

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON PUBLIC WORKS AND THE ENVIRONMENT
COMMITTEE REPORT**

2008 NOV 25 PM 5:19

1350 Pennsylvania Avenue, NW, 20004

OFFICE OF THE
SECRETARY

TO: All Councilmembers
FROM: Councilmember Jim Graham, Chairperson
Committee on Public Works and the Environment
DATE: November 21, 2008
SUBJECT: Bill 17-981, "Bicycle Safety Enhancement Act of 2008".



The Committee on Public Works and the Environment, to which Bill 17-981, the "Bicycle Safety Enhancement Act of 2008", was referred, reports favorably on the bill, and recommends that the Council vote in favor of this legislation.

I. PURPOSE AND BACKGROUND

Bill 17-981, "Bicycle Safety Enhancement Act of 2008", was introduced on October 7, 2008, by Councilmember Jim Graham, and cosponsored by Chairman Gray and Councilmembers Cheh, Bowser, Thomas, Brown, Alexander, Mendelson, Evans, Wells, Barry. The bill was referred to the Committee on Public Works and the Environment.

Bill 17-981 would require the Mayor to establish bicycle safety enhancements for District-owned heavy duty vehicles, require bicycle and pedestrian awareness training for operators of District-owned heavy duty vehicles, require that a motor vehicle operators leave a minimum of three feet clearance when passing a bicycle, and to establish fines for the use of restricted lanes by unauthorized vehicles.

II. LEGISLATIVE HISTORY

DATE	ACTION
October 7, 2008	Bill 17-981 is introduced by Councilmember Jim Graham and cosponsored by Chairman Gray and Councilmembers Cheh, Bowser, Thomas, Brown, Alexander, Mendelson, Evans, Wells, Barry. The bill was referred to the Committee on Public Works and the Environment.
October 17, 2008	Notice of the Council's intent to act on Bill 17-981 is published in the District of Columbia Register.
October 31, 2008	Notice of a public hearing on Bill 17-981 is published in the District of Columbia Register.
November 14, 2008	The Committee on Public Works and the Environment holds a public hearing on Bill 17-981.
November 21, 2008	The Committee on Public Works and the Environment meets to mark-up and vote on the report and committee print of Bill 17-981.

III. HEARING SUMMARY

On Friday, November 14, 2008, the Committee on Public Works and the Environment held a public hearing on Bill 17-981.

Chairperson Jim Graham opened the hearing with a moment of silence, followed by a recollection of the crash that killed Ms. Alice Swanson in July of this year. Chairperson Graham went on to summarize the major elements of the bill and recount recent Committee actions to encourage bicycle transportation and improve safety.

Councilmember Tommy Wells testified about the extraordinary hazards faced by District bicyclists on a daily basis, citing urgent need for improved bicycle safety, including improved laws, better enforcement, and more bicycle facilities.

The administration testified in support of the proposed legislation.

The Committee heard testimony from various public witnesses. Testimony submitted at the hearing is attached to this report and submitted for the record. The Committee also incorporates by reference the video recording of the hearing.

Most witnesses testified in favor of the bill including Mr. Eric Gilliland of the Washington Area Bicyclist Association.

Mr. David Alexander expressed concern about establishing a minimum passing distance for bicycles, suggesting that this gave bicyclists less rights than motor vehicles, and diminished cyclists' current right to a full travel lane.

Mr. Jack McKay expressed concern that bicycle lanes must be stripped in a manner that clearly indicates that vehicles should enter the lane in order to turn right. Without such indication, he cautions, the vehicles may try to turn right directly from the motor vehicle travel lane creating a serious hazard for bicyclists.

IV. COMMITTEE REASONING

Current District law does not take appropriate measures to protect bicyclists from heavy duty vehicles and from passing vehicles. In addition, there is no fine for improper use of restricted lanes such as bicycle lanes.

This bill would require safety equipment on District-owned heavy duty vehicles similar to equipment that is required by some other jurisdictions. The bill would also require training for District heavy duty vehicle drivers. Like many other states, the bill requires a minimum passing distance when motor vehicles pass a bicycle. Finally, the bill sets a fine for improper use of restricted lanes, such as bicycle lanes.

For these reasons, and the reasons expressed by members of the community in favor of this legislation, the Committee recommends that the full council vote in favor of this measure.

V. FISCAL IMPACT

The fiscal impact statement required by section 602 (c) (3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)) is attached to this report.

VI. SECTION-BY-SECTION ANALYSIS

- Sec. 1** states the short title of this legislation.
- Sec. 2** requires equipment to improve bicycle safety on all District-owned heavy duty vehicles include certain equipment and requires bicycle safety training for all operators of District-owned heavy duty vehicles.
- Sec. 3** requires that motor vehicles maintain a minimum distance of 3 feet when passing bicycles and creates a specific fine for improper use of restricted lanes.
- Sec. 4** requires the mayor to issue rules to implement the provisions of Section 2.
- Sec. 5** states that subsection 2(a)(3) is subject to appropriation.
- Sec. 6.** adopts the fiscal impact statement attached to the bill as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).
- Sec. 7.** establishes the effective date of this act.

VII. IMPACT ON EXISTING LAW

Bill 17-981 would add a new subsection 2202.10 to § 18 - 2202 of the District of Columbia Municipal Regulations to require that motor vehicles maintain a minimum distance when passing bicycles. In addition the bill would add a fine to Title 18 Section 2600.1 of the District of Columbia Municipal Regulations for improper use of a restricted lane.

VIII. COMMITTEE ACTION

On Friday, November 21, 2008, at 11:00am, the Committee on Public Works and the Environment held an additional meeting of the Committee to mark-up and vote on the Committee print of, and accompanying report on Bill 17-981, in room 120 of the John A. Wilson Building, located at 1350 Pennsylvania Avenue, NW.

With Chairperson Jim Graham and Councilmembers Alexander, Bowser, and Cheh present, Chairperson Graham convened a quorum of the full committee. After opening remarks,

Chairperson Graham moved the draft report and committee print of Bill 17-981, with leave for staff to make technical and conforming changes.

After discussion, the Committee voted 4-0-0 in favor of the draft committee print of Bill 17-981, and the report thereto, with leave for staff and the General Counsel to make technical and conforming amendments.

IX. COMMITTEE RECOMMENDATION


The Committee on Public Works and the Environment, to which Bill 17-981, the “Bicycle Safety Enhancement Act of 2008”, was referred, reports favorably on the bill, and recommends that the Council vote in favor of this legislation.

X. ATTACHMENTS

1. Bill 17-981 as introduced with referral
2. Notice of a public hearing on Bill 17-981
3. Public Testimony
4. Committee print of Bill 17-981

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Memorandum

To: Members of the Council
From: 
Cynthia Brock-Smith, Secretary to the Council
Date: October 9, 2008
Subject: Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Legislative Meeting on Tuesday, October 07, 2008. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Bicycle Safety Enhancement Act of 2008", B17-0981

INTRODUCED BY: Councilmember Graham

CO-SPONSORED BY: Chairman Gray and Councilmembers Cheh,
Bowser, Thomas, Brown, Barry, Alexander,
Mendelson, Evans and Wells

The Chairman is referring this legislation to the Committee on Public Works and the Environment.

Attachment

cc: General Counsel
Budget Director
Legislative Services


Councilmember Jim Graham

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require the Mayor to establish bicycle safety enhancements for District-owned heavy duty vehicles, to require bicycle and pedestrian awareness training for operators of District-owned heavy duty vehicles, to require that a motor vehicle operator leave a minimum of three feet clearance when passing a bicycle, and to establish fines for the use of restricted lanes by unauthorized vehicles.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may cited as the "Bicycle Safety Enhancement Act of 2008."

