

MEMORANDUM

To: North Carolina Department of Transportation
From: Steven Goodridge, Sally Norton, Wayne Pein, Jeremy Raw, Bruce Rosar,
North Carolina Coalition for Bicycle Driving
Subject: Critique of NCDOT's Guide to Bicycle and Pedestrian Laws
Date: May 2, 2006

While the concept of a guide to North Carolina bicycle and pedestrian laws is appreciated, the NCDOT publication *A Guide to North Carolina Bicycle and Pedestrian Laws* <http://www.ncdot.org/transit/bicycle/laws/resources/lawsguidebook.html> has significant flaws that render it unsuitable for its intended use—by educators, law enforcement officials, planners, and citizens—as a tool and reference document for education and enforcement of bicycle laws.

The NCDOT *Guide* departs from accepted interpretations of the law that have been promulgated widely in North Carolina and, where similar statute wording exists, in other states as well. The *Guide* inaccurately implies numerous legal restrictions on bicycling practices that have elsewhere been promoted by government authorities as legal activities supporting safe and efficient¹ bicycling. The interpretive flaws in the *Guide* create four major problems:

1. Bicyclists who read the *Guide* will be less likely to travel with as much safety and efficiency as the laws allow.
2. Law enforcement officials who read the *Guide* will be more likely to inappropriately stop and ticket bicyclists who are traveling lawfully.
3. Motorists who read the *Guide* will be more likely to harass, endanger, or assault bicyclists who are traveling lawfully.
4. Bicyclists who seek damages after collisions in which they were traveling lawfully may be blocked from doing so by false conclusions of contributory negligence.

The interpretations offered by the *Guide* are inconsistent with descriptions of safe and lawful bicycling technique published by other government entities within North Carolina, including NCDOT itself. The interpretations in the *Guide* often contradict those made by legal authorities and the Department of Transportation in other states regarding similar statutes. The *Guide* appears to depart from its own wisdom regarding “studying the case law, not just the wording of the statutes” (p. 5) as there is no explicit mention of case law in the guide. The *Guide* steps into extra-legal territory wherever it declares limits on bicyclist behaviors that are not present in the law, as well as when offering legal interpretations that no reasonable reading of the statutes could support. By contrast, the *Guide* omits mention of statutes that require other vehicle operators to reduce their speed when encountering slow traffic ahead, and provides inadequate guidance regarding motorists' other responsibilities to protect the safety of bicyclists using our roadways. As a result, the *Guide* sends a skewed message that “sharing the road” is mostly about bicyclists staying out of motorists' way, rather than everyone respecting cyclists' equal status as drivers on our roadways. The remainder of this document offers detailed comments on our points of concern and suggests how to correct them.

¹ Efficiency of time and physical energy expenditure are important considerations in the development of best practices for lawful bicycle driving.

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Overtaking and Passing

On Page 13 the NCDOT *Guide* states:

“A bicyclist cannot take actions to prevent another vehicle from lawfully passing. For example, the vehicle being passed must give way to the right when given an audible signal, and may not increase their speed until they are completely passed. [§20-149]”

The assertion by the *Guide* that "A bicyclist cannot take actions to prevent another vehicle from lawfully passing [...]" is misleading. Like all drivers, the driver of a bicycle has a limited legal obligation to cooperate with overtaking drivers under NCGS §20-149(b): "... the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle while being lawfully overtaken on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle." There are many situations where traffic and road conditions require drivers to wait before exercising the privilege of passing slower traffic. NCGS §20-149(b) does not require any driver, regardless of vehicle type, to ensure that other drivers can pass without delay.

