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| **MEETING 8 SUMMARY Cooper Jones Bicyclist Safety Advisory Council**  **August 13, 2018, 11 am – 3 pm**  **Ellensburg City Hall, Ellensburg, WA**   |  |  | | --- | --- | | **Attending:** | Wade Alonzo, Barb Chamberlain, Dongho Chang, Charlotte Claybrooke, Chris Comeau, Aimee D’Avignon, Josh Diekmann, Steve Durrant, Jessica Gould, David Jones, Rep. Shelley Kloba, Nancy Lillquist, Nancy McClenny-Walters, Annette Neese, Amy Person, Matthew Rollosson, Annie Szotkowski, Amy Shuman, Scott Waller, Heidi Keller, Facilitator.  Guest: Rachel Osias, Youth Programs Manager, Cascade Bicycle Club | |

## **Announcements and Updates**

* The next three meetings of the group will all be in Olympia. The September 10 meeting will be at Washington Traffic Safety Commission. The October meeting will be at Washington Association of Sheriffs and Police Chiefs. There will be a combined November-December meeting held in conjunction with the Pedestrian Safety Advisory Council on December 12 at the Washington Traffic Safety Commission.
* Today’s presentations about education and community outreach will be the last new information we will consider for possible inclusion in the 2018 annual report. In October, we will be starting work on content for the 2019 report.
* The 2018 annual report will need to be completed by the end of October for internal review at Washington Traffic Safety Commission beginning November 1. By mid-November, the report will be submitted to the Governor’s office for review. Addressing their edits will take us to the end of November and the report will be formally submitted to the Governor’s office and transportation committees of both the House and Senate on December 1, 2018.
* Thank you to Jim Richmond, City of Ellensburg, for assistance with technology for the meeting.

1. **Bicycle safety education – what is happening, how we can improve**

* Rachel Osias, Cascade Bicycle Club

Rachel spoke about the work being done by Cascade Bicycle Club around the state to provide bicyclist and pedestrian education. A copy of her presentation is available at <https://prezi.com/view/Dman57Mds05towSHaa4G> .

Although the organization provides a wide variety of education opportunities, she highlighted two:

Let’s Go – is a curriculum largely delivered to approximately 20,000 3rd-5th graders in four school districts in the King, Pierce and Snohomish County areas. The curriculum focuses on three areas: 1) pedestrian knowledge and infrastructure; 2) bicycle basic skills and communication; and, 3) intersection scenarios and critical thinking.

Additionally, Cascade Bicycle Club uses Safe Routes to School funding that WSDOT channels through the Office of Superintendent of Public Instruction to use middle school physical education classes to provide bicycle skills education. Annually, the program is starting up in about 20 middle schools around the state. More than 40,000 students have received instruction since its inception.

She emphasized the need to focus on the needs of the students being served and spoke about how the curriculum uses “adaptive technologies” so that individuals with physical, behavioral or cognitive challenges can also enjoy bicycling.

* Nancy McClenny-Walters, Region 17 Target Zero Manager

Nancy provided information about the “Bikes on the Road” bicycle education program. Funded by a small grant from WTSC, this program puts bicycle education into community events in the Walla Walla and College Place areas. Part of the “Bikes on the Road” program is a bicycle safety inspection that often is followed by some minor repairs. There are five educational areas, each staffed by volunteers. Each participant receives a bicycle helmet as part of the education process. She said there have been about 100 participants in the educational events so far.

* Jessica Gould, Intercity Transit

## Intercity Transit has started a “Pace Car” program to recognize people for” 1) driving the speed limit and being courteous drivers; and, 2) recognize that their driving affects the safety and livability of our neighborhoods and communities. The program is just getting started so there are currently fewer than 100 Pace Car participants signed up. The idea behind the program is to have community members work to change traffic safety culture around them by modeling the behaviors we want them to demonstrate. The free program asks people to sign up to be a “Pace Car” and with that there is a list of 8 behaviors that Pace Car participants agree to pursue. Once the Pace Car pledge card is received at Intercity Transit, the signee is sent a sticker to put in their vehicle window.

Following the three presentations, the group discussed possible recommendations for increasing the amount and quality of bicyclist and pedestrian education. Those possible recommendations are included under Categories 5 and 6 in the list of possible 2018 recommendations.

