

Texas Transportation Code

Title 6. Roadways.

Chapter 201. General Provisions and Administration .

Subchapter K. Road and Highway Use ; Signs

Sec. 201.902. Road Use by Bicyclists .

(a) The department shall designate:

- (1) a statewide bicycle coordinator; and
- (2) a bicycle coordinator in each regional office.

(b) A bicycle coordinator shall assist the department in developing rules and plans to enhance the use of the state highway system by bicyclists.

(c) The commission shall adopt rules relating to use of roads in the state highway system by bicyclists, including provisions for:

(1) the specific duties of the statewide bicycle coordinator and the regional bicycle coordinators;

(2) obtaining comments from bicyclists on:

- (A) a highway project that might affect bicycle use;
- (B) the use of a highway for bicycling events; and
- (C) department policies affecting bicycle use of state highways;

(3) the consideration of acceptable national bicycle design, construction, and maintenance standards on a project in an area with significant bicycle use; and

(4) any other matter the commission determines necessary to enhance the use of the state highway system by bicyclists.

(d) A rule adopted under this section may not be inconsistent with Chapter 551.

Sec. 201.9025. Texas Bicycle Tourism Trails .

(a) The Texas Department of Transportation Bicycle Advisory Committee shall advise and make recommendations to the commission on the development of bicycle tourism trails in this state. Recommendations on bicycle tourism trails developed under this section:

(1) shall be made in consultation with the Parks and Wildlife Commission and the Texas Economic Development and Tourism Office;

(2) shall reflect the geography, scenery, history, and cultural diversity of this state;

(3) shall maximize federal and private sources of funding for the designation, construction, improvement, maintenance, and signage of the trails and the promotion of bicycle tourism; and

(4) may include multiuse trails to accommodate equestrians, pedestrians, and other nonmotorized trail users when practicable.

(b) The department may contract with a statewide bicycle nonprofit organization for assistance in identifying, developing, promoting, or coordinating agreements and participation among political subdivisions of this state to advance bicycle tourism trails.

Title 7. Vehicles and Traffic. Subtitle B. Driver 's Licenses and Personal Identification Cards.

Chapter 525. Motorcycle and Bicycle Awareness .

Sec. 525.001. Motorcycle and Bicycle Awareness .

(a) In this section, "motorcycle" has the meaning assigned that term by Section 502.001, and includes a motorcycle equipped with a sidecar.

(b) The Department of Public Safety shall include motorcycle and bicycle awareness information in any edition of the Texas driver's handbook published after the department exhausts the supply of the handbook that the department had on September 1, 1993.

Title 7. Vehicles and Traffic . Subtitle C. Rules of the Road.

Chapter 541. Definitions .

Subchapter C. Vehicles, Rail Transportation, and Equipment

Sec. 541.201. Vehicles.

In this subtitle

(2) "Bicycle" means a device that a person may ride and that is propelled by human power and has two tandem wheels at least one of which is more than 14 inches in diameter.

(10) "Motor-driven cycle" means a motorcycle equipped with a motor that has an engine piston displacement of 250 cubic centimeters or less. The term does not include an electric bicycle.

(11) "Motor vehicle" means a self-propelled vehicle or a vehicle that is propelled by electric power from overhead trolley wires. The term does not include an electric bicycle.

(24) "Electric bicycle" means a bicycle that:

(A) is designed to be propelled by an electric motor, exclusively or in combination with the application of human power;

(B) cannot attain a speed of more than 20 miles per hour without the application of human power; and

(C) does not exceed a weight of 100 pounds.

Subchapter D. Traffic, Traffic Areas, and Traffic Control

Sec. 541.301. Traffic.

In this subtitle "traffic" means pedestrians, ridden or herded animals, and conveyances, including vehicles and streetcars, singly or together while using a highway for the purposes of travel.

Sec. 541.302. Traffic Areas.

In this subtitle:

(1) "Alley" means a street that:

(A) is not used primarily for through traffic; and

(B) provides access to rear entrances of buildings or lots along a street.

