

These are legal requirements taken from  
cyclinguk.org (July 2020)

## Cyclists must

So, ignoring for a moment HC advisory 'should' and 'should not' rules, what are the absolute must do legal requirements?

### Lights:

- You must have approved front and rear lights, lit, clean and working properly, when cycling between sunset and sunrise. It's no defence to say that it was past sunset but not yet dark, the legal lighting obligations for cyclists are determined by sunset and sunrise times, not the 'hours of darkness', which start 30 minutes after the former, end 30 minutes before the latter, and dictate when motorists must switch from sidelights to headlights.
- Cycling UK's [guide to cycle lighting regulations](#) explains the [Road Vehicles Lighting Regulations](#) in detail, but in summary you need a white light at the front and a red light at the rear, visible from the front and rear respectively and fixed to your bike. A light obscured by a saddlebag isn't legal and neither is a torch on your head, though there's nothing to stop you using a head-torch as an optional or additional light.
- The regulations also now allow flashing lights, provided they flash between 60 and 240 times per minute.
- Optional or additional lights do not need to comply with the minimum lighting requirements, although you can't have a red light at the front of your bike or a white light at the rear, so red white and blue flashing lights, as suggested to us a couple of weeks ago, are not an option.
- Unlike with other vehicles, lights are not a legal requirement for cyclists during the daytime when there is seriously reduced visibility, although we wouldn't recommend cycling through dense fog without lighting up.

### Reflectors:

- As with lights, the legal requirements for reflectors only apply between sunset and sunrise, and include a red rear reflector and four amber pedal reflectors, one at the front and rear of each pedal. Common sense might suggest that replacing an amber pedal reflector with a reflective heel strip or ankle band might suffice, but unfortunately neither meets the legal requirements which pertain strictly to pedals, an annoying problem for those who use certain makes of [clipless pedals](#) not designed with reflectors in mind, and an area of legislation in need of review.

### Brakes:

- It's an offence to ride a bicycle on a public road without two efficient braking systems, operating independently on the front and rear wheel. Apart from saying that a brake

which operates directly on a pneumatic tyre is not efficient, the [regulations](#) are unhelpful as to what is or is not efficient, nor do they define how the brakes must operate.

- It is clear that a fixed wheel counts as a braking system operating on that wheel, so a fixed wheel bike with a front brake is legal (assuming both brakes are efficient!), but a fixed wheel bike with merely a rear brake isn't, as there's no independent front wheel brake.
- There are various exceptions for tricycles, quadricycles, non-standard bikes and electric assist pedal cycles as summarised in this Cycling UK [construction and use article](#).
- It's worth remembering that the legislation and regulations in Northern Ireland are slightly different, so for example it is actually a legal requirement to have a [bell on your bike](#) in Northern Ireland and in the Isle of Man, but not elsewhere in the UK.

## Cyclists must not

Moving on to the legal prohibitions, what are things cyclists must not do?

### Alcohol and drugs:

- Cycling on a road or other public place (including a bridleway) whilst [unfit through drink or drugs](#) carries a fine up to £1000. There's [no breath test for this](#) and no blood alcohol or other legal limits. The key question is simply whether you are under the influence to the extent that you're incapable of having proper control of your bike.
- Whilst it is true that you can't have your driving licence endorsed with penalty points because of an offence committed on a bicycle, it's often overlooked that the court does have a general power under the [Power of Criminal Courts \(Sentencing\) Act 2000](#) to disqualify anyone from driving, without imposing penalty points, for any offence, including a cycling offence.

### Careless, dangerous and furious cycling - you must not:

- [Cycle carelessly](#), meaning without due care and attention or reasonable consideration for other road users (£1000 max fine), or [dangerously](#) £2500 max fine). The test for these offences replicates that for careless and dangerous driving, so careless is a standard below that of a competent and careful cyclist, and dangerous is far below that standard and it must also be obviously dangerous to a competent and careful cyclist. It's the 'reasonable consideration for other road users' point which occasionally causes difficulty, with some police officers interpreting this incorrectly as a requirement for cyclists to move over to allow cars to overtake, forgetting that cyclists often assume the [primary position](#) to discourage unsafe overtaking.
- [Cause injury by cycling furiously](#) (two year max imprisonment). This goes back to legislation from 1861 which applies to drivers of vehicles or carriages who cause bodily harm to anyone by wanton or furious driving. [Cycles are legally carriages](#), so this is the offence which [hits the headlines](#) every couple of years following serious injury or fatal collisions between cyclists and pedestrians (though note that 98.5% of pedestrian fatalities and 96% of pedestrian serious injuries on a pavement / verge involve a motor vehicle not a cycle - see [Cycling UK briefing](#)).
- [Cycle furiously](#) (no injury caused). You can't be prosecuted for speeding whilst cycling as speeding offences are specific to motor vehicles, although there are exceptions where [local](#)

