

DID YOU KNOW???

CLARIFICATION NEEDED ON RIDING BIKES IN A CROSSWALK

Last week's DYK article was about the danger of riding a bicycle in a crosswalk, and I made the statement that this action was against vehicle and traffic law (VTL). Although no one SHOULD ride in a crosswalk, further scrutiny of VTL concludes that it isn't really illegal to do so.

While the Vehicle and Traffic Law defines a crosswalk in terms of a space "indicated for pedestrian crossing," it does not say that this space is "exclusively" for pedestrians. This distinction is similar to the way in which a highway is defined in terms of a way that has at least some part intended for vehicular travel, but that doesn't make a highway exclusively for use by vehicles.

Another approach to the multi-use of a crosswalk by a bicyclist is to determine what rights or obligations do they have? The problem is that this question doesn't seem to ever have been definitively answered in terms of NYS law.

Although a bicyclist cannot meet the legal definition of a "pedestrian" as defined in VTL, one could claim that a bicyclist using a crosswalk is "equivalent" to a pedestrian.

Given all of the above, last week's article should not have stated that it was illegal to ride a bicycle in a crosswalk. Nevertheless, whether riding in a crosswalk is illegal or not, it is still a dangerous practice and should not be done. As mentioned last week, a safer method for a bicyclist to cross a street is to walk the bike across in a crosswalk.

I would like to thank Barbara Abrahamer of the NYS DOT in Albany for bringing this error to my attention. What I love about writing these weekly "Did You Know" articles is the number of knowledgeable people that read them, and if I err, I will be certain to hear about it. Before the articles are sent out, several people review them routinely for accuracy and correctness. Thus, seldom is there a mistake. But, mistakes happen, and if it is of significance, I will always write a correction, as this article is. Unfortunately, the wording of VTL can be somewhat subject to interpretation, as it is, by necessity, written in legal terms. The last thing I want to do is put out incorrect information.

For more information on traffic law and traffic safety, visit the Traffic Safety Board web site at: www.franklincony.org and go to Traffic Safety Board under "Departments". Visit us on Facebook as well. You may also contact me by email at: dwerner151@verizon.net or call me at 483-1882.