Sec. 2. Bicycle safety enhancements for District-owned heavy duty vehicles.

The Mayor shall:

(a) Equip all District-owned heavy duty vehicles with the following:

(1) Blind spot mirrors;

(2) Reflective blind spot warning signs; and

(3) Side-underrun guards to prevent bicyclists, other vehicles, or pedestrians from sliding under rear wheels; and

(b) Require that operators of District-owned heavy duty vehicles receive bicycle and pedestrian safety training.

Sec. 3. Maintenance of proper distance when passing a bicycle.

A new section 2202.10 shall be added to § 18 - 2202 of the District of Columbia Municipal Regulations to read as follows: "When overtaking and passing a bicycle, a person

1 driving a motor vehicle shall exercise due care by leaving a safe distance between the motor
2 vehicle and the bicycle of not less than three feet.”

3 Sec. 4. Fines for improper use of restricted lanes.

4 Title 18 of the District of Columbia Municipal Regulations, Section 2600.1 is amended
5 by adding a new infraction under the caption “Lane or course” to read as follows:

6 “Improper use of restricted [§ 2220]...\$100.00”

7 Sec. 5. Rules.

8 The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedures
9 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*) shall issue
10 rules to implement the provisions of Section 2 of this act.

11 Sec. 6. Fiscal Impact Statement

12 The Council adopts the fiscal impact statement in the committee report as the fiscal
13 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
14 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

15 Sec. 7. Effective date.

16 This act shall take effect following approval by the Mayor (or in the event of veto by the
17 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
18 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
19 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
20 Columbia Register.

REVISED

**COUNCILMEMBER JIM GRAHAM, CHAIRPERSON
COMMITTEE ON PUBLIC WORKS AND THE ENVIRONMENT**

ANNOUNCES

A PUBLIC HEARING

ON

**BILL 17-981
“BICYCLE SAFETY ENHANCEMENT ACT OF 2008”**

**FRIDAY, NOVEMBER 14, 2008 - 2:00 PM
COUNCIL CHAMBER, JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20004**

Councilmember Jim Graham, Chairperson of the Committee on Public Works and the Environment, will convene a public hearing on Bill 17-981, the “Bicycle Safety Enhancement Act of 2008”. The public hearing will be held on Friday, November 14, 2008 at 2:00 p.m. in the Council Chamber at the Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, DC 20004. **This notice is being revised to change the date and time of the public hearing.**

Bill 17-981 would require the Mayor to establish bicycle safety enhancement for the District-owned heavy duty vehicles; require bicycle and pedestrian awareness training for operators of District-owned heavy duty vehicles; require that a motor vehicle operator leave a minimum of three feet clearance when passing a bicycle; and establish fines for the use of restricted lanes by unauthorized vehicles.

The Committee invites the public to testify or to submit written testimony, which will be made a part of the official record. Those who wish to testify should contact Ms. Maria Angelica Puig-Monsen at (202) 724-8195, mpuigmonsen@dccouncil.us by 5 p.m. on Wednesday, November 12, 2008. Witnesses should bring 16 copies of their testimony to the hearing. Individuals will be permitted 3 minutes for oral presentation; individuals representing organizations or groups, 5 minutes.

If you are unable to testify at the public hearing, written statements are encouraged and will be made part of the official record. Copies of written statements should be submitted to Ms. Maria Angelica Puig-Monsen, Committee on Public Works and the Environment, Room 116, 1350 Pennsylvania Avenue, NW, Washington, DC 20004, by 5:00 pm on Friday, November 14, 2008.

District of Columbia Department of Transportation Statement on:

B17-981, The Bicycle Safety Enhancement Act of 2008

November 13, 2008

Good morning Chairperson Graham and members of the Committee on Public Works and the Environment. My name is Mike Goodno, Bicycle Program Specialist at the District Department of Transportation. I am pleased to appear before the committee to testify, on behalf of our Interim Director, Frank Seales, on bill B17-981, the *"Bicycle Safety Enhancement Act of 2008."*

Section one of the bill proposes that specific safety equipment be installed on District-owned heavy vehicles. These safety devices should help to minimize the occurrence of conflicts between large trucks and bicyclists. And, if such a conflict were to occur, they will help to minimize the severity. The Department of Public Works estimates that it will cost approximately \$2,961,000 to retrofit its entire heavy-duty fleet to comply with the bill. We are still compiling costs estimates to install mirrors and side under run guards on all other District agency vehicles.

Section two of the bill proposes bicycle and pedestrian safety training for all operators of District-owned heavy duty vehicles. Training and driver education are critical components of improving roadway safety; however, we must be assured that all training is provided by qualified instructors. As so, we recommend that DDOT approve both the training curriculum and instructors. Please note that DDOT staff recently conducted training for approximately 2,500 Metrobus operators and would be happy to provide materials and guidance.

Section three of the bill creates a minimum three foot passing distance for motorists when overtaking a bicycle. The creation of a minimum passing distance removes the uncertainty of what constitutes a "safe distance." Also, since it is a minimum distance, the language allows for greater separation depending upon circumstances. This provision will also be useful in establishing a guideline for motorist

education programs. A notable drawback will be the difficulty in enforcing the new law. Confirming a 3-foot separation between two moving entities will be a challenge.

Lastly, the bill introduces a fine of \$100.00 for the improper use of restricted lanes which, in essence, entails the improper use of bicycle lanes by cars and trucks. We support any disincentive of the illegal use of bicycle lanes and also applaud the Council for mandating a \$65.00 fine for "Stopping, standing, or parking a vehicle in a bicycle lane" in the recently passed "*Pedestrian Safety Reinforcement Amendment Act of 2008*." Creating disincentives for motor vehicles to park and stop in bicycle lanes is vital as vehicles blocking bicycle lanes force cyclists to merge into the adjacent traffic lane, which creates potential safety hazards for bicyclists. The establishment of an appropriate fine will allow enforcement of this infraction and ensure that the lanes can be used as intended – for bicycling.

Thank you for the opportunity to testify on this issue. I will be happy to take any questions.

WASHINGTON AREA BICYCLIST ASSOCIATION

1803 connecticut ave. nw – washington, dc 20009

p: 202-518-0524 f: 202-518-0936 www.waba.org



October 30, 2008

Commander Melvin Scott
Metropolitan Police Department
801 Shepherd Street NW
Washington, DC 20011

Dear Commander Scott:

On behalf of the Washington Area Bicyclist Association (WABA) I wanted to thank you for taking the time to meet with us to discuss our concerns about the safety of cyclists and pedestrians in Washington, DC. We were very encouraged by the spirit of cooperation present in the room and look forward to working with the Metropolitan Police Department (MPD) to make our streets safer for everyone.