[byelaws apply such as the Royal Parks](#). Under the 1847 Town and Police Clauses Act you can however be fined up to £1000 for cycling furiously, hence cycling too fast for the conditions can potentially lead to either a furious cycling or careless cycling charge.

## Red lights and advanced stop lines:

- Crossing the stop line when the traffic lights are red (jumping red lights) is an [offence](#) which the police usually deal with via a [fixed penalty notice](#) fine (typically £50), as is [riding across a cycle-only signal crossing](#) if the green cycle symbol isn't showing.
- Where there is an [advanced stop line](#) (ASL) cyclists can of course position themselves ahead of the motorised traffic but behind the ASL, though crossing the ASL on red is still an offence.
- It's also an offence to ride through an amber light, unless you are so close to the stop line that to stop might cause a collision, although if the traffic lights aren't working all road users are permitted to treat the situation as they would an unmarked junction, and "proceed with great care".
- There is however a difference between vehicular control traffic lights and light controlled crossings shared by pedestrians and cyclists such as [Toucans](#), where the lights are there to advise when it's safe to cross but aren't a legal command not to cross.

## Pavement cycling:

- Firstly, the [legislation doesn't refer to pavements](#), and neither does it refer to cyclists. That's important because there are tracks and [shared use paths](#) where cycling is not illegal.
- It's an offence to drive a carriage on "any footpath or causeway by the side of any road made or set apart for the use or accommodation of foot passengers", essentially a footway next to the highway (different but [equivalent legislation applies in Scotland](#)).
- The law also applies to children, but as those under ten are [below the age of criminal responsibility](#) they can't be prosecuted (watch out in [Scotland however, where criminal responsibility starts at eight](#), though the Scottish Government has announced plans to increase this to twelve). Being too young to prosecute unfortunately didn't stop a policeman in Lincolnshire threatening to [confiscate a four year-old's bike](#) after he spotted her cycling along the pavement in 2015.
- Fortunately, when FPNs were introduced for pavement cycling in 1999, [Home Office Minister Paul Boateng issued guidance](#) saying that: "The introduction of the fixed penalty is not aimed at responsible cyclists who sometimes feel obliged to use the pavement out of fear of traffic and who show consideration to other pavement users when doing so. Chief Police Officers who are responsible for enforcement, acknowledge that many cyclists, particularly children and young people, are afraid to cycle on the road, sensitivity and careful use of police discretion is required".
- The Home Office guidance was re-affirmed in 2014 by the then Cycling Minister Robert Goodwill, who agreed that the [police should use discretion in enforcing the law](#) and recommended that the matter be taken up with the Association of Chief Police Officers (ACPO). [ACPO welcomed the renewed guidance](#), circulated it to all forces, and issued a statement referring to "discretion in taking a reasonable and proportionate approach, with safety being a guiding principle".

- To summarise, cycling on the pavement is still an offence, but there is clear guidance that the police are supposed to exercise discretion.
- And finally on pavements, remember that on segregated cycle tracks the pedestrian side remains a footway, so if you cycle into the pedestrian side to pass a pedestrian in the cycle lane you technically commit a pavement cycling offence. There's an anomaly because cyclists have to ride on their side, but pedestrians are only advised to use theirs.

## **Miscellaneous 'must nots' include:**

- As Boris Johnson discovered, [giving your wife a backie on your bicycle](#) is a [criminal offence](#) as it's illegal to carry more than one person on a bicycle unless "it is constructed or adapted for the carriage of more than one person". Interestingly, the legislation doesn't refer to cycling, it just limits the number of people allowed on an unadapted bicycle (bicycle isn't defined, but presumably means two wheels, so what about tricycles?).
- [Holding onto a moving motor vehicle or trailer](#) whilst cycling, although there is a "without reasonable cause" proviso which you would hope would allow a defence to anyone desperately grabbing hold of the side of a vehicle to avoid being knocked off.