

Pedestrian and Pedalcycle Advisory Committee Minutes

Subject: Minutes for Fall Quarterly Meeting
Date and time: September 06, 2018 12:30 PM to 3:30 PM
Location: Conference Room 8N1 – Keystone Building, Harrisburg, PA

The meeting was called to order at 12:35 PM by Roy Gothie (PennDOT Bicycle – Pedestrian Coordinator). Roll was taken and a quorum was declared.

PPAC members in attendance were: Nolan Richie (alternate for Senator Rafferty), Kyle Wagonseller (alternate for Representative Keller), Beth Sickler (alternate for Representative Taylor), Roy Gothie (alternate for Secretary Leslie Richards), Julie Fitzpatrick, Frank Maguire, Benn Guthrie, Sarah Stuart, Lauri Ahlskog, Fred Richter, and William Hoffman (by phone) Scott Bricker (by phone), Brad Flamm, and Chandra Kannan.

Additional attendees included Justin Lehman (Department of Health), Laura Heilman (Pa Commuter Services), Dan Green (PennDOT Office of Legislative Affairs), Angela Watson (PennDOT), Natasha Fackler (PennDOT Policy Director), Ross Willard (Recycle Bicycle), Wayne Mears (PennDOT Press Office), Eric Nelson (PennDOT Office of Legislative Affairs), Samantha Pearson (Elm Street Commission), and Representative Brett Miller and Paul Davis (on the phone).

Nolan Richie and Representative Miller spoke about House Bill 1646 (Vulnerable Highway User) and the challenges with creating the definition given the changes in technology and limited time in the session (Attachment #1 – Draft Bill).

The minutes from the June 7th, 2018 meeting were approved.

Justin Lehman, Department of Health, provided an update on status of the CDC grant that funds the Walkable Communities initiative. He thanked PennDOT and DCNR for their commitment via the signed Memorandum of Understanding. Additionally, he announced two funding opportunities: Walkworks Community Planning Grants and the Walkworks Affiliate Program (Attachment #2)

Roy Gothie provided a brief update on recent PennDOT activities including new funding available via the PennDOT Connect program (www.paconnects.org). and an update on the progress of the new Statewide Bicycle and Pedestrian Master Plan. (Attachment #3)

Related to the PennDOT Connects presentation, Sarah Stuart and Lauri Ahlskog, noted D6-0 had developed a 5- year resurfacing plan. Frank Maguire made a motion that PPAC draft a letter to PennDOT Secretary Richards requesting that all PennDOT District Offices move to develop a 5-year resurfacing plan to support improved coordination between DOT restriping/resurfacing projects and locally identified routes needing wider shoulders or bicycle lanes. The motion was seconded by Lauri Ahlskog and passed by a voice vote

Frank Maguire then noted DCNR has released their 2017 annual report on trails which is available online. He also noted DCNR continues to work to improve and update the list of trail gaps across the state.

Nolan Richie then provided additional updates on relevant legislation including the Parking Separated Bike Lane and Radar for Local Law Enforcement.

The group then discussed legislative priorities and sending a letter to Secretary Richards with the group's priorities. A vote was held to approve each of the priorities included in Attachment #4:

1. Bikes may yield at stop signs - Motion: Laurie Second: Frank. Vote 8-0 w/ 4 abstentions
2. Painted Curbs/Protected Bike Lanes: Motion: Laurie Second: Frank. Vote 8-0 w/ 4 abstentions
3. Radar for Local Law Enforcement: Motion: Laurie Second: Frank. Vote 8-0 w/ 4 abstentions
4. Prioritize Vulnerable Roadway Users: Motion: Laurie Second: Frank. Vote 8-0 w/ 4 abstentions
5. Limit Motorists use of cell phones: Motion: Laurie Second: Frank. Vote 8-0 w/ 4 abstentions
6. Require Motorists to Stop rather than Yield to pedestrians in crosswalks / intersections and increase fines: Motion: Laurie Second: Frank. Vote 8-0 w/ 4 abstentions
7. Side Guards for Trucks: Motion: Laurie Second: Frank. Vote 7-1 w/ 4 abstentions

Lauri Ahlskog made the motion to draft, coordinate a review of, and then sent the list of six (6) PPAC legislative priorities to the Secretary of Transportation, Frank Maguire seconded, and the motion passed 7-1 w/4 abstentions.

