

### **Bicycles may ride two-abreast**

Persons operating bicycles on a roadway may ride two abreast. Persons riding two abreast on a laned roadway shall ride in a single lane. Persons riding two abreast may not impede the normal and reasonable flow of traffic on the roadway. Persons may not ride more than two abreast unless they are riding on a part of a roadway set aside for the exclusive operation of bicycles. *Sec. 551.103(c). Operation on Roadway*

### **Bicycles may ride on the shoulder**

A limitation in this section on driving on an improved shoulder does not apply to... a bicycle. *Sec. 545.058 (c)(3). Driving on Improved Shoulder*

### **Bicycles can park on the sidewalk**

A person may stop, stand, or park a bicycle on a sidewalk if the bicycle does not impede the normal and reasonable movement of pedestrian or other traffic on the sidewalk. *Sec. 545.302(d). Stopping, Standing, or Parking Prohibited in Certain Places.*

### **Bicyclists not required to carry ID**

A person commits an offense if he intentionally refuses to give his name, residence address, or date of birth to a peace officer who has lawfully arrested the person and requested the information. A person commits an offense if he intentionally gives a false or fictitious name, residence address, or date of birth to a peace officer who has law-

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fully detained or arrested the person; or requested the information from a person that the peace officer has good cause to believe is a witness to a criminal offense. [Translation: A person must identify only if arrested; no ID is required; giving false info is a crime.] *Sec. 38.02. Failure to Identify*

## **Motorist Offenses**

### **Actual or threatened harm by a motorist is Assault**

A person commits an offense if the person: intentionally, knowingly, or recklessly causes bodily injury to another, ...; intentionally or knowingly threatens another with imminent bodily injury...; or intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative. *Sec. 22.01. Assault*

### **Threatening harm with a motor vehicle is Aggravated Assault**

A person commits an offense if the person commits assault as defined in Section 22.01 [above] and the person: causes serious bodily injury to another...; or uses or exhibits a deadly weapon during the commission of the assault. An offense under this section is a felony of the second degree, except that the offense is a felony of the first degree if the offense is committed [under certain circumstances]. *Sec. 22.02. Aggravated Assault.* "Deadly weapon" means... anything that in the manner of its use or intended use is

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capable of causing death or serious bodily injury. *Sec. 1.07(17)(B). Definitions*

### **Recklessness which could hurt somebody is Deadly Conduct**

A person commits an offense if he recklessly engages in conduct that places another in imminent danger of serious bodily injury. *Sec. 22.05(a). Deadly Conduct*

### **Reckless driving is a criminal offense**

A person commits an offense if the person drives a vehicle in willful or wanton disregard for the safety of persons or property. *Sec. 545.401(a). Reckless Driving; Offense.*

### **Motorist must stop if injuring someone**

The operator of a vehicle involved in an accident resulting in injury to or death of a person shall:

(1) immediately stop the vehicle at the scene of the accident or as close to the scene as possible; (2) immediately return to the scene of the accident if the vehicle is not stopped at the scene of the accident; and (3) remain at the scene of the accident until the operator complies with the requirements of Section 550.023 [below].

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An operator of a vehicle required to stop the vehicle [as

described above] shall do so without obstructing traffic more than is necessary.

A person commits an offense if the person does not stop or does not comply with the requirements of this section. An offense under this section is punishable by: imprisonment in the institutional division of the Texas Department of Criminal Justice for not more than five years or confinement in the county jail for not more than one year; a fine not to exceed \$5,000; or both the fine and the imprisonment or confinement. *Sec. 550.021. Accident Involving Personal Injury or Death.*

### Motorist must stop if injuring person or vehicle

The operator of a vehicle involved in an accident resulting in the injury or death of a person or damage to a vehicle that is driven or attended by a person shall:

- (1) give the operator's name and address, the registration number of the vehicle the operator was driving, and the name of the operator's motor vehicle liability insurer to any person injured or the operator or occupant of or person attending a vehicle involved in the collision;
- (2) if requested and available, show the operator's driver's license to a person described by Subdivision (1); and
- (3) provide any person injured in the accident reasonable assistance, including transporting or making arrangements for transporting the person to a physician or hospital for medical treatment if it is apparent that

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treatment is necessary, or if the injured person requests the transportation. *Sec. 550.023. Duty to Give Information and Render Aid.*

### Injury caused by DWI is Intoxication Assault

A person commits an offense if the person, by accident or mistake, while operating a...motor vehicle in a public place while intoxicated, by reason of that intoxication causes serious bodily injury to another. "Serious bodily injury" means injury that creates a substantial risk of death or that causes serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ. An offense under this section is a felony of the third degree. *Sec. 49.07 Intoxication Assault*

### Death caused by DWI is Intoxication Manslaughter

A person commits an offense if the person: operates a motor vehicle in a public place... and is intoxicated and by reason of that intoxication causes the death of another by accident or mistake. An offense under this section is a felony of the second degree. *Sec. 49.08 Intoxication Manslaughter*

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## Bicyclists' Rights

### Bicycles have a right to the road

A person operating a bicycle has the rights and duties applicable to a driver operating a vehicle under this subtitle... *Sec. 551.101(a)*

### Cyclists don't always have to ride on the right

A bicyclist is NOT required to ride at the right curb or right edge of the roadway when (s)he is:

- moving as fast or faster than other traffic.
- passing another vehicle moving in the same direction
- preparing to make a left turn.
- avoiding a condition on or of the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal, or surface hazard prevents the person from safely riding next to the right curb or edge of the roadway.
- operating a bicycle in an outside lane that is: less than 14 feet in width and does not have a designated bicycle lane adjacent to that lane; or too narrow for a bicycle and a motor vehicle to safely travel side by side.
- riding on a one-way road with two or more traffic lanes, in which case the cyclist may ride as near as practicable to the left curb or edge of the roadway. *Paraphrased from Sec. 551.103. Operation on Roadway*

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