As a follow-up to our meeting I have drafted a list of action items that were discussed at the meeting. If for some reason my recollection is incorrect, please do not hesitate to contact me. According to my meeting notes, the following was agreed to:

- WABA and DDOT will create power point slides on areas where clarification of District law is needed that will be shown during police roll calls. Other slides identifying high crash areas will also be shown.
- MPD will expand distribution of WABA's Pocket Guide to DC Bike Laws to MPD officers;
- MPD will designate a point person on bike issues that will regularly attend DC Bicycle Advisory Council meetings;
- MPD will coordinate with DDOT on the upcoming Street Smarts enforcement campaign and improve training of officers working the program;
- MPD will work with WABA on enforcement stings of the bus and bike lanes in Chinatown and will conduct occasional bike lane double parking ticketing waves;
- WABA, DDOT and MPD will explore creating a police training video on bike and ped laws;
- WABA will work with MPD on collecting unreported crash data and other complaints that will be passed along to the Traffic Safety Branch;
- WABA, DDOT, MPD, and Council staff will coordinate efforts to identify high traffic safety complaint areas;
- WABA, DDOT and MPD will examine the DC Driver Training Manual's questions on driving near cyclists and pedestrians to see if they can be improved.

At the meeting we also gave you a draft of a Traffic Safety Memorandum of Understanding between our association, the District Department of Transportation, and the Metropolitan Police Department. I hope that you will pass the memo up the chain of command for consideration. If you have any questions about the memo, please do not hesitate to contact me.

Thanks again for your time and for your willingness to address the concerns we expressed at the meeting. We look forward to developing a mutually productive relationship with the department.

Sincerely,



Eric Gilliland
Executive Director

CC: Jim Sebastian, District Department of Transportation
George Branyan, District Department of Transportation
Jonathon Kass, Office of Councilmember Jim Graham
Daniel Conner, Office of Councilmember Tommy Wells
Commander Carter, Second District
Commander Kamperin, First District
Commander Kucik, Third District

**To the District Council Committee on Public Works and the Environment
Concerning Bill 17-981, the “Bicycle Safety Enhancement Act of 2008”**

Jack McKay, Resident

November 14, 2008

I’m Jack McKay, speaking today not for the Mount Pleasant ANC, but as a resident and longtime DC bicyclist. I’ve used bicycles for city transportation for close to 50 years, in the San Francisco area, in Pittsburgh, and in the District. For years, I commuted by bicycle from Mount Pleasant first to the Naval Research Lab, and later to Alexandria. Today my bicycling is just recreational, but I still put over 3000 miles a year on my bike.

I’ve been to emergency rooms twice, and hospitalized once, as a result of bicycle accidents. I know more than I really want to about the hazards of bicycling in the city.

Now, concerning the bill under consideration, what worries me is the reference to “improper use of a restricted lane”, which appears to be intended to keep cars out of bike lanes. This sounds good, but the implication, that drivers should never trespass on a bike lane, can actually increase the danger to bicyclists. How many drivers know when they’re allowed to enter a bike lane? The average driver will simply avoid ever going into a bike lane, a behavior that is already commonplace, and dangerous.

The danger is the infamous “right hook” collision, in which a car turning right does so just as a bicycle is passing on the right. This is the collision that killed a Mount Pleasant bicyclist last July. Automobile drivers are unaccustomed to checking for overtaking traffic on their right, and visibility to the right rear is poor.

How does one prevent the “right hook” a collision? Quite simply, by persuading drivers to make their right turns from “as close as practicable to the right-hand curb or edge of the roadway”, as District law specifies. If there’s a bike lane there, the car should make its turn from within that bike lane. This is legal and proper use of the bike lane: District regulations state that a driver “may enter a restricted right curb lane . . . to make a right turn”. Drivers who think that they must always stay out of bike lanes are not only violating

District regulations, but are inviting the “right hook” collision, by leaving space for a bicyclist to pass between them and the curb.

District policy is to indicate this permissible access into the bike lane by changing the bike lane striping from a solid stripe to a broken stripe, at least 30 feet from an intersection, wherever right turns are permitted. Unfortunately, the crews that paint the lane stripes appear to be unaware of this policy, and bike lane stripes are painted solid, right up to the intersection. That’s the case for the bike lanes on Tilden at Connecticut, on Park Road at Pierce Mill, and on Adams Mill Road at Calvert. That visual cue that drivers are allowed into the bike lane to make a right turn at an intersection is absent. All too many drivers think that they must stay to the left of the bike lane, even if they’re turning right, inviting the “right hook” collision.

The intent of this part of the bill is evidently to keep automobile drivers out of bike lanes, with the threat of a hefty fine. The consequence of this is all too likely to be even more right turns made from the left, across the bike lane, increasing the hazard of “right hook” collisions. Bicyclist safety would be better enhanced by improved signage so that drivers know that they are supposed to get to the right, blocking the bike lane, for a right turn. If bicyclists are forced to come to a stop behind the car about to turn right, and wait for the car to complete its turn, so much the better. That’s enhanced safety.

BICYCLE LANE STRIPING NEAR SIDE OF INTERSECTION

STOP LINE

See Chapter 43 in Design and Engineering Manual.

BICYCLE LANE GUIDELINE

Use dash line when vehicular right turns are allowed, otherwise utilize solid line.

6" wide, white, 30' minimum dashed bike lane stripe - 2' solid line with 4' gap.

BICYCLE DETECTION ZONE

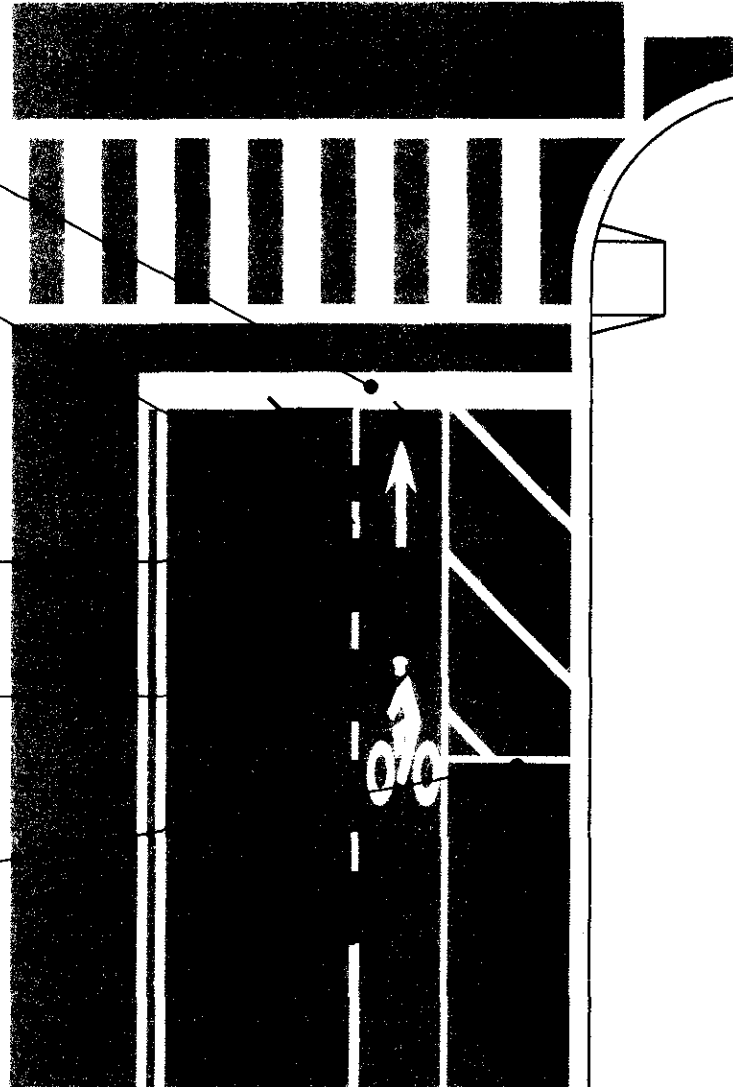
See detail 24 for detector and pavement marking requirements.

