurisdiction may establish a school crossing on an unpaved highway or street adjacent to a school when the agency determines the need for the school crossing on the basis of a traffic study. School crossings on unpaved highways and streets shall be marked by the use of signs as prescribed in the manual prescribed in section 28-641.

2. A local authority may establish a school crossing at an intersection containing a traffic control signal if the local authority determines the need for a school crossing on the basis of a traffic study.

G. When a school authority places and maintains the required portable “school in session” signs and “stop when children are in crosswalk” signs, all vehicles shall come to a complete stop at the school crossing when the crosswalk is occupied by a person.

H. For the purposes of this section, “school in session”, when used either in reference to the period of time or to signs, means during school hours or while children are going to or leaving school during opening or closing hours.

#### ARS 28-811. Parent and guardian responsibility; applicability of article

A. The parent of a child and the guardian of a ward shall not authorize or knowingly permit the child or ward to violate this chapter.

B. Except as otherwise provided in this article, this chapter applies to a bicycle when it is operated on a highway or on a path set aside for the exclusive use of bicycles.

#### ARS 28-812. Applicability of traffic laws to bicycle riders

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.



ARS 28-813. Riding on bicycles

- A. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached to the bicycle.
- B. A person shall not use a bicycle to carry more persons at one time than the number for which it is designed and equipped.

ARS 28-814. Clinging to vehicle

A person riding on a bicycle, coaster, sled or toy vehicle or on roller skates shall not attach the bicycle, coaster, sled, toy vehicle or roller skates or that person to a vehicle on a roadway.

ARS 28-815. Riding on roadways and bicycle paths; prohibition of motor vehicle traffic on bike paths

- A. A person riding a bicycle on a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:
  - 1. If overtaking and passing another bicycle or vehicle proceeding in the same direction.
  - 2. If preparing for a left turn at an intersection or into a private road or driveway.
  - 3. If reasonably necessary to avoid conditions, including fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals or surface hazards.
  - 4. If the lane in which the person is operating the bicycle is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.
- B. Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadway set aside for the exclusive use of bicycles.
- C. A path or lane that is designated as a bicycle path or lane by state or local authorities is for the exclusive use of bicycles even though other uses are permitted pursuant to subsection D or are otherwise permitted by state or local authorities.
- D. A person shall not operate, stop, park or leave standing a vehicle in a path or lane designated as a bicycle path or lane by a state or local authority except in the case of emergency or for crossing the path or lane to gain access to a public or private road or driveway.
- E. Subsection D does not prohibit the use of the path or lane by the appropriate local authority.

ARS 28-816. Carrying article on bicycles

A person shall not carry a package, bundle or article while operating a bicycle if the package, bundle or article prevents the driver from keeping at least one hand on the handlebars.

ARS 28-817. Bicycle equipment

- A. A bicycle that is used at nighttime shall have a lamp on the front that emits a white light visible from a distance of at least five hundred feet to the front and a red reflector on the rear of a type that is approved by the department and that is visible from all distances from fifty feet to three hundred feet to the rear when the reflector is directly in front of lawful upper beams of head lamps on a motor vehicle. A bicycle may have a lamp that emits a red light visible from a distance of five hundred feet to the rear in addition to the red reflector.
- B. A person shall not operate a bicycle that is equipped with a siren or whistle.



C. A bicycle shall be equipped with a brake that enables the operator to make the braked wheels skid on dry, level, clean pavement.

ARS 28-818. Bicycle safety fund

A. A bicycle safety fund is established. The department shall administer the fund. The fund consists of monies received from:

1. The federal government or any agency of the federal government for any purpose authorized by this section.
2. Donations.
3. This state or any agency of this state for any purpose authorized by this section.

B. The department:

1. May designate monies deposited in the bicycle safety fund for use only for specified purposes consistent with this section and only for use in specified political subdivisions of this state.
2. Shall spend monies contributed by a political subdivision to the bicycle safety fund and any donation to the fund designated for use in a political subdivision and any matching monies deposited in the fund as a result of the contribution or donation only for use in the political subdivision.
3. Shall only spend monies from the bicycle safety fund as follows:
  - (a) For planning, engineering, constructing and maintaining bicycle paths and bicycle lanes.
  - (b) As matching monies to be used with federal or local monies spent for planning, engineering, constructing or maintaining bicycle paths and bicycle lanes.
  - (c) As matching monies to be used with federal or local monies spent for planning and implementing safety programs.

C. Monies in the bicycle safety fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations. The department may spend monies in the fund for purposes authorized by this section subject to legislative appropriation.

ARS 28-855. Stop signs; yield signs

A. The director, with reference to State Highways, and local authorities, with reference to other highways under their jurisdiction, may designate through highways and erect stop or yield signs at specified entrances to the through highways or may designate an intersection as a stop or yield intersection and erect like signs at one or more entrances to the intersection.

B. A driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection, or if there is no crosswalk, shall stop at a clearly marked stop line, or if there is no line, shall stop at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection except when directed to proceed by a police officer.

C. The driver of a vehicle approaching a yield sign shall slow down in obedience to the sign to a speed reasonable for the existing conditions and shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection. If after driving past a yield sign without stopping the driver is involved in a collision with a vehicle in the intersection, the collision is prima facie evidence of the driver's failure to yield the right-of-way.



ARS 28-856. Emerging from alley, driveway or building

The driver of a vehicle emerging from an alley, driveway or building within a business or residence district shall:

1. Stop the vehicle immediately before driving onto a sidewalk or onto the sidewalk area extending across any alleyway or private driveway.
2. Yield the right-of-way to any pedestrian as necessary to avoid collision.
3. On entering the roadway, yield the right-of-way to all closely approaching vehicles on the roadway.

