



**EQUITABLE
CITIES**



ARRESTED MOBILITY

**CHARLES T. BROWN WITH
J'LIN ROSE AND SAMUEL KLING**

**BARRIERS TO WALKING, BIKING, AND
E-SCOOTER USE IN BLACK COMMUNITIES
IN THE UNITED STATES**

MARCH 2023

TABLE OF CONTENTS

3	Preface	14	Policy Scan of Walking in Black Communities
3	About the Authors	19	Policy Scan of Bicycling In Black Communities
4	Executive Summary	25	Policy Scan of E-scooter Use in Black Communities
6	Introduction	27	Recommendations
9	Arrested Mobility on Foot, Bike, and E-scooter	34	Conclusion
11	The Mechanism of Arrested Mobility: Local, State, and County Laws	35	Appendix

PREFACE

Rest in peace, Tyre Nichols. Our thoughts and prayers are with you, your family, and your four-year-old son. You, as well as countless others, serve as a constant reminder as to why this work is important.



ABOUT THE AUTHORS

Charles T. Brown is founder and CEO of Equitable Cities, and the host of the *Arrested Mobility Podcast* at arrestedmobility.com

J'Lin Rose is a policy analyst with Equitable Cities.

Samuel Kling is a fellow and director of global cities research at the Chicago Council on Global Affairs.*

For any questions or media inquiries regarding the report, please contact the report's author, Charles T. Brown, at contact@equitablecities.com

**The Chicago Council is an independent organization and does not take institutional positions. The arguments within this report reflect the views of the authors.*

EXECUTIVE SUMMARY

For Black Americans and other people of color, traveling by foot, bicycle, or e-scooter can be fraught with obstacles and risks that reflect structural racism and White supremacy.

Together, these obstacles form a framework of arrested mobility: a set of transportation-related policies and practices across jurisdictions that limit mobility, opportunity, and access for Black Americans and other people of color.

The policy and policing elements of arrested mobility are mediated through state, local, and county laws. This study examines these laws concerning walking, cycling, and e-scooter use to supplement the efforts of activists. It surveys policies in all 50 states and the two largest cities in each state, as well as in selected counties.

While many of these laws are intended to serve a legitimate safety purpose, they also serve as a legal mechanism for racist, discriminatory, and predatory police enforcement. Often, their policy design makes fair enforcement difficult

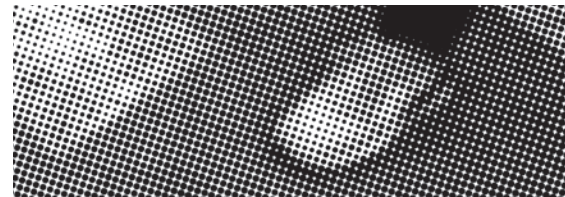
and creates too much opportunity for police to apply the law inequitably. We identified five characteristics associated with racial discrimination in enforcement that highlight the need for further research or policy changes:

- Research shows discriminatory or inequitable enforcement
- Ongoing advocacy efforts that speak to the discriminatory enforcement of policies
- Highly subjective and confusing laws and policies
- Laws that are almost impossible to enforce equitably
- Absence of evidence, or inconclusive evidence, that policies improve safety outcomes

For pedestrians, we identified nine types of laws that meet at least one of these criteria, including laws related to jaywalking, hitchhiking, and playing ball.

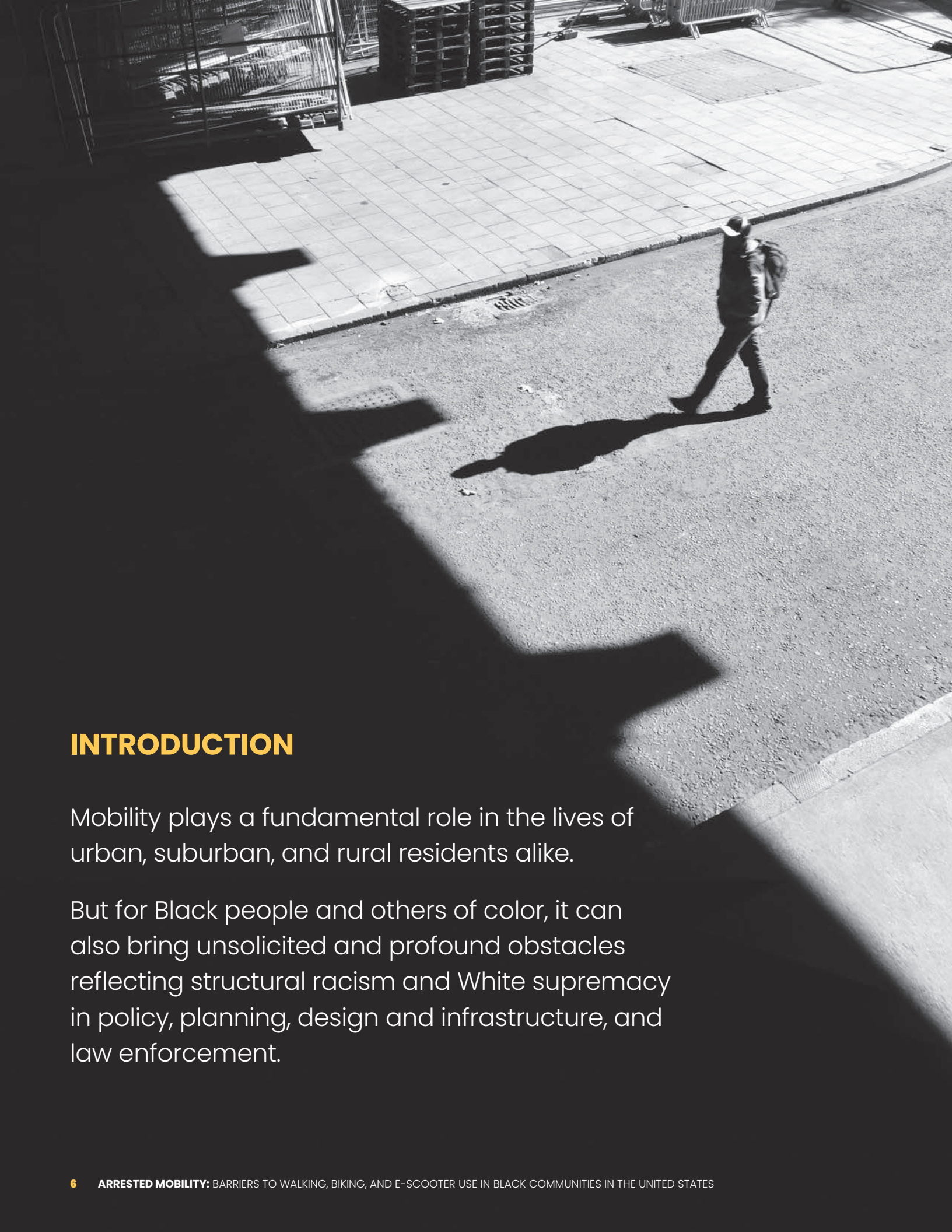
For cyclists, we identified 11 categories of such laws, pertaining to riding behavior, licensing, requirements for bicycle equipment such as helmets and lights, and the condition of such equipment.

Finally, e-scooters are regulated by laws similar to those for bicycles, such as helmet and lamp requirements, yet are subject to additional regulations related to parking, speed limits, and stricter licensing.



SIX RECOMMENDATIONS FOR ADVOCATES, RESEARCHERS, AND POLICY MAKERS:

- 1. Repeal laws, decriminalize violations, and promote alternative enforcement** for policies that have minimal impact on safety and that are enforced in a racially discriminatory manner.
- 2. Embrace pedestrian, bike, and e-scooter infrastructure** as a tool to reduce unwanted encounters with police, promote safety, and encourage mobility.
- 3. Reduce and/or eliminate court fines and fees** associated with pedestrian, bicycle, and e-scooter policies.
- 4. Place limits on pretextual traffic stops**, in which police use minor violations as a justification to investigate unrelated crimes without a warrant.
- 5. Engage the bicycling industry** in a conversation about the feasibility of manufacturing and selling bikes with front and rear lamps included, as is mandated in several jurisdictions.
- 6. Better understand the scope of arrested mobility:**
 - A.** Generate additional research to create comprehensive inventories of enforcement of pedestrian, cycling, and e-scooter policies at the local, county, state, and federal level.
 - B.** Expand research on arrested mobility in other modes of transportation, such as public transit, air travel, and travel by automobile, as well as planning policies and polity.
 - C.** Mandate greater transparency and access to data on enforcement of laws related to walking, biking, and using e-scooters.



INTRODUCTION

Mobility plays a fundamental role in the lives of urban, suburban, and rural residents alike.

But for Black people and others of color, it can also bring unsolicited and profound obstacles reflecting structural racism and White supremacy in policy, planning, design and infrastructure, and law enforcement.

Together, these conditions form a policy regime of arrested mobility: a set of transportation-related policies and practices at the federal, state, county, and municipal levels that limit mobility and opportunity for Black Americans and other people of color. These policies and practices have implications beyond mobility, contributing to adverse social, political, economic, environmental, and health outcomes for Black Americans.

Black people are less likely to have unimpeded access to critical resources and everyday destinations such as grocery stores, health-care facilities, education and school systems, and jobs. They have lower rates of social mobility, and they are less likely to engage in physical activities such as walking and bicycling.¹ They are also more likely to be injured or killed while engaged in transportation and to have unwarranted confrontations with police and non-Black neighbors who weaponize their privilege and power.² These inequalities manifest across all transportation modes. As activists around the world embrace all residents' "right to the city," arrested mobility reflects the manifestation of a different and troubling outcome for Black Americans.³

This report uses the lens of arrested mobility to survey the state, county, and local policies that serve as the basic legal tools for racially discriminatory policing in transportation. It focuses on the subset of policies related to walking,

biking, and e-scooters—sustainable modes of transport that have key roles to play in addressing the climate crisis, and that many federal, state, and local governments are aiming to encourage through new policies, infrastructure, and investments. These modes of travel are some of the most visible, vulnerable, and basic ways of existing in public space, and therefore serve as a useful starting point for understanding the challenges associated with increasing mobility and access for Black Americans in the United States. They are also far less studied than automobile transportation in terms of their relationship to racist policing and enforcement practices.⁴

Importantly, many of these policies and laws have a pragmatic purpose or purport to improve safety. But they also have features that make them difficult or impossible to enforce equitably. Researchers and advocates have identified policies such as jaywalking and helmet laws as racially discriminatory in their enforcement, while other policies

call for further investigation into how they are enforced on the ground. Our aim is not to determine the extent to which specific policies are used in a racially discriminatory fashion but instead to:

- **Supplement the efforts of activists by providing a comprehensive overview of the types of laws on the books at the state, local, and county level related to walking, cycling, and e-scooter use;**
- **Identify factors that may contribute to these laws being used in a racially discriminatory fashion;**
- **Call for additional research into the enforcement of specific laws in transportation as they relate to racial discrimination; and**
- **Highlight the importance of a multisectoral approach in increasing Black Americans' access to active transportation, their use of it, and their safety while doing so.**

THIS REPORT THUS INTENDS TO SERVE AS A RESOURCE FOR OTHERS TO BUILD ON.





“It is kind of scary when you think about it. I can’t do nothing simple. I can’t just go walk or run.”

— BLACK MALE, NASHVILLE, TENNESSEE

1

ARRESTED MOBILITY ON FOOT, BIKE, AND E-SCOOTER

The built environment, policy and planning landscape, and enforcement practices have created obstacles and dangers for Black travelers relative to their White peers.

Nearly one in five Black households lacks access to a car—three times the rate of White households. Black people are also substantially less likely to get around by walking and biking than White people. They are significantly more likely to take public transit, representing 24 percent of all transit riders, nearly double their proportion of the national population.⁵

They are also more likely to face poor infrastructure, police stops and tickets, and injury and death while traveling than their White peers.

These factors and others form the basis of what we refer to as arrested mobility, the process by which the capacity of people of color—especially Black people—to move freely and safely is limited by poor infrastructure, policy and planning decisions, and enforcement. It is the direct manifestation of structural racism (racism that is personal, interpersonal, institutional, and cultural), which has led to the intentional and deliberate overpolicing of Black Americans. The concept of arrested mobility calls for critical investigation of public policy and planning (zoning and urban design, for example), polity (encompassing extralegal actions by residents that complement or supplement formal law enforcement; for example, self-deputized White citizens), and policing, particularly through the enforcement of mobility-related laws. Together, policy, planning, polity, and policing restrict not only the physical mobility of Black Americans but also their socioeconomic mobility, denying them equitable access to everyday destinations such as workplaces, schools, grocery stores, libraries, parks, and doctors' offices.

INFRASTRUCTURE, REVENUE, AND RACIST ENFORCEMENT ON FOOT, BICYCLE, AND E-SCOOTER

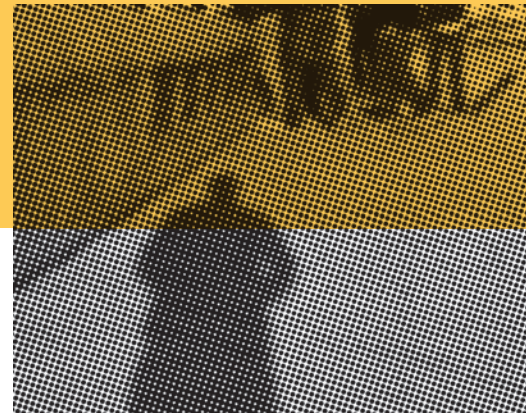
For Black people on foot, bicycle, and e-scooter, the challenges of everyday mobility are compounded by inadequate, dangerous infrastructure and poorly targeted or predatory enforcement. More than half of the country's most dangerous roads for pedestrians are in predominantly Black or Latino neighborhoods.⁶ All of the top nine most dangerous urban arterials—roadways built for high traffic volumes and high speed—are in Black or Latino neighborhoods.⁷ While many cities have invested in infrastructure for biking and walking in the past decade, city-based studies show these investments are concentrated in Whiter and wealthier neighborhoods.

The policy decisions that routed wide, heavily trafficked roads through Black neighborhoods with limited provisions for pedestrians and bicycling have also contributed to grim outcomes for Black residents. Black Americans die while cycling at more than four times the rate of White Americans, and more than twice the rate of White Americans while walking.⁸ Indeed, Black Americans have the highest fatality rate per mile traveled in the United States regardless of mode. Air pollution and noise pollution generated by these roads contribute to worsened health outcomes.

The poor infrastructure more common in predominantly Black neighborhoods can push pedestrians, cyclists, and e-scooter riders to break the law in the name of safety. An arterial road without

“In some areas of my neighborhood I wouldn’t just go there to walk my dog or anything because you see Confederate flags or just racist people in general.”