The meeting was adjourned at 3:00pm

Next Meeting

Date and time: December 05, 2018 – 12:30pm

Location: Conference Room 8N1 – Keystone Building, Harrisburg, PA

Fred Richter _____ Secretary

_____ Date of Approval

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1646 Session of
2017

INTRODUCED BY B. MILLER, TAYLOR, MILLARD, DRISCOLL, MALONEY,
W. KELLER AND MENTZER, JULY 7, 2017

REFERRED TO COMMITTEE ON TRANSPORTATION, JULY 7, 2017

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for suspension of operating privilege; and, in miscellaneous provisions, further providing for careless driving.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 102 of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

* * *

"Vulnerable highway user." A pedestrian or a person on roller skates, inline skates, a skateboard, motor-driven cycle, motorcycle, pedalcycle, motorized pedalcycle, pedalcycle with

electric assist, an animal, an animal drawn vehicle, a farm vehicle or a wheelchair.

* * *

Section 2. Sections 1532(a) and (b)(1) and (5) and 3714 are amended to read:

§ 1532. Suspension of operating privilege.

(a) One-year suspension.--The department shall suspend the operating privilege of any driver for one year upon receiving a certified record of the driver's conviction of or an adjudication of delinquency based on any of the following offenses:

(1) Any felony in the commission of which a court determines that a vehicle was essentially involved.

(3) Any violation of the following provisions:

Section 3714(b.1) (relating to careless driving).

Section 3735.1 (relating to aggravated assault by vehicle while driving under the influence).

Section 3742 (relating to accidents involving death or personal injury).

Section 3742.1 (relating to accidents involving death or personal injury while not properly licensed).

Section 7111 (relating to dealing in titles and plates for stolen vehicles).

Section 7121 (relating to false application for certificate of title or registration).

Section 7122 (relating to altered, forged or counterfeit documents and plates).

* * *

(b) Suspension.--

(1) The department shall suspend the operating privilege of any driver for six months upon receiving a certified record of the driver's conviction of or an adjudication of delinquency based on any offense under the following provisions:

Section 3367 (relating to racing on highways).

Section 3714(b) [(relating to careless driving)] or (c.1).

Section 3734 (relating to driving without lights to avoid identification or arrest).

Section 3736 (relating to reckless driving).

Section 3743 (relating to accidents involving damage to attended vehicle or property).

* * *

(5) The department shall suspend the operating privilege of any driver for three months upon receiving a certified record of the driver's conviction of or an adjudication of delinquency based on section 3714(c) or (c.2).

* * *

§ 3714. Careless driving.

(a) General rule.--Any person who drives a vehicle in careless disregard for the safety of persons or property is guilty of careless driving, a summary offense.

(b) Unintentional death.--[If] Except as provided in subsection (b.1), if the person who violates this section

unintentionally causes the death of another person as a result of the violation, the person shall, upon conviction, be sentenced to pay a fine of \$500.

(b.1) Death involving a vulnerable highway user.--If the person who violates this section causes the death of a vulnerable highway user as a result of the violation, the person shall, upon conviction, be sentenced to pay a fine of not more than \$10,000.

(c) Serious bodily injury.--[If] Except as provided in subsection (c.1), if the person who violates this section unintentionally causes the serious bodily injury of another person as a result of the violation, the person shall, upon conviction, be sentenced to pay a fine of \$250.

(c.1) Serious bodily injury to a vulnerable highway user.--If the person who violates this section causes the serious bodily injury of a vulnerable highway user as a result of the violation, the person shall, upon conviction, be sentenced to pay a fine of not more than \$5,000.

(c.2) Bodily injury to a vulnerable highway user.--If a person who violates this section causes the bodily injury of a vulnerable highway user as a result of the violation, the person shall, upon conviction, be sentenced to pay a fine of not more than \$1,000.

Section 3. This act shall take effect in 60 days

ATTACHMENT # 2

The Pennsylvania Department of Health, Division of Nutrition and Physical Activity, received positive feedback from the Centers for Disease Control and Prevention (CDC) about a recently submitted application which would support state investments to improve nutrition and to increase safe and accessible physical activity. The five-year grant covers 10/1/18-9/30/23. Strong support was received by both PennDOT and DCNR, through Memorandum's of Understanding. Letters of Commitment were provided by the Department of Aging and the Pennsylvania Downtown Center, among others. This grant will allow WalkWorks to continue to support local communities through funding and technical assistance to develop plans that will, when implemented, enable/enhance pedestrian and bicycle connections to vital local destinations and increase safe and accessible opportunities for residents to be physically active. This funding opportunity, by increasing opportunities for physical activity, aims to address major risk behaviors that contribute to chronic disease. The Department of Health is exploring providing additional professional development opportunities, either through webinars or in-person trainings, around Complete Streets and walkable communities.

