

§3501. Applicability of traffic laws to pedalcycles.

(a) General rule.—Every person riding a pedalcycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except as to special provisions in this subchapter and except as to those provisions of this title which by their nature can have no application.

(b) Application of subchapter.—The provisions of this subchapter apply whenever a pedalcycle is operated upon any highway or upon any path set aside for the exclusive use of pedalcycles subject to the exceptions stated in subsection (a).

§3502. Penalty for violation of subchapter.

Any person violating any provision of this subchapter is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$10.

§3503. Responsibility of parent or guardian.

The parent of any child and the guardian of any ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of this title relating to the operation of pedalcycles.

§3504. Riding on pedalcycles.

(a) Use of seat by operator.—A person propelling a pedalcycle shall not ride other than upon or astride a permanent and regular seat attached to the pedalcycle.

(b) Number of riders.—No pedalcycle shall be used to carry more persons at one time than the number for which the pedalcycle is designed and equipped except that an adult rider may transport a child in a pedalcycle child carrier which is securely attached to the pedalcycle or in a trailer which is towed by a pedalcycle.

§3505. Riding on roadways and pedalcycle paths.

(a) General rule.—Except as provided in subsection (b) and (c), every person operating a pedalcycle upon a highway shall obey the applicable rules of the road as contained in this title.

(b) Operation on shoulder.—A pedalcycle may be operated on the shoulder of a highway and shall be operated in the same direction as required of vehicles operated on the roadway. All turns shall be made in accordance with section 3331 (relating to required position and method of turning).

(c) Slower than prevailing speeds.—A pedalcycle operated at slower than prevailing speed shall be operated in accordance with the provisions of section 3301(b), unless it is unsafe to do so.

(d) One-way roadways.—Any person operating a pedalcycle upon a roadway, which carries traffic in one direction only and has two or more marked traffic lanes, may ride as near the left-hand curb or edge of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(e) Limitation on riding abreast.—Persons riding pedalcycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of pedalcycles.

(f) *(Repealed by L.1998, Act 151(33), eff. 2/19/99.)*
(Chgd. by L.1998, Act 151(33), eff. 2/19/99.)

§3506. Articles carried by operator.

No person operating a pedalcycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars.

§3507. Lamps and other equipment on pedalcycles.

(a) Lamps and reflectors.—Every pedalcycle when in use between sunset and sunrise shall be equipped on the front with a lamp which emits a beam of white light intended to illuminate the pedalcycle operator's path and visible from a distance of at least 500 feet to the front, a red reflector facing to the rear which shall be visible at least 500 feet to the rear and an amber reflector on each side. Operators of pedalcycles may supplement the required front lamp with a white flashing lamp, light-emitting diode or similar device to enhance their visibility to other traffic and with a lamp emitting a red flashing lamp, light-emitting diode or similar device visible from a distance of 500 feet to the rear. A lamp or lamps worn by the operator of a pedalcycle shall comply with the requirements of this subsection if the lamp or lamps can be seen at the distances specified.

(b) Audible signal devices.—A pedalcycle may be equipped with a device capable of giving a signal audible for a distance of at least 100 feet except that a pedalcycle shall not be equipped with nor shall any person use upon a pedalcycle any siren.

(c) Brakes.—Every pedalcycle shall be equipped with a braking system which will stop the pedalcycle in 15 feet from an initial speed of 15 miles per hour on a dry, level and clean pavement.

(Chgd. by L.1998, Act 151(33), eff. 2/19/99.)

§3508. Pedalcycles on sidewalks and pedalcycle paths.

(a) Right-of-way to pedestrians.—A person riding a pedalcycle upon a sidewalk or pedalcycle path used by pedestrians shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing a pedestrian.

(b) Business districts.—A person shall not ride a pedalcycle upon a sidewalk in a business district unless permitted by official traffic-control devices, nor when a usable pedalcycle-only lane has been provided adjacent to the sidewalk.

§3509. Parking.

(a) Sidewalks.—

(1) A person may park a pedalcycle on a sidewalk unless prohibited or restricted by an official traffic-control device.

(2) A pedalcycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

(b) Roadways.—

(1) A pedalcycle may be parked on the roadway at any angle to the curb or edge of the roadway at any location where parking is allowed.

(2) A pedalcycle may be parked on the roadway abreast of another pedalcycle or pedalcycles near the side of the roadway at any location where parking is allowed.

(3) A person shall not park a pedalcycle on a roadway in such a manner as to obstruct the movement of a legally parked motor vehicle.

(4) In all other respects, pedalcycles parked anywhere on a highway shall conform with the provisions of Subchapter E of Chapter 33 (relating to stopping, standing and parking).