— BLACK TEENAGE MALE, MERIDIAN, MISSISSIPPI



crosswalks might force a pedestrian to cross illegally. A bike rider on a busy street without a bike lane, or on crumbling asphalt pockmarked with potholes, might choose to illegally ride on the sidewalk.⁹ Actions such as these often serve as the pretext for police stops and tickets, which disproportionately target Black people.

When combined with restrictive mobility laws, poor infrastructure can create a vicious cycle for cyclists, pedestrians, and e-scooter users of color. For example, laws prohibit riding on the sidewalk,

but in a community where roads are too dangerous to ride on, Black and other active transportation users of color are disproportionately subject to enforcement. An analysis of citations issued by Chicago police and other data such as street infrastructure and neighborhood characteristics showed that 90 percent of all bicycle-related infractions were for cycling on the sidewalk. Chicago police wrote eight times as many tickets for cycling on the sidewalk in majority-Black neighborhoods as in majority-White areas, and three times as many in Latino areas.¹⁰ The Chicago study also determined that these tickets were only “weakly associated with safety needs, if at all,” raising questions about the value and purpose of the stops.

In many jurisdictions, these realities reflect not only racial bias and White supremacy in policing but also a revenue motive. The US Department of Justice’s investigation of Missouri’s Ferguson Police Department following the 2014 police killing of Michael Brown concluded that the police force’s enforcement efforts targeted Black residents and were “focused on generating revenue” rather than protecting the public, with fines and fees making up nearly a quarter of municipal general fund revenues.¹¹ A significant portion of these revenues came from mobility-related enforcement such as traffic stops.¹² These practices are common. A 2017 study found municipalities with a higher proportion of Black residents had a greater reliance on fines and fees such as those from mobility-related enforcement, but that Black representation in city councils diminished the effect.¹³ Arrested mobility thus is not just the product of White supremacy and racist enforcement but can also serve a useful and exploitative financial purpose for municipal governments, creating financial and legal hardship for Black residents.

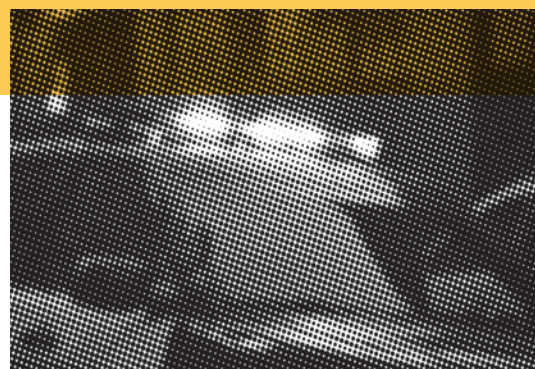
According to the arrested mobility framework, these policing and policy

practices—together with the planning and policy categories—make Black Americans disproportionately subject to overly aggressive policy enforcement and brutality when walking, running, cycling, or riding an electric scooter, in addition to other forms of travel. An analysis of five years of pedestrian tickets issued in Jacksonville, Florida, showed Black residents are three times as likely as Whites to receive a ticket. Residents of the city’s three poorest zip codes were also about three times as likely to receive a pedestrian citation as those in the city’s wealthier zip codes.¹⁴ Data from the police department’s Rodeo Drive Task Force in Beverly Hills, California, revealed that 105 of the 106 people arrested through the department’s “Operation Safe Street” program between March 2020 and July 2020 were African American.¹⁵ And in Tampa, Florida, 79 percent of the more than 10,000 bicycle tickets issued between 2003 and 2015 went to Black people—even though Black people make up only 26 percent of Tampa’s population. Evidence from Oakland, Chicago, and other cities shows that similar principles apply to cycling.¹⁶ While less research has been conducted on racial bias in enforcement with electric scooters in the United States, a study in London found Black e-scooter riders three times more likely to be stopped by police than White riders.¹⁷

Together, policies, infrastructure, and police enforcement disproportionately target the mobility of Black people and others of color. Poor infrastructure creates unsafe environments for mobility and can push pedestrians, cyclists, and e-scooter riders to break the law for the sake of self-preservation. Many municipalities also have an incentive to issue fines and fees for these actions not for safety purposes, but instead to pad municipal coffers. Numerous studies show that the burden of overpolicing falls on Black people and others of color, with resulting financial, psychological, and health-related costs.

THE DANGERS OF POLICE STOPS

The negative consequences of these stops are clear. In the United States, Black people account for less than 13 percent of the population but are killed by police officers twice as often as White people. Black men are 2.5 times more likely to be killed by police during their life than White men, and Black women are 1.4 times more likely to be killed by police than White women.¹⁸ Black men and boys face the highest lifetime risk of being killed by the police compared with other groups; models estimate that about one in 1,000 Black men and boys will die at the hands of police.¹⁹ In addition, enforcement policies and policing cause young Black men to feel unsafe and experience mental and psychological impacts such as anxiety. Police stops have also been linked to higher distraction and disengagement in school settings.²⁰ City, county, and state laws concerning mobility are often intended to protect road users’ safety, but in practice they can expose Black people and others of color to different threats.



2

THE MECHANISM OF ARRESTED MOBILITY: LOCAL, STATE, AND COUNTY LAWS

The laws police use to initiate stops are codified at the state, county, and municipal level. Many of these laws are intended to serve a pragmatic purpose but, in practice, unfairly target Black people.



So-called jaywalking laws, for example, regulate pedestrian crossings in order to prevent crashes between motor vehicles and pedestrians. But the ubiquity of jaywalking in the United States makes consistent, uniform enforcement nearly impossible. Similarly, laws that mandate lights or reflectors on bicycles at night may serve a clear safety purpose, yet evidence shows police often use them as the basis for stops that disproportionately target Black riders, low-income residents, and the unhoused. These laws can also serve as the basis for pretextual stops, in which officers use a minor violation to justify a stop and then go on to investigate a separate, unrelated offense without a warrant.²¹ Some laws are written ambiguously, and still others are outdated with questionable utility. All of these features invite inequitable enforcement. Together, these policies represent the mechanisms by which municipalities, counties, states, and police forces arrest the mobility of Black people.

METHODOLOGY

Our survey examined bicycle, pedestrian, and e-scooter policies at the state level across all 50 US states as well as in the two most populous cities in each state. For states that referenced specific county laws, we analyzed county-level mobility policies. This methodology is intended to capture the breadth of policies, invite further research into how they are enforced, compile existing evidence of racial discrimination in enforcement, and gauge the potential of policies to be enforced inequitably and in a discriminatory fashion.

After collating all state, municipal, and/or county policies relevant to pedestrians and people using bicycles and e-scooters, we analyzed them against five criteria to identify a subset of policies that evidence shows are being enforced in a racially discriminatory manner, or that have strong potential to be enforced in a racially discriminatory manner. This subset of state, municipal, and/or county policies, herein referred to as arrested mobility policies, forms the basis for this report and is included in the appendix. We used five criteria to identify 35 policies that have been used, or that have features that make them likely to be used, to criminalize Black mobility. Our research drew from national and local advocacy efforts, academic research, insights from bicycle and pedestrian professionals, and structured interviews with diverse Black Americans. For a policy to be included in the arrested mobility policies, it had to meet at least one of the five criteria listed below (see Table 1 for further details):

1. Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States
2. Ongoing advocacy efforts that speak to discriminatory enforcement of policies
3. Highly subjective and confusing laws and policies
4. Almost impossible to enforce equitably.
5. Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/ or evidence they in fact worsen safety outcomes

TABLE 1: Criteria used to identify policies that criminalize black mobility. Policies that meet these criteria warrant extra scrutiny regarding their relationship to racial bias in enforcement.

Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States	Restrictions such as those against riding a bicycle on a sidewalk have been the subject of academic research and journalistic investigation, which shows disproportionate enforcement against Black riders.
Ongoing advocacy efforts that speak to discriminatory enforcement of policies	Laws against jaywalking, for example, have come under scrutiny nationwide by advocates, who allege racist enforcement.
Highly subjective and confusing laws and policies	<p>These laws give law enforcement excessive leeway to make judgment calls about whether certain behaviors are illegal. For example, the Revised Municipal Code of the City and County of Denver, Colorado, stipulates the following:</p> <ul style="list-style-type: none"> • “Persons operating an electric scooter upon a roadway must ride as near to the right-hand side of the roadway as judged safe by the operator to facilitate the movement of such overtaking vehicles unless other conditions make it unsafe to do so” (Ord. No. 1476-18, § 2, 1-7-19; Ord. No. 784-19, § 4, 8-26-19).
Almost impossible to enforce equitably	These are cases in which prohibited behaviors are ubiquitous or laws are written in a confusing manner, leaving enforcement almost entirely open to the whim of law enforcement. Laws against jaywalking, for example, are difficult to enforce effectively or equitably because jaywalking is so commonplace.
Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/or evidence they in fact worsen safety outcomes	In Seattle, for example, evidence did not show a mandatory helmet law actually improved safety outcomes, which contributed to its repeal in 2022.

Some states have uniform policies, whereas some cities refer to the state for certain policies and do not define their own.

Chapters 3, 4, and 5 of this report include summaries of arrested mobility policies by mode of transportation.

The Appendix includes all of the matrices for arrested mobility policies as follows:

- Table 3 on page 36 focuses on pedestrians and walking policies
- Table 4 on page 38 focuses on bicycling policies
- Table 5 on page 41 focuses on e-scooter policies

Each matrix categorically lists identified policies for each state, most populous city, second-most populous city, and county where applicable and summarizes each policy against six to eight key headers as relevant (see Table 2 on page 36 for more details).

Most policies listed in the matrices include the direct language of the regulation from Municode, while others include a description from a separate resource or guide provided by the city or state. “N/A” denotes instances in which a policy is not specifically defined or described, or we were unable to find the specific policy language.



**“No, I don’t
feel like I’m
a part of the
community
when I’m
walking,
especially
downtown.”**

— BLACK FEMALE, ORLANDO, FLORIDA

3

POLICY SCAN OF WALKING IN BLACK COMMUNITIES

Walking is one of the most fundamental ways of moving through public space. Trips on all modes of transport begin as walking trips, which here denotes travel on foot as well as by wheelchair and other assistive devices. Yet walking is regulated by a series of laws at the state and local level that invite discriminatory enforcement.

Until relatively recently, most of these regulations did not exist: pedestrian behavior was regulated by custom, rather than law. This changed over the course of the 20th century, thanks to a series of reform campaigns, including an effort by the automobile industry to criminalize certain common behaviors—such as “jaywalking,” a term the industry invented in the 1920s—to support the adoption of the car.

Our policy scan of laws and regulations related to walking surveyed all 50 states, the two largest cities in each state, and selected counties across the United States. It found that some policies, such as restrictions against jaywalking, hitchhiking, and pedestrians on highways, are prevalent across jurisdictions. Other policies are less common and have drawn less attention from researchers and advocates, with limited information available about enforcement practices. For example, as noted in the pedestrian matrix (Appendix Table 3), several cities—including Huntsville, Alabama; Bridgeport, Connecticut; and Detroit, Michigan—have regulations against playing ball on the sidewalk, streets, or alleys.

For Black people, this fundamental way of existing in public space can be fraught with the potential for harassment and confrontations with police.

SUMMARY OF RESULTS

The arrested mobility policies included in the pedestrian matrix are as follows:

1. Crossing outside of a crosswalk (also known as crossing a roadway).

While the term “jaywalking” itself does

not show up directly in these policies, it is used colloquially to refer to illegally crossing the street. Several separate kinds of laws prohibit jaywalking. The restriction here against crossing outside of a crosswalk meets several of this study’s criteria. A recent investigation showed that Black and Hispanic pedestrians received nearly 90 percent of jaywalking tickets issued in New York City in the first nine months of 2019.²² Advocates nationwide are currently engaged in efforts against discriminatory enforcement of policies that regulate crossing outside of a crosswalk. Such policies are difficult to enforce equitably because of the ubiquity of jaywalking. Furthermore, there is an absence of evidence or inconclusive evidence that these policies improve safety outcomes, and they could in fact worsen safety outcomes.²³

2. Using the right half of crosswalks.

Variations of this law call for pedestrians to cross on the right half of crosswalks when practical. This law, along with other laws noted within this section, falls under the category of jaywalking and thus meets similar criteria as mentioned above.

3. Right-angle crossing. This law, again falling under the jaywalking umbrella, is defined by the city of Lexington, Kentucky, as follows: “No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk.” One example of efforts to address this law is in Virginia, where the state decriminalized jaywalking in a pretextual policing bill.²⁴



OF JAYWALKING TICKETS WERE ISSUED TO BLACK OR HISPANIC PEDESTRIANS BY THE NEW YORK CITY POLICE DEPARTMENT IN 2019.



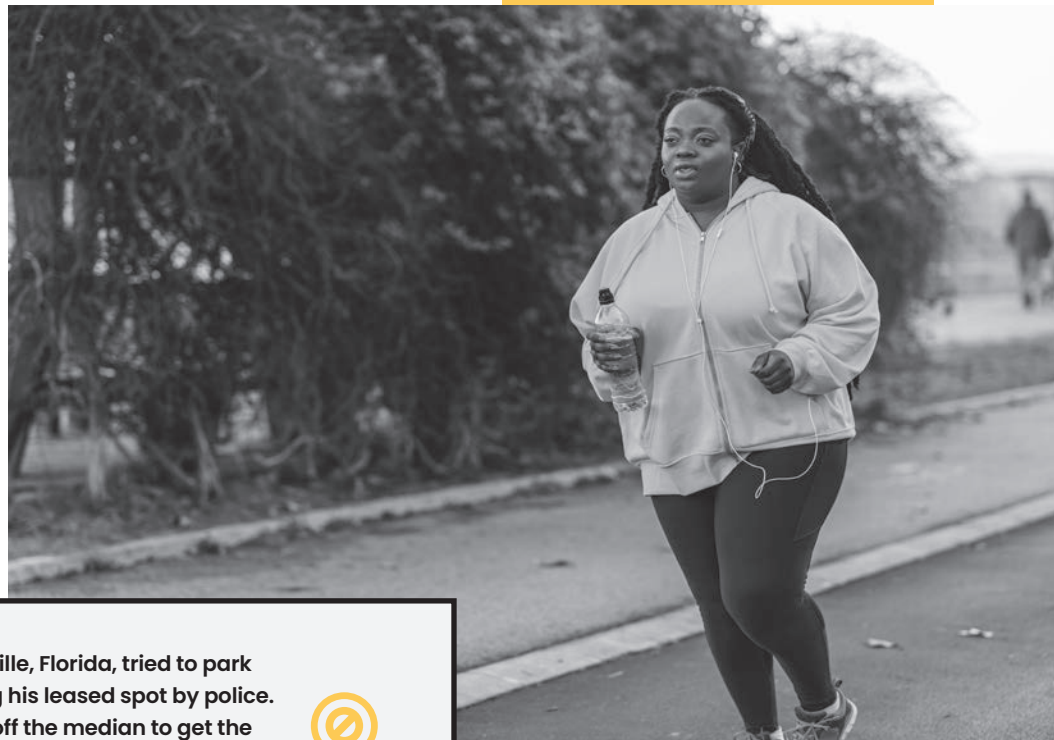
4. Diagonal crossing. This type of law also falls under the category of jaywalking. The State of Indiana defines it as follows: “A pedestrian may not cross a roadway intersection diagonally unless authorized by official traffic control devices. When authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to diagonal crossing movements.” This law meets the criteria of the similar jaywalking laws listed above. Along with these other laws, it was the subject of a successful campaign in California to decriminalize diagonal crossing and crossing outside of an intersection.²⁵