Please let me know if you have suggestions or ideas of more specific topics that you think may be valuable for local planners and local government officials.

Through WalkWorks, a Funding Opportunity Announcement will soon be released to invite a limited number of municipal or multiple-municipal applicants (local government entities) to receive funding to assist with:

- a. The development of a transportation plan, which will identify and prioritize projects related to modes of active transportation with an emphasis on walking and biking; and/or
- b. The development of policies – such as Complete Streets or Vision Zero – that include language in support of environmental changes for enhancing places for physical activity with an emphasis on walking.

Once released, a brief write-up and the application will be shared with Roy to distribute to members of PPAC. It would be great for you to then share with your networks.

Also through WalkWorks, an affiliate application will soon be released to invite a limited number of communities to join its network to increase opportunities for physical activity through the development of fun, fact-filled walking routes and sustainable walking groups. Selected applicants, or community-based partners:

- Identify a minimum of one walking route, including points of interests;
- Engage community stakeholders to ensure the route is consistent with resident's interests;
- Collaborate with community organization to optimize longevity, including sustainable walking groups,
- Organize a kick-off celebration; and
- Support local changes to policies and plans pertaining to active transportation.

There is no cost to the community outside of personnel time. Once the walking route has been developed, the community receives promotional print materials, including signage for the route. Once released, a brief write-up and the application will be shared with Roy to distribute to members of PPAC. It would be great for you to then share with your networks.

ATTACHMENT #3

PennDOT Connects offers free technical assistance to municipalities to better integrate local land use, development, and transportation goals into the state transportation planning process.

What is a tech assist and how do I request one? Any municipal staff member, government official, or planning partner is eligible to request free technical assistance. A tech assist — short for technical assistance — is provided by technical experts via phone or email in response to a question or request for information from a PennDOT Connects registered user. On-site assistance options are also available for more in-depth help during any stage of the land use and transportation planning or project development process. To request assistance, municipalities should register with the PennDOT Connects Support Hub, a web-based, interactive helpdesk with an easy-to-use ticket system for accessing expert guidance. **The Hub can be found at <https://paconnects.org>.** If you do not have internet access, a request for a tech assist can also be made by phone at 717-710-2090.

Types of assistance available include: PennDOT Connects general information; Community Character (planning); Multimodal Transportation; Improving Mobility; Funding and more.

There is also the [PennDOT Connects TRANSFORM Summer 2018 News Letter](#) that contains information on available funding for community planning efforts.

ATTACHMENT #4

Pedalcycle and Pedestrian Advisory Committee
Harrisburg, Pennsylvania

October 15, 2018

Dear Secretary Leslie Richards,

On behalf of the Commonwealth's Pedalcycle and Pedestrian Advisory Committee (PPAC), I am writing to you today to convey the Committee's support for several legislative initiatives that we hope PennDOT will support in the forthcoming 2019-2010 Session. The list of these initiatives were approved by a majority of voting members of the Committee.

Painted Curbs/Protected Bike Lanes

According to a 2018 PennDOT General Counsel opinion, current Vehicle Code language prevents the construction of certain types of Parking Protected Bike lanes as in this design, vehicles are not able to meet the requirements of the law being five or more feet from the curb. "[e]very vehicle standing or parked upon a two-way highway shall be positioned parallel to and with the right-hand wheels within 12 inches of the right-hand curb or, in the absence of a curb, as close as practicable to the right edge of the right-hand shoulder." Given that 2017 had the highest number of bicyclists deaths in five years, this type of infrastructure should be a tool in the roadway engineers toolbox. As a solution to this problem, legislation was drafted to require parked vehicles to be within 12 inches of the outside line of the buffer area between the pedalcycle lane. (SB788/HB1657 in 2017-2018 Session)

