

TITLE 49
MOTOR VEHICLES

CHAPTER 7
PEDESTRIANS AND BICYCLES

49-701. PEDESTRIAN OBEDIENCE TO TRAFFIC-CONTROL DEVICES AND TRAFFIC REGULATIONS. (1) A pedestrian shall obey the instructions of any traffic-control devices specifically applicable to him, unless otherwise directed by a peace officer.

(2) Pedestrians shall be subject to traffic and pedestrian-control signals as provided in sections 49-802 and 49-803, Idaho Code.

(3) At all other places, pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this title.

[49-701, added 1988, ch. 265, sec. 192, p. 675.]

49-702. PEDESTRIANS' RIGHT-OF-WAY IN CROSSWALKS. (1) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to yield to a pedestrian crossing the highway within a crosswalk.

(2) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.

(3) Subsection (1) of this section shall not apply under the conditions stated in section 49-704(2), Idaho Code.

(4) Whenever any vehicle is stopped at a marked crosswalk or at an unmarked crosswalk at an intersection to permit a pedestrian to cross the highway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

(5) Except where otherwise indicated by a crosswalk or other traffic-control devices a pedestrian shall cross the highway at right angles to the curb or by the shortest route to the opposite curb.

[49-702, added 1988, ch. 265, sec. 193, p. 675.]

49-703. PEDESTRIANS TO USE RIGHT HALF OF CROSSWALKS. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

[49-703, added 1988, ch. 265, sec. 194, p. 676.]

49-704. CROSSING AT OTHER THAN CROSSWALKS. (1) Every pedestrian crossing a highway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the highway.

(2) Any pedestrian crossing a highway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the highway.

(3) Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

(4) No pedestrian shall cross a highway intersection diagonally unless authorized by traffic-control devices. When authorized to cross diagonally, pedestrians shall cross only in accordance with the traffic-control devices pertaining to crossing movements.

[49-704, added 1988, ch. 265, sec. 195, p. 676.]

49-705. PEDESTRIANS YIELD TO AUTHORIZED EMERGENCY VEHICLES. (1) Upon the immediate approach of an authorized emergency vehicle making use of an audible or visual signal meeting the requirements of section 49-623, Idaho Code, or of a police vehicle properly and lawfully making use of an audible signal only, every pedestrian shall yield the right-of-way to the authorized emergency or police vehicle.

(2) This section shall not relieve the driver of an authorized emergency or police vehicle from the duty to drive with due regard for the safety of all persons using the highway nor from the duty to exercise due care to avoid colliding with any pedestrian.

[49-705, added 1988, ch. 265, sec. 196, p. 676.]

49-706. BLIND AND/OR HEARING IMPAIRED PEDESTRIAN HAS RIGHT-OF-WAY. The driver of a vehicle shall yield the right-of-way to any blind pedestrian carrying a clearly visible white cane or accompanied by a guide dog or a hearing impaired person accompanied by a hearing aid dog.

[49-706, added 1988, ch. 265, sec. 197, p. 676.]

49-707. PEDESTRIANS' RIGHT-OF-WAY ON SIDEWALKS. The driver of a vehicle crossing a sidewalk shall yield the right-of-way to any pedestrian and all other traffic on the sidewalk.

[49-707, added 1988, ch. 265, sec. 198, p. 676.]

49-708. PEDESTRIANS ON HIGHWAYS. (1) Where a sidewalk is provided and its use is practicable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(2) Where a sidewalk is not available, any pedestrian walking along and upon a highway shall walk only on a shoulder, as far as practicable from the edge of the roadway.

(3) Where neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway, and, if on a two-way highway, shall walk only on the left side of the highway.

(4) Except as otherwise provided in this title, any pedestrian upon a roadway shall yield the right-of-way to all vehicles upon the roadway.

[49-708, added 1988, ch. 265, sec. 199, p. 677.]

49-709. PEDESTRIANS SOLICITING RIDES OR BUSINESS. (1) No person shall stand on a highway for the purpose of soliciting a ride.

(2) No person shall stand on a highway for the purpose of soliciting employment, business or contributions from the occupant of any vehicle, provided however, that a person may stand on a highway other than a state or federal highway to solicit contributions if authorized to do so in writing by the local authority having jurisdiction over the highway, and provided further, that any such authorization shall not be valid for more than one (1) year from the date of issuance.

(3) No person shall stand on or in proximity to a highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a highway.

[49-709, added 1988, ch. 265, sec. 200, p. 677; am. 2001, ch. 392, sec. 1, p. 1371.]

49-710. BRIDGE AND RAILROAD SIGNALS. (1) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given.

(2) No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while the gate or barrier is closed or is being opened or closed.

[49-710, added 1988, ch. 265, sec. 201, p. 677.]

49-713. APPLICATION. (1) The parent of any child and the guardian of any ward shall not authorize or knowingly permit the child or ward to violate any of the provisions of the remainder of this chapter.

(2) Statutes applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to exceptions stated herein.

[49-713, added 1988, ch. 265, sec. 202, p. 677.]

49-714. TRAFFIC LAWS APPLY TO PERSONS ON BICYCLES AND OTHER HUMAN-POWERED VEHICLES -- DUE CARE. (1) Every person operating a vehicle propelled by human power or riding a bicycle shall have all of the rights and all of the duties applicable to the driver of any other vehicle under the provisions of chapters 6 and 8 of this title, except as otherwise provided in this chapter and except as to those provisions which by their nature can have no application.

