

Legal Notes: July 2016

Many of you may know that I'm an avid bicyclist. I ride on the road (not bike paths or trails). I ride alone, so any sins described herein are my own.

Yesterday, I crossed State Road at 32<sup>nd</sup> St., near the Kwik Trip. Coming from the north, the light doesn't turn unless a car is there. What is known in DMV/DOT parlance as a "vehicle actuated signal." Came up to the light, checked for cars and crossed to the south. A car coming out of Kwik Trip presumably saw what I had done and yelled at me for "running the red light" and something about obeying the law. I chose not to stop and engage him but write this column instead.

The guy was right and wrong. Because this was a "vehicle actuated signal" (which I knew because I cross here all the time), I was legally entitled to "run the red light." Under the Rules of the Road (Sec. 346.1(c)(4)) I could go through the red light as long I gave right of way to any oncoming traffic (of which there was none). So he was wrong about that, however, I am supposed to wait 45 seconds before doing so. I did not. So he was right about that. I presume the wait is to determine that the signal is indeed triggered by a vehicle. Since I knew that, it didn't seem necessary to wait.

The guy's beef with me, while misplaced here, is typical of what I see and hear. Unfortunately, too many bicyclists are blatantly violating the law, and this give rise to resentment from vehicle drivers. They see it and I see when I drive. Bikers blowing through stop signs without even slowing down or looking. Bikers turning without giving a signal. Bikers zooming by you on the sidewalk or trail without a sound, startling the crap out of you (my biggest pet peeve). Packs of bikers blocking the lane. Just generally bad behavior.

Why do they do this? For some, they just don't know better. People who don't drive don't make good bicyclists. Other, maybe more sophisticated bicyclists, point to their "rights" under the law and the supposedly equally bad behavior of car drivers.

For the people who don't know any better, there's not much to do. Implementing some sort of equivalent of a driver's license for bicyclists just isn't going to work. But, for the second group, I don't have much patience or sympathy.

Biking like an idiot just because you were cut off by a car three years ago is just dumb. In my experience, biking like an idiot only draws similar treatment from motorists. Conversely, biking like a civil, polite, and responsible human being draws like treatment from motorists. For example, just slowing down at a four-way stop will almost always result in a waive through by the other motorist at the intersection. A polite acknowledgement by the bicyclist, such as a smile or nod of the head, keeps everyone happy.

Also, this group will often speak of their "rights" under the law. I had the right (sort of, if I had just waited longer) to run the red light, but I also have the responsibility not to act like a jack-off doing so, like cutting off an oncoming car. People may have the right to ride two abreast, but that doesn't mean it is a good idea to ride like that down Losey Blvd. at rush hour. Being "right" may be good for your widow in court, but being responsible will keep you alive.