BICYCLE LANE SYMBOL

See detail 22. Locate arrow 1' from stop line if no detector is present. See detail 24 if detector is present.

PARKING ZONE LINE

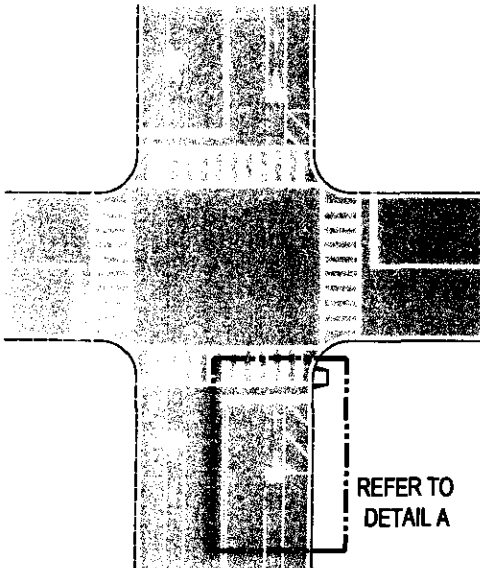
See note 3 below.



DETAIL A
SCALE 1" = 10'

NOTE:

1. Bicycle lane dimensions adjacent to parking shown in detail 01.
2. Bicycle lane dimensions adjacent to curbing shown in detail 02.
3. Transverse line shall match no parking signs if provided. See Chapter 46 in Design and Engineering Manual for parking design criteria. Hatching the no parking zone is optional.



REFER TO
DETAIL A

d.

District Department of Transportation

District Department of Transportation
Bicycle Facility Design Guide

REVISED:
Feb. 2006

SCALE:
1" = 10'

13

Testimony Before the City Council of the District of Columbia
Committee on Public Works and the Environment

by

DAVID E. ALEXANDER

on

the Bicycle Safety Enhancement Act of 2008, Bill 17-981
November 14, 2008

Good afternoon Chairman Graham, and members of the Committee. I am David E. Alexander, a Ward 2 resident. I have been a bicycle commuter and utilitarian cyclist in the District of Columbia for over twenty five years. Many of my friends and coworkers are the same although they also bike to DC daily. I drive a car often to New York, but in good years put more miles on my bike than my car.

I am here to speak to you about Section 3 of the Bicycle Safety Enhancement Act of 2008, Bill 17-981. That section would say that it is safe for a motorist to give a bicyclist a minimum of 3 feet of clearance when passing. This well meaning proposal is intended to foster more and safer bicycling in our city. This is a goal I think we all share, but unfortunately it will have the opposite effect, making it official that bicycles are second class citizens of the road.

Currently, under the DCMR 12-1201.7 it is presumptively not permitted for two bicyclists to ride abreast in a lane, unless it is safe. In contrast the proposal will definitively allow a motorist to pass within three feet of a cyclist, allowing the motorist to be in the same lane as the bicycle, even when the roadway has multiple lanes, and deem that behavior safe. It will also allow motorists to resume driving in the bicyclist's lane after passing when the motorist is mere three feet ahead of the cyclist.

Bicyclists regularly travel 10 to 20 miles an hour, and so cars must travel at least that fast to pass. As you remember, traditional training calls for a car driving at those speeds to allow one or two car lengths of clearance, not three feet, before and after passing. When you are in your car, or on your motorcycle, if a motorist shared a lane with you, or followed you or cut back in on you with only three feet of clearance you would deem it to be aggressive driving. The proposed regulation to require only 3 feet of clearance sanctions that exact behavior. Aggressive driving is very disturbing when you are in a car; it is frightening and life threatening when you are on a bicycle. Unpredictable and frightening motorist behavior is the major reason most people I've spoken to give for not bicycling in our city.

The proposal is disturbing because it dangerously and immutably makes the bicyclist a second class vehicle because it is less massive, or lower powered than a car or motorcycle. This is exactly the wrong way to go: every experienced bicyclist knows that a lumbering truck is treated much more deferentially than a mere bicyclist, by aggressive drivers and unthinking ones alike. We need to reverse, not sanction that behavior.

Safety demands that all vehicles follow the predictable, uniform rules of the road. Operators of bicycles have the same rights as operators of motor vehicles (DCMR 12-1200.3) and generally have the same duties (DCMR 12-1201.1). The duties thus applicable to motor vehicles and bicycles alike include proper and predictable use of lanes. Estimating 3 feet would be difficult, and executing lanes changes within 3 feet is dangerous.

A recent study in California by an eminently qualified bicycle analyst should serve to document that my experience is common: relative passing speed decreases and clearance increases when passes of bicyclists are executed using full lane changes, rather than lane straddles or shares. (see <http://www.cyclistview.com/overtaking/files/A-Draft-Rebuttal-of-Walker-Paper-Rev-4.pdf>, at pages 8 - 9, and associated videos)

DCMR 12-2201.2 implies that a motorist may change lanes when passing a vehicle including a bicycle, but shall generally keep to the right most part of the roadway. Full sized lanes are at least 11 feet wide. If you enact Section 3 as written this will mean more dangerous straddle and shared lane passes. DCMR section 12-2201.10, added later, goes partway to addressing the issue, entitling a bicycle to a full lane only when such entitlement is specifically marked on the roadway. Section 3 of the Bill would enshrine that a bicyclist is NOT entitled to a full lane at any other time, increasing fear, and decreasing safety, and therefore use of our roads by bicyclists.

In lieu of the current section 3, which would encourage lane-straddling and sharing type passing, the Committee should amend current DCMR 12-2201.9 to provide a full lane for travel by the bicyclist when the road permits multiple in the direction of travel. I also note that the section need not restrict bicyclists to right hand lanes because bicyclists, like all vehicles, are already required to stay as far right as is practicable given the conditions including speed and obstructions.

Let me close, without undue drama, by avering it is scary out there. I thank the Committee for its concern about making bicyclists full citizens of the road by your consideration of the full regulatory scheme which makes all vehicles equal partners in safety. Please don't enshrine the common practice of giving bicyclists less clearance than other vehicles.

Postscript: proposed DCMR 12-2201.9: On a roadway with three or more lanes (i.e. at least one passing lane) the driver of a motor vehicle shall not drive within a lane occupied by a bicyclist while overtaking or passing a bicycle being driven in that lane, and shall not drive into the occupied lane until the motor vehicle is two lengths ahead of the overtaken bicycle.

Kass, Jonathon (COUNCIL)

From: Kass, Jonathon (COUNCIL)
Sent: Sunday, November 23, 2008 11:07 PM
To: Kass, Jonathon (COUNCIL)
Subject: FW: Comments on the Bicycle Safety Enhancement Act
Attachments: Bicycle Safety Enhancement Act, testimony of David Alexander.wpd

Add to Cte rpt

Jonathon Kass
Committee on Public Works and the Environment
Office of Councilmember Jim Graham
202-724-8152
jkass@dccouncil.us
www.grahamwone.com

From: David Alexander [mailto:3210mud@gmail.com]
Sent: Fri 11/14/2008 6:47 PM
To: Kass, Jonathon (COUNCIL); Wells, Thomas (COUNCIL); mch eh@dc.council.us; jackevans@dccouncil.us; Graham, Jim (COUNCIL); Bowser, Muriel (COUNCIL); Brown, Kwame (COUNCIL)
Subject: Comments on the Bicycle Safety Enhancement Act

Dear Councilmembers, and Jonathon,

Thanks for your work on the Bicycle Safety Enhancement Act of 2008. Would you please enter the attached testimony into the record, as it corrects citations and typos in that previously emailed and submitted.

