

Albuquerque Traffic Code Concerning Bicycles

The complete Albuquerque City Traffic Code can be found [here](#).

Chapter 8, Traffic Code

Part 3: Bicycles

Amended October 17th 2008

§ 8-3-3-1 JURISDICTION.

The regulations in §§ 8-3-3-1 et seq. shall be applicable whenever a bicycle is operated on any municipal paved or dirt path or roadway set aside for the exclusive use of bicycle or set aside for use of bicycles with pedestrians, motorcycles and/or horseback riders and shall also be applicable to all streets, parking lots and the like, regardless of road surfaces covered by § 8-1-3-2.

('74 Code, § 9-5-16.1) (Ord. 65-1974; Am. Ord. 37-2008)

§ 8-3-3-2 PARENT'S RESPONSIBILITY.

The parent of any child and the guardian of any ward shall not authorize or knowingly permit such child or ward to violate any of the provisions of §§ 8-3-3-1 et seq.

('74 Code, § 9-5-16.2) (Ord. 65-1974; Am. Ord. 37-2008)

§ 8-3-3-3 BICYCLE SERIAL NUMBER.

(A) No person shall alter, obliterate or change the serial number imprinted on the frame of any bicycle.

(B) No person shall sell or rent a bicycle on which the serial number imprinted on the frame has been altered, obliterated or changed.

(C) This section shall not prohibit the restoration by an owner of an original serial number or mark.

('74 Code, § 9-5-16.4) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-4 TRAFFIC REGULATIONS APPLY.

(A) Operators of bicycles have the same rights as operators of automobiles in the use of streets, highways and roadways within the city, except as otherwise specifically provided herein.

(B) Every person riding a bicycle upon a roadway shall be subject to all the duties applicable to the drivers of motor vehicles, except as otherwise expressly provided in this Traffic Code and except as to those provisions of laws and ordinances which by their nature can have no applications; and each such person shall be subject to the same provisions and sections of this Traffic Code to which a motorist is subject.

('74 Code, § 9-5-16.5) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-5 OBEDIENCE TO TRAFFIC CONTROL DEVICES.

(A) Any person operating a bicycle shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police

officer.

(B) Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make such turn, in which event such person shall then obey the regulations applicable to pedestrians.

('74 Code, § 9-5-16.6) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-6 RIDING ON PROHIBITED STREETS OR CONTROLLED ACCESS ROADWAYS.

No person shall ride a bicycle either on any street or path where signs have been erected by the Mayor or his designated representative which prohibit the use of the street or path to bicycles, which restrict the use of the street or path to modes of transportation other than bicycles, or on controlled access streets. Notwithstanding this provision, drivers of vehicles using such streets or controlled access roadways are not relieved of responsibility of using due care.

('74 Code, § 9-5-16.7) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-7 OPERATION IN BICYCLE LANE.

Where the bicycle lane provides a minimum of 4 feet of ride-able space or once a bicyclist has entered a bicycle lane, bicyclist shall endeavor to maintain the lane except:

- (A) At intersections;
- (B) To pass a slower bicyclist, or to avoid parked cars or obstacles;
- (C) A bicyclist may leave the bicycle lane between intersections in order to make a U-turn, or left hand turn where such a turn is permissible for vehicular traffic, or to turn into driveways;
- (D) When leaving a bicycle lane, the bicyclist shall use caution and yield the right-of-way to vehicles.

('74 Code, § 9-5-16.8) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-8 DIRECTION OF TRAVEL IN BICYCLE LANE.

No person shall ride or operate a bicycle within a bicycle lane or on the roadway in any direction except that permitted of vehicular traffic traveling on the same side of the roadway; provided, that bicycles may proceed either way along a lane where two-way bicycle traffic is so designated.

('74 Code, § 9-5-16.9) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-9 POSITION ON THE ROADWAY.

(A) If the right hand vehicle lane available for traffic is wide enough to be safely shared with overtaking vehicles and no bike lane is present a bicycle shall be ridden far enough to the right in said lane to facilitate such overtaking movements unless other condition make it unsafe to do so.

(B) Exceptions to driving bicycles on the right:

- (1) When and where road hazards exist.
- (2) To overtake vehicles making right-hand turns at intersections.
- (3) Bicycle may move out of their lane to overtake and pass another vehicle/bicycle.
- (4) When preparing for a left turn at an intersection, when making a U-turn or turning into a

private road or driveway.

(5) Upon a one-way road with two or more marked traffic lanes the bicyclist may ride in the center of the most left hand lane for a reasonable distance to complete a left hand turn.

(6) If the right-hand vehicle lane available for traffic is not wide enough to be safely shared with overtaking vehicles or if passing is otherwise unsafe, a bicycle may be ridden far enough to the left to temporarily control the lane. Bicyclist must move to the right to allow vehicles to overtake at the earliest and safest location. At no point is a bicyclist required to ride within less than 3 feet of any objects or curb on the right.

(Ord. 37-2008)

§ 8-3-3-10 DUTY OF MOTORIST TO BICYCLIST.

(A) In approaching or passing a person on a bicycle, every person operating a motor vehicle shall proceed with caution and shall pass such bicyclist at a reasonable speed and keep a safe distance from him; provided however, in no event shall a distance of less than five feet be considered a safe distance within the meaning of this division.

(B) No person operating a motor vehicle shall harass or endanger a bicyclist.

('74 Code, § 9-5-16.11) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-11 OPENING AND CLOSING VEHICLE DOORS.