ARS 28-873. Stopping, standing or parking prohibitions

Except if necessary to avoid conflict with other traffic or if in compliance with law or the directions of a police officer or traffic control device, a person shall not stop, stand or park a vehicle in any of the following places:

1. On a sidewalk.
2. In front of a public or private driveway, except that this paragraph does not apply to a vehicle or the driver of a vehicle engaged in the official delivery of the United States mail if both of the following apply:
  - (a) The driver does not leave the vehicle.
  - (b) The vehicle is stopped only momentarily.
3. Within an intersection.
4. Within fifteen feet of a fire hydrant.
5. On a crosswalk.
6. Within twenty feet of a crosswalk at an intersection.
7. Within thirty feet on the approach to any flashing beacon, stop sign, yield sign or traffic control signal located at the side of a roadway.

ARS 28-904. Driving on sidewalk

- A. A person shall not drive a vehicle on a sidewalk area except on a permanent or duly authorized temporary driveway.
- B. This section does not apply to a motorized wheelchair, electric personal assistive mobility device, authorized emergency vehicle, security vehicle owned by this state or small service vehicle owned by this state or a political subdivision of this state.

ARS 28-908. Persons in wheelchairs or on electric personal assistive mobility devices

A person operating a wheelchair or motorized wheelchair or an electric personal assistive mobility device has all of the rights and duties that are contained in this chapter and chapters 4 and 5 of this title and that are applicable to pedestrians except provisions that by their nature can have no application.

ARS 28-911. Electric personal assistive mobility devices

A person who is under sixteen years of age shall not operate an electric personal assistive mobility device.



ARS 28-3164. Original applicants; examination

A. The department may examine an applicant for an original driver license or the department may accept the examination conducted by an authorized third party pursuant to chapter 13 of this title or documentation of successful completion of a driver education course approved by the department. The examination shall include all of the following:

1. A test of the applicant's:
  - (a) Eyesight.
  - (b) Ability to read and understand official traffic control devices.
  - (c) Knowledge of safe driving practices and the traffic laws of this state, including those practices and laws relating to bicycles.
2. An actual demonstration of ability to exercise ordinary and reasonable control in the operation of a vehicle or vehicle combination of the type covered by the license classification or endorsement for which the applicant applies.
3. Other physical and mental examinations if the department finds them necessary to determine the applicant's fitness to safely operate a motor vehicle on the highways.

ARS 28-7201. Definitions

In this article, unless the context otherwise requires:

1. "Implementing body" means the city or town council or other authority of a city or town, the board of supervisors of a county or the transportation board.
2. "Owner" or "owners of record" includes a person, firm, partnership, association or corporation.
3. "Owners association" means a nonprofit corporation authorized to do business in this state.
4. "Roadway" includes all or part of a platted or designated public street, highway, alley, lane, parkway, avenue, road, sidewalk or other public way, whether or not it has been used as such.

ARS 28-7501. Definitions

In this article, unless the context otherwise requires:

1. "Any highway purpose" includes any one or more of the following purposes:
  - (a) Payment of highway obligations.
  - (b) The cost of and cost allocated to construction, reconstruction, maintenance and repair of public highways and bridges, county, city and town roads and streets.
  - (c) The acquisition of real property for future highway needs.
  - (d) The cost of constructing landscape buffers, noise barriers, pedestrian bypasses, multi-use paths and other environmental impact mitigation measures to mitigate the adverse impact of freeways on local neighborhoods.

ARS 28-8132. Funding; improving transit services

A. The department may make grants to governmental authorities provided in section 28-8131 for the purposes provided in this article and may cooperate with local authorities in improving existing transit services and in integrating these services to:

1. Better meet public transportation needs.
2. Promote a balanced regional transportation system.
3. Improve local or regional air quality.



4. Provide assistance in the planning, design and implementation of intermodal transportation projects, pedestrian related projects and bicycle related projects.

B. Planning, coordination and actual operation of these services may be funded with general state revenues appropriated by the legislature for these purposes.

ARS 28-8133. Demonstration or pilot projects

A. The department may conduct demonstration or pilot projects to evaluate the effectiveness of new, extended, improved or integrated public transportation services, bicycle activities, pedestrian activities, intermodal transportation activities, and car pooling or van pooling activities in meeting regional transportation needs or in improving air quality.

B. These projects may be funded with general state revenues appropriated by the legislature for this purpose.

Bicycling; Shared Roads – House Bill 2503

To date: Introduced in the Arizona House, voted down in the Senate.

Issue: This bill clarifies four points of law that will improve bicycle safety and sharing the roads with motor vehicles.

ARS 28-735 clarifies that an individual may be fined for driving a vehicle too closely to a cyclist. Unfortunately, a few drivers drive very closely to cyclists, thus exhibiting threatening and unsafe behavior. Even if a cyclist does not incur physical injury, the psychological and “windblast” effect of a driver passing at high speeds can be serious and can cause a crash.

This section also removes Section C since it is in conflict with many other sections of law relating to: bicyclists preparing to make left turns, vehicles crossing into the bike lanes and paths, and bicyclists having to move temporarily into the travel lane to avoid debris, pavement damage, and vehicles parked in a bike lane. In addition, section C addresses “Bike Paths” which do not technically exist in Arizona Statute or official highway or transportation standards documents.

ARS 28-704 further clarifies that the three-foot law prevails. Bicycles can travel below the normal and reasonable flow of traffic. Drivers of motor vehicles may also travel below the reasonable movement of traffic in order to pass safely around bicyclist.

ARS 28-751 clarifies that a vehicle may use the reversible left lane for a reasonable distance if there is no traffic present to allow for the minimum three feet safe passing distance as required in 28-735.