As currently worded, the *Guide* exacerbates a common misunderstanding about bicyclists' use of marked travel lanes. In some situations it is possible for bicyclists to operate in such a way that drivers of other vehicles can pass within the same lane. In other cases, such as where the travel lane is narrow or where hazards along the right edge of the lane create more dangerous operating conditions, bicyclists cannot extend this courtesy without unreasonably diminishing the safety and efficiency of their own travel. Unfortunately, the *Guide*'s claim that a "bicyclist cannot take actions to prevent another vehicle from lawfully passing" might lead law enforcement officials and others to believe incorrectly that bicyclists are legally required to stay to the right within a marked travel lane.

In contrast to the *Guide*, most educational publications on laws and best practices related to bicycling emphasize bicyclists' equal right to the roadway as including operating under conditions where other drivers must wait before passing. Below are some examples from other publications originating in North Carolina (including NCDOT). Examples from other states are included in the appendix. Note that these publications include affirmative statements about the right of bicyclists to discourage overtaking drivers from passing when safety would be diminished. Such statements would be a substantial improvement over what appears in the *Guide*.

Streetwise Cycling (NCDOT):

“On a very narrow road [...] the best approach is to ride a straight line far enough from the curb to discourage unsafe passing. [...] In vary narrow lanes, you may have to ride far enough from the edge to discourage unsafe passing.”

<http://www.humantransport.org/bicycledriving/streetwise/streetwise.pdf>

Cary (NC) Bicycle Map (See also the Raleigh Bicycle Map):

“On a road with very narrow lanes, ride far enough from the edge to discourage dangerously close passing.”

<http://www.townofcary.org/depts/dsdept/P&Z/bicycleplan/bicycleplanmap.htm>

***Bicyclinginfo.org* UNC Highway Safety Research Center:**

“Cyclists are not required or expected to ride in the gutter, and are not required to get out of the way of motorists.”

http://www.bicyclinginfo.org/ee/enforce_motorist.htm

North Carolina Driver Handbook* (NCDOT/DMV):*“Bicycles**

Bicycle riding is an important means of transportation, particularly for traveling to and from work and school. Because bicycles are vehicles, bicyclists must obey the same traffic laws as other drivers. Bicyclists usually ride on the right side of the lane, but are entitled to the use of a full lane.

“Pass With Care

“A bicyclist staying to the right in their lane is accommodating the following drivers by making it easier to see when it is safe to pass, and easier to execute the pass. Drivers wishing to pass a bicyclist may do so only when there is abundant clearance and no oncoming traffic is in the opposing lane. When passing a bicyclist, always remember the bicyclist is entitled to the use of the full lane.”

http://www.ncdot.org/dmv/driver_services/drivershandbook/chapter6/bicycles.html

We suggest specifically that the two sentences we have identified on page 13 of the *Guide* be replaced with wording parallel to the NC DMV Driver Handbook:

“A bicyclist staying to the right in their lane is accommodating following drivers by making it easier to see when it is safe to pass, and easier to execute the pass. Drivers wishing to pass a bicyclist may do so only when there is abundant clearance and no oncoming traffic is in the opposing lane. When passing a bicyclist, motorists should always remember the bicyclist is entitled to the use of the full lane and may ride anywhere within that lane.”

Right of Way and Road Positioning

While discussing “Riding on the Right” on page 8, the NCDOT *Guide* states that:

“...the bicyclist must travel in the right-hand lane **and** should ride as close as practicable to the right hand edge of the highway. [§20-146(a)]”

Here the *Guide* mistakenly attributes §20-146(a) instead of §20-146(b), which states:

“[...] any vehicle proceeding at less than the legal maximum speed limit shall be driven in the right-hand lane then available for thru traffic, **or** as close as practicable to the right-hand curb or edge of the highway except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn.”

In its interpretation, the *Guide* omitted the integral qualification, “proceeding at less than the maximum speed limit,” even though bicyclists sometimes travel at the speed limit. Further, the authors changed the conjunction “or” in the citation to “and.” Both of these mistakes significantly

alter the meaning of the law, and can encourage ticketing or harassment of bicycle drivers operating lawfully.