Additionally, would you please place the following comments, resulting from the Nov. 14 hearing into the record:

a) the "3 foot" safety rule is modeled on state laws. By definition, state laws apply on roads including rural roads without multiple lanes. As such, the 3 foot rule does not make sense on multi-lane city roads. For example, WABA and others state the "3 foot" rule is modeled on Portland, Oregon's new law.

However, that law is Oregon state law 811.065, whose section "a" is the 3 foot rule, which does not apply to vehicles traveling less than 35 mph (i.e. it would apply to none of DC's legal motorists) [see Oregon State Law 811.065(1)(a)(B)], and Oregon State Law 811.065(1)(b) and (c) require proper lane changes on rural roads (i.e. when passing to the left of center of the roadway). The law is not used, or appropriate for a cityscape. DC should not legislate by the least common denominator.

b) We are all concerned about workability and enforceability. The Council should note that DDOT in its testimony regarding the proposed 3 foot margin (section 3 of the Bill) expressed doubt about the enforceability of such a rule. As already noted in my testimony, I agree that the 3 foot rule would be hard for motorists to use, and unenforceable by the authorities unless a crash occurs. Road markings

11/24/2008

provide better guidance, which is why we have lanes, including bike lanes.

c) Regarding our post-hearing discussion, I cannot agree that requiring a motorist to really change lanes to pass a bicyclist is a radical position, in light of current 18 DCMR 2202.9, discussed in my testimony which requires such a full lane pass sometimes, and 18 DCMR 2201.6, which requires a vehicle to be driven "as nearly as practicable" entirely within a lane. Experienced cyclists, and WABA's confident cycling course teach bicyclists to stay in the left part of the lane to "control the lane" and encourage full lane changes. Cyclists should not have to "control the lane" (and violate the requirement to ride as far right as practicable) to encourage safe motorist behavior. My proposed amplification of 18 DCMR 2202.9 would reduce that need for cyclists. The 3 foot rule, which would encourage lane straddles, and shares by motorists, would encourage it.

I am afraid, when publicized, the 3 foot rule will reduce bicycle safety by tacitly giving motorists permission to come within 3 feet (however they estimate that), even to the front or rear of a bicycle, and regardless of lane markings.

Thank you for your concern about bicycle safety and encourage bicycling!

David Alexander
Bicycle Advisory Council Ward 2, but not speaking for a majority of the Council
2424 Pennsylvania Ave. NW #601
Washington, DC 20037-1720
day (202) 564-2109

Puig-Monsen, Maria (Council)

From: Catherine McCarthy [ciaocatherine@gmail.com]
Sent: Thursday, November 13, 2008 2:39 PM
To: Puig-Monsen, Maria (Council)
Subject: re: Bicycle Safety Enhancement Act of 2008

To: November 13, 2008

Dear Ms. Puig-Monsen and members of the DC Council,

I am writing you as a friend of Alice Rowan Swanson and a cyclist in Washington. Tomorrow you will gather to hear from local citizens in advance of voting on the Bicycle Safety Enhancement Act of 2008. My understanding is that the Bicycle Safety Act of 2008 has been proffered by the Washington Area Bicyclist Association and concerned citizens as a direct response to the tragic conditions which precipitated Alice's death on July 8, 2008. I am writing to submit my statement of support for this bill.

It has been just over four months since Alice was killed riding her red bicycle to work on that Tuesday morning. The sorrow her friends here in Washington feel has not abated in that time. In September we celebrated her 23rd birthday with her family here in DC, but without Alice there to share her favorite *tres leches* birthday cake.

Alice was one of the most peaceful, caring and positive people I have ever had the privilege of knowing. She devoted her short life to working towards equal rights for all, whether she was working with refugees in Egypt or Nicaragua, or working here in DC to foster cultural and educational exchanges between other countries and our own to ensure global peace.

These equal rights Alice worked for should extend to the arteries and veins of our city, from City Hall to the sidewalks, from New York Avenue to 19th Street and every road they touch. Everyone in Washington is trying to make their way from point A to point B, and whatever mode of transport they choose, denizens of this city deserve protection as they navigate the city streets. The protections offered to cyclists in the Bicycle Safety Enhancement Act of 2008 are simple and just and can only serve to enhance the quality of life for all who live and/or work in the District of Columbia.

I urge you to seize this opportunity to make right what is wrong, to offer greater protection to the citizens who elect to ride a bicycle whether it be for leisure or out of necessity, the everyday people the Council represents who are biking to work, to school, or home, to be with the friends and family who love them.

Please make sure they get home safely by approving these simple and straightforward laws contained in the Bicycle Safety Enhancement Act of 2008. This Act has the potential to save countless lives in our city and foster a culture of cyclist and pedestrian safety, respect and awareness already achieved in other U.S. cities. The economic and environmental benefits of such a culture are limitless, but the value of protecting our citizens' lives and well-being is far greater. Do the right thing. Approve this Act.

Respectfully and sincerely submitted,

Catherine M. McCarthy
1300 19th Street NW

11/13/2008

8th Floor
Washington, DC 20036
727-385-7668

Puig-Monsen, Maria (Council)

From: Adam Mistler [themistler@gmail.com]
Sent: Thursday, November 13, 2008 4:23 PM
To: Puig-Monsen, Maria (Council)
Subject: Hoping that the Bicycle Safety Enhancement Act passes

Dear Ms. Puig-Monsen,

One of my favorite aspects of living in the District is the degree to which it is both pedestrian and bicycle friendly. However, especially as pertains to cycling, events - including unfortunate deaths - of the past few years clearly indicate that more can be done to those without the benefit of a car surrounding them.

It is hassle and a danger when non-authorized vehicles - sometimes coming out of nowhere - use a bike lane, and the language further restricting such use seems to be common sense. The awareness training for drivers of heavy vehicles is a great idea. In short, I fully support passage of the Bicycle Safety Enhancement Act of 2008.

Thank you.

--

Adam

"The trouble with fighting for human freedom is that one spends most of one's time defending scoundrels. For it is against scoundrels that oppressive laws are first aimed, and oppression must be stopped at the beginning if it is to be stopped at all."

-- H.L. Mencken

Quis custodiet ipsos custodes

Puig-Monsen, Maria (Council)

From: Hagood, John [J-Hagood@NGA.GOV]
Sent: Friday, November 14, 2008 9:08 AM
To: Puig-Monsen, Maria (Council)
Cc: Jim Diloreto N111
Subject: Thanks for 17-981 "Bicycle Safety Enhancement Act"

Dear Mr Graham, and Members of the Council:

Thank you, thank you, thank you for putting forward and supporting Bill 17-981, the Bicycle Safety Enhancement Act.

I am a middle-aged, native Washingtonian who sees our city as eminently walkable and bike-able. While the country devotes far too much blood and treasure to advance the interests of the car and oil industries, I am proud of my town for doing what's good and right for everyone. (Honestly: who benefits the most when more people switch from cars? The answer is "car drivers.")

Because I enjoy living and working in the District, I cycle every day. I am healthy. I have extra time. I suffer none of the frustrations of driving a car or riding Metro. I am not the reason our country suffers pollution, inflation, obesity, and wars overseas.

