



BICYCLE RIDING ON SIDEWALKS

The City of Phoenix currently does **not** have any ordinance, statute, or other regulation regarding sidewalk or crosswalk bicycle riding. A bicyclist can ride on the sidewalk against the flow of traffic. This also includes riding in a crosswalk.

There is a caveat however. A bicyclist crossing the street in a crosswalk in speeds in excess of 6 miles per hour (the speed of an average jogger) can be found to be comparatively negligent. A jury could determine in this situation that the bicyclist was partially at fault if she or he was struck while riding in a crosswalk in excess of 6 miles per hour. Crosswalks and sidewalks are designed to have a sight distance for pedestrian use as long as the bicyclist is riding at a low speed no more than a pedestrian or jogger.

Often times, the defense (i.e. insurance companies) will retain a bicycle expert to opine that riding against the flow of traffic on a sidewalk/crosswalk is a leading cause of collisions and, therefore, the cyclist should walk the bicycle as a pedestrian through the crosswalk. Statistics do show that a bicyclist is three times more likely to be hit by an automobile when riding against the flow of traffic than when riding with the flow of traffic. This, however, is contrary to the holding in *Maxwell v. Gossett* and the lack of statute prohibiting riding against traffic, thereby putting the responsibility on the driver to remain stopped until it is safe to proceed. An automobile driver must look both ways before proceeding through a crosswalk regardless of the flow of traffic.