1. **Revisit and Refine 2018 Recommendations**

The full group divided into four smaller groups and each small group reviewed one category of possible recommendations. The groups’ assignment was to identify which of the proposed recommendations were: A) ready to put forward as is; B) which could be combined with other recommendations, and, C) which recommendations are just not ready to be put forward in this year’s report.

The small groups reviewed Categories 1, 2, 3 and 4. After the meeting, Scott drafted language associated with Categories 5 and 6.

A key for understanding the color-coding associated with the recommendations presented below:

Blue = Revised language from the 8/13 meeting

Black = Original recommendation language

Red – Changed the original language or left off of recommendations to be considered for the annual report this year

Green – areas where we might be able to provide some additional information to call out the importance of infrastructure.

***Category 1: Increased Automation & Autonomous Vehicles***

**1A The Washington State Legislature should adopt legislation prior to the deployment of Autonomous Vehicles (AVs) in the state that requires AVs to be considered motor vehicles and, as such, required to follow all current and future traffic laws and rules of the road. Additionally, prior to receiving authorization to operate in the state, the legislation should require that manufacturers shall demonstrate that their vehicles can perform each of the following:**

* Recognize bicyclists no matter their skin color, what they are wearing or what they are doing;
* Recognize all vulnerable road users regardless of color of skin or mode of travel, e.g. wheelchairs;
* Recognize other road hazards, e.g. construction sites;
* Interact safely with human drivers operating standard motor vehicles on the road; and,
* Use required software that selects routes to avoid streets where bicycling and walking are prioritized. (1.3, 1.6)

~~Recommend a national framework for bicycle and pedestrian interaction that puts the onus on AV manufacturers. (1.3)~~

~~In order to be certified to operate an autonomous vehicle (AV) in Washington State, AVs must be capable of:~~

~~be certified for operation in the state, manufacturers of autonomous vehicles must obtain certificationsalso address the following:~~

~~follow all current rules of the road as well as the following specific considerations regarding bicyclists and pedestrians:~~

~~and to 3, including any rules identified by this Council as important for bicycle safety (e.g. following speed limits and stopping at signals for bicyclists and pedestrians)~~

* ~~Adopt state law establishing safe passing distance that considers speed~~
* ~~Protect and expand the investment in bicycle and pedestrian infrastructure.(1.6)~~

**1B The Washington State Legislature shall pass legislation authorizing local governments to designate specific routes where AVs are not allowed and where bicycling and walking are prioritized. (1.1)**

~~The State of Washington should be able to designate specific routes where bicycling and walking are prioritized. (1.1)~~

**1C The Governor’s AV Workgroup should consider bicycle and pedestrian safety as core to their deliberations by ensuring each of the following. (1.2)**

* Create an ethical framework for operation of AV that specifically recognizes the greater vulnerability of bicycles and pedestrians;
* Advocate for bicyclists and pedestrians in experimental research (see policy developed by the Texas A&M Transportation Institute)
* Consider the health impact of AVs (e.g. Health Impact Assessments)
* Consider growth management issues and the potential contribution to sprawl.
* Require data transparency before allowing the research, piloting, and operation of AVs in Washington State (data available on failures as well as successes).

NOT READY FOR INCLUSION IN REPORT THIS YEAR - Develop the liability framework

~~Address autonomous vehicle impacts, car sharing. (5.8)~~

**Please note: The recommendations in blue have been forwarded to the Governor’s Autonomous Vehicle Safety Workgroup.**

***Category 2: Laws & Regulations*** *(Combines Category 2 – Laws and Regulations + Category 4 – Vulnerable User Law)*

**2A The Washington State Legislature should provide sufficient resources for the Washington Institute for Public Policy to study the feasibility of setting fines based on potential for injury, e.g. failure to yield is a very common reason for fatal/serious injury crashes but we don’t know how many tickets are issued or what the fines are. (2.1) Additionally, WSIPP should research guidance or recommendations for designing and implementing alternatives for fines/infractions – such as diversion or community service – for areas with high unemployment or high poverty. (2.4)**