That also means, though, that I have been hit by cars running red lights, turning without looking, and ignoring the most basic rules of the road. I daily witness a stream of cars in the "bus and bike only" lanes along 7th and 9th Streets, NW. I have been purposely hit from behind by a car to force me out of its way--in a bike lane! Most of this behavior, naturally, comes from drivers who pay their income and property taxes to Virginia and Maryland. These too are the people who write to the *Washington Post* to complain about bikes on "their" roads. I have to swerve around the illegally-parked personal vehicles owned by the officers of the 1st District MPD station. I have had serious physical injuries and injustices dismissed by police officers who came to the scene of my being hit head-on by a car making a turn without signaling and without looking.

While there's no shortage of cheap parking for cars, I have to wonder and wander to find a spot to lock my bike in Downtown and Georgetown. I watch my colleagues receive thousands of federal dollars a year for taking public transportation, but pedestrians and cyclists receive no such subsidy--effectively encouraging people to live in the suburbs. My condominium builders had to excavate to build parking for half its residents, and now I am asked to contribute to security patrols and doors that protect their automobiles.

Anything to encourage and reward safe cycling is going to benefit us all. Part of that will mean educating drivers on the rules of the road, on basic human courtesy, and probably, dealing with their shame and envy toward those of us who find a happier, cleaner, healthier, more efficient way to get around.

So again, thank you for this wonderful step forward. I look forward to supporting much more in this direction.

Best,

John Hagood
350 G Street SW, #613
Ward 6D

Puig-Monsen, Maria (Council)

From: kyleash@gmail.com [oropendula@comcast.net]
Sent: Thursday, November 13, 2008 4:52 PM
To: Puig-Monsen, Maria (Council)
Subject: support the Bicycle Safety Enhancement Act

Dear Ms. Puig-Monsen:

I am writing to express my enthusiastic support of the Bicycle Safety Enhancement Act of 2008, Bill 17-981, introduced by Councilmember Jim Graham. I have lived in the District for several years, and I have been a bicycle commuter for 15 years. After experiencing inner city traffic in many different places, such as Brussels, Dallas, Portland, Quebec, I have come to conclusion that D.C. is sorely in need of better regulation to protect cyclists. It is not enough to simply expect car drivers to respect cyclists as equally privileged to share the road, as the unintentional killing of cyclists has shown. The infrastructure was made for cars, and the rules of the road were created for the safety of people in cars. Cyclists are always going to be more vulnerable.

Another reason to support cyclists is that they actually benefit city transit. More cyclists means less traffic, less road damage, and a more pedestrian friendly urban environment. Obviously, cycling also means fewer greenhouse gas emissions. Cycling should be promoted, and cyclists should be supported. There are basically two reasons why you might find cyclists choosing to brave traffic in a city as busy as DC: either the cyclists cannot afford a car, or the cyclist chooses to bicycle out of social responsibility. My own historical reasons for cycling entail both the economic and the responsible reasons. The community is ethical obliged to support cycle commuters.

Please support safe cycling with the Bicycle Safety Enhancement Act of 2008, Bill 17-981, introduced by Councilmember Jim Graham.

Thank you,

Kyle Ash, MA, LLM
4222 7th St NW
Washington, DC 20011
202-441-1314
kyleash@gmail.com

Puig-Monsen, Maria (Council)

From: Kathleen Robertson [kathleen.roberton@gmail.com]
Sent: Thursday, November 13, 2008 3:20 PM
To: Puig-Monsen, Maria (Council)
Subject: Bicycle Safety Enhancement Act

Dear Ms. Maria Angelica Puig-Monsen,

I'm writing to pledge my support for the passing of the Bicycle Safety Enhancement Act. I am a bike and metro commuter and have recently moved to the area from Portland, Or. DC is an incredible city to cycle around but it can also be dangerous and is in need of improving the safety measures outlined in the Bicycle Safety Enhancement Act.

I appreciate your advocacy and hope that steps are taken to make cycling a safer option in DC than it was for Alice Swanson.

Sincere regards,
Kathleen

Puig-Monsen, Maria (Council)

From: Bowyer, Jay [jbowyer@FSCO.com]
Sent: Friday, November 14, 2008 12:39 PM
To: Puig-Monsen, Maria (Council)
Subject: FW: WABA Alert: Support the Bicycle Safety Enhancement Act
Attachments: spacer.gif; spacer.gif; spacer.gif; spacer.gif; vLine.gif; spacer.gif

Ms Puig-Monsen –

I just received this e-mail but – if it's not too late – I would like to convey my support for the passage of this bill.

It's sometimes **dangerous** being a bike rider on what should be **civilized** streets in our city.

Thank you.

Jay Bowyer | Territory Manager | Schumacher (a division of F. Schumacher & Co.) | 300 D Street, SW, Suite 521, Washington, DC 20024 | Tel: 202.646.0610 | Fax: 202.488.0904 | Mobile: 202.441.0384

Visit our searchable website at www.fschumacher.com

PLEASE CONSIDER THE ENVIRONMENT BEFORE CHOOSING TO PRINT THIS EMAIL

From: jdphotography@earthlink.net [mailto:jdphotography@earthlink.net]
Sent: Thursday, November 13, 2008 10:30 PM
To: Jim Di Loreto
Subject: WABA Alert: Support the Bicycle Safety Enhancement Act

Check out the latest alert from the Washington Area Bicyclist Association regarding DC's Bicycle Safety Enhancement Act of 2008.

<http://www.waba.org/takeaction/docs/BicycleSafetyEnhancementActTwo.pdf>

Bicycle Safety Enhancement Act of 2008

In October, Councilmember Jim Graham, chair of the DC Council's Public Works and Environment Committee, introduced Bill 17-981, the Bicycle Safety Enhancement Act of 2008. The recommendations contained within the bill are mainly a response to the death of local cyclist Alice Swanson earlier this year. Following the tragedy, WABA developed a list of recommendations to help better protect cyclists from heavy vehicles. Many of WABA's recommendations are contained in the bill. The Bicycle Safety Enhancement Act includes the following:

- 1) A requirement that blind spot mirrors be installed on all DC owned heavy duty vehicles
- 2) New bicyclist and pedestrian awareness training for DC heavy vehicle operators
- 3) A new law requiring that motorists give three feet of space when passing cyclists
- 4) A fine for the use of restricted lanes (bus/bike lanes or bike lanes) by unauthorized vehicles

What You Can Do to Help:

A hearing on the legislation has been scheduled for Friday, November 14th at 2pm. WABA urges you to contact the DC Council to express your support for the Bicycle Safety Enhancement Act. We have provided a sample letter for you to send to the Council, but please remember that personal messages are much more effective. If you'd like to testify in person at the Council hearing, please contact Maria Angelica Puig-Monsen at 202-724-8195 or email mpuigmonsen@dccouncil.us by November 12th. Written statements of support for the bill can also be sent to Ms. Puig-Monsen's email address.

~ James ~

~ JD Photography ~

~ <http://home.earthlink.net/~jdphotography/photo/> ~

----- Original Message -----


From: WABA

To: jdphotography@earthlink.net

Sent: 11/12/2008 12:49:29 PM


Subject: WABA Alert: Support the Bicycle Safety Enhancement Act

WABA ALERT!