5. Suddenly leaving the curb. These laws prohibit pedestrians from suddenly leaving a curb or other place of safety to enter into the path of a vehicle, creating a safety hazard. They meet several of the criteria, including the following:

- Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States
- Ongoing advocacy efforts that speak to discriminatory enforcement of policies
- Almost impossible to enforce equitably
- Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/or evidence they in fact worsen safety outcomes

6. Playing ball. This type of law is defined by the city of Huntsville, Alabama, as follows: “Unlawful for any person to engage in any kind of ball playing on the streets, alleys, or sidewalks of the city.” This law meets the following criteria:

- Highly subjective and confusing laws and policies
- Almost impossible to enforce equitably
- Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/or evidence they in fact worsen safety outcomes

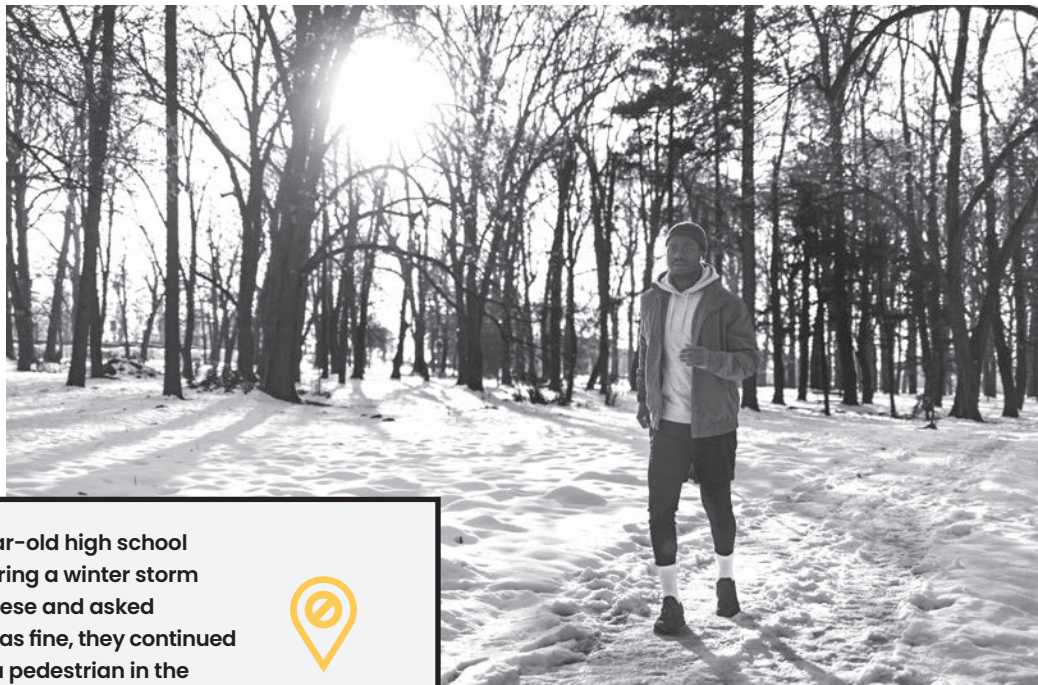


In 2015, a Black truck driver in Jacksonville, Florida, tried to park his truck but was blocked from entering his leased spot by police. When he exited the truck and stepped off the median to get the number of the police officer’s vehicle, as the police dispatcher instructed him to do, “the officer aimed a taser at him, ordered him to the ground, and arrested him for walking in the roadway where sidewalks are provided.”²⁶



7. Pedestrians on highways; pedestrians on freeways; walking along highways. Laws such as these bar walking on or crossing highways or freeways entirely, require pedestrians to walk on sidewalks when available, and/or require pedestrians to walk on the left side of the roadway or shoulder facing traffic when a sidewalk is not available. In some jurisdictions, such as Tennessee, violation of these laws is classified as a misdemeanor.

These laws meet the criterion of being almost impossible to enforce equitably.



In February 2021, Rodney Reese, an 18-year-old high school student, was walking home from work during a winter storm in Plano, Texas. Police officers followed Reese and asked whether he was OK. Although he said he was fine, they continued to follow him and arrested him for being a pedestrian in the roadway. After detaining him overnight, police dropped the charges.²⁷



8. Pedestrians soliciting rides, businesses, employment, or contributions of a charitable nature, or hitchhiking; or pedestrian assemblies.

Together, these laws restrict the solicitation of rides, money, or jobs from vehicles along the roadway, and also prohibit pedestrians from assembling in ways that interfere with traffic. These laws meet the following criteria:

- Highly subjective and confusing laws and policies
- Almost impossible to enforce equitably
- Evidence showing that policy does not improve safety and may worsen safety outcomes

9. Detention; reasonable cause.

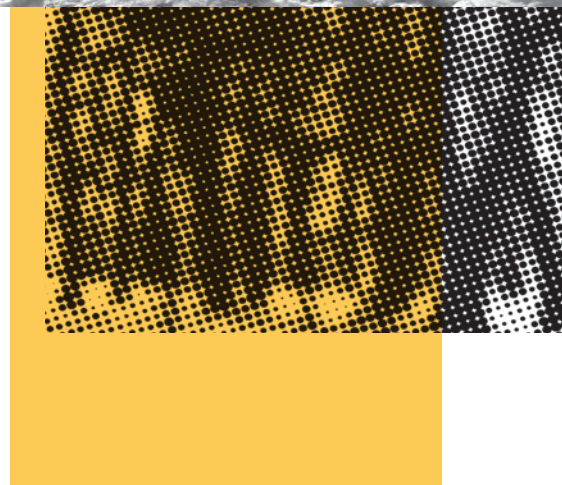
The city of Jacksonville, Florida, defines this law as follows:

An officer shall have reasonable cause to detain and inquire when he has reasonable grounds to believe that the person so observed may recently have committed or may imminently commit an offense or any act injurious to the person or property of another in the immediate vicinity and when one or more of the following circumstances exist: (1) The time is during hours of darkness in a place where persons are

not usually found at such time. (2) The person observed: (i) Has an appearance, demeanor, or manner not usual to persons in the immediate vicinity; provided, that no person shall be subject to detention and inquiry solely because of his race, creed, or national origin. (ii) Is standing, walking, or running furtively or in concealment.

This law meets several of the criteria:

- Ongoing advocacy efforts that speak to discriminatory enforcement of policies
- Almost impossible to enforce equitably
- Highly subjective and confusing laws and policies
- Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/or evidence they in fact worsen safety outcomes



In 2021, Brian Chaney was taking a morning walk in suburban Detroit, Michigan, when a police officer pulled up and said he was going to frisk him because Chaney looked like he had a weapon and was going to break into cars. Chaney claims the officer shoved him, pushed him against the squad car, and called a police dog on him. Even when police backup came, no one explained why he was being detained. He was uncuffed and released only after asking if the officer was going to put a knee on his neck.²⁸



Of the nine types of laws listed above, the following are listed most frequently at the state level:

- Crossing at other than crosswalk or crossing outside of crosswalk (50 states)
- Pedestrians on highways
- Pedestrians on freeways
- Walking along highways (41 states)
- Suddenly leaving the curb (30 states)

At the city level, the most frequently listed types of laws include the following:

- Pedestrians on highways
- Pedestrians on freeways
- Walking along highways (53 cities)
- Pedestrians soliciting rides, business, employment, or contributions of a charitable nature; hitchhiking; or pedestrian assemblies (30 cities)

Given the focus of both states and cities on pedestrians walking along on highways and freeways, it is imperative that this research further explores efforts to weigh the importance of safety alongside the concern with the criminalization of Black mobility—particularly considering the role federal, state, and city governments played in intentionally locating these very highways in and through Black communities.

100%

OF STATES HAVE LAWS PERTAINING TO NOT CROSSING AT THE CROSSWALK OR CROSSING OUTSIDE OF CROSSWALK

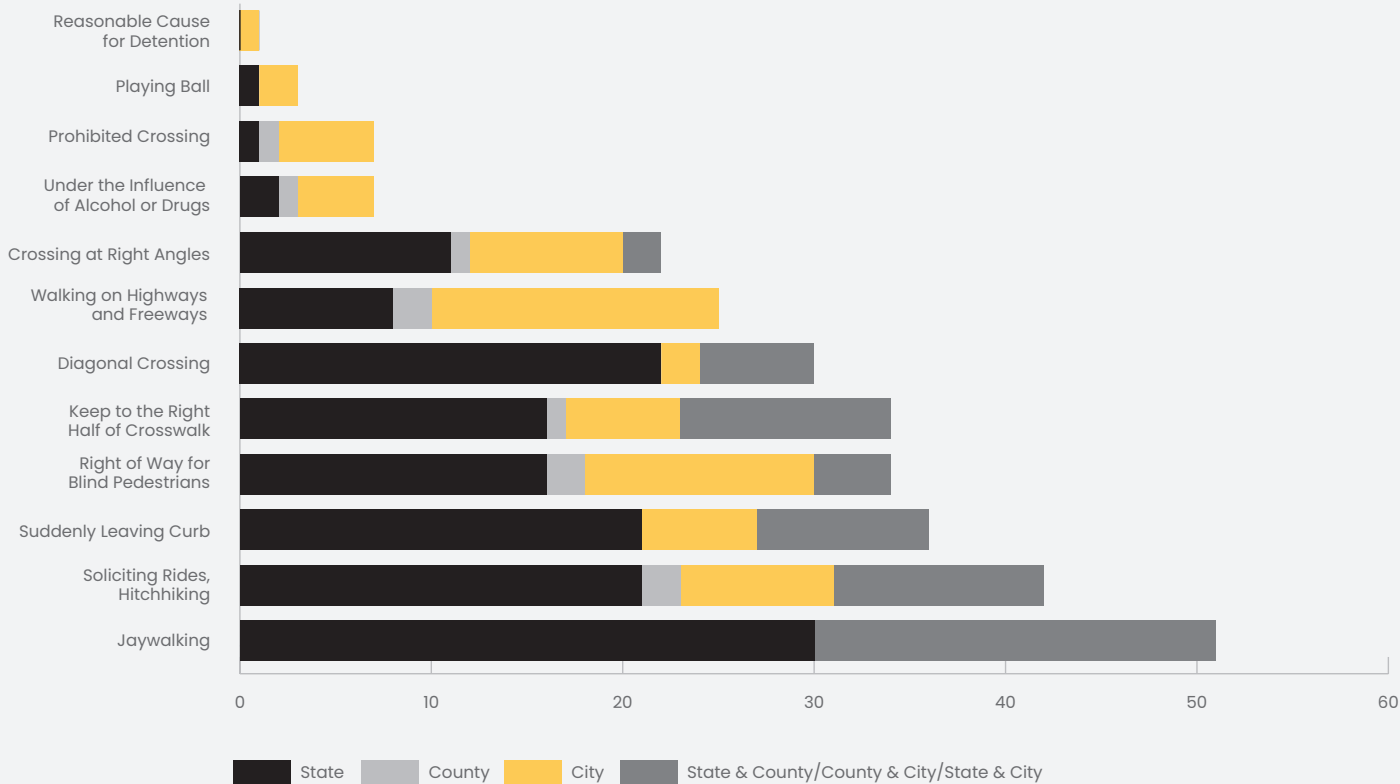
82%

OF STATES HAVE LAWS PERTAINING TO PEDESTRIANS WALKING ON HIGHWAYS

60%

OF STATES HAVE LAWS PERTAINING TO SUDDENLY LEAVING THE CURB

FIGURE 1. ARRESTED MOBILITY PEDESTRIAN POLICIES DEFINED AT STATE, COUNTY, AND CITY LEVEL





**“The safety of my life is
dependent upon what kind
of day a cop is having.”**

— BLACK MALE, CHICAGO, ILLINOIS

4

POLICY SCAN OF BICYCLING IN BLACK COMMUNITIES

More than 50 million Americans rode a bike at least once in 2021.²⁹ Despite the overall net increase in cycling over the past two decades—as well as government investments in cycling infrastructure—many Black residents and communities are denied the freedom and joy associated with cycling for either transportation or recreation.³⁰

This is due to historical and contemporary disinvestment, neglect, and gentrification and displacement forcing Black residents away from existing and planned accessible cycling infrastructure in cities across America. To make matters worse, Black residents are more likely to be victims of hate crimes, intimidation, assault, and theft, as well as negative encounters with police.

Our policy scan of laws and regulations related to bicycling surveyed all 50 states, the two largest cities in each state, and selected counties across the United States. It finds that while some of these laws may have a pragmatic intent, they often lend themselves to discriminatory enforcement, particularly for Black riders. Indeed, in some cases, these laws may even have a deleterious effect on safety.

SUMMARY OF RESULTS

The comprehensive review of bicycle laws resulted in the identification of 15 types of bicycle laws that satisfy one or more of the established criteria in Table 1 (page 12). The laws are grouped under two categories: (1) riding activities and (2) licensing and equipment. The laws included in the bicycle policy matrix (Appendix Table 4) are as follows:

LICENSING AND EQUIPMENT

1. Bicycle license. The city of Charleston, South Carolina, defines this law as follows: “No person shall ride or use a bicycle upon any public street, highway or public place unless the bicycle shall be duly licensed and registered in the office of the city collector as provided in this article.” This law meets the following criteria:

- Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States
- Ongoing advocacy efforts that speak to discriminatory enforcement of policies

“Bicycling in Los Angeles for me is the epitome of the Black experience in America. It’s like you are in a space that wasn’t built for you. Ostensibly, you have the same legal rights as the folks who dominate the roads like cars. But that actual experience of being on the roads doesn’t really feel that safe, and it doesn’t feel like you’re entitled to those spaces.”

— BLACK MALE, LOS ANGELES, CALIFORNIA

In 2021, in Perth Amboy, New Jersey, a group of predominantly Black and Latino teenagers were stopped for what a responding officer claimed was biking without a license tag. Four bikes were confiscated, and one teen was arrested.³¹



2. Bicycle helmet. Anchorage, Alaska, defines this law as follows:

Wearing a bicycle helmet is mandatory for any person 15 years of age or younger when on a bicycle in public places. Public places include, but are not limited to, streets, sidewalks, pathways, trails, parking lots and skateparks. Failure to wear a bicycle helmet or other protective headgear is a traffic violation which shall result in a warning for a first offense, and which carries a fine of \$25 for each



subsequent offense. The fine may be waived if proof that a bicycle helmet has been obtained is presented to the Anchorage Police Department.