Radar for Local Law Enforcement

Allow municipalities (after adopting an ordinance) to use radar technology to monitor traffic speed. The bill caps the amount of revenue a municipality can retain and sets calibration standards for RADAR guns. It is supported the Coalition to Eliminate the Prohibition Against Municipal Police Using Radar. (SB251 from 2017-2018 Session)

Prioritize Vulnerable Users

A "Vulnerable Highway User Protections" bill is needed to increase the penalties for careless drivers who inflict bodily injury, or worse, death, upon others. Today, a careless driver who kills a pedestrian is fined \$500; who causes serious bodily injury - \$250. Vulnerable users, according to the bill's language, are defined as pedestrians, bicyclists, people in wheelchairs, motorcyclists, skateboarders, horseback riders, horse and carriages and farm equipment. A future bill should similarly increase fines for reckless drivers and require four feet of passage for pedestrians, disable persons and buggies.

HB1646 from 2017-2018 would need to be amended to include increased fines for reckless drivers and 4 foot passage for peds/buggies.

Limit Motorists use of cell phones

Prohibit those older than 18 to talk on cell phones without hands-free accessories, prohibits those under 18 from using a cell phone at all, and adds three points to the \$50 penalty for violating the law. (HB1684 from 2017-2018 Session)

Require motorists to stop for pedestrians instead of yielding. Currently, Pennsylvania requires motorists to yield to pedestrians in any portion of the roadway. Other states impose stricter laws:

- Minnesota requires motorists to stop in any portion of the roadway.
- Six states and D.C. require a motorist to stop when a pedestrian is “upon the same half of the roadway or within one lane of the lane that the motorist is traveling upon.”
- Three states require a motorist to stop when a pedestrian is upon the same half of the roadway or approaching closely enough from the opposite side of the roadway to constitute a danger.
- New Jersey requires motorists to stop for a pedestrian within a marked crosswalk, but must only yield the right-of-way to pedestrians crossing within any unmarked crosswalk at an intersection. HB2614 of 2012 session would have required motorists to stop if a pedestrian “is upon, or within one lane of, the half of the roadway upon which the vehicle is traveling or onto which it is turning.”)

Allow bicyclists to yield on stop signs. Allow bicyclists approaching intersections under certain conditions to yield instead of stopping and/or to come to full stop and then move through the intersection. As an example of how one state handled this issue, this is Delaware Code Relating to Yield on Red - Bicycle approaching or entering intersection.

(a) A bicycle operator approaching a stop sign at an intersection with a roadway having 3 or more lanes for moving traffic shall come to a complete stop before entering the intersection.

(b) A bicycle operator approaching a stop sign at an intersection where a vehicle is stopped in the roadway at the same stop sign shall come to a complete stop before entering the intersection.

(c) A bicycle operator approaching a stop sign at an intersection with a roadway having 2 or fewer lanes for moving traffic shall reduce speed and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the person shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the person is moving across or within the intersection, except that a person, after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a turn or proceed through the intersection without stopping.

(d) A bicycle operator approaching an intersection shall always yield the right-of-way to any vehicle which has already entered the intersection.

(e) When a bicycle and a vehicle enter an intersection from different roadways at approximately the same time, the operator of the vehicle or bicycle on the left shall yield the right-of-way to the vehicle or bicycle on the right.

Increase fines for not yielding to pedestrians.

Currently, the fine for not yielding to pedestrians is \$50 (Section 3542 of Title 75) and should be increased.

Mandate side guards on all trucks. Nationwide, half of bicyclists and one quarter of pedestrians killed in traffic crashes are killed by trucks during the first impact with the side of the truck (USDOT Volpe Center.) Following the national side guard mandate in the UK, there was a 61 percent drop in cyclist fatalities and a 20 percent drop in pedestrian fatalities in side-impact collisions with trucks. European Union and Japan, Brazil have required side guards as standard equipment since the 1980s. Boston, Orlando, Seattle, San Francisco, New York City and Washington, D.C. all have various requirements for side guards on city-owned and private trucks.

In Pennsylvania, apparently, Act 90 prevents municipalities from mandating that private haulers install side guards. PennDOT could conduct an evaluation to 1) evaluate scale of this problem statewide, 2) determine if state law prevents municipalities from adopting side guard mandates and if so, 3) propose legislation to permit municipalities to institute mandates.

Sincerely yours,



Sarah Clark Stuart
Chair, Pedalcycle and Pedestrian Advisory Committee