### **Bicycle and Pedestrian Laws**

Ryan Kellus Turner General Counsel and Director of Education, TMCEC AY 2012

By the end of the session, participants will be able to:

- 1. Discuss the importance of pedestrian and bicycle laws;
- 2. Identify laws applicable to regulation of pedestrians and bicycles; and
- 3. Explain administrative implications of pedestrian and bicycle laws.

### I. Pedestrian and Bicycle Laws have become Increasingly Important.

### A. It's Recreation

- 1. Walking
- 2. Running
- 3. Biking

# B. It's the Economy

- 1. Transportation costs are up.
- 2. Wages have become stagnant.
- 3. Unemployment has climbed

# C. Walking and Biking are Means of Transportation

- 1. Texas Public Transportation (and the lack therefore of)
- 2. They are free (but you are not)
- 3. But they are not viewed comparably to other forms of transportation.

## II. What Laws are Applicable to Pedestrian and Bicycles?

#### A. Federal Law

- 1. The National Traffic and Motor Vehicle Safety Act (49 USC 301)
- 2. Federal Motor Vehicle Safety Standards (49 CFR 571)

#### **B. State Law**

- 1. Operation of Bicycles, Mopeds, and Play Vehicles (Chapter 551 of the Transportation Code)
- 2. Pedestrians (Chapter 552 of the Transportation Code)

#### C. Local Law

- 1. County Regulations
- 2. Municipal Ordinances

## III. What are the Administrative Implication of Pedestrian and Bicycle Laws?

#### A. Court Costs

- 1. Transportation Code
- 2. Ordinance

### **B. State Reporting**

- 1. Department of Public Safety
- 2. Office of Court Administration

#### C. Probation

- 1. Driving Safety Course (Art. 45.0511, Code of Criminal Procedure)
- 2. Deferred Disposition (Art. 45.051, Code of Criminal Procedure)
- 3. Teen Court (Art. 45.052, Code of Criminal Procedure)