This law meets the following criteria:

- Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States
- Ongoing advocacy efforts that speak to discriminatory enforcement of policies

King County, Washington, repealed its bike helmet laws after data revealed disproportionate enforcement of bicycle tickets on people of color and homeless people. Black cyclists were ticketed four times more than White cyclists specifically for not wearing bicycle helmets.³²

3. Bicycle lamp. Delaware defines this law as follows:

(a) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front. (b) Every bicycle shall be equipped with a red reflector of a type approved by the Department which shall be visible for 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. (c) Every bicycle when in use at nighttime shall be equipped with reflective material of sufficient size and reflectivity to be visible from both sides for 600 feet when directly in front of lawful lower beams of headlamps on a motor vehicle or, in lieu of such reflective material, with a lighted lamp visible from both sides from a distance of at least 500 feet. (d) A bicycle or its rider may be equipped with lights or reflectors in addition to those required by subsections (a)–(c) of this section. (e) Every bicycle shall be equipped with a brake or brakes which will enable its driver to stop the bicycle within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.

This law meets the following criteria:

- Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United

In 2019, in Las Vegas, Nevada, Byron Williams, 50, was arrested for riding without a safety light before sunrise. He was heard telling officers “I can’t breathe” after being arrested. He lost consciousness and later died in the hospital.³³



4. Mechanical condition. Alabama defines this law as follows: “The rider of a bicycle shall be responsible for maintaining his bicycle in a safe mechanical condition.” This law meets the following criteria:

- Ongoing advocacy efforts that speak to discriminatory enforcement of policies
- Highly subjective and confusing laws and policies
- Almost impossible to enforce equitably

On May 6, 2021, Kansas City Council unanimously voted to repeal laws such as jaywalking, bike inspections, and dirty wheel statutes.³⁴

5. Reasonable cause – inspections.

Salt Lake City, Utah, defines this law as follows: “A peace officer may at any time require a person riding a bicycle to stop and submit the bicycle to an inspection and a test as appropriate if the officer has reasonable cause to believe that: The bicycle is unsafe or not equipped as required by law; or the bicycle’s equipment is not in proper adjustment or repair.” This law meets the following criteria:

- Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States
- Ongoing advocacy efforts that speak to discriminatory enforcement of policies
- Almost impossible to enforce equitably
- Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/or evidence they in fact worsen safety outcomes



In Orlando, Florida, two young Black men on bicycles were falsely accused of armed robbery and were forced at gunpoint by officers to get off their bikes, lie on the ground, and crawl toward the officers. The officers said they were detaining the men because they fit the description of suspects in a recent robbery.³⁵



RIDING ACTIVITIES

6. Riding two abreast. These laws prohibit cyclists from riding more than two abreast. These laws meet the following criteria:

- Ongoing advocacy efforts that speak to discriminatory enforcement of policies
- Absence of evidence or inconclusive evidence that policies improve safety outcomes

Further research is needed to know how this law is enforced, including against Black people.

7. Carrying articles while cycling. These laws prohibit cyclists from carrying items that prevent them from having control over the bicycle, or, in the words of the State of Vermont, “that prevent[s] the driver from keeping at least one hand upon the handlebars.” This law meets the following criteria:

- Highly subjective and confusing laws and policies
- Almost impossible to enforce equitably

We found no documented instances of this law being enforced against any citizens, including Black Americans; however, that does not mean that cases do not exist.

8. Headset/earplugs. These laws prevent cyclists from using headphones or earplugs while operating a bike. They meet the following criteria:

- Highly subjective and confusing laws and policies
- Almost impossible to enforce equitably

We found no documented instances of this law being enforced against any citizens, including Black Americans; however, that does not mean that cases do not exist.

9. Trick riding or acrobatic riding.

Sioux Falls, South Dakota, defines this law as follows: “No rider of a bicycle or e-bicycle shall remove both hands from the handle or feet from the pedals or practice any acrobatic or fancy riding on any street.” This law meets the following criteria:

- Highly subjective and confusing laws and policies
- Almost impossible to enforce equitably

We found no documented instances of this law being enforced against any citizens, including Black Americans; however, that does not mean that cases do not exist.

10. Speed. Phoenix, Arizona, defines this law as follows: “No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.” This law meets the following criterion:

- Almost impossible to enforce equitably

We found no documented instances of this law being enforced against any citizens, including Black Americans; however, that does not mean cases do not exist.

11. Emerging from an alley or driveway.

Huntington, West Virginia, defines this law as follows: “The operator of a bicycle emerging from an alley, driveway or building shall, upon the approach to a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on such sidewalk or sidewalk area, and upon approaching the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.” This law meets the following criterion:

- Almost impossible to enforce equitably

We found no documented instances of this law being enforced against any citizens, including Black Americans; however, that does not mean cases do not exist.



12. Riding on a bicycle (carrying more people other than the operator).

Chesapeake, Virginia, defines this law as follows: “No person operating a bicycle or a motorized skateboard or scooter on a highway shall carry any additional person on the same, except that an adult bicycle rider may carry a child less than six years old if such child is securely attached to the bicycle in a seat or trailer designed for carrying children.” This law meets the following criterion:

- Absence of evidence or inconclusive evidence that policies improve safety outcomes

We found no documented instances of this law being enforced against any citizens, including Black Americans; however, that does not mean cases do not exist.

13. Bicycles considered or treated as a vehicle.

Raleigh, North Carolina, defines this law as follows: “All bicycles and motorized scooters used and operated upon and across shared streets and other designated bicycle facilities within the City of Raleigh’s jurisdiction shall be considered vehicles and the riders of such bicycles and motorized scooters shall be subject to all provisions of the Raleigh City Code and Chapter 20 of the North Carolina General Statutes applicable to the driver of vehicles except those which by their nature can have no application.” Given the nature of riding a bike, this law meets the following criteria:

- Highly subjective and confusing laws and policies
- Almost impossible to enforce equitably
- Absence of evidence or inconclusive evidence that policies improve safety outcomes

We found no documented instances of this law being enforced against any citizens, including Black Americans; however, that does not mean that cases do not exist.

14. Sidewalk riding. These laws ban riding a bicycle on the sidewalk and sometimes include a provision allowing sidewalk riding for children. This law met several of the criteria:

- Ongoing advocacy efforts that speak to discriminatory enforcement of policies, including research that shows discriminatory or inequitable enforcement
- Highly subjective and confusing laws and policies
- Almost impossible to enforce equitably
- Absence of evidence or inconclusive evidence that policies improve safety outcomes

As discussed above, a Chicago study found sidewalk riding prevalent in areas with poor or unsafe bike infrastructure.

In April 2016, Jordan Lloyd, age 19, was stopped for riding his bicycle on the sidewalk in Merced, California. Officer Gonzalez wrapped his hands around Lloyd’s throat and kicked his feet from under him. Eighteen-year-old Bryce Snell recorded the event but then suffered a violent attack by another police officer as well.³⁶



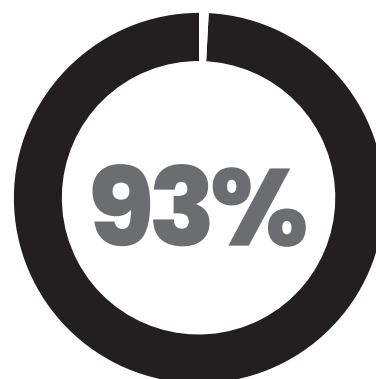
15. Far to the right. Oklahoma defines this law as follows: “A bicyclist upon a roadway shall ride as near to the right side of the roadway as practical. Bicyclists should use caution when passing a standing vehicle or one proceeding in the same direction.” This law meets several of the criteria:

- Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States
- Ongoing advocacy efforts that speak to discriminatory enforcement of policies
- Almost impossible to enforce equitably

Far-to-the-right laws are problematic for several reasons, including the fact that Black communities tend to lack safe and accessible bicycle infrastructure. Bicycle lanes that do exist may be deteriorated or present other safety challenges, particularly in colder climates. The Chicago study also found that 93 percent of tickets for bicycle infractions were issued on streets with no bikeways. These areas were disproportionately Black and Latino.³⁷



OF BICYCLE INFRACTIONS IN CHICAGO
WERE FOR RIDING ON SIDEWALKS
OF WHICH



WERE ISSUED ON STREETS
WITH NO BIKEWAYS.

Of the 15 types of laws above, the most frequently listed at the state level include the following:

- Riding far to the right and riding two abreast (45 states)
- Sidewalk riding (32 states)
- Bicycle lamp requirements (28 states)

At the city level, the laws listed most frequently include the following:

- Carrying riders other than the operator (36 cities)
- Emerging from an alley or driveway (36 cities)

Sidewalk riding ranked higher for states and counties than for city governments—an interesting outcome considering that cities are more likely to construct and maintain sidewalks than state and county governments.

90%

OF STATES HAVE LAWS PERTAINING TO RIDING TWO ABEAST OR RIDING FAR TO THE RIGHT

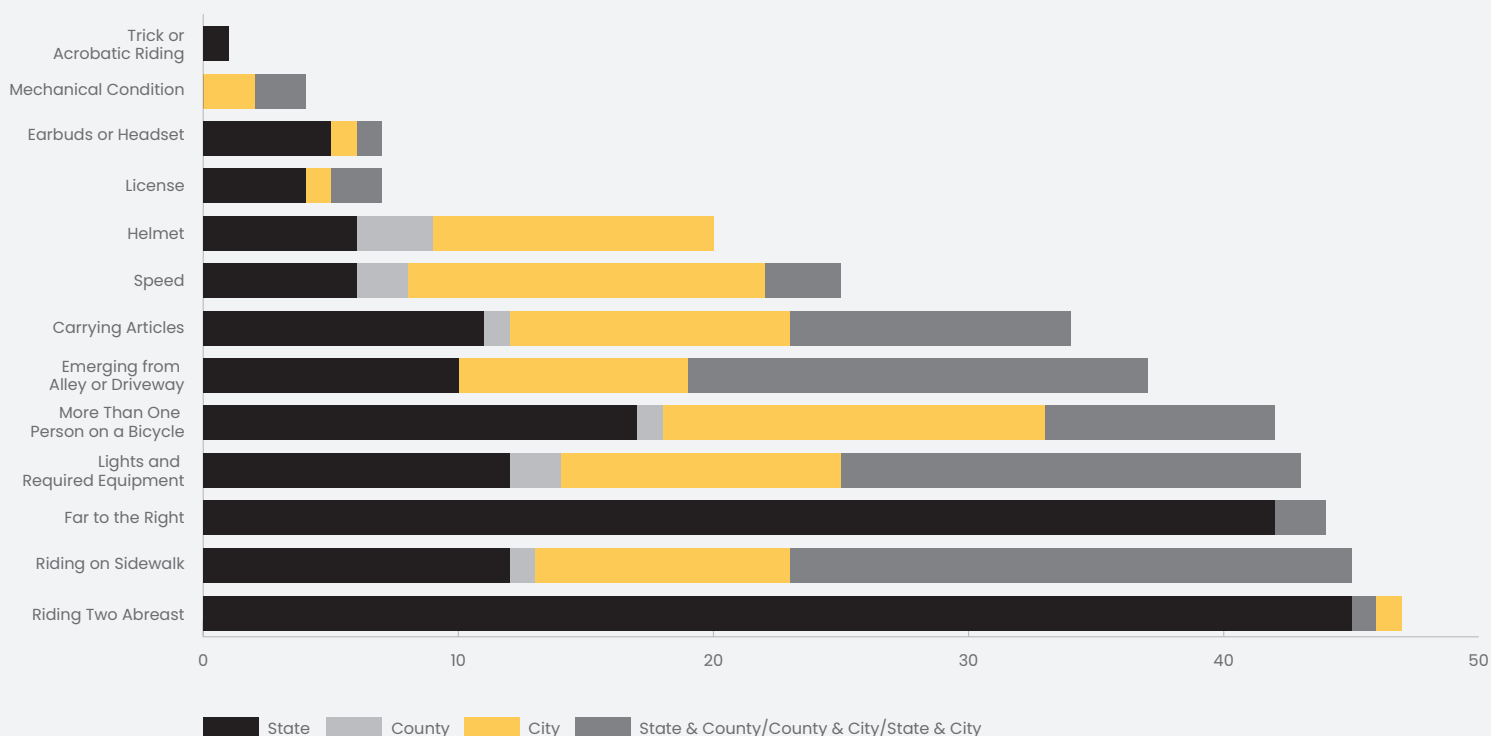
64%

OF STATES HAVE LAWS PERTAINING TO RIDING ON THE SIDEWALK

56%

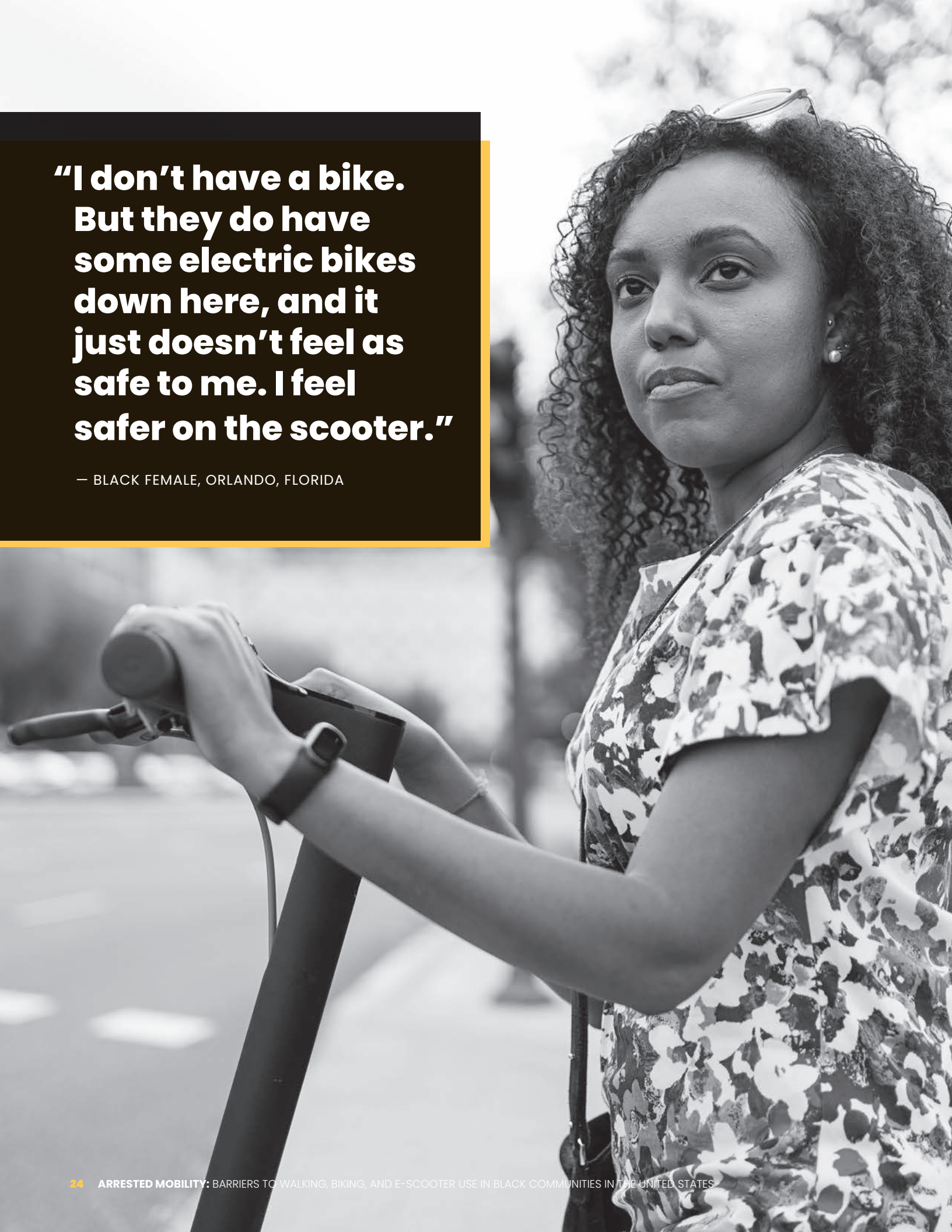
OF STATES HAVE LAWS REQUIRING BICYCLE LIGHTS

FIGURE 2. ARRESTED MOBILITY BICYCLE POLICIES DEFINED AT STATE, COUNTY, AND CITY LEVEL



**"I don't have a bike.
But they do have
some electric bikes
down here, and it
just doesn't feel as
safe to me. I feel
safer on the scooter."**