(2) Every operator or rider of a bicycle or human-powered vehicle shall exercise due care.

[49-714, added 1988, ch. 265, sec. 203, p. 678; am. 2005, ch. 202, sec. 1, p. 612.]

49-715. RIDING ON BICYCLES. (1) A person propelling a bicycle shall not ride other than upon or astride an attached permanent and regular seat.

(2) No bicycle or human-propelled vehicle shall be used to carry more persons at one (1) time than the number for which it is designed and equipped.

(3) An adult rider may carry a child securely attached to his person in a backpack or sling or in a child carrier attached to the bicycle.

[49-715, added 1988, ch. 265, sec. 204, p. 678.]

49-716. CLINGING TO OR FOLLOWING VEHICLES. (1) No person riding upon any bicycle, coaster, roller skates, skateboard, sled or toy vehicle shall attach it or himself to any vehicle upon a highway.

(2) The provisions of this section shall not prohibit the attachment of a bicycle trailer or bicycle semitrailer to a bicycle if that trailer or semitrailer has been designed for that attachment.

(3) No person riding upon any bicycle or human-powered vehicle shall follow a vehicle so closely as to constitute an immediate hazard to the rider.

[49-716, added 1988, ch. 265, sec. 205, p. 678.]

49-717. POSITION ON HIGHWAY. (1) Any person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

(a) When overtaking and passing another bicycle or vehicle proceeding in the same direction.

(b) When preparing for a left turn at an intersection or into a private road or driveway.

(c) When reasonably necessary to avoid conditions including fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or substandard width lanes that make it unsafe to continue along the right-hand curb or edge.

(2) Any person operating a bicycle upon a one-way roadway with two (2) or more marked traffic lanes may ride as near the left-hand curb or edge of the roadway as practicable.

[49-717, added 1988, ch. 265, sec. 206, p. 678.]

49-718. RIDING TWO ABREAST. Persons riding bicycles upon a highway shall not ride more than two (2) abreast except on paths or parts of highways set aside for the exclusive use of bicycles. Persons riding two (2) abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

[49-718, added 1988, ch. 265, sec. 207, p. 679.]

49-719. CARRYING ARTICLES. No person operating a bicycle shall carry any package, bundle or article which prevents the operator from using at least one (1) hand in the control and operation of the bicycle.

[49-719, added 1988, ch. 265, sec. 208, p. 679.]

49-720. STOPPING -- TURN AND STOP SIGNALS. (1) A person operating a bicycle or human-powered vehicle approaching a stop sign shall slow down and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the person shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the person is moving across or within the intersection or junction of highways, except that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a turn or proceed through the intersection without stopping.

(2) A person operating a bicycle or human-powered vehicle approaching a steady red traffic control light shall stop before entering the intersection and shall yield to all other traffic. Once the person has yielded, he may proceed through the steady red light with caution. Provided however, that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a right-hand turn. A left-hand turn onto a one-way highway may be made on a red light after stopping and yielding to other traffic.

(3) A person riding a bicycle shall comply with the provisions of section 49-643, Idaho Code.

(4) A signal of intention to turn right or left shall be given during not less than the last one hundred (100) feet traveled by the bicycle before turning, provided that a signal by hand and arm need not be given if the hand is needed in the control or operation of the bicycle.

[49-720, added 1988, ch. 265, sec. 209, p. 679; am. 2005, ch. 205, sec. 1, p. 615.]

49-721. BICYCLES ON SIDEWALKS. (1) A person operating a bicycle upon and along a sidewalk, or across a highway upon and along a crosswalk, shall yield the right-of-way to any pedestrian, and shall give an audible signal before overtaking and passing a pedestrian or another bicyclist.

(2) A person shall not operate a bicycle along and upon a sidewalk or across a highway upon and along a crosswalk, where the use of bicycles is prohibited by official traffic control devices.

(3) A person operating a vehicle by human power, or operating a motorized wheelchair or an electric personal assistive mobility device upon and along a sidewalk, or across a highway upon and along a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.

[49-721, added 1988, ch. 265, sec. 210, p. 680; am. 2002, ch. 160, sec. 5, p. 473.]

49-722. BICYCLE RACING. (1) Bicycle racing on the highways is prohibited except as authorized in this section.

(2) Bicycle racing on a highway shall not be unlawful when a racing event has been approved by the department or local law enforcement authorities on any highway under their respective jurisdictions. Approval of bicycle highway racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.

(3) By agreement with the approving authority, participants in an approved bicycle highway racing event may be exempt from compliance with any traffic laws otherwise applicable, provided that traffic control is adequate to assure the safety of all highway users.

[49-722, added 1988, ch. 265, sec. 211, p. 680.]

49-723. LIGHT AND REFLECTOR REQUIRED AT NIGHT. Every bicycle in use at the times described in section 49-903, Idaho Code, shall be operated with a light emitting device visible from a distance of at least five hundred (500) feet to the front, attached to the bicycle or the rider, and with a reflector clearly visible from the rear of the bicycle.

[49-723, added 1988, ch. 265, sec. 212, p. 681.]

49-724. ADDITIONAL LIGHTS AUTHORIZED. A bicycle or its rider may be equipped with lights or reflectors in addition to those required in section 49-723, Idaho Code.

[49-724, added 1988, ch. 265, sec. 213, p. 681.]