

M A R Y L A N D  
 Bicycle and Pedestrian Advisory Committee

Jim Swift,  
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Vincent J. Browne Jr.

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Judith Grillo

Sgt. Janet Harrison

Gregory W. Hinchliffe

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Cari Watrous

Neal Welch

John Z. Wetmore

Elbert Whiting

**Maryland Bicycle and Pedestrian Advisory Committee Resolution**

Whereas

- State law assigns Maryland Bicycle and Pedestrian Advisory Committee the role of providing guidance to State agencies on matters related to bicycling;
- The law in Maryland recognizes cyclists as legitimate road users with specific rights and responsibilities;
- In Maryland, the general rules requiring that a cyclist ride in the shoulder or ride to the right have exceptions for when it is reasonable to ride elsewhere; and
- Police often make statements to the public while an investigation is still ongoing

Be it resolved that MBPAC offers the following guidance regarding when it may be reasonable to ride in the center of a travel lane rather than in or near a shoulder and public statements during an investigation of a bicycle crash.

1. The rule requiring that a cyclist ride in a paved shoulder has an exception for when it is reasonably necessary to avoid a hazardous condition. Law enforcement officers should recognize that the presence of branches and mailboxes protruding over or close to the shoulder--makes it reasonably necessary to avoid a hazardous condition. Moreover, the State police should also recognize that the definition of a shoulder in the statute does not apply to a lane narrower than 4 feet. We offer no advice today about whether the definition of a shoulder would also include lanes that are wider than 4 feet but too narrow for an emergency vehicle.
2. If it is necessary to ride in the main roadway, the Maryland law that generally requires riding as far to the right as practicable does not apply if the lane is too narrow to accommodate both a cyclist and a motor vehicle passing the cyclist safely. Under such circumstances, the cyclist has the right to ride in the center of the travel lane and it is often a good practice to do so. The question as to whether it is reasonable to take the lane (i.e. ride in the center) depends on the width of the lane, not on the width of the shoulder. A lane narrower than 10 feet is too narrow for a car to pass a cyclist within the lane, and hence a cyclist could reasonably decide that it is better to ride in the center of such a lane. We offer no advice today as to how wide a lane must be before it can accommodate a motor vehicle passing a cyclist.
3. Public statements by law enforcement personnel about bicycle-motor vehicle crashes while an investigation is still ongoing should be even-handed. If a public statement mentions a possible fault by the cyclist, it ought to mention possible fault by the motorist. Statements about laws that may have been violated should also mention the possibility that a statutory exception is applicable.