FROM THE WASHINGTON AREA BICYCLIST ASSOCIATION

donate to waba


www.waba.org

EVENTS | MAPS | RULES OF THE ROAD | TAKE ACTION | MEMBERSHIP

WABA BOARD



President

Douglas Stewart

Vice President

Barbara Klieforth

Treasurer

Paul d'Eustachio

Secretary

Randall Myers

Board Members

Support the Bicycle Safety Enhancement Act of 2008

In October, Councilmember Jim Graham, chair of the DC Council's Public Works and Environment Committee, introduced Bill 17-981, the Bicycle Safety Enhancement Act of 2008. The recommendations contained within the bill are mainly a response to the death of local cyclist Alice Swanson earlier this year. Following the tragedy, WABA developed a list of recommendations to help better protect cyclists from heavy vehicles. Many of WABA's recommendations are contained in the bill. The Bicycle Safety Enhancement Act includes the following:

- 1) A requirement that blind spot mirrors be installed on all DC owned heavy duty vehicles

Matt Bieschke
 Kendall Dorman
 Jana Lynott
 Hunter McCleary
 Martin Moulton
 Susan Orlins
 Elissa Parker
 Curtis Runyan
 Dana Wolfe

WABA STAFF



Executive Director

Eric Gilliland

**Safety Education
 Program Director**

Dorcas Adkins

**Safety Education
 Program Coordinator**

Glen Harrison

**Membership &
 Development Manager**

Eve deCoursey

**Membership &
 & Development Assistant**

Jenn Bress

Events Manager

Chantal Buscher

Events Assistant

Henry Mesias

Office Volunteers

Bruce Dwyer
 Jon Fleming
 John Telesco

To Unsubscribe, [Click Here](#).

- 2) New bicyclist and pedestrian awareness training for DC heavy vehicle operators
- 3) A new law requiring that motorists give three feet of space when passing cyclists
- 4) A fine for the use of restricted lanes (bus/bike lanes or bike lanes) by unauthorized vehicles

What You Can Do to Help:

A hearing on the legislation has been scheduled for Friday, November 14th at 2pm. WABA urges you to contact the DC Council to express your support for the Bicycle Safety Enhancement Act. We have provided a sample letter for you to send to the Council, but please remember that personal messages are much more effective. If you'd like to testify in person at the Council hearing, please contact Maria Angelica Puig-Monsen at 202-724-8195 or email mpuigmonsen@dccouncil.us by November 12th. Written statements of support for the bill can also be sent to Ms. Puig-Monsen's email address.

Thanks for your assistance!

WABA

PS If you would like to read summary of WABA's productive meeting with the Metropolitan Police Department [click here](#).

Puig-Monsen, Maria (Council)

From: Amy Bocian [ambocian@gmail.com]
Sent: Thursday, November 13, 2008 12:44 PM
To: Puig-Monsen, Maria (Council)
Subject: From a friend of Alice Swanson

I am writing today to urge you to support Bill 17-981, the Bicycle Safety Enhancement Act of 2008. As more and more people turn to bicycling as a form of transportation, we need to do our best to make sure that cyclists are safe on DC's roadways. My friend Alice's death was a senseless tragedy. In the future, such tragedies can be avoided with a few simple measures. The Bicycle Safety Enhancement Act would do the following:

- 1) Require blind spot mirrors on all DC owned heavy duty vehicles
- 2) Require additional bicyclist and pedestrian awareness training for DC heavy vehicle operators
- 3) Require that motorist give three feet when passing cyclists
- 4) Establish a fine for the use of restricted lanes by unauthorized vehicles

Many of the above mentioned steps were taken by the City of Portland following the deaths of two cyclists at the hands of right turning large vehicles. The Bicycle Safety Enhancement Act would hopefully help prevent such tragedies from occurring in DC in the future.

Thank you for your consideration and for all your efforts on behalf of cyclists in Washington, DC.

Sincerely,
Amy Bocian

Puig-Monsen, Maria (Council)

From: Kristin Farthing [kfarthing@aed.org]
Sent: Thursday, November 13, 2008 1:57 PM
To: jim@grahamwone.com
Cc: Puig-Monsen, Maria (Council); waba@waba.org
Subject: Bicycle Safety Enhancement Act
Attachments: Complaint against driver of Columbia cab, license plate # H 88838.docm

Dear Councilmember Graham,

I want to write to you personally, thanking you for developing the Bicycle Safety Enhancement Act and sharing with you my experiences of biking in DC. I will not be able to come to the hearing tomorrow, unfortunately.

I have been biking to work every day, all year long, since I moved to DC in August 2004. In that time, I have had my fair share of serious scares and of course I have, like every other cyclist, been placed on a daily basis in unsafe situations.

I am the first to admit that many cyclists behave idiotically. I do not, and I know many who do not. However, I do not defend the behavior of cyclists who openly break the law, and do so in unsafe, annoying, and really indefensible ways.

But, every day, on my short 2 mile commute to work, I have between 3 - 6 cars who lurch from behind me to in front of me, slam on their brakes, and turn right--forcing me to lurch unsafely into traffic behind me to avoid running into them. Every day drivers take a left turn in front of me while I am going straight, forcing me to stop or get run over--something they would never do to a car. I have drivers pull out in front of me while I am in a bike lane--they either don't check back or don't care if they do. On more extreme level, I have had people throw cups of coffee out the window at me and scream at me to get off the road. I am yelled at daily by drivers who believe they own the road. Biking in DC means putting up with a constant barrage of abuse and aggressive behavior.

A lot of this is inevitable, but some of it is not. If the MPD felt any responsibility to enforce bike safety rules, we'd all feel a lot safer. If the bike and bike&bus lanes were actually for bikes and not cars or extra parking, if there were public education about how to signal and look back for bikes before you turn right, if there were an understanding that taxi drivers would have their licenses revoked for aggression against bicyclists...

So I greatly appreciate your efforts in this bill. Thank you.

In case it is helpful in the hearing, I'm attaching a complaint I filed a couple months ago against a taxi cab driver. Nothing was done about it, of course.

Yours,
Kristin

Kristin Farthing
Program Officer
Center for Civil Society and Governance
Academy for Educational Development

Puig-Monsen, Maria (Council)

From: Alexandra Blogier [alexandra.melrose@gmail.com]
Sent: Thursday, November 13, 2008 1:56 PM
To: Puig-Monsen, Maria (Council)
Subject: bicycle safety enhancement act

Dear Ms. Puig-Monsen,

I am writing to you urging you to support the Bicycle Safety Enhancement Act. Alice Swanson was my best friend, and I can't help but think that with the precautions listed in the bike safety act, she might still be here today. Alice was an incredibly safe biker, she wore a helmet and obeyed traffic laws; she did everything right, and her death is testament to the fact that more must be done to protect cyclists. The addition of a blind-spot mirror to city vehicles especially could make Alice's type of accident avoidable.

Please support this bill.

Thank you,

Alexandra Blogier

Puig-Monsen, Maria (Council)

From: Chris <chris.net@comcast.net> [chris.net@comcast.net]
Sent: Thursday, November 13, 2008 12:23 PM
To: Bowser, Muriel (COUNCIL)
Subject: Please support Bicycle Safety Act

Hi Muriel,

I understand that there will be a hearing tomorrow at 2:00 on Bill 17-981, the Bicycle Safety Enhancement Act and I'm writing to ask that you support the common sense legislation. It is smart to have blind spot mirrors and other equipment and training to guard against bicyclists or pedestrians being accidentally killed by our city's large vehicles. Please let me know if you intend to support this legislation. Thanks for your work!

Sincerely,
Chris

--
Chris McGraw
6445 Luzon Ave NW #318
Washington, DC 20012
chris.net@comcast.net

--
This electronic message transmission contains information that may be confidential or privileged. The information contained herein is intended solely for the recipient and use by any other party is not authorized. If you are not the intended recipient (or otherwise authorized to receive this message by the intended recipient), any disclosure, copying, distribution or use of the contents of the information is prohibited. If you have received this electronic message transmission in error, please contact the sender by reply email and delete all copies of this message.

