



Using Kansas Trails & Shared-Use Paths

Trails and shared-use paths are two of the primary facilities that pedestrians and bicyclists use for both recreation and transportation purposes. These facilities can be located in national, state, and local parks; along rivers, mountains, valleys, forests, fields, roads, and railroads; and in both urban and rural areas. Trails and shared-use paths also often connect communities. Those using trails and shared-use paths must follow established rules and behaviors, also called “rights and responsibilities.” These rights and responsibilities lend predictability to trail and path use, supporting safety and efficiency regardless of the type of user or the condition of the trail or path.



Q: What is the difference between a trail and a shared-use path?

A: The terms “trail” and “shared-use path” may be used to refer to the same facility in general conversation. However, care should be taken in using these terms interchangeably, as “trail” may be used for an unimproved recreation facility, while the term “shared-use path” may indicate a more developed path that is paved.¹

While Kansas state law does not specifically define “trail” or “shared-use path,” the *Kansas State Trails Plan* includes a definition of a trail, and many federal

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authorities have come up with definitions of trails and shared-use paths as part of their design guidance.

■ Trail Definitions*

- **Kansas State Trails Plan** — A route that is designed, designated, or constructed for recreation pedestrian use or provided as a pedestrian alternative to vehicular routes within a transportation system.² Trails include, but are not limited to, a trail through a forested park, a shared-use path, or a back country trail. Trails do not include pathways such as sidewalks, pathways in amusement parks, commercial theme parks, carnivals, or between buildings on college campuses.³
- **U.S. Access Board** — A pedestrian route developed primarily for outdoor recreation purposes. A pedestrian route developed primarily to connect elements, spaces, or facilities within a site is not a trail.⁴

■ Shared-Use Path

- **American Association of State Highway Transportation Officials (AASHTO)** — A bikeway that is physically separated from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way.⁵
- **U.S. Access Board** — A multi-use path designed primarily for use by bicyclists and pedestrians, including pedestrians with disabilities, for transportation and recreation purposes. Shared-use paths are physically separated from motor vehicle traffic by an open space or barrier, and are either within the highway right-of-way or within an independent right-of-way.⁹

* While these definitions only refer specifically to pedestrians, the *Kansas State Trails Plan* as well as the U.S. Access Board recognize bicycles and other non-motorized transportation as trail users.

TRAIL AND SHARED-USE PATH GUIDANCE

State and local governments often rely on the following organizations and agencies to provide direction and guidance on trails and shared-use paths used by bicyclists and pedestrians.

American Association of State Highway and Transportation Officials (AASHTO) is a nonprofit, nonpartisan association that develops transportation policies and design standards often cited and relied upon by the U.S. Department of Transportation's Federal Highway Administration.⁶

U.S. Access Board is an independent federal agency that promotes equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards.⁷

Federal Highway Administration (FHWA) is an agency within the U.S. Department of Transportation (USDOT) with significant authority over the national transportation system. FHWA coordinates highway transportation programs to enhance safety, economic vitality, quality of life, and the environment.⁸

The Federal Highway Administration additionally notes that shared-use paths are most commonly designed for two-way travel and, in many communities, shared-use paths may also be referred to as trails, multiuse trails, bike paths, hiker/biker trails, or other similar terms.¹⁰

Q: Who is allowed to use trails and shared-use paths?

A: The types of users allowed on a particular trail or shared-use path vary depending on the specific facility. However, trails and shared-used paths are typically divided into motorized and non-motorized trails and paths, with some only allowing pedestrians and prohibiting bicyclists, horseback riders, skiers, and skateboarders, among others.¹¹ If a certain type of user is prohibited on a trail or path, it is generally for safety reasons.

Q: Where are shared-use path and trail rules found?

A: Rules governing behavior on shared-use paths and trails are generally posted on signs near the beginning of a path or trail (an area commonly referred to as a “trailhead” at the beginning of a trail).¹² Different paths and trails may have different rules depending on the specific features or users of the particular path or trail. However, it is important to remember that these signs do not encompass all of the rules users must obey. National, state, and local laws still apply when using trails and other recreation property.

Q: What kind of information is on trailhead and shared-use path signs?

A: Trailhead and shared-use path signs typically provide legally enforceable rules¹³ regarding what kinds of traffic are allowed, hours of use, and rights and responsibilities of pedestrians, bicyclists, and other trail/path users — including rights-of-way and other regulated behaviors like littering and noise restrictions.¹⁴

Q: What are examples of rules on trails and shared-use paths?