The use of the conjunction “or” in the cited law indicates two possibilities. For example, §20-146(d) says, “Whenever any street has been divided into two or more clearly marked lanes for traffic...” indicating the two conditions of roads: with or without marked lanes. Similarly, the most reasonable interpretation of §20-146(b) is that “in the right-hand lane then available for thru traffic” applies when such a lane is marked, while “as close as practicable to the right” applies when a street lacks such a lane. §20-146(b) imposes no requirement on any driver to operate as far right as practicable within a marked lane.

We suggest that this sentence in the *Guide* be replaced with the following wording: “Like all other drivers, bicyclists should position their vehicle on the right side of the road, and in the rightmost marked traffic lane leading to their destination when their speed is less than the maximum permitted. In addition, when a marked traffic lane is not available in their direction of travel, all drivers should stay as far to the right as safe operation of their vehicle permits.”

Immediately following “[...] as close as practicable to the right hand edge [...]” from §20-146(b), the *Guide* says:

- “Exceptions to this law are provided when the bicyclist is making these maneuvers:
- Passing another vehicle moving in the same direction [§20-146(a)(1)]
 - Avoiding a dangerous obstruction [§20-146(a)(2)]
 - Riding on a one-way street [§20-146(a)(4)]
 - Preparing for a left turn. [§20-146(e)]”

The *Guide* misleads readers by incorrectly associating the rule from §20-146(b) with three exceptions from §20-146(a), which directs all vehicles to be driven on the right half of the highway. The fourth listed exception is from §20-146(e), a statute which applies only to motor vehicles on divided highways with a minimum speed limit. These errors detract from the accuracy and trustworthiness of the *Guide*.

We suggest that the set of bullet points be replaced with the following wording:

- “All vehicles including bicycles are required to operate in the right half of the highway and in the same direction as other traffic, except when:
- Passing another vehicle moving in the same direction [§20-146(a)(1)]
 - Avoiding a dangerous obstruction [§20-146(a)(2)]
 - Operating on a one-way street [§20-146(a)(4)]”

Near the end of this section, the *Guide* notes;

“Bicyclists are not required to ride on adjacent bicycle paths.”

While this is true, it is important **also** to note that North Carolina does not require bicyclists to operate on any bicycle path, either adjacent to the road or in its own separate right-of-way. Bicyclists are also not required to operate in marked bicycle lanes when they are present. We

suggest that this sentence be changed to read: “Bicyclists are not required to ride on bike paths, nor in bike lanes or on sidewalks.”

Though we have suggested specific wording modifications for the section on “Riding on the Right,” the significant weaknesses in this section lead us to believe it should be completely re-written. Combining our suggestions above, we suggest that the “Riding on the Right” section be replaced with this wording:

“All vehicles including bicycles are required to operate in the right half of the highway and in the same direction as other traffic [§20-146(a)], except when:

- Passing another vehicle moving in the same direction [§20-146(a)(1)]
- Avoiding a dangerous obstruction [§20-146(a)(2)]
- Operating on a one-way street [§20-146(a)(4)]

Like all other drivers, bicyclists traveling below the speed limit should position their vehicle in the rightmost marked lane for their destination and direction of travel. If such a lane is not available, bicycle drivers should stay as far right as safe and efficient operation of their vehicle allows [§20-146(b)]. Bicyclists are not required to ride on bike paths, nor in bike lanes or on sidewalks.”

Road Positioning During Turns

On page 11 the NCDOT *Guide* states:

“When making a right-hand turn, a bicyclist should be as close to the far right edge of the roadway as practicable.”

As written, the implication here may be that bicyclists should stay to the right of other right-turning traffic. In practice, however, the most effective way for bicyclists to make most right turns is to merge into the right-turning traffic flow in order to discourage improper overtaking during the turn.