(2) "Crosswalk" means:

(A) the portion of a roadway, including an intersection, designated as a pedestrian crossing by surface markings, including lines; or

- (B) the portion of a roadway at an intersection that is within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway.
- (3) "Freeway" means a divided, controlled-access highway for through traffic.
- (4) "Freeway main lane" means a freeway lane having an uninterrupted flow of through traffic.
- (5) "Highway or street" means the width between the boundary lines of a publicly maintained way any part of which is open to the public for vehicular travel.
- (6) "Improved shoulder" means a paved shoulder.
- (7) "Laned roadway" means a roadway that is divided into at least two clearly marked lanes for vehicular travel.
- (8) "Limited-access or controlled-access highway" means a highway or roadway to which:
- (A) persons, including owners or occupants of abutting real property, have no right of access; and
 - (B) access by persons to enter or exit the highway or roadway is restricted under law except at a place and in the manner determined by the authority that has jurisdiction over the highway or roadway.
- (9) "Private road or driveway" means a privately owned way or place used for vehicular travel and used only by the owner and persons who have the owner's express or implied permission.
- (10) "Ramp" means an interconnecting roadway of a traffic interchange, or a connecting roadway between highways at different levels or between parallel highways, that allows a vehicle to enter or exit a roadway.
- (11) "Roadway" means the portion of a highway, other than the berm or shoulder, that is improved, designed, or ordinarily used for vehicular travel. If a highway includes at least two separate roadways, the term applies to each roadway separately.
- (12) "Safety zone" means the area in a roadway officially designated for exclusive pedestrian use and that is protected or so marked or indicated by adequate signs as to be plainly visible at all times while so designated.
- (13) "School crossing zone" means a reduced-speed zone designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school during the time the reduced speed limit applies.
- (14) "School crosswalk" means a crosswalk designated on a street by a local authority to facilitate safe crossing of the street by children going to or leaving a public or private elementary or secondary school.
- (15) "Shoulder" means the portion of a highway that is:
- (A) adjacent to the roadway;

- (B) designed or ordinarily used for parking;
- (C) distinguished from the roadway by different design, construction, or marking; and
- (D) not intended for normal vehicular travel.

(16) "Sidewalk" means the portion of a street that is:

- (A) between a curb or lateral line of a roadway and the adjacent property line; and
- (B) intended for pedestrian use.

Chapter 545. Operation and Movement of Vehicles .

Subchapter B. Driving on Right Side of Roadway and Passing

Sec. 545.058. Driving on Improved Shoulder .

(a) An operator may drive on an improved shoulder to the right of the main traveled portion of a roadway if that operation is necessary and may be done safely, but only:

- (1) to stop, stand, or park;
- (2) to accelerate before entering the main traveled lane of traffic;
- (3) to decelerate before making a right turn;
- (4) to pass another vehicle that is slowing or stopped on the main traveled portion of the highway, disabled, or preparing to make a left turn;
- (5) to allow another vehicle traveling faster to pass;
- (6) as permitted or required by an official traffic-control device; or
- (7) to avoid a collision.

(b) An operator may drive on an improved shoulder to the left of the main traveled portion of a divided or limited-access or controlled-access highway if that operation may be done safely, but only:

- (1) to slow or stop when the vehicle is disabled and traffic or other circumstances prohibit the safe movement of the vehicle to the shoulder to the right of the main traveled portion of the roadway;
- (2) as permitted or required by an official traffic-control device; or
- (3) to avoid a collision.

(c) A limitation in this section on driving on an improved shoulder does not apply to:

- (1) an authorized emergency vehicle responding to a call;
- (2) a police patrol; or

- (3) a bicycle.

Sec. 545.106. Signals by Hand and Arm or by Signal Lamp .

- (a) Except as provided by Subsection
- (b), an operator required to give a stop or turn signal shall do so by:
 - (1) using the hand and arm; or
 - (2) lighting signal lamps approved by the department.

Sec. 545.107. Method of Giving Hand and Arm Signals .

An operator who is permitted to give a hand and arm signal shall give the signal from the left side of the vehicle as follows:

- (1) to make a left turn signal, extend hand and arm horizontally;
- (2) to make a right turn signal, extend hand and arm upward, except that a bicycle operator may signal from the right side of the vehicle with the hand and arm extended horizontally; and
- (3) to stop or decrease speed, extend hand and arm downward.