~~2.1. Study of ticket costs to see if it’s possible to set fines based on potential for injury, e.g. failure to yield is a very common reason for fatal/serious injury crashes but we don’t know how many tickets are issued or what the fines are.~~

~~2.4. Design and implement alternatives to fines/infractions, diversion programs from traffic fines, especially in high poverty areas~~

**2B The Washington State Legislature shall amend RCW**[**46.25.090**](http://app.leg.wa.gov/RCW/default.aspx?cite=46.25.090) **to include disqualification of a Commercial Driver’s License for any operator who has two or more collisions within a two-year period while operating a commercial vehicle where the operator is determined through investigation by the employer or insurance coverage to be at fault or where the operator has five or more collisions while operating a commercial vehicle– regardless of finding of fault. The two-year period shall be considered to be seven hundred thirty days preceding any date of inquiry associated with a collision involving a commercial vehicle. (2.2)**

~~More aggressive treatment by licensing and court systems of repeat offenders – especially regarding CDL (2.2)~~

**2C The Washington State Legislature shall require that by June 30, 2021 all trucks and multi-axle vehicles operating in Washington State urban environments (areas with more than 25,000 population) that have exposed space between sets of wheels shall have “sideguard” equipment installed that will reduce the possibility of a bicyclist or pedestrian being swept under the vehicle in the event of a collision. The sideguard equipment shall extend to within 18 inches of the ground and cover a minimum of 85 percent of the open space between wheels. The City of Seattle has outfitted all city trucks and multi-axle vehicles with sideguards and many U.S. cities, including Boston and San Francisco, have enacted ordinances requiring installation of sideguards on trucks and multi-axle vehicles operating within their city limits. (2.3)**

~~Require “Sideguards” on panel and box trucks operating in urban areas to keep people from being swept underneath the trucks. (2.3)~~

**2D The Washington State Legislature shall provide sufficient resources to Washington Traffic Safety Commission to support creation of a module to be used in driver’s education for young persons working toward earning their driver’s licenses that discusses forms of transportation other than driving a vehicle. The module would become part of the updated statewide driver’s education curriculum being developed through ESHB 1481 and will include instruction about – and practice with – at a minimum, using public transportation, walking and bicycling. The educational goals for the new module will be to develop awareness among new drivers about the ability to use public transportation to reduce traffic congestion and to build awareness about hazards faced by walkers and bicyclists. At a minimum, the following need to be involved in creating the new module: Washington State Department of Licensing, Office of Superintendent of Public Instruction, Washington State Department of Transportation, transit agencies, advocates for walking and bicycling, and private driver’s education providers. (2.7)**

~~Driver’s Education – emphasize mobility education by teaching driving biking and walking. (2.7)~~

Action Items

Work with Washington State Department of Transportation to create video training opportunities for drivers who renew their licenses online to receive education about active transportation – bicycling and walking – as part of the driver renewal process.

~~Educate new drivers and drivers renewed – DOL develop specific instruction~~

~~Action Drivers ed vs. mobility education~~

Work with Washington State Insurance Commissioner’s Office to facilitate development of a privately-funded program to incentivize active transportation by all ages.

~~Build financial incentives,eg. insurance~~

**2E The Washington State Legislature shall amend RCW**[**46.61.130**](http://app.leg.wa.gov/RCW/default.aspx?cite=46.61.130) **to allow motorists travelling on two-lane roadways outside of city limits to cross a double yellow line or other no-passing designation – into the oncoming traffic lane - to allow adequate clearance between their vehicle and bicyclists, pedestrians or obstacles on the shoulder of the roadway provided there is no oncoming traffic and that they are committing no other traffic offense such as speeding. (2.9)**

**2F NEW: The Washington State Legislature shall amend RCW**[**47.32.010**](http://app.leg.wa.gov/RCW/default.aspx?cite=47.32.010) **to clarify that owners of private property are required to – and responsible for – trimming vegetation that obscures visibility along roadways or at intersections. The clarification should provide authorization for local, county or regional officials or law enforcement to issue citations when vegetation impedes visibility on a roadway or at an intersection. Further, the clarification should state that the private property does not enjoy any protection from civil action in the event failure to maintain vegetation is determined to be a full or partial cause of a collision involving a motorized vehicle.**