We suggest that this phrase either simply be dropped or replaced with wording that makes a more general point about vehicle operation, such as: “Bicyclists and other drivers should always make turns from the appropriate side of the traveled way: the left side when turning left, and the right side when turning right. When proceeding straight through an intersection, bicyclists should merge into a through lane rather than proceed straight from a right turn lane.”

Riding Side By Side

On page 22 the NCDOT *Guide* states:

“Riding Two or More Abreast. There is no law that requires bicyclists to ride single file, nor is there a law that gives cyclists the right to ride two or more abreast. Some other states address this issue in their statutes, but there is no consistent treatment. It is always important to ride responsibly and courteously, so that cars may pass safely.”

We disagree with the assertion that the purpose of riding responsibly and courteously is “so that cars may pass safely.” While it is indeed important for all drivers (including bicyclists) to obey North Carolina’s rules of the road, the act of overtaking and passing is labeled by §20-150 as being a privilege. The exercise of such a privilege is secondary to each person’s right to safe travel in the public ways.

The *Guide* should encourage courteous and predictable behavior by all vehicle operators. We observe that some drivers interpret side-by-side bicycle operation as an act of insubordination, even in situations where side-by-side bicycle operation presents no more impediment to passing than a single file rider. Indeed, on roadways where a lane is not wide enough for bicyclists riding single file to share with a motor vehicle, a group of cyclists can facilitate more efficient passing of faster traffic by traveling abreast. The shorter length of the abreast formation makes passing in another lane significantly easier.

We suggest that the paragraph in the *Guide* either be deleted, or be modified to read as follows: “Riding Two or More Abreast. There is no N.C. law that requires bicyclists to ride single file within a lane, but the law does limit the privilege of overtaking and passing. Various factors of safety and comfort may lead bicycle drivers to ride side by side. For example, bicyclists traveling two abreast in a single lane are often easier to pass than when they are single file (since less passing distance is required). It is always important to drive a vehicle (whether pedal or motor powered) responsibly and courteously, so that everyone may travel safely.”

Night Riding and Safety

On page 8 the NCDOT *Guide* states:

“However, no matter how well equipped bicyclists might be using lights, reflectors, reflector vest, and flashing LED lights, they should always use extreme caution while riding at night and only do so when necessary.”

Operating any vehicle at night can be riskier than during the day, but it is not at all clear that a well-equipped bicyclist operating lawfully is in more danger of a crash than a motorist operating under the same conditions. We strongly disagree with the implied message that bicyclists cannot possibly travel effectively at night, and with the *Guide*’s apparent conclusion that in order to be safe they should not travel at night. It is particularly troubling that this advice should be italicized as if it were especially important.

The *Guide*’s declaration that “[...] no matter how well equipped bicyclists might be [...] they should always use extreme caution while riding at night and only do so when necessary” has no grounding in North Carolina law, and little in scientific fact. For example; Atkinson & Hurst’s study found that while 75% of the fatal hit-from-behind collisions occurred at night, 66% of those involved bicycles without rear lights. Statistically, this study suggests that the rate of these collisions is the same by day and by night, provided that the bicyclist is equipped with a proper rear light.

The unfounded treatment of night riding in NCDOT's *Guide* may negatively affect any bicyclist who is involved in an accident at night, given North Carolina's contributory negligence principle. Another party's lawyer might use these words as evidence of contributory negligence in a collision on the part of the bicyclist just on the basis of night travel. If night bicycling is considered officially dangerous "no matter how well equipped," bicycling (especially year-round between significant destinations) may be adversely impacted. While the *Guide* does not have the force of law, it would be tragic if the *Guide* were to inspire legal decisions that remove protections for bicyclists.

We would prefer that this statement be replaced with a factual observation, such as the following: "Notwithstanding the minimum requirements of the law, bicyclists traveling at night should ensure that they have sufficient lights and reflectors to see and to be seen, and that they operate their vehicle so as to be highly visible and predictable. Motorists should be alert for bicyclists operating at night."