— BLACK FEMALE, ORLANDO, FLORIDA



5

POLICY SCAN OF E-SCOOTER USE IN BLACK COMMUNITIES

Americans took 62.5 million trips on electric scooters in 2021. But the laws that govern e-scooter use are often confusing and difficult to enforce fairly.³⁸

Following the setback of the COVID-19 pandemic in 2020, the nation saw increases in the number of micromobility users in 2021.³⁹ The increase in these trips has corresponded with growth in city infrastructure investments, brand awareness, and public interest in increasing equitable and inclusive access to micromobility for all, including racial and ethnic minorities, low-income populations, seniors, and persons with disabilities. This trend has also led to growing calls to enact and enforce laws that prevent parking and riding e-scooters on the sidewalks to ensure the safety and mobility of other road and sidewalk users. As residents continue to advocate for increased enforcement and regulation of these new devices, however, policy makers should be aware of the risk of recreating the problems and potential for racist and discriminatory enforcement that exist in bike and pedestrian laws.

Our policy scan of e-scooter laws surveyed all 50 states and the two most populous cities in each state, as well as selected counties across the United States. It found considerable ambiguity in these laws, as well as evidence of racist enforcement.

SUMMARY OF RESULTS

The comprehensive review of e-scooter laws resulted in the identification of 12 types of e-scooter law that satisfied one or more of the established criteria in Table 1 (page 12). Not every state has e-scooter laws, and e-scooter regulation is generally determined at the

city level. This can engender confusion in the interpretation and definition of e-scooters. Depending on the state or city, an e-scooter can be categorized as a motorized scooter, motor-driven cycle, scooter, or motorized bicycle. States such as Alabama and Alaska classify e-scooters as vehicles, which, in effect, means the same rules that apply to passenger cars may also apply to e-scooters.

Many of the laws regulating e-scooter equipment and behavior are similar to those regulating cycling, with similar pitfalls and potential for inequitable enforcement. These include helmet and lamp laws, prohibitions on riding more than two abreast, and restrictions on carrying items while operating the vehicle. In addition, like bicycles, e-scooters are subject to laws mandating riding on the right and barring sidewalk riding. Some cases involving e-scooters show inequitable enforcement.

“I don’t feel safe to move around freely.”

— BLACK QUEER AFROFUTURIST,
PETERSBURG, VIRGINIA



In 2020, Khalil White and his partner, Jasmine Williams, were detained and spent the night in jail for riding on the sidewalk and resisting arrest in Beverly Hills, California. They saw no signs stating they could not ride on the sidewalk. In response, they filed a lawsuit alleging racial profiling.⁴⁰



In addition, e-scooters are often subject to laws that are less common for bicycles:

1. License or registration requirement.

New Mexico, which regulates e-scooters as mopeds, defines this law as follows: "A moped is a two-wheeled or three-wheeled vehicle with an automatic transmission and a motor having a piston displacement of less than 50 cubic centimeters, that is capable of propelling the vehicle at a maximum speed of not more than 30 miles an hour on level ground, at sea level. A moped driver must be licensed. The driver of a moped on a highway in New Mexico is required to hold a valid driver's license or permit." This law meets the following criteria:

- Almost impossible to enforce equitably
- Absence of evidence or inconclusive evidence that policies improve safety outcomes

Further investigation is needed to understand how these laws are enforced, including against Black Americans.

2. Speed limit. Virginia Beach, Virginia, defines this law as follows: "It shall be unlawful for any person to operate a motorized scooter upon any street with a speed limit in excess of twenty-five (25) miles per hour." This law meets the following criterion:

- Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/or evidence they in fact worsen safety outcomes

Further investigation is needed to understand how these laws are enforced, including against Black Americans.

3. Parking. This law is defined according to the city of Baton Rouge, Louisiana: "No person shall park an electric low-speed scooter upon a street or upon the sidewalk in such a manner to obstruct pedestrian traffic." This law meets several of the aforementioned criteria:

- Research showing discriminatory or inequitable enforcement
- Almost impossible to enforce equitably
- Evidence showing that policy does not improve safety and may worsen safety outcomes

Police in Miami Beach, Florida, conducted a traffic stop ostensibly because of an illegally parked scooter. Dalonta Crudup was accused of fleeing and assaulting an officer, but claimed he had parked legally and that he had ridden away out of fear. Police chased Crudup into the hotel where he was staying and beat him, leaving him with a black eye, bruised ribs, and a bloody chin. Furthermore, Khalid Vaughan, a bystander who began recording the incident, was charged and violently assaulted by the cops after they beat Crudup. All four officers have been relieved of duty.⁴¹



Of the 12 laws in the e-scooter matrix (Appendix Table 5), the laws listed most frequently at the state level include the following:

- Speed limit (20 states)
- Sidewalk riding (18 states)
- Helmet requirement (17 states)

At the city level, the laws listed most frequently include the following:

- Sidewalk riding (43 cities)
- Carrying riders other than the operator (30 cities)
- Speed limit (25 cities)

56%

OF STATES HAVE LAWS PERTAINING TO SPEED LIMITS

86%

OF CITIES HAVE LAWS PERTAINING TO RIDING ON THE SIDEWALK



6

RECOMMENDATIONS

In the past two years, advocates have made notable strides to decriminalize mobility and repeal bicycle and pedestrian policies that have a disproportionate impact on the mobility of low-income and minority populations throughout the United States.

In January 2021, the Commonwealth of Virginia decriminalized jaywalking by making it a secondary offense, meaning that it cannot by itself lead to a police stop.⁴² In May 2021, Kansas City, Missouri, went further by eliminating jaywalking entirely from its municipal code as part of Mayor Quinton Lucas's broader campaign against racially biased pretextual police stops.⁴³ As of this publication, other jurisdictions, such as Denver, Colorado, have also

decriminalized jaywalking. In 2022, the Board of Health of King County, Washington—which includes Seattle—voted to repeal a helmet law after advocates presented data showing disparities in enforcement for people of color and unhoused people, as well as research showing it did not improve traffic safety.⁴⁴

These examples and others point to a growing and urgent movement to free Black Americans from discriminatory

enforcement while biking, walking, or using an e-scooter. But much work remains to be done to understand the scope and manifestations of the problems, to enact changes, and to dismantle the systems that produce arrested mobility for Black Americans. The following recommendations aim to lay a foundation upon which existing and future advocates, practitioners, researchers, and government officials can build.



KEY ACTIONS TO ADDRESSING THE ARRESTED MOBILITY OF BLACK INDIVIDUALS:


1. Repeal laws, decriminalize violations, and promote alternative enforcement for policies that have minimal impact on safety and are enforced in a racially discriminatory manner.

Moving away from criminal enforcement for violations of pedestrian, bicycle, and e-scooter policies eliminates opportunities for racial discrimination in policing and reduces the potential for minor, non-safety violations to have a serious impact on Black Americans' lives.

In 2022, Philadelphia passed the Driving Equality Law, which banned police stops for minor traffic violations, such as a broken brake light or expired registration, after data showed these stops overwhelmingly targeted Black drivers.⁴⁵ Similar efforts for walking, cycling, and using e-scooters can likewise reduce opportunities for racially biased policing, particularly for policies with minimal safety impact.

Additionally, investment in street design and infrastructure can promote safety upstream, protecting pedestrians, cyclists, and e-scooter riders while encouraging behavior aligned with local, county, and state laws.






2. Embrace pedestrian, bike, and e-scooter infrastructure as a tool to reduce unwanted encounters with police, promote safety, and encourage mobility.

More than half of the country's most dangerous roads for pedestrians are in predominantly Black or Latino neighborhoods.⁴⁶ All of the top nine most dangerous urban arterials—roadways built for high traffic volumes and high speed—are in Black or Latino neighborhoods.⁴⁷ These conditions can push pedestrians, cyclists, and e-scooters to break the law simply because there are no better alternatives: riding on the sidewalk to avoid a busy street, for example, or walking on the side of a road without a sidewalk. Investing in infrastructure not only reduces the likelihood of such actions being punished by police; it also improves safety and opens the door to mobility.



3. Reduce and/or eliminate court fines and fees associated with pedestrian, bicycle, and e-scooter policies.

Many municipalities' budgets rely heavily on fines and fees from mobility-related violations, and places with larger African American populations are more likely to have a greater reliance on these revenue sources. These municipalities thus have a financial incentive to issue tickets for minor violations. These fines and fees related to pedestrian, cycling, or e-scooter activity can create severe financial hardship and arrest residents' mobility, exacerbating the negative impacts of racial bias in policing.



4. **Place limits on pretextual stops, in which police use minor violations as a justification to investigate unrelated crimes without a warrant.**

A pretextual stop within the context of arrested mobility occurs when an officer identifies a violation of a traffic code merely as a pretext to “investigate a hunch that, by itself, would not amount to reasonable suspicion or probable cause,” as one recent publication put it, thus avoiding the need for a warrant.⁴⁸ Research suggests these stops promote racial profiling.

For example, in addition to Philadelphia’s Driving Equality Law, as of March 2022, Los Angeles police are no longer be able to use minor infractions as a pretext to investigate drivers, bikers, or pedestrians for more serious offenses unless they first have sufficient evidence to support the incursion.⁴⁹



5. Engage with the bicycling industry in a conversation about the feasibility of manufacturing and selling bikes with front and rear lamps included.

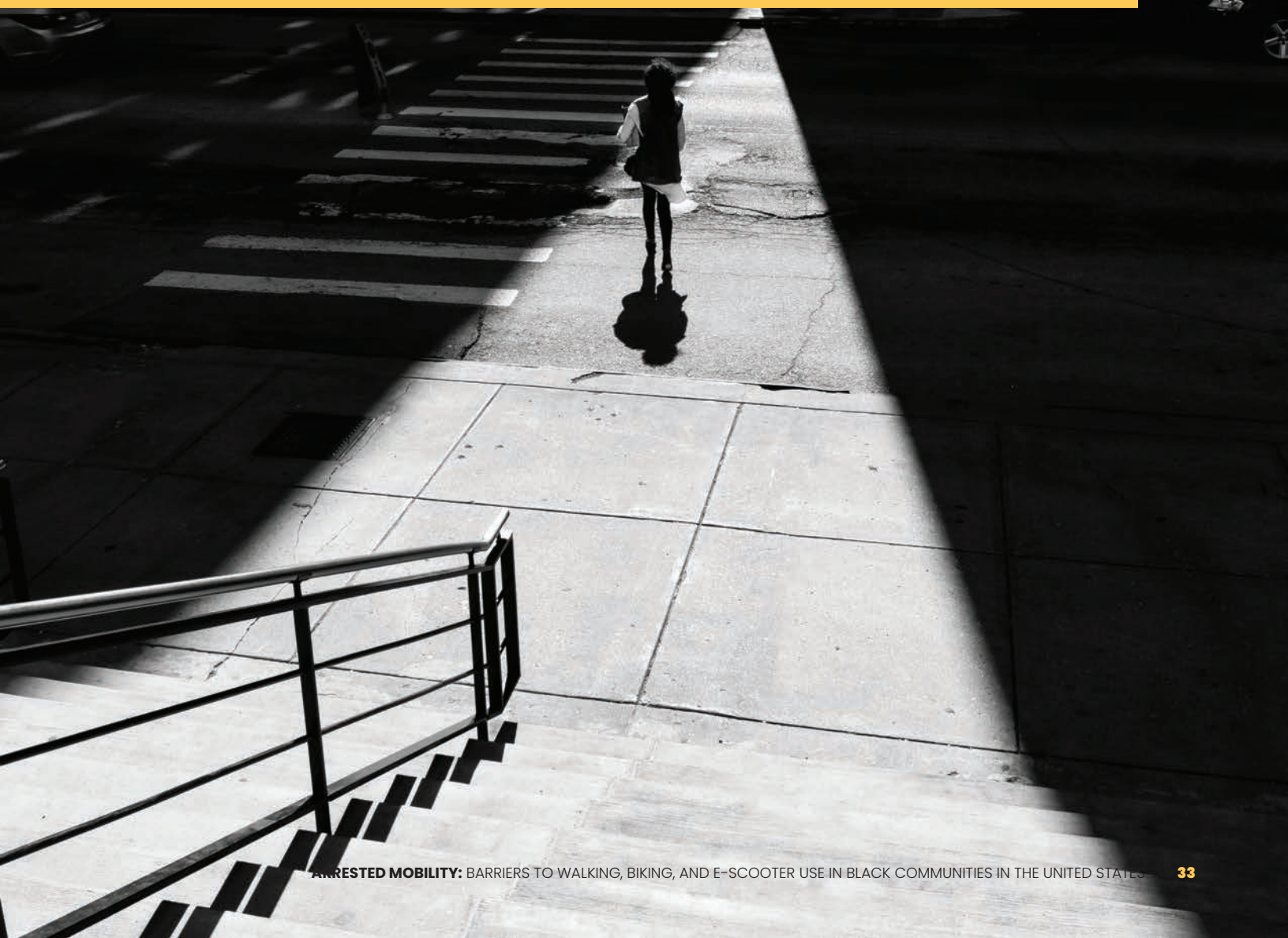
In many cases, consumers who buy a brand-new bicycle are buying a machine that, as sold, is illegal to operate at night in many jurisdictions. A sustainable and affordable solution for this problem could mitigate a potential cause of police stops while promoting user safety.

