

MS State Statutes Governing Bicycles and Bicycle Paths

NOTE: Equipment requirements are not addressed in this paper

§ 63-3-207. Applicability of chapter to persons riding bicycles or animals or driving animal-drawn vehicles

Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a highway shall have all of the rights and all of the duties applicable to the driver of a vehicle under this chapter, except those provisions of this chapter which by their nature can have no application.

§ 63-3-208. Use of electric personal assistive mobility devices allowed on highways and sidewalks; restrictions

An electric personal assistive mobility device as defined in Section 63-3-103, may be operated:

- (a) On a marked bicycle path;
- (b) On any street or road where bicycles are permitted; or
- (c) On a sidewalk, if the person operating the device yields the right-of-way to pedestrians and gives an audible signal before overtaking and passing a pedestrian.

§ 63-3-1303. Applicability

- (1) This article applies to bicycles whenever they are operated upon any roadway or highway, or upon any path set aside for the exclusive use of bicycles.
- (2) A person riding a bicycle upon a roadway has all of the rights and is subject to all of the duties applicable to the driver of a vehicle, except as may be otherwise provided in this article.

§ 63-3-1305. "Bicycle lane" defined; motor vehicle operator to avoid blocking lane and to yield to bicyclist in lane

- (1) For purposes of this section, "bicycle lane" means a portion of the roadway or a lane separated from the roadway that has been designated by striping, pavement markings and signage for the preferential or exclusive use of bicyclists.
- (2) Whenever a bicycle lane has been provided adjacent to a roadway, the operator of a motor vehicle may not block the bicycle lane to oncoming bicycle traffic and shall yield to a bicyclist in the bicycle lane before entering or crossing the lane.
- (3) This section does not apply to vehicles engaged in providing public services, including, but not limited to, fire engines, police vehicles, ambulances, public utility vehicles, waste management trucks and tow trucks.

§ 63-3-1307. Rights and duties of bicyclist operating bicycle upon roadway

(1) Every bicyclist operating a bicycle upon a roadway less than the normal speed of traffic shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following conditions:

- (a) When it is unsafe to do so;
- (b) When overtaking and passing another bicycle or vehicle proceeding in the same direction;
- (c) When preparing for or making a left turn at an intersection or into a private road or driveway;
- (d) When proceeding straight in a place where right turns are permitted; and
- (e) When necessary to avoid hazardous conditions, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards or a lane of substandard width that makes it unsafe to continue along the right portion of the way. For purposes of this paragraph, "lane of substandard width" means a lane that is too narrow for a bicycle and a vehicle to travel safely side by side in the lane.

(2) When operating a bicycle upon a roadway, a bicyclist must exercise due care when passing or overtaking a vehicle that is standing or proceeding in the same direction.

(3) Bicyclists riding bicycles upon a roadway shall not ride more than two (2) abreast, except on paths or parts of roadways set aside for exclusive use of bicycles.

§ 63-3-1309. Rights and duties of operator of motor vehicle with respect to bicycles

(1) While passing a bicyclist on a roadway, a motorist shall leave a safe distance of not less than three (3) feet between his vehicle and the bicyclist and shall maintain such clearance until safely past the bicycle.

(2) A motor vehicle operator may pass a bicycle traveling in the same direction in a nonpassing zone with the duty to execute the pass only when it is safe to do so.

(3) The operator of a vehicle that passes a bicyclist proceeding in the same direction may not make a right turn at any intersection or into any highway or driveway unless the turn can be made with reasonable safety.

§ 63-3-1313. Prohibition against harassing, taunting or maliciously throwing object at or near bicyclist; penalties

It is unlawful to harass, taunt or maliciously throw an object at or in the direction of any person riding a bicycle.