Subchapter G. Stopping, Standing, and Parking

Sec. 545.302. Stopping, Standing, or Parking Prohibited in Certain Places .

- (a) An operator may not stop, stand, or park a vehicle:
 - (1) on the roadway side of a vehicle stopped or parked at the edge or curb of a street;
 - (2) on a sidewalk;
 - (3) in an intersection;
 - (4) on a crosswalk;
 - (5) between a safety zone and the adjacent curb or within 30 feet of a place on the curb immediately opposite the ends of a safety zone, unless the governing body of a municipality designates a different length by signs or markings;
 - (6) alongside or opposite a street excavation or obstruction if stopping, standing, or parking the vehicle would obstruct traffic;

(7) on a bridge or other elevated structure on a highway or in a highway tunnel;

(8) on a railroad track; or

(9) where an official sign prohibits stopping.

(b) An operator may not, except momentarily to pick up or discharge a passenger, stand or park an occupied or unoccupied vehicle:

(1) in front of a public or private driveway;

(2) within 15 feet of a fire hydrant;

(3) within 20 feet of a crosswalk at an intersection;

(4) within 30 feet on the approach to a flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;

(5) within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within 75 feet of the entrance, if the entrance is properly marked with a sign; or

(6) where an official sign prohibits standing.

(c) An operator may not, except temporarily to load or unload merchandise or passengers, park an occupied or unoccupied vehicle:

(1) within 50 feet of the nearest rail of a railroad crossing; or

(2) where an official sign prohibits parking.

(d) A person may stop, stand, or park a bicycle on a sidewalk if the bicycle does not impede the normal and reasonable movement of pedestrian or other traffic on the sidewalk.

(e) A municipality may adopt an ordinance exempting a private vehicle operated by an elevator constructor responding to an elevator emergency from Subsections (a)(1), (a)(5), (a)(6), (a)(9), (b), and (c).

(f) Subsections (a), (b), and (c) do not apply if the avoidance of conflict with other traffic is necessary or if the operator is complying with the law or the directions of a police officer or official traffic-control device.

(g) If the governing body of a municipality determines that it is necessary to improve the economic development of the municipality's central business district and that it will not adversely affect public safety, the governing body may adopt an ordinance regulating the standing, stopping, or parking of a vehicle at a place described by Subsection (a)(1), other than a road or highway in the state highway system, in the central business district of the municipality as defined in the ordinance. To the extent of any conflict between the ordinance and Subsection (a)(1), the ordinance controls.

Chapter 547. Vehicle Equipment .

Subchapter A. General Provisions

Sec. 547.002. Applicability .

Unless a provision is specifically made applicable, this chapter and the rules of the department adopted under this chapter do not apply to:

- (1) an implement of husbandry;
- (2) road machinery;
- (3) a road roller;
- (4) a farm tractor;
- (5) a bicycle, a bicyclist, or bicycle equipment;
- (6) an electric bicycle, an electric bicyclist, or electric bicycle equipment; or
- (7) a golf cart that is operated only as authorized by Section 551.403.

Chapter 550. Accidents and Accident Reports .

Subchapter B. Duties Following Accident

Sec. 550.026. Immediate Report of Accident .

(a) The operator of a vehicle involved in an accident resulting in injury to or death of a person or damage to a vehicle to the extent that it cannot be normally and safely driven shall immediately by the quickest means of communication give notice of the accident to the:

- (1) local police department if the accident occurred in a municipality;
- (2) local police department or the sheriff's office if the accident occurred not more than 100 feet outside the limits of a municipality; or
- (3) sheriff's office or the nearest office of the department if the accident is not required to be reported under Subdivision (1) or (2).

(b) If a section of road is within 100 feet of the limits of more than one municipality, the municipalities may agree regarding the maintenance of reports made under Subsection (a)(2). A county may agree

with municipalities in the county regarding the maintenance of reports made under Subsection (a)(2). An agreement under this subsection does not affect the duty to report an accident under Subsection (a).