Indicating Turns

On page 11 the NCDOT *Guide* states:

"Manual signals must be given using the left arm as follows:

Right turn - hand and arm pointed upward at a ninety-degree angle. [§20-154(b)]"

While the NCDOT *Guide* has provided comments on many other rules of the road, such commentary is noticeably missing here. This is unfortunate, since using the left arm to signal a right turn makes sense only for the drivers of wide motor vehicles (their right arm extended within the vehicle would not likely be seen by other drivers). However, a bicyclist's right arm is quite visible, and signaling a right turn with it is both more intuitive to the bicyclist and more easily seen and understood by those drivers who might be affected. Since signaling right turns with the right hand is allowed in as many as 22 other states; we believe the *Guide* should discuss how some cyclists employ this technique in good faith.

Note also that the statute explicitly states that turn signals are only required when another driver may be affected by the turning action, even though that is not noted in the NCDOT *Guide*. The intention of requiring signals is that drivers must always find some way to communicate their intentions to other drivers, and such communication is a core principle of driving in traffic.

In light of the fact that control of a bicycle often requires use of both hands, particularly when braking at turns, we believe it would be appropriate to emphasize the importance of adhering to the spirit of the law and to use whatever body language and signals will ensure that motorists are informed of the bicyclists' intentions. When an arm signal is impractical, common strategies for bicyclists to indicate their turning or merging intentions include lane positioning, a head turn, or using "eye contact."

We would prefer that the following comment be inserted: “It is not always possible or effective for bicyclists to use the legally mandated hand signals. Every bicyclist should endeavor to communicate their intentions to other drivers and pedestrians who may be affected by the turn.”

Motorists’ Responsibilities

Given the degree of danger that negligent operation of a motor vehicle can pose to bicyclists, we find that the *Guide*’s very short section on motorists’ responsibilities toward cyclists (pages 19 and the top of page 20) provides inadequate coverage of this topic. One of the basic principles of speed law - to drive slowly and cautiously enough to prevent collision with slower traffic ahead - is crucial to safe road sharing. This is clearly stated in §20-141(m):

“The fact that the speed of a vehicle is lower than the foregoing limits shall not relieve the operator of a vehicle from the duty to decrease speed as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway, and to avoid injury to any person or property.” [§20-141(m)]

Unfortunately, the *Guide* makes no mention of safe speed and a motorist’s duty to slow for bicycle traffic ahead, nor does it mention that a motorist’s endangerment of a bicyclist due to inappropriate speed would constitute reckless driving under state law:

“Any person who drives any vehicle upon a highway or any public vehicular area without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property shall be guilty of reckless driving.” [§ 20-140(b)]

Reminding the public of these responsibilities would reduce endangerment of bicyclists and encourage police to assign fault to drivers who fail to reduce their speed before overtaking-type collisions occur. We suggest that the *Guide* include discussion of §20-141(m) and §20-140.

Separation During Overtaking

On page 19 the NCDOT *Guide* states:

“A motorist overtaking a bicycle must pass at least two (2) feet to the left of the bicyclist and must not move back to the right side of the highway until safely past the overtaken bicycle. [§20-149(a)]”

Again, in contrast to other statutes that were interpreted in the *Guide* with added commentary, there is only a literal paraphrasing of the statute when commentary would provide valuable guidance.

The 2 foot passing requirement in the rule is deficient clearance for single track, lightweight, unprotected bicyclists (the Uniform Vehicle Code requires 3 feet). Moreover, the minimum clearance requirement does not address speed differential, a key element in the risk of collision and of wind blast, flying debris, and splashing water, all which can be dangerous to bicyclists.

We suggest adding this commentary: “Many other states require at least 3 feet of space when overtaking. Due to the dangers of wind blast and flying debris, it is particularly important to avoid passing bicyclists closely at high speed since that can present a danger both to the bicyclist and to other road users.”