A: Common rules include:¹⁵

- Follow established rights-of-way.
- Be courteous to other trail and path users.
- Announce yourself before passing another trail or path user with a bell or a calm “on your left.” Do not yell or startle, particularly where animals are near.
- Stop or slow down at intersections.
- Do not block the trail or path. If you stop, move off to the side.
- Keep right and pass on the left (just like traffic on the road).

TRAILHEAD

The U.S. Access Board defines trailhead as: “An outdoor space that is designated by an entity responsible for administering or maintaining a trail to serve as an access point to the trail. The junction of two or more trails or the undeveloped junction of a trail and a road is not a trailhead.”¹⁶

Pedestrians and bicyclists should also obey laws that apply to the activity in which they are engaging. For example, bicyclists should wear helmets according to local helmet-wearing laws and may be prohibited from wearing headphones while riding a bicycle. Additionally, bicyclists must ensure their bicycles meet state law standards for bicycle equipment, including reflector and light requirements if lawfully using the trail or path near or after dark.¹⁷

Q: What kinds of rights-of-way are generally required of pedestrians and bicyclists on trails and shared-use paths?

A: Pedestrians and bicyclists must follow many different kinds of rules on trails and shared-use paths, but knowing rights-of-way is one of the primary ways to avoid accidents and follow the rules. Rights-of-way may vary by trail or path according to that facility’s rules. However, common themes of etiquette have been recognized by the Federal Highway Administration;¹⁸ the International Mountain Bicycling Association;¹⁹ several state departments of recreation, trail councils and districts;²⁰ and trail users and advocates around the country.²¹ Many trails adopt the following rights-of-way rules:

- Bicyclists yield to both pedestrians and horseback riders.
- Pedestrians yield to horseback riders and have the right-of-way before bicyclists.

TRAIL AND SHARED-USE PATH RIGHTS-OF-WAY

Rights-of-way rules indicate which users must allow other users to move on or across a trail or shared-use path first. Rights-of-way rules are important on trails and paths where more than one type of user is allowed.²²



- Horseback riders have the right-of-way before both bicyclists and pedestrians.
- Downhill riders should yield the right-of-way to uphill riders.

The general concept behind these rights-of-way rules is that bicyclists travel faster than pedestrians and horseback riders and can stop and go easily, so bicyclists should let everyone else have the right-of-way. Horses are big and unpredictable so they always get the right-of-way.

Q: Are there specific Kansas examples of trail or shared-use path rules?

A: Yes. Examples of trail rules from Kansas Kanopolis State Park are similar to the common rules adopted on many other trails. These rules include:²³

- Hikers yield right-of-way to horseback riders.

- Mountain bikers yield right-of-way to horseback riders and hikers.
- Mountain bikers must remain on marked trails and maintained roads.
- Horseback riders must remain on marked trails.
- Horses are allowed on paved surfaces only where the trail crosses a road.
- No motorized vehicles on the trails (with an exception for state law enforcement vehicles).
- Trail access is allowed only from designated trailheads.
- Camp only in designated areas and display all permits.
- No camping or fires along the trails.
- Pack it in, pack it out. Carry out all trash.

Q: Who has authority over a particular trail or shared-use path?

A: A particular trail or shared-use path's authority generally depends on where the trail or path is located. The Kansas Department of Wildlife, Parks, and Tourism generally has authority over trails and paths in state parks and on state recreation land,²⁴ whereas the Kansas Department of Transportation generally has authority over shared-use paths along state highways.²⁵ Counties and cities generally have authority over trails and paths on land they own within their boundaries. For example, the operation of city parks within the city of Abilene, Kansas, is the responsibility of the city's Director of the Recreation Department.²⁶ This Director is responsible for establishing rules and regulations for the use of park facilities and activities by the general public.²⁷ As this responsibility applies to the operation of all city parks, it includes trails and shared-use paths within these areas.

Q: Are there consequences for individuals who violate a trail or shared-use path's rules?

A: Yes. Trail and shared-use path rules posted on signs at trailheads, along the path, in parks, or other recreation areas are created under the authority of state or local law and are enforceable just like traffic regulations on roads.²⁸ Law enforcement officers,

conservation officers, and certain other government employees can make arrests, take away trail and path use privileges, and issue citations and fees to a user that violates posted rules or other national, state, or local laws while on trails, paths, and other recreation property.²⁹ Trail and shared-use path rules and other laws exist to keep all users safe and ensure the trail or path's continued enjoyable use.

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Endnotes

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