Subchapter D. Written Accident Report

Sec. 550.0601. Definition .

In this subchapter, "department" means the Texas Department of Transportation.

Sec. 550.061. Operator's Accident Report .

(a) The operator of a vehicle involved in an accident shall make a written report of the accident if the accident is not investigated by a law enforcement officer and the accident resulted in injury to or the death of a person or damage to the property of any one person to an apparent extent of \$1,000 or more.

(b) The report required by Subsection (a) must be filed with the department not later than the 10th day after the date of the accident.

(c) A person commits an offense if the person does not file the report with the department as required by this section.

(d) Venue for the prosecution of an offense under this section is in the county in which the accident occurred.

(e) The department may require:

(1) the operator of a vehicle involved in an accident in which a report is required by this section to file a supplemental report if the department considers the original report insufficient; and

(2) a witness of an accident to make a report with the department.

Sec. 550.062. Officer's Accident Report.

(a) A law enforcement officer who in the regular course of duty investigates a motor vehicle accident shall make a written report of the accident if the accident resulted in injury to or the death of a person or damage to the property of any one person to the apparent extent of \$1,000 or more.

(b) The report required by Subsection (a) must be filed with the department not later than the 10th day after the date of the accident.

(c) This section applies without regard to whether the officer investigates the accident at the location of the accident and immediately after the accident or afterwards by interviewing those involved in the accident or witnesses to the accident.

Chapter 551. Operation of Bicycles, Mopeds, and Play Vehicles .

Subchapter A. Application of Chapter

Sec. 551.001. Persons Affected .

Except as provided by Subchapter C, this chapter applies only to a person operating a bicycle on:

- (1) a highway; or
- (2) a path set aside for the exclusive operation of bicycles.

Sec. 551.002. Moped and Electric Bicycle Included .

A provision of this subtitle applicable to a bicycle also applies to:

- (1) a moped, other than a provision that by its nature cannot apply to a moped; and
- (2) an electric bicycle, other than a provision that by its nature cannot apply to an electric bicycle.

Subchapter B. Regulation of Operation

Sec. 551.101. Rights and Duties .

(a) A person operating a bicycle has the rights and duties applicable to a driver operating a vehicle under this subtitle, unless:

- (1) a provision of this chapter alters a right or duty; or
- (2) a right or duty applicable to a driver operating a vehicle cannot by its nature apply to a person operating a bicycle.

(b) A parent of a child or a guardian of a ward may not knowingly permit the child or ward to violate this subtitle.

Sec. 551.102. General Operation .

(a) A person operating a bicycle shall ride only on or astride a permanent and regular seat attached to the bicycle.

(b) A person may not use a bicycle to carry more persons than the bicycle is designed or equipped to carry.

(c) A person operating a bicycle may not use the bicycle to carry an object that prevents the person from operating the bicycle with at least one hand on the handlebars of the bicycle.

(d) A person operating a bicycle, coaster, sled, or toy vehicle or using roller skates may not attach either the person or the bicycle, coaster, sled, toy vehicle, or roller skates to a streetcar or vehicle on a roadway.

Sec. 551.103. Operation on Roadway .

(a) Except as provided by Subsection (b), a person operating a bicycle on a roadway who is moving slower than the other traffic on the roadway shall ride as near as practicable to the right curb or edge of the roadway, unless:

(1) the person is passing another vehicle moving in the same direction;

(2) the person is preparing to turn left at an intersection or onto a private road or driveway;

(3) a condition on or of the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal, or surface hazard prevents the person from safely riding next to the right curb or edge of the roadway; or

(4) the person is operating a bicycle in an outside lane that is:

(A) less than 14 feet in width and does not have a designated bicycle lane adjacent to that lane;
or

(B) too narrow for a bicycle and a motor vehicle to safely travel side by side.

(b) A person operating a bicycle on a one-way roadway with two or more marked traffic lanes may ride as near as practicable to the left curb or edge of the roadway.

(c) Persons operating bicycles on a roadway may ride two abreast. Persons riding two abreast on a laned roadway shall ride in a single lane. Persons riding two abreast may not impede the normal and reasonable flow of traffic on the roadway. Persons may not ride more than two abreast unless they are riding on a part of a roadway set aside for the exclusive operation of bicycles.