Principle of Contributory Negligence

On page 25 the NCDOT *Guide* states:

“North Carolina subscribes to a legal principle known as contributory negligence that addresses liability and right of recovery in the case of a wrongful act, such as a vehicle crash where property is damaged or a person is injured or killed.”

While it is important to be cognizant of this legal principle, we are very concerned that some of the inappropriate interpretations in the *Guide* could provide support for seeking judgments of contributory negligence against bicyclists who were acting lawfully before a crash involving another driver.

The improper interpretation is that the law requires bicyclists to operate such that overtaking drivers can always pass. This misinterpretation could result in cyclists being assigned contributory negligence for a motorist-overtaking collision simply for being in the roadway. The *Guide* should instead draw attention toward the overtaking driver's explicit legal responsibility to travel at safe speed and reduce speed wherever necessary to avoid collision with traffic ahead.

Here is a more detailed discussion of the Contributory Negligence principle:

“North Carolina is one of only four states in the US that continues to accept contributory negligence as a defense available to bar one person's claim against another. This doctrine holds that individuals have an obligation to refrain from acts that can cause injury to others. They must also avoid exposing themselves to harm. North Carolina's contributory negligence laws can bar a victim's recovery for injuries sustained in a car accident, because the defendant can argue that if a plaintiff is even slightly to blame for the car accident he was involved in, he should not recover any damages.” (<http://www.farrin.com/car-accident/common-causes-of-car-accidents/what-is-negligence.php>)

As a particularly troubling example, since avoiding contributory negligence calls for bicycle vehicle drivers to “avoid exposing themselves to harm,” and the *Guide* has claimed that riding at night is extremely dangerous “no matter how well equipped,” it follows that an interpretation can be made that any bicyclist riding at night is exposing themselves to harm. Thus, even if one supposes that the NCDOT *Guide*'s authors are attempting to “protect” bicyclists, we fear that great harm could come from some interpretations set forth in this work.

Web Links to Other Organizations

On page 68 the NCDOT *Guide* lists the following resource: <http://www.pedbikeinfo.org/>.

Since this advocacy website is included in the list of resources, the authors should also include other resources for bicycling that may advocate different solutions. For example, the North Carolina Coalition for Bicycle Driving website at: <http://www.humantransport.org/bicycledriving/index.html> is a locally based website dedicated to the principle that effective travel by bicycle is best ensured by protecting the rights of bicyclists as drivers of vehicles and providing bicycling education to the public. It includes detailed discussions, explanations, and examples of best bicycle and motor vehicle practices.

Summary

We have offered specific suggestions for improvement of *A Guide to North Carolina Bicycle and Pedestrian Laws*. The NCDOT *Guide* fails to recognize important bicyclist rights that are expressed in the statutes. It also presents a number of incorrect interpretations of the statutes, some of which contradict recommended practices that have important benefits for bicyclists.

The *Guide* is incongruous with the well established best practices of bicycle driving (as taught by the League of American Bicyclists through their education program and by the International Police Mountain Bicycling Association through their training program) and contrasts sharply with the best bicycle law education efforts of other states and cities.

As it stands, the *Guide* offers to improve bicyclist “safety” by encouraging a narrow and unnecessarily restrictive reading of the state vehicle statutes, which if followed meticulously by its readers would increase bicyclists’ exposure to danger, and reduce bicyclists’ opportunity to safely and legally use the public roadways without harassment. We hope that prompt steps will be taken by NCDOT to:

- recall the Guide from distribution
- notify recipients of the Guide’s deficiencies
- not reprint the Guide until the deficiencies are corrected

We further recommend that NCDOT bicycling publications receive pre-publication review by North Carolina-based nationally certified bicycle driving educators to help ensure that those publications are compatible with safe, efficient and lawful cycling practices.

Lastly, we suggest that an effective way for NCDOT to provide readers of their *Guide* with a good resource on proper roadway bicycling would be to republish an updated version of their own manual on the subject, *Streetwise Cycling*, which is currently out of print.