**2G The Washington State Legislature should strengthen and update the vulnerable user law. (4.1)**

**Action Items:**

Assess current barriers to use and enforcement. (4.1)

Broaden stakeholders and make sure you include affected communities. (4.2)

Engage law enforcement and judiciary in crafting changes that 1) they can implement, and 2) will protect vulnerable road users. (4.3)

Explore presumptive liability and higher fines in certain situations, similar to traffic laws that call for citations in school and construction zones; higher fines based on severity. (4.4, 4.5, 4.6, 4.9)

~~Hit and run = presumed guilty in vulnerable user. (4.5)~~

~~Driver hits pedestrian = default to vulnerable user charge. Insurance/assessment of scene. (4.6)~~

~~When no sidewalk available shift responsibility from vulnerable users to drivers to expand their distance, or adjust speed. (4.9)~~

Fund a training component to educate law enforcement, the judiciary, drivers, and general public on the law and the benefit of enforcing it. (4.7)

Build in element of officer discretion in applying the law. 4.11)

Driver education to spark social cultural change. (4.12)

Assure equity in implementation/enforcement. (4.13)

Strengthen tools for local jurisdictions to increase safety (4.14)

### **2H The Washington State Legislature should clarify RCW**[**46.61.110**](http://app.leg.wa.gov/RCW/default.aspx?cite=46.61.110) **to require three feet of separation when vehicles are passing bicyclists unless allowing that separation is impossible due to road condition or issues with oncoming traffic. (4.8)**

NOT READY FOR INCLUSION IN REPORT THIS YEAR - Enact a CS-type (?) award program for local agencies to adopt safety plans that include officer training and use of vulnerable user law. (4.10)

NOT READY FOR INCLUSION IN REPORT THIS YEAR - Extend implied consent law to cover distracted driving, e.g., you agree to turn over your phone for inspection or license suspension (would need to address concerns about other confidential information that may be on the phone like medical records, pictures, etc.) (2.5)

~~2.6. Failure to Yield needs more attention/infractions~~

~~2.8. Using turn signals before the turn~~

***Category 3: Funding, Design Guides, Systematic Safety***

3A **The legislature should create new legislation requiring state/local jurisdictions to utilize current (no more than two years old), relevant design guides from nationally recognized organizations to design and plan new roadway construction projects or improvements or revisions to existing roadways. Further, the legislation should require evidence be submitted of \_\_\_\_ hours each calendar year of professional education by planners and engineers working on new roadway construction or improvements or revisions to existing roadways as a condition of eligibility for state roadway construction funds or for eligibility for federal roadway construction funds administered by state agencies.**

~~working on new roadway construction or improvements or revisions to existing roadways State and local jurisdictions should not adopt a single design guide, but rather maintain design flexibility and utilize the guides that are most relevant, up to date, and adhere to accepted design practices. 3.3. State and local jurisdictions should not adopt a single design guide, but rather maintain design flexibility and utilize the guides that are most relevant, up to date, and adhere to accepted design practices.~~

**3B The Legislature should provide sufficient funding to Washington State Department of Transportation to inventory existing barriers to safe use of roadways and other infrastructure by persons of all ages and abilities in all cities and towns with more than 50,000 population and to then develop a prioritized plan for mitigating those barriers to access over a ten-year period.**

~~Identify resources to increase funding for all ages/abilities infrastructure – remove barriers to funding all transportation modes.~~

Action Items:

Requests for improvement funds should be tied to larger plans that are coordinated between multiple agencies (e.g. Metropolitan Planning Organizations (MPOs), transit, WSDOT Regions, local jurisdictions). Funding criteria should reward a systematic, multi-agency approach. (3.1)

TIB mobility standard should be revised to address all modes—not just vehicles. (3.2)

**3C The Legislature should direct that local development impact fees can only be collected by counties, cities and towns if the funds collected will be used to remove or mitigate barriers to access by persons of all ages and abilities to roadways or other infrastructure or that create connections such as trails that can be used to safely navigate around the identified barriers. (3.4)**

**Action Items**

* + Do we need to include specific action step to detail the kinds of infrastructure improvements we are referencing?

