



CRAWFORD WEISS LLC
PROTECTING ACCIDENT VICTIMS & THEIR FAMILIES

The Rules Of The Road For Colorado Cyclists

Your Rights and Responsibilities as a Colorado Cyclist



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Introduction

Bicycling is booming—both as a form of recreation and, more recently, as a popular form of transportation. According to the League of American Bicyclists, the number of people who frequently commute by bicycle in the United States has increased 39% from 2000 to 2010. During the same time period, the percentage of frequent bicycle commuters increased by 63% in the 70 largest cities in the United States.

This means that more bicyclists are now sharing the public roadways with motor vehicles. A study conducted by the US. Department of Transportation concluded that approximately 66% of cyclists primarily use public roads while riding, as opposed to bike paths, trails, or sidewalks. It is now more important than ever that ALL Colorado cyclists know and understand the laws that apply to them before they head out to ride.

Bike Laws in Colorado



There are many state and local municipal laws, regulations and ordinances that apply directly to the operation of bicycles on Colorado's roads, sidewalks and pathways. We try to maintain an updated list of many local ordinances for quick reference at www.DenverBicycleLaw.com. If your town is not listed, please contact us and we will assist in providing you with the ordinance that applies to you.

This handbook will primarily focus on the state-wide Colorado Revised Statutes, since these apply throughout the entire State, and have been adopted by most municipalities. A violation of a provision of the Colorado Revised Statutes is a traffic infraction, which is a non-criminal violation of a law and as such, only results in a fine.

First and foremost, it must be understood that cyclists have an absolute right to use public roads and a responsibility to follow all rules and signs as if they were a motor vehicle. The Colorado Revised Statutes clearly state that each person riding a bicycle upon a roadway has all the rights and is subject to all of the duties applicable to the driver of any other vehicle. (C.R.S. 42-4-1412(1)). However, there are additional rules that cyclists are required to follow when riding on public roadways.

1. Cyclists Must Ride Reasonably Close To The Right Curb.

If riding below the posted speed limit, a cyclist is required to ride as close as practicable to the right hand curb or edge of the road. (C.R.S. 42-4-1412(5)). Bicycles can also ride on the paved right shoulder when it is available. However, this statute recognizes five (5) exceptions or situations where a cyclist need not ride as close to the right hand curb or edge of the road as practicable:

- When passing another bicycle or vehicle proceeding in the same direction
- When preparing to turn left
- When conditions make the right hand edge of the roadway unsafe or unreasonably unsafe for bicycle users, including, but not limited to:
 - Surface hazards (i.e., ruts in the pavement or potholes);
 - An uneven roadway surface
 - Drain openings
 - Debris
 - Parked or moving vehicles or bicycles
 - Pedestrians
 - Other obstacles; or
 - The lane is too narrow to permit a vehicle to safely overtake and pass a bicycle.
- When operating a bicycle in a lane in which traffic is turning right, but the cyclist intends to proceed straight through the intersection; and
- When riding on a one-way highway or street that has two (2) or more lanes. In this situation, the cyclist may also ride as close to the left curb or edge of the roadway as practicable.

2. Restrictions On Riding Two (2) Abreast

Cyclists can ride two (2) bicycles abreast, so long as they do not impede or disrupt the normal flow of traffic. (C.R.S. 42-4-1412(6)).

3. Use Of Lights.

If riding between sunset and sunrise, a cyclist must use lights. The law requires that a light system for bicycles must, at a minimum, include a white light that is visible from five hundred (500) feet to the front and a red reflector on the rear that is visible from all distances from one hundred (100) feet to six hundred (600) feet when directly in front of lawful low beam headlights. (C.R.S. 42-4-221)

4. Use Of Hand Signals.

A cyclist is required to signal to turn or stop for 100 feet. The hand signals are as follows: a left turn by extending his/her left hand and arm horizontally; a right turn by extending his/her left hand and arm upward, or by extending his/her right hand and arm horizontally; a stop or decrease in speed by extending his/her hand and arm downward. (C.R.S. 42-4-1412(9)).

5. Helmets Not Required And Cell Phones Not Prohibited.

As surprising as this is, we do get questions over these issues. There is no law that requires Colorado cyclists to wear helmets or prevents them from talking on cell phones while riding. Hopefully, most cyclists will view this as a common sense issue despite any formal laws in place.