6.

Better understand the scope of arrested mobility.

- A. Generate additional research to create comprehensive inventories of enforcement of pedestrian, cycling, and e-scooter policies at the local, county, state, and federal level.
- B. Expand research on arrested mobility in other modes of transportation, such as public transit, air travel, and travel by automobile, as well as planning policies and polity.
- C. Mandate greater transparency and access to data on enforcement of laws related to walking, biking, and using e-scooters.

Accessing data on policing can be difficult or impossible, with some jurisdictions failing to release data to the public or collect the demographic information of the targets of police stops in the first place.⁵⁰ But a full understanding of the scope of arrested mobility—and the pathway to make better policy—depends on access to this data. Publicly accessible dashboards showing enforcement data, such as the one developed by BikeWalkKC in Kansas City, Missouri,⁵¹ can engage, inform, and empower community members and leaders in effecting change.



CONCLUSION

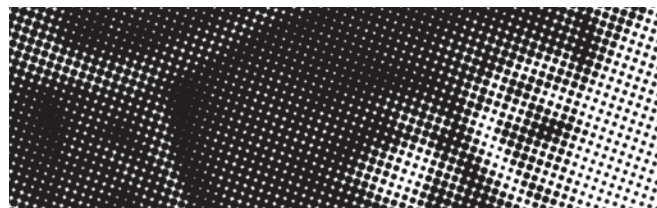
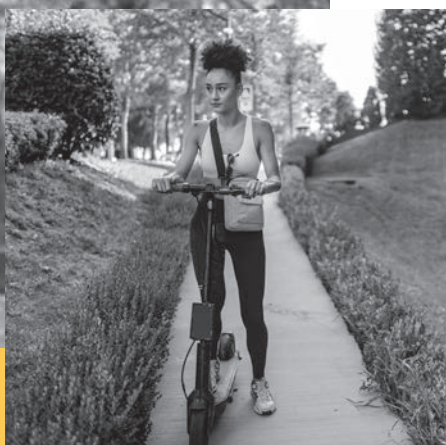
This study shows the urgent need for additional research into how these policies are enforced in specific state, county, and local contexts, as well as their potential to be enforced inequitably.

Moreover, it shows the need for additional investigation into policies in thousands of additional municipal and county jurisdictions, and at the federal level.

Arrested mobility is not mode specific, and it encompasses more than formal policing. Although research and advocacy are growing around racial discrimination in transportation, particularly with automobiles, much work remains to be done.

Furthermore, the policies investigated here serve as the legal mechanism of arrested mobility, but they are compounded by two critical factors: city planning policies and polity, which work in different ways to restrict Black Americans' ability to move through public space.

Together, these actions can shed light on how enforcement takes place and which laws invite racially biased enforcement—as well as begin to dismantle policies and practices known to target Black and Brown people's mobility.



APPENDIX

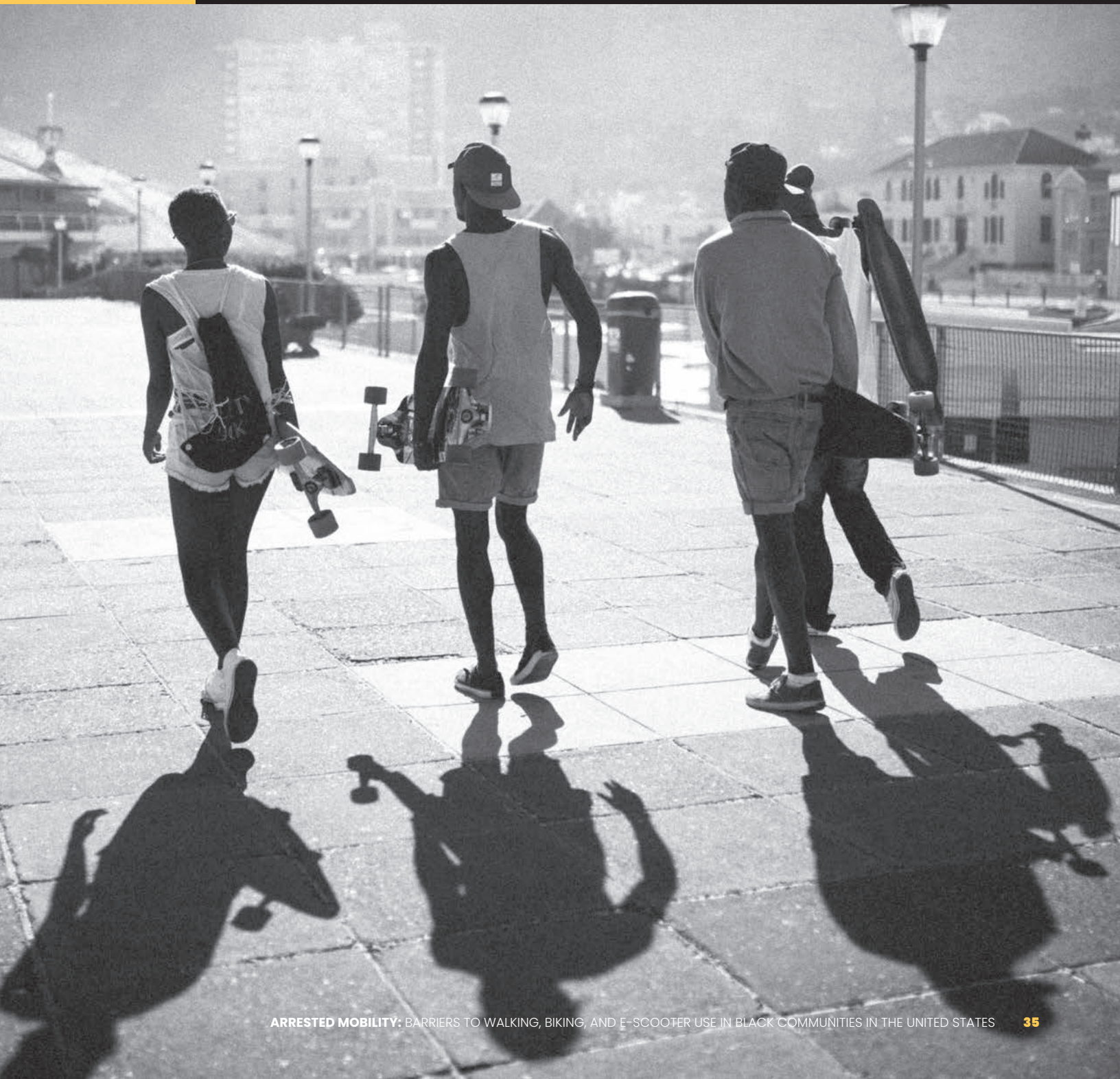


TABLE 2: MATRIX HEADERS

1	Criteria met: List of criteria from Table 1 that apply to the policy	2	State count: Number of states that include the policy	3	State name: Names of states that include the policy	4	County count (where relevant): Number of counties
5	County name (where relevant): Names of counties that include the policy	6	City or most/second-most populous city count: Number of cities or most populous/second-most populous cities that include the policy	7	Most/second-most populous city name: Names of most populous/second-most populous cities that include the policy	8	Special note: Brief description of the policy

TABLE 3: PEDESTRIAN MATRIX

ARRESTED MOBILITY PEDESTRIAN POLICIES IDENTIFIED AT THE STATE, COUNTY, AND CITY LEVEL. IN OUR ANALYSIS OF PEDESTRIAN LAWS, WE FOUND 10 ARRESTED MOBILITY POLICIES THAT MET ONE OR MORE OF THE CRITERIA.

Pedestrian Policies	Criteria	State Count	State Name	County Count	County Name	Most/Second-Most Populous City Count	Most/Second-Most Populous City Name	Note
Crossing at other than crosswalk or crossing outside of crosswalk; also known as crossing a roadway	1, 2, 4, 5	50	AL, AK, AZ, AR, CA, CO, CT, DE, DC, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, WA, WV, WI, WY	6	Clark (NV), Cook (IL), Jefferson (KY), Laramie (WY), Lexington (KY), Marion (IN)	12	Anchorage (AK), Boise (ID), Charleston (SC), Charleston (WV), Chicago (IL), Denver (CO), Des Moines (IA), Manchester (NH), Philadelphia (PA), Phoenix (AZ), Portland (ME), Wichita (KS)	Virginia has decriminalized jaywalking: “No law-enforcement officer shall stop a pedestrian for a violation of this section. No evidence discovered or obtained as the result of a stop in violation of this subsection, including evidence discovered or obtained with the person’s consent, shall be admissible in any trial, hearing, or other proceeding.”
Using right half of crosswalks	3, 4, 5	27	AR, DC, FL, ID, IL, IN, IA, KS, KY, LA, MA, MN, MS, MT, NE, NV, NH, NM, NY, NC, ND, RI, SC, TN, UT, WV, WY	5	Clark (NV), Cook (IL), Jefferson (KY), Lexington (KY), Marion (IN)	18	Baton Rouge (LA), Birmingham (AL), Bismarck (ND), Boston (MA), Cleveland (OH), Charleston (SC), Dover (DE), Fayetteville (AR), Gulfport (MS), Huntington (WV), Las Cruces (NM), Lewiston (ME), Missoula (MT), Nashville (TN), Overland Park (KS), Rapid City (SD), Sioux Falls (SD), St. Louis (MO)	Pedestrian must walk on the right half of crosswalk at all times.
Right-angle crossing	1, 3, 4, 5	4	AK, FL, ID, VA	0		14	Albuquerque (NM), Birmingham (AL), Burlington (VT), Colorado Springs (CO), Denver (CO), Gulfport (MS), Henderson (NV), Jackson (MS), Las Vegas (NV), Lewiston (ME), New Orleans (LA), Phoenix (AZ), Portland (ME), Tulsa (OK)	No pedestrian shall cross a roadway at any point other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk.

CRITERIA USED TO IDENTIFY POLICIES

1	Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States	2	Ongoing advocacy efforts that speak to discriminatory enforcement of policies	3	Highly subjective and confusing laws and policies	4	Almost impossible to enforce equitably	5	Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/or evidence they in fact worsen safety outcomes
---	--	---	---	---	---	---	--	---	---

TABLE 3: PEDESTRIAN MATRIX CONTINUED

Diagonal crossing	1, 4, 5	28	AL, AK, CO, CT, DE, DC, FL, HI, ID, IL, IN, KS, KY, ME, MD, NE, NV, NY, ND, OH, PA, SC, TX, UT, VT, VA, WA, WI	3	Clark (NV), Cook (IL), Marion (IN)	7	Charleston (SC), Columbus (OH), Manchester (NH), Nashville (TN), Omaha (NE), Seattle (WA), Wichita (KS)	May not cross intersection diagonally.
Suddenly leaving curb	1, 2, 4, 5	30	AZ, CO, GA, HI, ID, IL, IN, KS, KY, LA, ME, MA, MN, MT, NE, NV, NM, NY, ND, OK, OR, RI, SD, TN, TX, VT, WA, WV, WI, WY	4	Clark (NV), Cook (IL), Marion (IN), Laramie (WY)	15	Albuquerque (NM), Baltimore (MD), Boston (MA), Charleston (SC), Chicago (IL), Cheyenne (WY), Cleveland (OH), Columbus (OH), Fargo (ND), Jackson (MS), Little Rock (AR), Manchester (NH), Nashville (TN), New York City (NY), Omaha (NE)	Also called darting into traffic.
Playing ball	3, 4, 5	n/a	n/a	0		3	Bridgeport (CT), Detroit (MI), Huntsville (AL)	Defined as cannot play ball in streets or alleys or on sidewalk.
Pedestrians on highways; pedestrians on freeways; walking along highways	4	41	AL, AK, AZ, AR, CA, CT, DC, DE, FL, GA, ID, IL, KS, KY, LA, MD, MA, MO, MT, NE, NV, NJ, NM, NY, NC, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, WA, WV, WI, WY	4	Cook (IL), Davidson (TN), Lexington (KY), Spokane (WA)	53	Albuquerque (NM), Anchorage (AK), Baton Rouge (LA), Billings (MT), Bismarck (ND), Boston (MA), Bridgeport (CT), Buffalo (NY), Charleston (WV), Charlotte (NC), Chesapeake (VA), Cheyenne (WY), Cleveland (OH), Colorado Springs (CO), Columbia (SC), Columbus (OH), Denver (CO), Des Moines (IA), Dover (DE), Fairbanks (AK), Fargo (ND), Fayetteville (AR), Gulfport (MS), Huntington (WV), Indianapolis (IN), Jackson (MS), Kansas City (MO), Lexington (KY), Lincoln (NE), Little Rock (AR), Los Angeles (CA), Louisville (KY), Memphis (TN), Missoula (MT), Nashville (TN), New Haven (CT), New Orleans (LA), New York City (NY), Oklahoma City (OK), Overland Park (KS), Philadelphia (PA), Pittsburgh (PA), Providence (RI), Portland (ME), Rapid City (SD), Salt Lake City (UT), San Diego (CA), Sioux Falls (SD), Spokane (WA), Virginia Beach (VA), West Valley City (UT), Wichita (KS), Worcester (MA)	Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. Where sidewalks are not provided any pedestrian walking along and upon a highway shall when practicable walk only on the left side of the roadway or its shoulder facing traffic that may approach from the opposite direction.
Pedestrians soliciting rides, business, employment or contributions of a charitable nature OR hitchhiking OR pedestrian Assemblies	3, 4, 5	27	AL, AK, AR, DC, DE, FL, GA, HI, ID, IL, IN, KS, MT, ME, MA, MI, NY, NV, NJ, NC, OH, OK, OR, PA, SC, TN, VT, VA	2	Lexington (KY), Spokane (WA)	30	Baton Rouge (LA), Birmingham (AL), Bismarck (ND), Buffalo (NY), Charlotte (NC), Chesapeake (VA), Cleveland (OH), Columbia (SC), Columbus (OH), Cranston (RI), Denver (CO), Des Moines (IA), Dover (DE), Fairbanks (AK), Fargo (ND), Grand Rapids (MI), Gulfport (MS), Henderson (NV), Lexington (KY), Lincoln (NE), Memphis (TN), New Orleans (LA), New York City (NY), Overland Park (KS), Philadelphia (PA), Pittsburgh (PA), Sioux Falls (SD), Spokane (WA), St. Louis (MO), Tulsa (OK), Wichita (KS)	The count includes where these actions are illegal or limited. In some states they are legal depending on the type of road.
Detention; reasonable cause	2, 3, 4, 5	n/a	n/a	n/a	n/a	1	Jacksonville (FL)	Officers can detain individuals whose appearance, demeanor, or manner is not usual to persons in immediate vicinity.