<http://www.humantransport.org/bicycledriving/streetwise/streetwise.pdf>

Appendix: Discussions of Bicyclist Positioning and Overtaking from Other States**Florida Bicycling Street Smarts (Florida DOT)**

http://www.dot.state.fl.us/Safety/ped_bike/brochures/pdf/index.htm

and identical wording in the **Pennsylvania Bicycle Driver Manual:**

http://safety.fhwa.dot.gov/ped_bike/docs/pamanual.pdf

“On a multilane road with narrow lane, ride in the middle of the right lane. If you hug the edge, you are likely to get squeezed out. [...] Understand that the law is on your side. The law gives you the right to use the road, the same as a motorist, and to make other traffic slow down for you sometimes. The driver approaching from the rear is always required to slow and follow if it’s not possible to pass safely. [...] It may seem dangerous to make a motorist slow down for you, but it’s not. [...] Remember, the drivers behind you don’t have room to pass you safely anyway. If you ride all the way over at the right, you’re inviting them to pass you where the road is too narrow and, too often, you will get squeezed off the road. If you show clearly that it’s not safe for drivers to pass you, they’re unlikely to try. [...] On a road with two or more narrow lanes in your direction - like many city streets - you should ride in the middle of the right lane at all times. You need to send the message to drivers to move to the passing lane to pass you. If you ride all the way to the right, two cars may pass you at the same time, side by side, and squeeze you off the road.”

Wisconsin Department of Transportation, Rules for riding bicycles on the road:

<http://www.dot.wisconsin.gov/safety/vehicle/bicycle/rules.htm>

“Narrow lanes: Ride in the center of the lane.”

Biking in New Jersey, Touring Tips (New Jersey DOT):

<http://www.state.nj.us/transportation/commuter/bike/tourtips.shtm>

“If the outside lane is too narrow for side-by-side sharing with motor vehicles, move toward the middle of the lane (i.e., ‘take the lane’) to indicate that motor vehicle traffic must change lanes to pass safely.”

City of Fort Collins, Colorado:

<http://www.ci.fort-collins.co.us/bicycling/rules.php>

“Be aware that when roads are too narrow for cyclists and motorists to ride side by side, cyclists are encouraged to take the lane when appropriate. This is especially true for narrow City streets where cyclists can be ‘pinched’ between vehicles.”

Maine Motorist Handbook and Study Guide:

http://www.dmv-department-of-motor-vehicles.com/ME_driver_manual.html

“An experienced bicyclist will often “command the lane” by moving further into the roadway. Motorists must yield. Slow down to avoid an accident. When it is safe to pass allow at least three feet to your right side when passing.

Wisconsin Motorist's Handbook:

<http://www.dot.wisconsin.gov/drivers/docs/e-handbook.pdf>

“Do not share a lane with a pedestrian or bicyclist. Wait until it is safe to pass in the adjoining lane. Bicycles are vehicles, and are entitled to a full traffic lane. Give a bicycle at least three feet of room when you pass.

“Bicyclists are legal users of the road. As such, they are entitled to the full use of a travel lane, although a bicyclist may choose to use the shoulder.”

Connecticut Driver Manual:

<http://www.ct.gov/dmv/lib/dmv/20/29/ctdriver.pdf>

“When possible, take potential hazards one at a time. For example, if you are overtaking a bicycle and an oncoming vehicle is approaching, slow down and let the vehicle pass first so that you can give extra room to the bicycle.”

Oregon Driver Manual:

<http://www.odot.state.or.us/forms/dmv/37.pdf>

“Do not crowd bicyclists. Wait for a clear stretch of road before passing a bicyclist who is moving slower than your motor vehicle in a lane too narrow to share. Remember, the bicycle is a slow-moving vehicle and this may require you to slow down. The greater the speed difference between you and a bicyclist, the more room you should allow when passing.