What To Do After A Bike Accident

If you have been involved in a bike accident with a car or motorist, it is important to take certain steps to protect yourself, and potentially others. These steps include the following:

1. Contact the police and have them generate a traffic accident report.
2. Take photographs of the scene, bike and car.
3. Make sure to obtain the car owner or motorist's name, address, driver's license number, and license plate number. It is also helpful to note the make, model, and color of the car.
4. Obtain the names, addresses, and telephone numbers of any witnesses.
5. Seek appropriate medical attention for any injuries sustained from the bike accident. Often due to adrenaline or simply the nature of an injury, cyclists do not immediately realize the severity of an injury. **Your health is more important than anything.** Accordingly, do not hesitate to utilize emergency medical services or have a friend or family member drive you to the hospital if you have been injured in a crash.
6. Keep your damaged bicycle, clothing and personal items. Not only are you entitled to reimbursement from the at-fault driver for damage to these items, they will also help your lawyer explain to the insurance company or jury just how serious your accident was, should you decide to pursue a legal claim.
7. Promptly obtain legal advice from an experienced attorney. A lawyer with experience litigating bicycle accident cases can usually advise you of important legal rights during an initial call and alert you to issues you need to be aware of in case you are contacted by the motorist's insurance company. Additionally, in many cases it is important to preserve evidence or have an expert witness begin his/her work before the evidence begins to disappear. For this reason, calling an attorney early can be one of the most important actions you take after a crash.
8. Do not give a statement to the car owner or motorist's insurance carrier without legal counsel present. There is no legal requirement to give a statement. On numerous occasions, we have seen people give the insurance carrier a statement because they were under the impression the adjustor or investigator was "trying to help" them only to see the statement used against the injured person at a later time.

The Importance Of Insurance In A Cycling Case

This is VITAL and we wish that every cyclist could read this before they ever get on a bike.

When a car hits a cyclist it is always the cyclist who loses.

Unfortunately, you will be hurt much worse than had you been riding in a car. It is vital to make sure that you have the correct types and enough of insurance coverage in place before this ever happens to you. We strongly advise every cyclist to buy the following types of insurance:

1. **Automobile Insurance:** Yes, your car insurance can help you if you are hurt in an accident with another car while riding your bike. Two types of coverage are extremely helpful to have in place before an accident.
 - **Medical Payments:** This type of coverage will pay a set limit of medical expenses (usually between \$5,000.00 and \$25,000.00) in the event you are hit by a car while riding your bike. If you do not have good health insurance, make sure you purchase as much Medical Payments coverage as possible under your automobile insurance. We recommend buying at least \$10,000.00 of medical payments coverage.
 - **Uninsured/Underinsured Motorists Coverage:** This type of insurance coverage will pay for your damages in the event that the person who hit you did not have insurance or did not have enough insurance to fully cover your damages. We recommend buying at least \$100,000.00 of this UM/UIM coverage and we personally carry \$250,000.00 for ourselves and family members. The fact is that a cyclist can easily have over \$100,000.00 in damages after an accident and the minimum required limits that a car driver must have is only \$25,000.00. This type of insurance can cover that gap.

2. **Health Insurance:** It is vital that every biker have a good policy of health insurance in place to pay for your medical expenses immediately after you are hurt. The insurance company for the driver that hits you will not pay for any of your medical care until the very end of your case and most medical clinics and hospitals will not even see you if you do not have health insurance to pay their bills.
3. **Disability Insurance:** We have found that most cyclists miss at least some work due to their injuries. In many cases, this can have a devastating impact on their personal finances. If you cannot afford to go without a paycheck for several months, consider a short-term disability insurance policy that will replace some of your income during this time.

Conclusion



If you are injured after a being hit by a motor vehicle, it is vital for you to seek help from someone who knows these laws and has successfully litigated these types of cases in the past.

We are more than just lawyers who also happen to ride bikes. We have decades of combined experience representing injured cyclists through these complex issues and are active in advocating for cyclists rights at the local and national levels.

If you, a family member, or a friend are in need of legal representation, or simply have a question, please contact us at 303-741-0249, the Crawford Weiss law firm.

For the latest information on laws and legislation that may affect the rights of bicyclists , please visit the law firm's website and blog devoted to bicycling at www.denverbicyclelaw.com.



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I have represented injured cyclists for more than 20 years throughout Colorado. My former clients have ranged from pro level racers to people just out for a Sunday ride. I have a strong personal interest in improving our public road infrastructure to make roads safer and more convenient for cyclists.

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As an attorney working in Denver, I advocate for bicycle riders in my legal practice on a daily basis. In fact, I have represented more than 50 cyclists who have been injured or killed due to actions of careless motorists throughout Colorado. As a result, I am passionate about protecting the rights of cyclists. Additionally, I have spoken at universities, high schools and have also testified before the Colorado Legislature to promote safety for cyclists.

We Are Proud Members Of
The National Bike Law Network



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