TABLE 4: BICYCLE MATRIX

ARRESTED MOBILITY BICYCLE POLICIES IDENTIFIED AT THE STATE, COUNTY, AND CITY LEVEL. THE BICYCLE MATRIX, IDENTIFIES 15 TYPES OF POLICIES THAT MEET THE REQUIREMENTS FOR ONE OR MORE CRITERIA.

Bicycle Policies	Criteria	State Count	State Name	County Count	County Name	Most/Second-Most City Count	Most/Second-Most Populous City Name	Note
Sidewalk riding	1, 2, 3, 4, 5	32	AL, AK, AR, CA, GA, HI, ID, IL, IN, IA, KS, LA, ME, MD, MA, MI, MS, NV, NH, NJ, NM, NC, ND, OK, OR, SC, TN, TX, UT, VT, VA, WV	7	Clark (NV), Cook (IL), Davidson (TN), Hillsborough (NH), Laramie (WY), Marion (IN), Yellowstone (MT)	35	Anchorage (AK), Aurora (IL), Baltimore (MD), Birmingham (AL), Bismarck (ND), Burlington (VT), Casper (WY), Cedar Rapids (IA), Charleston (SC), Charleston (WV), Charlotte (NC), Chesapeake (VA), Cheyenne (WY), Cleveland (OH), Colorado Springs (CO), Columbus (GA), Denver (CO), Dover (DE), Fayetteville (AR), Fort Wayne (IN), Houston (TX), Jacksonville (FL), Las Cruces (NM), Las Vegas (NV), Lincoln (NE), Madison (WI), Memphis (TN), Missoula (MT), New Orleans (LA), Philadelphia (PA), Nashua (NH), Nashville (TN), Salem (OR), St. Louis (MO), Tucson (AZ)	Policies that fall under sidewalk riding also include states that may allow it but have restrictions such as age, location, etc.
Far to the right	1, 2, 4	45	AL, AZ, AR, CA, CO, CT, DE, DC, FL, GA, HI, ID, IL, KS, KY, LA, ME, MD, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, ND, OH, OK, OR, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY	2	Jefferson (KY), Madison (AL)	2	Denver (CO), Seattle (WA)	Also described as near to the right. Bicycles are required to ride as far to the right or close to the curb as possible.
License	1, 2	4	MS, NJ, SC, UT	2	Jefferson (KY), Hillsborough (NH)	5	Charleston (SC), Manchester (NH), New Orleans (LA), Phoenix (AZ), Salt Lake City (UT)	Policies that state license tag requirements for bicycles or registration. Registration becomes an issue if there is a fee attached.
Helmet	1, 2	14	AL, CT, DC, FL, LA, MD, MA, MT, NH, NY, NC, RI, VT, VA	1		2	Anchorage (AK), Louisville (KY)	Any policies that mention helmet requirements. King County (Seattle, WA) repealed its bike helmet laws.
Lamp/equipment requirement	1, 4	28	AL, AZ, AR, CA, DE, HI, IL, IN, IA, KS, MA, MI, MN, MS, MT, NV, NH, NM, NY, NC, ND, RI, SC, TN, TX, WA, WV, WI	5	Clark (NV), Cook (IL), Hillsborough (NH), Laramie (WY), Marion (IN)	15	Albuquerque (NM), Baltimore (MD), Charleston (SC), Denver (Colorado), Des Moines (IA), Fargo (ND), Honolulu (HI), Indianapolis (IN), Las Vegas (NV), Little Rock (AR), Oklahoma City (OK), Portland (ME), Salt Lake City (UT), Seattle (WA), Wichita (KS)	Can also be referred to as "night riding."

CRITERIA USED TO IDENTIFY POLICIES

1	Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States	2	Ongoing advocacy efforts that speak to discriminatory enforcement of policies	3	Highly subjective and confusing laws and policies	4	Almost impossible to enforce equitably	5	Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/or evidence they in fact worsen safety outcomes
---	--	---	---	---	---	---	--	---	---

TABLE 4: BICYCLE MATRIX CONTINUED

Riding two abreast	2, 5	45	AL, AK, AZ, CO, CT, DE, DC, FL, GA, HI, ID, IL, IN, KS, KY, LA, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, ND, OH, OK, OR, PA, RI, SC, TN, TX, UT, VT, VA, WA, WV, WI, WY	3	Clark (NV), Cook (IL), Marion (IN)	2	Denver (CO), Little Rock (AR)	Assessment includes with and without impeding traffic, or single-file riding requirements.
Carrying articles	3, 4	20	AL, AR, DE, GA, HI, ID, IL, KS, MN, MT, NV, NM, RI, SC, TN, VT, VA, WA, WV, WY	2	Cook (IL), Laramie (WY)	26	Anchorage (AK), Baton Rouge (LA), Birmingham (AL), Bismarck (ND), Bridgeport (CT), Cedar Rapids (IA), Charleston (SC), Denver (CO), Fargo (ND), Fayetteville (AR), Gulfport (MS), Honolulu (HI), Huntington (WV), Jersey City (NJ), Lewiston (ME), Little Rock (AR), Memphis (TN), Missoula (MT), Las Cruces (NM), New Haven (CT), New Orleans (LA), Overland Park (KS), Portland (ME), Rapid City (SD), St. Louis (MO), Tulsa (OK)	No person operating a bicycle shall carry any package, bundle or article which prevents the use of both hands in the control and operation of the bicycle.
Mechanical condition	2, 3, 4	2	AL, MS	n/a	n/a	4	Burlington (VT), Huntsville (AL), Jackson (MS), Manchester (NH)	Condition of the bicycle
Headset/earplugs	3	4	CA, DE, MD, RI	n/a	n/a	n/a	n/a	No person shall operate a bicycle wearing headphones; some policies do not specify if it is still a violation if it is not in ear.
Trick riding or acrobatic riding	3, 4	1	AL	n/a	n/a	3	Atlanta (GA), Charleston (WV), Sioux Falls (SD)	No rider of a bicycle or e-bicycle shall remove both hands from the handle or feet from the pedals or practice any acrobatic or fancy riding on any street.
Speed	4	5	AR, MN, OR, VA, WA	5	East Honolulu (HI), Columbia (MD), Laramie (WY), Lexington (KY), Spokane (WA)	8	Columbus (OH), Fargo (ND), Indianapolis (IN), Oklahoma City (OK), Omaha (NE), Phoenix (AZ), Portland (ME), Providence (RI)	No person shall operate a bicycle at a speed greater than is reasonable.

TABLE 4: BICYCLE MATRIX CONTINUED

Emerging from alley or driveway	4	28	AL, AK, AZ, CO, CT, FL, GA, HI, ID, LA, ME, MS, MO, NE, NH, NC, OH, OK, OR, PA, RI, SC, TN, UT, VA, WA, WI, WY	1	Lexington (KY)	36	Anchorage (AK), Atlanta (GA), Aurora (IL), Birmingham (AL), Cedar Rapids (IA), Charleston (WV), Chicago (IL), Cheyenne (WY), Columbus (GA), Columbus (OH), Fayetteville (AR), Fort Wayne (IN), Gulfport (MS), Houston (TX), Huntington (WV) Huntsville (AL), Indianapolis (IN), Jackson (MS), Jacksonville (FL), Kansas City (MO), Lincoln (NE), Little Rock (AR), Louisville (KY), Manchester (NH), Milwaukee (WI), New Orleans (LA), Omaha (NE), Philadelphia (PA), Phoenix (AZ), Rapid City (SD), Salt Lake City (UT), Seattle (WA), Sioux Falls (SD), Tulsa (OK), Virginia Beach (VA), Wilmington (DE)	The operator of a bicycle or a shared micro-mobility device emerging from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area.
Riding on bicycle (carrying more person other than the operator)	5	24	AL, AK, FL, ID, IN, KY, ME, MD, MA, MI, MN, NE, NH, NM, OH, RI, SC, TN, TX, VA, WA, WV, WI, WY	2	East Honolulu (HI), Spokane (WA)	36	Albuquerque (NM), Bismarck (ND), Bridgeport (CT), Casper (WY), Cedar Rapids (IA), Charleston (WV), Cheyenne (WY), Cleveland (OH), Colorado Springs (CO), Columbus (OH), Denver (CO), Des Moines (IA), Fargo (ND), Fayetteville (AR), Gulfport (MS), Huntington (WV), Huntsville (AL), Indianapolis (IN), Jackson (MS), Kansas City (MO), Las Cruces (NM), Lewiston (ME), Little Rock (AR), Los Angeles (CA), Memphis (TN), Missoula (MT), Nashville (TN), New Orleans (LA), Oklahoma City (OK), Overland Park (KS), Phoenix (AZ), Portland (ME), Sioux Falls (SD), St. Louis (MO), Tulsa (OK), Wichita (KS)	No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
Reasonable cause - inspections	1, 2, 4, 5	n/a	n/a	n/a	n/a	1	Salt Lake City (UT)	Officer can request to inspect bicycle.
Bicycle considered or treated as a vehicle	3, 4, 5	32	AL, AK, CO, CT, DC, FL, GA, HI, ID, LA, ME, MA, MI, MS, MO, NE, NH, NC, ND, OH, OK, OR, PA, RI, SD, TN, TX, UT, VA, WA, WI, WY	not measured	not measured	not measured	not measured	Vehicle rules apply to bicycle when applicable.

TABLE 5: E-SCOOTER MATRIX

ARRESTED MOBILITY E-SCOOTER POLICIES IDENTIFIED AT THE STATE, COUNTY, AND MOST/SECOND-MOST POPULOUS CITY LEVEL. THE E-SCOOTER MATRIX IDENTIFIES 12 POLICIES THAT MEET THE REQUIREMENTS FOR ONE OR MORE CRITERIA.

E-scooter Policies	Criteria	State Count	State Name	City Count	Most/Second-Most Populous City Name	Note
License or registration requirement	4, 5	16	AK, CA, DC, GA, IL, KS, ME, MA, MO, MT, NM, NC, PA, RI, SC, SD	15	Anchorage (AK), Atlanta (GA), Boise (ID), Boston (MA), Charleston (SC), Indianapolis (IN), Los Angeles (CA), Manchester (NH), Meridian (ID), Miami (FL), Nashville (TN), Omaha (NE), Phoenix (AZ), San Diego (CA), Washington (DC)	This can be proof of registration of the scooter or license (can include a learner's permit) requirement to ride the scooter.
Minimum riding age	5	15	AR, DC, FL, HI, MI, MO, MT, NV, NC, OH, OK, RI, SC, UT, VA	21	Cedar Rapids (IA), Charleston (WV), Chicago (IL), Columbus (OH), Detroit (MI), Fayetteville (AR), Fort Wayne (IN), Houston (TX), Indianapolis (IN), Little Rock (AR), Manchester (NH), Meridian (ID), Miami (FL), Nashville (TN), New York City (NY), Omaha (NE), Phoenix (AZ), Raleigh (NC), San Antonio (TX), Spokane (WA), Tucson (AZ)	Age limit to determine who can ride.
Helmet requirement	5	17	CA, CO, DE, DC, KY, LA, MD, MA, MI, MN, MT, ND, OH, OK, OR, SC, SD	15	Bridgeport (CT), Charlotte (NC), Columbia (SC), Columbus (OH), Huntington (WV), Little Rock (AR), Los Angeles (CA), Louisville (KY), Portland (ME), Portland (OR), San Diego (CA), South Burlington (VT), Spokane (WA), Virginia Beach (VA), Washington (DC)	Can be a requirement for all ages or under a defined age depending on state or city.
Speed limit	5	20	AZ, AR, CA, CT, DE, KY, LA, ME, MA, MI, NV, NJ, NY, OH, OR, PA, RI, TX, UT, VA	25	Atlanta (GA), Baton Rouge (LA), Birmingham (AL), Boston (MA), Buffalo (NY), Charleston (SC), Charleston (WV), Cleveland (OH), Columbus (OH), Denver (CO), Little Rock (AR), Los Angeles (CA), Manchester (NH), New York City (NY), Omaha (NE), Overland Park (KS), Pittsburgh (PA), Providence (RI), San Antonio (TX), South Burlington (VT), Spokane (WA), Tulsa (OK), Virginia Beach (VA), Wichita (KS), Wilmington (DE)	The max speed limit the rider can go. It can be tricky with speed limit rules changing based on location or vague descriptions of the speed limit as "reasonably prudent."
Riding on sidewalks	1, 4, 5	18	CA, CT, DE, DC, KS, MD, MT, NE, NY, ND, OK, OR, PA, SD, TN, TX, VT, VA	43	Atlanta (GA), Baltimore (MD), Birmingham (AL), Buffalo (NY), Burlington (VT), Casper (WY), Cedar Rapids (IA), Charlotte (NC), Cheyenne (WY), Chicago (IL), Cleveland (OH), Columbus (OH), Denver (CO), Dover (DE), Fayetteville (AR), Houston (TX), Huntington (WV), Indianapolis (IN), Jersey City (NJ), Kansas City (MO), Lincoln (NE), Little Rock (AR), Los Angeles (CA), Louisville (KY), Milwaukee (WI), Nashville (TN), New Haven (CT), New York City (NY), Oklahoma City (OK), Omaha (NE), Phoenix (AZ), Portland (ME), Portland (OR), Raleigh (NC), Salt Lake City (UT), San Antonio (TX), Seattle (WA), Sioux Falls (SD), South Burlington (VT), St. Paul (MN), Virginia Beach (VA), West Valley City (UT), Wichita (KS)	Sidewalk riding prohibited either on any sidewalk or in certain areas such as business districts.
Riding to the right	3, 4, 5	14	CA, CT, IN, LA, ME, MA, MI, MN, MO, MT, NV, NY, OK, PA	9	Baton Rouge (LA), Columbus (OH), Denver (CO), Grand Rapids (MI), Louisville (KY), San Antonio (TX), San Diego (CA), St. Louis (MO), South Burlington (VT)	Riding as close to the right or to the curb as possible.
Clinging/attaching to vehicles	4, 5	8	AK, CA, CT, LA, ME, MN, OK, SD	16	Anchorage (AK), Baton Rouge (LA), Boise (ID), Charlotte (NC), Chicago (IL), Columbus (OH), Des Moines (IA), New York City (NY), San Antonio (TX), San Diego (CA), South Burlington (VT), Spokane (WA), St. Louis (MO), Tulsa (OK), Virginia Beach (VA), Wilmington (DE)	Attaching oneself to a moving vehicle.