Puig-Monsen, Maria (Council)

From: Chris Vonderweidt [cvonderweidt@gmail.com]
Sent: Wednesday, November 12, 2008 1:19 PM
To: Puig-Monsen, Maria (Council)
Subject: Support for Bicycle Safety Enhancement Act of 2008

Dear Councilmember,

I would like to voice my support for the Bicycle Safety Enhancement Act of 2008 but unfortunately I am unable to attend the hearing on Friday. Please accept this testimony as part of the record.

Bicycle safety is a major problem in the District of Columbia. The district has taken several steps in the right direction such as bicycle lanes but there is a lot of room for improvement. I ride my bicycle to work daily from Dupont Circle to McPherson Square and the most common threats to my safety are metro busses and cars that block the bicycle lanes.

Bus drivers in the district are out of control often driving recklessly. I have lived in many parts of the country and have never seen such aggressive driving by public busses. I am routinely cut off by bus drivers who feel the need to pass me and then make a stop moments after they are by me. When this happens my only choice is to slam on the brakes or swerve into the car lanes to avoid the bus. There is no reason for bus operators to drive like this when they can simply wait a few extra seconds until I have passed on my bike and then make their stop. Often times it seems like the bus drivers harbor some kind of resentment or hostility towards cyclists. This may stem from them seeing bicycles as nuisances rather than vehicles who have a right to the road as much as a bus or car. This kind of behavior is an accident waiting to happen and frankly I am surprised that no one has been hit by a bus during the 2 years I have lived in DC.

The other serious obstacle to bicycle safety are cars blocking the bicycle lanes. There should be serious fines which are ENFORCED by police.

Thank you for your consideration,
Christopher Vonderweidt

Puig-Monsen, Maria (Council)

From: Ken Quam [kenquam@gmail.com]
Sent: Thursday, November 13, 2008 10:52 AM
To: Puig-Monsen, Maria (Council)
Subject: I support the Bicycle Safety Enforcement Act of 2008

Dear Ms. Puig-Monsen,

I am writing this email to voice my support for the Bicycle Safety Enforcement Act of 2008. I urge you do whatever you can to ensure that this bill passes. My understanding is that similar laws passed in other cities have made improvements toward bicyclist safety and I would like to improve those conditions here in DC.

Thank you!

Ken Quam
Ward 1 Resident

Puig-Monsen, Maria (Council)

From: sam greenspan [samgreenspan@gmail.com]
Date: Thursday, November 13, 2008 11:03 AM
To: Puig-Monsen, Maria (Council)
Subject: Bicycle Safety Enhancement Act of 2008.

Dear Ms. Puig-Monsen,

I am writing to urge the Council to pass the Bicycle Safety Enhancement Act of 2008. My bicycle is my primary mode of transit in the District, and though I wear a helmet and have equipped my bike with lights, I still often feel unsafe in the presence of other cars while commuting.

I work not far from where cyclist Alice Swanson was struck and killed, and her memorial serves as a constant reminder that so far no measures have been taken by the District government to make streets safe for cyclists. This Act is good progress towards safer streets in DC.

Thank you,
Sam Greenspan
Mt. Pleasant, 20010

Puig-Monsen, Maria (Council)

From: Amy Smith [asmith609irving@yahoo.com]
Sent: Wednesday, November 12, 2008 1:05 PM
To: Puig-Monsen, Maria (Council)
Subject: Bicycle Safety Enhancement Act

Hello: Please consider my support of this legislation. I am a full time bicycle commuter, living in Columbia Heights, working on Eye street NW. I even dare to ride on Georgia Ave. part of the way.

I have lived in DC (all 4 quadrants) for 23 years and have always bicycle commuted. I'm liking the changes I see to enhance safety, but we are still vulnerable.

Thank you for your efforts.

Amy Smith
609 Irving Street NW

Puig-Monsen, Maria (Council)

From: A R [arcurllyq@yahoo.com]
Sent: Wednesday, November 12, 2008 1:28 PM
To: Puig-Monsen, Maria (Council)
Subject: Letter of Support for the Bicycle Safety Enhancement Act of 2008

Please accept the following statement in lieu of oral testimony at the November 14th hearing **in support of Bill 17-981**, the Bicycle Safety Enhancement Act of 2008.

As someone who has cycled in DC for close to 12 years now for both commuting and recreational purposes, I commend the DC council for putting together this legislation, and I encourage the Council to expeditiously pass this Act to protect the many cyclists, myself included, who use our streets each day.

There are more cyclists on DC's streets than ever. Cycling is a quick and environmentally-friendly way to get around town. Cycling reduces traffic congestion, obesity, pollution, and our reliance on fossil fuels for transportation. Cycling is easy and cheap, especially when compared to driving a car or riding Metro. However, many people do not bike through DC because of the real perception that it is unsafe. This Act, if passed, will improve certain conditions that directly impact cyclists' safety.

While our Mayor has increased the number of bike lanes in the city, any cyclist who uses them knows that these lanes are useless when cars park or drive in them. I see this daily. The bike lane on F Street NW is regularly filled with cars and trucks double-parked. This morning, while riding in the wonderful bike lane on Q St NW, I narrowly avoided being hit by a motorist who attempted to drive IN THE BIKE LANE to pass slower moving traffic on a one-way, one-lane street. Unfortunately, I see this daily.

While it is currently illegal to drive or park in a bike lane, there is no fine attached to such offense. Having a fine will give the MPD the legal means to fine such offenders and stop this incredibly dangerous behavior.

The part of this legislation requiring motorists to give cyclists at least three feet of space when passing is also a good start, although I hope that this will include fines for failing to do so. Without a fine, this law will be useless.

I would also like to encourage the City Council work closely with the Washington Area Bicyclist Association (WABA) and take their recommendations with regard to cycling seriously. I also request that the City Council look closely at what other "bicycle friendly" towns are doing around the world to encourage cycling and make it safer. Such towns include Amsterdam, Portland OR, Copenhagen, and Boulder CO to name a few.

Finally, the city must do more in the area of **enforcement**. The MPD needs to be more proactive in enforcing basic pedestrian and bicycle safety laws. Motorists often drive through DC like it's the Wild West with no regard to laws or others around them. This behavior **MUST STOP**. It is not tolerated in the surrounded suburbs and it should not be tolerated here. The safety of cyclists could be improved dramatically simply by enforcing the existing laws pertaining to speeding, running stop signs, and failing to stop for pedestrians in crosswalks.

Again, I applaud this measure and hope that more measures like it will follow to help make cycling the preferred method of transportation here in the District.

Sincerely,

Andrea Richardson
610 Longfellow St NW
Washington DC 20011

- 1) A requirement that blind spot mirrors be installed on all DC owned heavy duty vehicles
- 2) New bicyclist and pedestrian awareness training for DC heavy vehicle operators
- 3) A new law requiring that motorists give three feet of space when passing cyclists

Puig-Monsen, Maria (Council)

From: Paul Turner [pftrigger@yahoo.com]
Sent: Wednesday, November 12, 2008 5:12 PM
To: Puig-Monsen, Maria (Council)
Subject: Urged support

Please Support the Bicycle Safety Enhancement Act!

I bike every day in the district and am often glad when my ride is over after close calls. This would help make our streets safer.

Paul Turner
355 I St. SW
Unit S216
Washington, DC 20024