(d) Repealed by Acts 2001, 77th Leg., ch. 1085, Sec. 13, eff. Sept. 1, 2001.

Sec. 551.104. Safety Equipment .

(a) A person may not operate a bicycle unless the bicycle is equipped with a brake capable of making a braked wheel skid on dry, level, clean pavement.

(b) A person may not operate a bicycle at nighttime unless the bicycle is equipped with:

(1) a lamp on the front of the bicycle that emits a white light visible from a distance of at least 500 feet in front of the bicycle; and

(2) on the rear of the bicycle:

(A) a red reflector that is:

(i) of a type approved by the department; and

(ii) visible when directly in front of lawful upper beams of motor vehicle headlamps from all distances from 50 to 300 feet to the rear of the bicycle; or

(B) a lamp that emits a red light visible from a distance of 500 feet to the rear of the bicycle.

Sec. 551.105. Competitive Racing .

(a) In this section, "bicycle" means a nonmotorized vehicle propelled by human power.

(b) A sponsoring organization may hold a competitive bicycle race on a public road only with the approval of the appropriate local law enforcement agencies.

(c) The local law enforcement agencies and the sponsoring organization may agree on safety regulations governing the movement of bicycles during a competitive race or during training for a competitive race, including the permission for bicycle operators to ride abreast.

Sec. 551.106. Regulation of Electric Bicycles .

(a) The department or a local authority may not prohibit the use of an electric bicycle on a highway that is used primarily by motor vehicles. The department or a local authority may prohibit the use of an electric bicycle on a highway used primarily by pedestrians.

(b) The department shall establish rules for the administration of this section.

Texas Penal Code

Title 8. Offenses Against Public Administration .

Chapter 38. Obstructing Governmental Operation .

Sec. 38.02. Failure to Identify.

- (a) A person commits an offense if he intentionally refuses to give his name, residence address, or date of birth to a peace officer who has lawfully arrested the person and requested the information.
- (b) A person commits an offense if he intentionally gives a false or fictitious name, residence address, or date of birth to a peace officer who has:
- (1) lawfully arrested the person;
 - (2) lawfully detained the person; or
 - (3) requested the information from a person that the peace officer has good cause to believe is a witness to a criminal offense.
- (c) Except as provided by Subsections (d) and (e), an offense under this section is:
- (1) a Class C misdemeanor if the offense is committed under Subsection (a); or
 - (2) a Class B misdemeanor if the offense is committed under Subsection (b).
- (d) If it is shown on the trial of an offense under this section that the defendant was a fugitive from justice at the time of the offense, the offense is:
- (1) a Class B misdemeanor if the offense is committed under Subsection (a); or
 - (2) a Class A misdemeanor if the offense is committed under Subsection (b).
- (e) If conduct that constitutes an offense under this section also constitutes an offense under Section 106.07, Alcoholic Beverage Code, the actor may be prosecuted only under Section 106.07.

Title 9. Offenses Against Public Order and Decency.

Chapter 42. Disorderly Conduct and Related Offenses .

Sec. 42.03. Obstructing Highway or Other Passageway.

(a) A person commits an offense if, without legal privilege or authority, he intentionally, knowingly, or recklessly:

(1) obstructs a highway, street, sidewalk, railway, waterway, elevator, aisle, hallway, entrance, or exit to which the public or a substantial group of the public has access, or any other place used for the passage of persons, vehicles, or conveyances, regardless of the means of creating the obstruction and whether the obstruction arises from his acts alone or from his acts and the acts of others; or

(2) disobeys a reasonable request or order to move issued by a person the actor knows to be or is informed is a peace officer, a fireman, or a person with authority to control the use of the premises:

(A) to prevent obstruction of a highway or any of those areas mentioned in Subdivision (1); or

(B) to maintain public safety by dispersing those gathered in dangerous proximity to a fire, riot, or other hazard.

(b) For purposes of this section, "obstruct" means to render impassable or to render passage unreasonably inconvenient or hazardous.

(c) An offense under this section is a Class B misdemeanor.