**3D The Legislature should create a new category of project funding that authorizes a minimum of twenty five percent of existing gas tax revenues for projects in the state that remove or mitigate barriers to access by persons of all ages and abilities or that create connections such as trails that can be used to safely navigate around the identified barriers. (3.4)**

**Action Items**

* + Do we need to include specific action step to detail the kinds of infrastructure improvements we are referencing?

**3E The Legislature shall direct the Washington State Department of Transportation – and provide adequate funding for implementation – to create a statewide bicycle network and to identify gaps in connections within the existing bicycle network that impede use of the network for active transportation alternatives to vehicle-based transportation. (3.7)**

~~Create/designate a complete statewide bike network.~~

**Action Items**

* + Do we need to include one or more specific action steps to detail the kinds of work we envision as necessary to create the statewide bicycle network?

**3F The Legislature shall develop a policy of Systematic Safety that will include considerations of equity issues, adherence to which will be the primary consideration in allocation of resources for new roadway construction or improvements or revisions to existing roadways. The Systematic Safety policy shall be based on Vision Zero that has been widely used in U.S. cities and many European countries to effectively reduce traffic fatalities and serious injuries. (3.4)**

~~Establish Systematic Safety priniciples with equity addressed as state approach – incentivize local adoption. 3.5. Similar to the Complete Streets ordinance requirement, incentivize the development of Active Transportation plans. Applicants won’t be considered for higher funding level without one. 3.8. Need to emphasize Vision Zero principles. (3.5, 3.8)~~

~~The Council should develop clear recommendations to the Legislature for increasing funding for active transportation. These recommendations should clearly describe the~~ *~~need~~*~~, be accompanied by a broad dollar figure, and suggest sources or “pots” of money where funding can be increased or placed. (Suggestion by Rep. Kloba: Legislature is more likely to act if the need is quantified and the recommendation is accompanied by specifics; it is a helpful starting point.) (3.4)~~

~~Establish Systematic Safety principles with equity addressed as state approach – incentivize local adoption. Incentivize the 5 Principles of Systematic Safety, and add a requirement to address equity. (3.6)~~

~~More funding for infrastructure development and improvements for all ages and abilities (3.9)~~

***Category 4: Growth Management Act and Land Use Planning*** *(Re-numbered from Category 5 due to Vulnerable User Law being combined with Category 2)*

**4A The Washington State Legislature shall RCW 36.70a to require that health and safety impacts be added to the list of required items to be addressed by Comprehensive Plans. (5.1)**

~~Add health and safety to the list of required elements in Comprehensive Plans.~~ (5.1)

Action Items

Require coordination of transportation and land use elements of Comprehensive Plans to ensure the roadway is built or improved to support the land use. (5.4)

Include more focus and education on multi modal level of service within Comprehensive Plan updates. (5.5)

Set aside funding from gas tax for small and under resourced jurisdictions to devote to developing Comprehensive Plans. (5.7)

Adhere to density goals in GMA. Examples: Rethink acreage requirements for school siting by co-locating with parks and community centers; locate large projects – such as schools, housing, bus bases – within growth boundaries instead of opting for cheap land outside the population centers that result in more car dependence. (5.9)

Emphasize “Transit-oriented development” instead of “Development-oriented transit” (5.10)

**4B The Washington State Legislature shall amend RCW 47.04.280 to add increasing health as a transportation policy goal. (5.2)**

~~Add health as transportation policy goal in statute. (5.2)~~

Action Items

Develop minimum requirements for bicycle, pedestrian, and complete streets elements. (5.3)

RTPOs & MPOs offer more incentives for jurisdictions to integrate safety, multi-modal options, and equity into Comprehensive Plans. (5.6)

Infrastructure investments called for – traffic calming, road design, slower speeds, accommodations for all users, protected bike lanes and other separated facilities. (5.11)

**4C The Washington State Legislature should amend RCW 35.75.060 to clarify that impact fees can be used for non-motorized transportation infrastructure. (6.3)**

Action Steps

* Disseminate this through Municipal Research and Services Center (MRSC) and the Washington State Department of Commerce. (6.2)
  + Needs to be done in conformance with the Growth Management Act.
  + Do we need to include specific action step to detail the kinds of infrastructure improvements we are referencing, e.g., 5.11, above?