CRITERIA USED TO IDENTIFY POLICIES

1	Research shows discriminatory or inequitable enforcement either in that state/city or elsewhere in the United States	2	Ongoing advocacy efforts that speak to discriminatory enforcement of policies	3	Highly subjective and confusing laws and policies	4	Almost impossible to enforce equitably	5	Absence of evidence or inconclusive evidence that policies improve safety outcomes, and/or evidence they in fact worsen safety outcomes
---	--	---	---	---	---	---	--	---	---

TABLE 5: E-SCOOTER MATRIX CONTINUED

Carrying articles	4, 5	10	CA, HI, KS, LA, MO, NJ, OK, SD, TN, VT	15	Baton Rouge (LA), Birmingham (AL), Denver (CO), Columbus (OH), Fayetteville (AR), Huntington (WV), Jersey City (NJ), Los Angeles (CA), Overland Park (KS), Raleigh (NC), San Diego (CA), San Antonio (TX), South Burlington (VT), St. Louis (MO), Tulsa (OK)	Carrying any items or packages while riding that removes hand from handlebars.
Parking	1, 4, 5	16	CA, CT, DE, FL, IN, KY, LA, MD, MN, NJ, NY, OH, TN, UT, WA, WI	45	Atlanta (GA), Baton Rouge (LA), Birmingham (AL), Bismarck (ND), Boise (ID), Cedar Rapids (IA), Charleston (SC), Charleston (WV), Chesapeake (VA), Cheyenne (WY), Chicago (IL), Cleveland (OH), Columbus (OH), Delaware (DE), Denver (CO), Fayetteville (AR), Fort Wayne (IN), Houston (TX), Indianapolis (IN), Jersey City (NJ), Kansas City (MO), Lincoln (NE), Los Angeles (CA), Louisville (KY), Manchester (NH), Memphis (TN), Miami (FL), Nashua (NH), Oklahoma City (OK), Omaha (NE), Overland Park (KS), Phoenix (AZ), Pittsburgh (PA), Portland (ME), San Antonio (TX), San Diego (CA), Seattle (WA), South Burlington (VT), Spokane (WA), St. Paul (MN), St. Louis (MO), Tucson (AZ), Tulsa (OK), West Valley City (UT), Wichita (KS)	Can be as specific as a certain distance from the curb or the way e-scooter is parked, leading to fines if violated.
Carrying more than one person	4, 5	13	DC, HI, ME, NH, NJ, OK, OR, PA, SD, TN, TX, VT, WA	30	Atlanta (GA), Baton Rouge (LA), Birmingham (AL), Boise (ID), Casper (WY), Charleston (SC), Charleston (WV), Charlotte (NC), Chicago (IL), Colorado Springs (CO), Columbus (OH), Denver (CO), Detroit (MI), Fayetteville (AR), Huntington (WV), Lexington (KY), Little Rock (AR), Los Angeles (CA), Louisville (KY), Nashville (TN), New Haven (CT), New York City (NY), Omaha (NE), Overland Park (KS), Portland (ME), Portland (OR), San Diego (CA), South Burlington (VT), Spokane (WA), Tucson (AZ)	This includes carrying someone or having someone ride with you.
Lamps	4	11	AK, DE, HI, IN, KY, MO, OH, PA, TN, TX, WY	16	Anchorage (AK), Atlanta (GA), Baton Rouge (LA), Casper (WY), Charleston (SC), Charleston (WV), Chicago (IL), Denver (CO), Grand Rapids (MI), Providence (RI), San Antonio (TX), San Diego (CA), South Burlington (VT), Spokane (WA), St. Louis (MO), Wilmington (DE)	Lights being visible from 50–500 feet.
Two abreast	4, 5	8	DC, MI, MN, NY, OK, SD, TN, VT	12	Boise (ID), Buffalo (NY), Casper (WY), Columbus (OH), Denver (CO), Grand Rapids (MI), Lexington (KY), Memphis (TN), Providence (RI), San Antonio (TX), South Burlington (VT), Tulsa (OK)	Riding no more than two abreast.

INTERVIEWS WITH BLACK RESIDENTS THROUGHOUT THE UNITED STATES

To further humanize the research and provide additional context for the ways in which Black mobility is criminalized and arrested, we conducted a total of eight interviews with a diverse and eclectic mix of Black people from regions across the United States. We recruited interviewees through our personal networks and focused intentionally on a diversity of age, religion, sexual orientation, gender, single-parent households, recent immigrants and nonimmigrants, skin complexions, incomes, and political affiliations.

OUR INTERVIEW QUESTIONS EXPLORED THE FOLLOWING TOPICS:

- **The experience of biking and walking around their community for the first time**
- **Walking and jogging as a potential part of their identity and connection to the community**
- **Transport as a caregiver**
- **Freedom to move around their neighborhood and the world**
- **Experience with microtransit and mobility in present times**
- **Elements of the built, natural, and social environment that make transportation more difficult**
- **Transportation in an “ideal” world**
- **The role of race in how they are viewed and treated by neighbors, people outside their community, law enforcement, and other road users**

Each interview was conducted virtually via Zoom and lasted no longer than 30 minutes. All participants were provided a \$100 honorarium for their participation, and all signed waivers prior to participating in the interviews. Selected quotes from these interviews appear throughout the report to emphasize points or highlight examples.

ACKNOWLEDGMENTS

The authors of this report would like to express our sincere appreciation and gratitude to everyone who have contributed to the completion of this report. Our special thanks to Leanne Kaplan, Jyot Chadha, Madlyn McAuliffe, Priyanshu Sharma, and Dominic Tanoh. Your invaluable support and cooperation from the beginning to the end made this report possible.

We would like to acknowledge the efforts of all those who reviewed earlier drafts of the report and provided valuable insights that have enriched this report, including Dorian Romero, Jasmine Jones-Bynes, Ken McLeod, Kristopher Fortin, Kyle Wagenschutz, Sara Studdard, Selika Talbott, Harriet Tregoning, and Sebastian Castellanos.

We would also like to thank those that who met with us throughout the project timeframe and provided guidance in the early stages on in the project, including Ashley Scott, Ethan Campbell, Jesus Barajas, Michael Kelley, Robin Chase, and many others.

Finally, we would like to express our deep gratitude to NUMO, the New Urban Mobility alliance, for giving us the opportunity to work on this project.

ENDNOTES

1. On jobs, see, for example, Christian E. Weller, "African Americans Face Systematic Obstacles to Getting Good Jobs," Center for American Progress, December 5, 2019. On access to grocery stores, see Nathaniel Meyersohn, "How the rise of supermarkets left out black America," CNN Business, June 16, 2020. On health care, see "Health Insurance Coverage and Access to Care Among Black Americans: Recent Trends and Key Challenges," Office of the Assistant Secretary for Planning and Evaluation, US Department of Health and Human Services, February 2022. On social mobility, see Raj Chetty et al., "Race and Economic Opportunity in the United States: an Intergenerational Perspective," *The Quarterly Journal of Economics* 135, no. 2 (December 2019): 711–83. On education, see "Racial Disparities in Education and the Role of Government," *WatchBlog*, US Government Accountability Office, June 29, 2020.
2. On racial disparities in traffic fatalities, see Matthew Raifman and Ernani Choma, "Disparities in Activity and Traffic Fatalities by Race/Ethnicity," *American Journal of Preventative Medicine* 63, no. 2 (August 2022): 160–67.
3. This study builds on Charles T. Brown's essay, "Arrested Mobility: The Unintentional Consequences of Overpolicing Black Mobility in the United States," in *Reclaiming the Right to the City*, ed. Ian Klaus and Samuel Kling (Chicago Council on Global Affairs, 2021).
4. See, for example, David A. Harris, *Driving While Black: Racial Profiling on Our Nation's Highways*, ACLU, June 1999; Emma Pierson et al., "A Large Scale Analysis of Racial Disparities in Police Stops Across the United States," *Nature Human Behaviour* 4 (July 2020): 736–45; and *Driving While Black: Race, Space and Mobility in America*, PBS, October 2020.
5. Hugh M. Clark, *Who Rides Public Transportation*, CJI Research Corporation, January 2017.
6. "Breaking the Cycle: Reevaluating the Laws that Prevent Safe & Inclusive Biking," NACTO, Urban Bikeway Design Guide working paper, June 2022.
7. Ibid.
8. "Disparities in Activity and Traffic Fatalities," August 2022.
9. John Greenfield, "Cops Slammed for Ticketing Black Cyclists: 'It's about the Police Harassing People,'" *Reader*, July 17, 2018.
10. Sarah Freishtat, "Chicago Police Issued Some Bike Tickets at Higher Rates in Black and Latino Neighborhoods: Study," *Chicago Tribune*, October 12, 2021; A recent *Los Angeles Times* investigation in Los Angeles showed Latinos far more likely to be issued tickets related to bicycling; see Alene Tchekmedyan, Ben Poston, and Julia Barajas, "L.A. Sheriff's Deputies Use Minor Stops to Search Bicyclists, with Latinos Hit Hardest," *Los Angeles Times*, November 4, 2021.

11. *Investigation of the Ferguson Police Department*, United States Department of Justice Civil Rights Division, March 4, 2015.
12. Ibid.
13. Michael W. Sances and Hye Young You, "Who Pays for Government? Descriptive Representation and Exploitative Revenue Sources," *Journal of Politics* 79, no. 3 (July 2017); German Lopez, "Study: Cities Rely More on Fines for Revenue If They Have More Black Residents," *Vox*, July 7, 2017.
14. Topher Sanders, Kate Rabinowitz, and Benjamin Conarck, "Walking While Black: The Ticketed Feel Targeted," *ProPublica* and the *Florida Times-Union*, November 16, 2017.
15. Rob Hayes, "Lawsuit Accuses Police Department of Racially Profiling Black People on Rodeo Drive," ABC7 Los Angeles, September 2, 2021.
16. *Let's Bike Oakland*, City of Oakland Department of Transportation, May 2019; Mary Wisniewski, "'Biking while Black': Chicago minority areas see the most bike tickets," *Chicago Tribune*, March 17, 2017.
17. Nadine White, "Black Londoners 'Three Times More Likely to Be Stopped for Using E-scooters,'" *Independent*, November 9, 2021.
18. Frank Edwards, Hedwig Lee, and Michael Esposito, "Risk of Being Killed by Police Use of Force in the United States by Age, Race–Ethnicity, and Sex," *PNAS* 116, no. 34 (August 2019).
19. Ibid.
20. "Teens More Likely to Disengage from School after Police Stops," American Psychological Association, April 4, 2022.
21. "Success Story: Many Policing 'Pretexts' Eliminated in Virginia," Justice Forward Virginia, accessed December 10, 2022.
22. Gersh Kuntzman, "NYPD Targets Blacks and Latinos for 'Jaywalking' Tickets," *Streetsblog NYC*, January 8, 2020.
23. Jenni Bergal, "Racial Justice, Pedestrian Safety Fuel Jaywalking Debate," Stateline, Pew Charitable Trusts, July 14, 2022; Kea Wilson, "How (And Why!) to Repeal 'Jaywalking' Laws," *Streetsblog NYC*, May 5, 2021; see also the website of America Walks.
24. Angie Schmitt, "The Progress of Jaywalking Reform," *America Walks Blog*, June 19, 2022.
25. "Newsom Signs Bill Decriminalizing Most Jaywalking in California," CBS News Bay Area, October 1, 2022.
26. "Walking While Black," November 16, 2017.
27. David Sentendrey, "Plano Police Say Charge Dropped for 18-Year-Old Arrested While Walking Home from Work in the Snow," KDFW FOX 4 News, February 21, 2021.
28. Corey Williams, "Lawsuit: Michigan Black Man Wrongfully Detained During Walk," *Detroit Free Press*, July 21, 2021.
29. *2022 Outdoor Participation Trends Report*, Outdoor Foundation, 2022.
30. "The State of Bike Commuting in the US: Trends in Prevalence of Bike Commuting in the Last Decade," Bike Adviser, accessed February 9, 2023.
31. Rodrigo Torrejon, "Perth Amboy Cops Seized Bikes from 'Unlicensed' Black and Latino Teens, and a Social Media Backlash Is Raging," *NJ.com*, April 21, 2021.
32. David Kroman, "Seattle's Mandatory Bike Helmet Law Dropped as Data Shows Enforcement Disproportionately Affects People of Color," *Seattle Times*, February 18, 2022.
33. Anita Hassan, "When Byron Williams Died Saying 'I Can't Breathe,' Few Protested. Now His Family Is Fighting for Justice," NBC News, June 18, 2020.
34. Barbara Shelly, "Jaywalking Has Been Erased from KC—the Place Where the Term Was Born," *The Pitch*, May 6, 2021.
35. "Cops Detain Black Bicyclists at Gunpoint for Matching Suspect Description," *TMZ*, April 22, 2021.
36. "Merced Cyclist, Whose Arrest Was Caught on Video, Has Been Charged," *Merced Sun-Star*, June 14, 2016.
37. Jesus M. Barajas, "Biking Where Black: Connecting Transportation Planning and Infrastructure to Disproportionate Policing," *Transportation Research Part D: Transport and Environment* 99 (October 2021).
38. "Half a Billion Trips on Shared Micromobility since 2010," National Association of City Transportation Officials, December 2022.
39. "Number of Shared Micromobility Trips in North America in 2020 And 2021, by Country," Statista, accessed February 9, 2023.
40. "Lawsuit Accuses Police Department of Racially Profiling Black People on Rodeo Drive," September 2, 2021.
41. Aleksandra Bush and Brian Entin, "Shocking Video: 5 Florida Officers Facing Charges after Beating 2 Men during Arrest," *NewsNation*, August 3, 2021.
42. Adam Tuss, "Virginia Decriminalizes Jaywalking," *NBC4 Washington*, January 5, 2021.
43. "The Progress of Jaywalking Reform," June 19, 2022.
44. David Kroman, "King County Repeals Mandatory Bicycle Helmet Law," *Seattle Times*, February 17, 2022.
45. "Philly Becomes the First Big U.S. City With a Law Banning Minor Traffic Stops," *Billy Penn*, March 3, 2022.
46. "Breaking the Cycle," June 2022.
47. Ibid.
48. Stephen Rushin and Griffin Edwards, "An Empirical Assessment of Pretextual Stops and Racial Profiling," *Stanford Law Review* 73, no. 3 (2021): 637.
49. Kevin Rector, "New Limits on 'Pretextual Stops' by LAPD Officers Approved, Riling Police Union," *Los Angeles Times*, March 1, 2022.
50. "Findings," Stanford Open Policing Project, accessed January 30, 2022.
51. "Community Dashboard," BikeWalkKC, accessed January 30, 2022.



OUR MISSION: EQUITABLE CITIES IS COMMITTED TO BRINGING COMMUNITY NARRATIVES, VISIONS, AND VALUES INTO OUR RESEARCH, PLANNING, AND POLICY RECOMMENDATIONS THROUGH THE LOCAL KNOWLEDGE OF THE COMMUNITIES WE WORK IN. OUR GOAL IS TO RECONNECT COMMUNITIES SUFFERING FROM DISINVESTMENT THROUGH TRANSPORTATION PLANNING AND RESEARCH THAT FOCUSES ON THE WAY THE COMMUNITY EXPERIENCES THEIR STREETS.



**EQUITABLE
CITIES**