No person shall open any door on a motor vehicle unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic including bicycle traffic nor shall any person leave a door open on a side of a vehicle adjacent to moving traffic for a period of time longer than is necessary to load or unload passengers.

(Ord. 37-2008)

§ 8-3-3-12 MOTORIST TURNING ACROSS BICYCLE LANE.

(A) Whenever a motorist is turning across a bicycle lane or path, such motorist shall maintain a proper lookout for bicyclists and shall yield the right-of-way to any bicyclist traveling in a bicycle lane or path and, prior to turning right, shall merge, if practicable, into the bicycle lane to his right, if any, before the start of the turning movement.

(B) Nothing in this section shall be deemed to relieve the motorist of duties imposed by § 8-2-2-2, in particular, but not limited to, 8-2-2-2(A) (1), (B)(1) and (E)(1).

('74 Code, § 9-5-16.12) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-13 DRIVING VEHICLE ON OR ACROSS BICYCLE LANE OR PATH.

No person shall drive or operate a motor vehicle upon or across a bicycle path or lane except to cross such path or lane when turning as permitted in § 8-3-3-12, to park such vehicle, or to leave a parking space. No person shall drive upon or across a bicycle lane or path as permitted by this section except after giving the right-of-way to all bicycles within the lane or path.

('74 Code, § 9-5-16.13) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-14 TRAVELING IN GROUPS.

Persons riding bicycles on a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles where more than two abreast may ride in safety and traffic is not impeded. When riding more than two abreast is permitted on a roadway, the bicyclist shall ride within a single lane.

('74 Code, § 9-5-16.15) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-15 RIDING BICYCLE ON SIDEWALK.

(A) Bicyclists shall not ride upon a sidewalk when there is a wide right lane, bike lane, or bike trail adjacent to the direction of travel, or when signs are posted prohibiting bicycles on the sidewalk, or when within a business district. When riding on a sidewalk, a bicyclist is subject to the laws that apply to pedestrians.

(B) If a bicyclist dismounts, the bicyclist is subject to the laws that apply to pedestrians.

(C) Whenever a person must ride a bicycle upon a sidewalk, such person shall ride slowly, shall yield the right-of-way to any pedestrian, shall overtake on the left, and shall give an audible signal before attempting to overtake and pass such pedestrian, and shall only ride on the sidewalk on the right hand side of the street, moving with the directional flow of the motor vehicle traffic.

('74 Code, § 9-5-16.16) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-16 BICYCLE SPEED.

No person shall operate a bicycle at a speed either greater than the lawful speed limit or than is reasonable and prudent under the conditions then existing, whichever is the lesser.

('74 Code, § 9-5-16.17) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-17 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle emerging from an alley, driveway, bicycle path or building shall, upon approaching a sidewalk or the sidewalk area, yield the right-of-way to all pedestrians, and, before entering the roadway, shall yield the right-of-way to all vehicles approaching on said roadway.

('74 Code, § 9-5-16.18) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-18 CARRYING ARTICLES ON BICYCLE.

(A) No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handlebars.

(B) No person operating a bicycle shall transport any package, bundle or article, or any combination thereof, which interferes with the turning or braking of such bicycle, or which extends more than two feet from the front, back or sides of the frame of the bicycle, or which tends to impair the operator's control or balance. Nothing in this division shall be deemed to prohibit the use of trailers or side cars which are designed to be used with bicycles.

('74 Code, § 9-5-16.19) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-19 CLINGING TO VEHICLES.

No person riding upon a bicycle shall attach the same or himself to any moving vehicle.

('74 Code, § 9-5-16.20) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-20 SEATED PASSENGER.

(A) No bicyclist shall carry a passenger on the bicycle unless the passenger is seated upon an individual seat or other carrier designed for carrying a passenger.

(B) No person shall ride upon a bicycle as a passenger unless he is seated upon an individual seat or other carrier designed for carrying a passenger separate from that intended to be used by the operator.

('74 Code, § 9-5-16.23) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-21 TURNING AND HAND SIGNALS.

(A) Before turning and altering the course of a bicycle, the bicyclist shall make sure that movement can be made safely and shall give a signal by hand in the same manner as hand signals are given by motorists to indicate the direction in which he intends to proceed.

(B) A signal by hand and arm need not be given if the hand is needed in the control or operation of the bicycle.

('74 Code, § 9-5-16.24) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-22 PUSHING A BICYCLE.

Any person dismounted from and pushing a bicycle shall obey all regulations applicable to pedestrians.

('74 Code, § 9-5-16.25) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-23 PARKING OF BICYCLE.

A bicycle may be parked on a sidewalk and other places if the parking does not impede normal and reasonable movement of pedestrian or other traffic.

('74 Code, § 9-5-16.26) (Ord. 65-1974; Am. Ord. 19-2007; Am. Ord. 37-2008)

§ 8-3-3-24 BICYCLE EQUIPMENT.

(A) Lamp. No person shall operate a bicycle after sunset or prior to sunrise or in low light conditions unless equipped with a lamp on the front which emits a white light visible from a distance of at least 500 feet from the front.

(B) Reflector. No person shall operate a bicycle at nighttime unless it is equipped on the rear with a red reflector of a type which shall be visible from at least 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle.

(C) Brake. No person shall operate a bicycle unless it is equipped with a brake which will enable the operator, when traveling at a speed of 15 mph, to stop within 30 feet on a dry, level, clean pavement after the brake is applied.

('74 Code, § 9-5-16.29) (Ord. 65-1974; Am. Ord. 7-2003; Am. Ord. 19-2007; Am. Ord. 37-2008)

