



CLIENT SERVICES & POLICY DIVISION

Legal Assistance



Biking in Germany

The weather is getting chilly and for some, bike riding season is over. Others think it's time to change apparel, throw on a hat, shift gears and pull out the mountain bike.

Whether you are riding a mountain bike or a street bike or a gravel bike you are pedaling in Germany. That means there are rules of the road one must adhere to. These rules are not suggestions or good ideas. They are the law . . . and failure to adhere to the law . . . and getting caught, might one day adversely impact your wallet and your short-term or long-term quality of life. Moreover, it is and should be embarrassing to be cited by a police officer for a bike riding infraction.

A bicyclist is considered a participant in the regulated flow of traffic and is therefore expected and required to know vehicle traffic regulations. The basic German rule of *Principle of Consideration* is of primary importance while cycling and is always applicable when operating any vehicle in Germany. Here listed are a few of the more basic German road signs and their importance when riding:

a. Road, bike path or sidewalk:

In general, riding a bike is only permitted on the road or on a bike path, not on the sidewalk. The obligation to use a bike path only applies if the signage is blue sign with white bike.



If a bike path is only available on one side of the road, it must be used in both directions. The road is only considered an option if there is no bike path on either side of the road.

b. Blue sign with pedestrians and white bike: Cyclists (as well as E-scooters) and pedestrians share the path. Bike riders are not permitted to use the side of the path designated for pedestrians, not even to pass other bikes. The obligation to use the bike path applies.



c. Blue sign with pedestrians and white bike below: Pedestrians and bike riders (as well as E-scooters) share the same path. However, bike riders must adjust their speed and be considerate of pedestrians. There is no obligation for cyclists to use the path, but they are free to do so. Alternatively, they are permitted to use the road.



d. Children with bikes in traffic when no bike path is available:

Children seven years old and younger are obligated to use the sidewalk when riding a bike. They may be accompanied by a guardian 16 years or older. Children between the ages of eight and ten years have the choice whether to ride their bikes on the sidewalk or on the road. If they choose the sidewalk, a supervising adult is not permitted to accompany them on the sidewalk.

e. Crossing a crosswalk

Cyclists are allowed to ride over a crosswalk. Do not expect a car to stop. The priority of crossing pedestrians does not apply to bike riders. If cyclists push their bike across the crosswalk, they are considered pedestrians, and cars must stop.

f. Cell phone usage and listening to music

To properly use a mobile phone a cyclist must come to a complete stop. Holding a mobile phone in your hand when cycling and using it while riding is prohibited. There is a 55 EUR fine (minimum) attached to this prohibited conduct.

Cyclists are allowed to use their smartphones if they attach the device in a suitable holder and only briefly take their eyes off the road to operate it.

Listening to music is generally permitted as long as the volume is not too high, and noise cancellation is turned off.

g. Components and other equipment

A bike must have a white light and a white reflector in the front and a red light and a red reflector in the rear. A bell and two independent brakes. Each pedal must have a yellow reflector in the front and the back. Each wheel also must be equipped with two yellow reflectors. Alternatively, a ring-shaped, white reflective strip may be attached to the tire or the spokes.

In normal daylight the bike lights do not need to be illuminated. However, at dusk, when light conditions are limited or as soon as it gets dark, your bike lights must be illuminated.

Wearing a helmet is not mandatory but is highly recommended. In Germany, children are expected to wear a bike helmet.

h. Pedelecs (Pedal Electric Cycle) and e-scooters

Pedelecs are those two-wheeled bicycles with pedal assistance up to 25 km/h and a maximum motor power of 250 watts. As such, there is no required registration, and no license plate is required.

E-bikes with higher speed or motor power which operate without pedal engagement are legally classified as motor vehicles and not as bikes.

i. Liability

Riding a bike is not covered by car insurance. If a cyclist is at fault for an accident your car insurance will not cover damages. However, if you have private liability insurance, third-party damage should be covered. Private liability insurance will not cover your individual damage. If you are at-fault in a bike accident, the lack of private liability insurance may mean you will pay out of pocket expenses for personal and property damages you caused.

j. Bicycling While Intoxicated Overseas

- **BLUF:** Cycling while intoxicated is a criminal offense in Germany.

Whether you are a uniformed member, a DOD civilian, a DOD contractor or a family member bicycling while under the influence of alcohol is against the law. Article 113, UCMJ makes operating ‘any vehicle’ when drunk or above the .08 BAC threshold a crime for uniformed members. Depending on the level of intoxication and any adverse consequences caused by a bicycle accident, uniformed personnel may face a range of punishment; from, but not limited to, an Article 15 to a GOMOR to a suspension/revocation of POV driving privileges under AEAR 190-1 to a courts-martial.

DOD civilians may also face a consequence for intoxicated bicycling; from, but not limited to, a suspension/revocation of driving privileges to an early return to CONUS. Military and civilian personnel may face a hefty fine if apprehended by Polizei officials. Whether apprehended by German or military officials traffic points will be assessed in accord with AEAR 190-1, Table 2-1. Also understand, in accord with AEAR 190-1, USAREUR-AF Registry of Motor Vehicles in Sembach, is supposed to notify the state that initially issued your stateside driver’s license of the drinking and driving offense.

Consideration of others (*Principle of Consideration*) is a requirement for operating a vehicle in Germany. Though U.S. forces military and civilian personnel stationed in Germany have NATO SOFA status and such status affords certain protections in the civil and criminal arena, NATO SOFA status does not preclude one from being courteous, civil and considerate when operating a vehicle on public roads.

Simple courtesy is simply another way of being a good neighbor.

This information is brought to you by the friendly folks at the Client Services & Policy Division, Office of the Judge Advocate, USAREUR-AF. Consider contacting your local Legal Assistance Office if you have additional questions.