



August 5, 2019

## **KANSAS LAWS APPLICABLE TO BICYCLE AND E-SCOOTER OPERATION**

This memorandum summarizes State of Kansas traffic laws applicable to the operation of bicycles and electric-assisted scooters (e-scooters)<sup>1</sup> on roadways. Local ordinances also may apply and may address additional topics.<sup>2, 3</sup>

### **General Traffic Laws**

All the rights and duties applicable to the driver of a vehicle apply to a cyclist and the operator of an e-scooter.<sup>i</sup> The following are examples:

- Obey traffic control devices unless otherwise directed by a law enforcement officer<sup>ii</sup>;
- Yield the right-of-way as indicated to other vehicles (stopping as necessary for emergency vehicles) and pedestrians.<sup>iii</sup> Exercise due care to avoid colliding with any pedestrian.<sup>iv</sup> A pedestrian has the right-of-way on any sidewalk<sup>v</sup>;
- Stop before crossing a sidewalk when emerging from an alley, building, private road, or driveway<sup>vi</sup>;
- Speed must be reasonable and prudent for actual conditions. Obey speed limits<sup>vii</sup>; and
- Signal turns.<sup>viii</sup>

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1 An e-scooter is defined in KSA 8-1498 as a self-propelled vehicle that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake, and a deck that is designed to be stood upon when riding.

2 For example, Kansas state laws regarding operating a vehicle under the influence of alcohol or drugs do not apply to operation of a bicycle, but the Code of Ordinances, City of Wichita, Sec. 11.48.190 makes such operation unlawful. Another example of an exception is the Code of the City of Lawrence Section 17-702, which prohibits riding a bicycle on sidewalks in the downtown commercial district.

3 The governing body of a city or county may adopt an ordinance or resolution that further restricts or prohibits the operation of e-scooters on any public highway, street, or sidewalk within such city or county (KSA 8-15,113). Wichita ordinance No. 51-049, for example, restricts operations, including prohibiting e-scooter operation on sidewalks.

## Traffic Laws Specific to Bicycles and E-scooters

**Which roadways.** It is unlawful to operate an e-scooter on any interstate highway, federal highway, or state highway, except the e-scooter may cross a federal or state highway. Counties or cities may further restrict where e-scooters may operate.<sup>ix</sup>

**Keep right.** If going less than the normal speed of traffic, stay as near to the right side of the roadway as is practicable with these exceptions:

- Overtaking and passing another vehicle going the same direction;
- Preparing for a left turn;
- When reasonably necessary to avoid obstacles and surface hazards; or
- When riding on a one-way highway with two or more marked lanes, as close to the left side of the roadway as practicable.<sup>x</sup>

**Passing.** A driver going the same direction may pass to the left at a distance of not less than three feet to the left and may pass in a no-passing zone only if it is safe to do so.<sup>xi</sup>

**Two abreast.** Do not ride more than two abreast except on exclusive bike paths or within exclusive lanes.<sup>xii</sup>

**Use the path.** Whenever a usable path is adjacent to a roadway, use the path and not the roadway.<sup>xiii</sup>

**Keep hands on handlebars.** Clinging to any vehicle is prohibited.<sup>xiv</sup> Keep at least one hand on the handlebars.<sup>xv</sup>

**Red light exception.** If a traffic signal fails to change to a green light within a reasonable period of time because of a signal malfunction or because the signal has failed to detect the bicycle or e-scooter, proceed but yield the right-of-way to a motor vehicle or pedestrian.<sup>xvi</sup>

## Required Equipment

**Lights.** Every bicycle ridden between sunset and sunrise must be equipped with a white-light lamp on the front visible from at least 500 feet. It also must have a red reflector on the rear visible with low beams from 100 feet to 600 feet or a lamp on the rear emitting red light visible from 500 feet to the rear, or the cyclist must wear a device that emits a red or amber light visible from 500 feet to the rear. Pedals must have reflectors visible from the front and rear from 200 feet.<sup>xvii</sup>

**Brakes.** Brakes must allow the operator to make the braked wheels skid on dry, level, clean pavement.<sup>xviii</sup>

**Seats.** Each person propelling a bicycle must ride on or astride a permanent and regular attached seat.<sup>xix</sup> No bicycle may carry more people than the number for which it is designed and equipped.<sup>xx</sup>

- i Kansas Statutes Annotated (KSA) 8-1587 and 8-15,113. Statutes are available from the Office of Revisor of Statutes, through [www.ksrevisor.org](http://www.ksrevisor.org). All citations refer to those versions in effect as of July 1, 2019.
- ii KSA 8-1507, 8-1508.
- iii KSA 8-1528(c), 8-1529, 8-1530, 8-1531, 8-1531a, 8-1533, 8-1542.
- iv KSA 8-1535.
- v KSA 8-1540.
- vi KSA 8-1555.
- vii KSA 8-1557, 8-1558.
- viii KSA 8-1548, 8-1549, 8-1550.
- ix KSA 8-15,113.
- x KSA 8-1590(a), (b).
- xi KSA 8-1516.
- xii KSA 8-1590(c).
- xiii KSA 8-1590(d). Similarly, pedestrians must use provided sidewalks (KSA 8-1537(a)).
- xiv KSA 8-1589. This applies also to coasters, roller skates, sleds, and toy vehicles.
- xv KSA 8-1591.
- xvi KSA 8-1508(c)(4). This provision also applies to motorcycles.
- xviiKSA 8-1592(a) and (c).
- xviiiKSA 8-1592(b).
- xix KSA 8-1588(a).
- xx KSA 8-1588(b).