§3510. Pedalcycle helmets for certain persons.

(a) General rule.—A person under 12 years of age shall not operate a pedalcycle or ride as a passenger on a pedalcycle unless the person is wearing a pedalcycle helmet meeting the standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or any other nationally recognized standard for pedalcycle helmet approval. This subsection shall also apply to a person who rides:

- (1) upon a pedalcycle while in a restraining seat attached to a pedalcycle; or
- (2) in a trailer towed by a pedalcycle.

(b) Helmet to be labeled.—Any helmet sold or offered for sale for use by operators and passengers of pedalcycles shall be labeled in accordance with the standard described in subsection (a), which shall constitute the manufacturer's certification that the helmet conforms to the applicable safety standards.

(b.1) Sale of helmet.—No person shall sell or offer for sale for use by an operator or passenger of a pedalcycle a helmet which is not of a type meeting the requirements established by this section.

(b.2) Waiver of fine.—If a person receives a citation issued by the proper authority for violation of subsection (a), a district justice, magistrate or judge shall dismiss the charges if the person prior to or at his hearing displays evidence of acquisition of a helmet meeting the standards prescribed in subsection (a) to such district justice, magistrate or judge. Sufficient evidence shall include a receipt mailed to the appropriate court officer which evidences purchase or transfer of such a helmet from another helmet owner, evidenced by a notarized letter.

(b.3) Exemption.—This section shall not apply to a child under 12 years of age who can produce a statement from the family's church authorities attesting that it is against the tenets of the family's religion to wear a helmet.

(c) Civil actions.—In no event shall a violation or alleged violation of subsection (a) be used as evidence in a trial of any civil action; nor shall any jury in a civil action be instructed that any conduct did constitute or could be interpreted by them to constitute a violation of subsection (a); nor shall failure to use a pedalcycle helmet be considered as contributory negligence nor shall failure to use a pedalcycle helmet be admissible as evidence in the trial of any civil action.

(d) Penalty.—Notwithstanding any other provisions of law, any violation of subsection (a) is punishable by a fine, including all penalties, assessments and court costs imposed on the convicted person not to exceed \$25. The parent or legal guardian having control or custody of a person under 12 years of age whose conduct violates this section shall be jointly and severally liable with the person for the amount of the fine imposed.

(e) Definitions.—As used in this section, the term "wearing a pedalcycle helmet" means having a pedalcycle helmet of good fit fastened securely upon the head with the helmet straps.

§3511. Pedalcycles prohibited on freeways.

(a) General rule.—No person shall ride a pedalcycle on a freeway.

(b) Exceptions.—

(1) The department and local authorities, on highways under their respective jurisdictions, may issue permits for a procession or event prohibited under subsection (a) upon a determination that:

(i) The pedalcycle procession or event is of national, State or regional interest; and

(ii) the results of an engineering and traffic study indicate that the procession or event can be conducted with safety.

(2) On State-designated freeways, pedalcycles may be authorized under the following limitations:

(i) The pedalcycler is 18 years of age or older or is accompanied by a pedalcycler 18 years of age or older.

(ii) A written request for review of the freeway route based on the potential unavailability of an alternate route is made to the department.

(iii) The department determines that no reasonable alternate route exists and the freeway is safe for pedalcycle travel.

(iv) The department publishes a notice in the Pennsylvania Bulletin authorizing pedalcycle access to the freeway. The notice shall constitute approval for the persons authorized under subparagraph (i) to ride a pedalcycle on the State-designated freeway.

(c) Action by local authorities.—Action taken by local authorities regarding permission to use pedalcycles on freeways under their jurisdiction shall be:

(1) by ordinance of the local governing body; or

(2) by a commission or public official authorized to act on specified matters.

(d) Operation on shoulder.—If the department authorizes pedalcycle access to a freeway, the pedalcycle shall be operated upon the shoulder of that freeway whenever practicable.

(Chgd. by L.2002, Act 152(7), eff. 2/7/2003.)

§3512. *(Repealed.)*

§3513. Civil immunity for lenders of pedalcycle helmets.

No person or organization who or which lends to another person or organization a pedalcycle helmet, as described in section 3510 (relating to pedalcycle helmets for certain persons), shall be liable for any civil damages resulting from any act or omission, except any act or omission intentionally designed to harm or any grossly negligent act or omission resulting in harm to another.

**SUBCHAPTER B
SPECIAL RULES FOR MOTORCYCLES**

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§3521. Applicability of traffic laws to motorcycles.

Every person operating a motorcycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this title, except as to special provisions in this subchapter and except as to those provisions of this title which by their nature can have no application.