***Category 5: Changing the Culture*** *(Re-numbered from Category 6 due to Vulnerable User Law being combined with Category 2)*

**5A WTSC should initiate a request to MRSC to research guidance, clarification, and best practices on: (6.4)**

* + **Use of impact fees for active transportation;**
* **Additional performance measures for thru-put (people vs. vehicles). Provide a menu of choices for multi-modal metrics besides LOS (level of service).**
* **Note: Barb Chamberlain notes that alternative metrics are coming soon in the WSDOT active transportation plan**
* ~~Can refer to other resources~~

NOT READY FOR INCLUSION IN REPORT THIS YEAR - 6.1. Move away from calculating vehicle trips to calculating person trips

NOT READY FOR INCLUSION IN REPORT THIS YEAR, CONFUSING AND NEEDS ACTION STEPS - 6.5. [Placeholder language] When the Department of Commerce makes presentations and conducts training on the GMA to local jurisdictions, include information on the move toward multi modal concurrency

NOT READY FOR INCLUSION IN REPORT THIS YEAR, NEEDS ACTION STEPS - 6.6. Explore how the state can support local jurisdictions in developing multi modal concurrency (e.g. TA, funding, etc.)

***Category 6 – How do we increase ridership? How do we educate drivers about bicyclists?*** *(Re-numbered from Category 7 due to Vulnerable User Law being combined with Category 2)*

**6A The Washington State Legislature shall create an Active Transportation Education Account to be supported by an allocation from state general fund dollars to support active transportation – bicycling and walking – education across the state through public and private schools’ physical education programs.**

~~Good resources, just not everywhere~~

Action Items

Review existing training materials to determine accessibility and appropriateness

Ensure that persons involved in local bicycle rodeos and education events have appropriate training for the jobs they are doing, e.g., how to properly fit a helmet, how to install a patch a hole in a bicycle tube. Could involve identifying – or creating - some online training resources to increase access to the training.

~~Local operators of bike rodeos – associate with funding - Make sure that instructors are qualified – need qualified people, e.g., mechanics, teachers, etc. – making online opportunities, increasing access~~

~~State devleopes just in time training for training ing local instructors – Nancy L – bike rodeo instruction guide~~

Identify and develop funding opportunities for helmets, bike repairs, etc.

Work with League of Bicyclists to reduce cost and time commitments to become LCI

Develop relationships with police departments, especially those with bicycle units, so that officers can receive training and serve as instructors for local events. Note: could also include reserves/posses.

Develop relationships with service organizations so members can receive training and serve as instructors for local events.

Encourage Commute Trip Reduction transportation coordinators to become LCI certified and to organize bicycle skills training classes.

**6B The Washington State Legislature shall allocate sufficient resources to the Washington Traffic Safety Commission to develop and implement a public information campaign focused on driving speed limits or less in cities and towns to increase safety for bicyclists and pedestrians.**

Action Items

Conduct statewide survey to gather information that can be used to develop messages supporting driving the speed limit.

Utilizing Intercity Transit’s Pace Car Pledge as one approach, develop a statewide informational campaign associated with keeping bicyclists and pedestrians safe by having drivers drive at the posted speed limit.

Develop distribution networks for pledge materials, e.g., Target Zero Managers, Cascade Bicycle Club, service organizations, law enforcement, businesses, etc.

**6C Work with Association of Washington Cities to inventory existing ordinances/regulations regarding “shared bike” programs and then disseminate that information to other Washington cities with the goal of expanding bike share programs. The rationale is that people who don’t have bikes would be able to try riding.**

~~Model regulations~~

**6D The Washington State Legislature shall appropriate sufficient funding to Washington State Institute of Public Policy to identify the circumstances under which bicycle skills education results in different behaviors. Note: Expanding funding and partnerships to allow more bicycle skills education will create measurement potentials.**

**6E The Washington State Legislature shall allocate sufficient funding to support development of a public information and outreach campaign to encourage parents and other adults to support bicycle riding by youth and to try riding themselves.**

**6F The Washington State Legislature shall allocate sufficient funding to Office of Superintendent of Public Instruction to support 100 schools to develop or update their designated school walk routes by June 30, 2021.**