Bike Fort Collins Supports the Passage of SB17-093

http://leg.colorado.gov/sites/default/files/documents/2017A/bills/2017A_093_01.pdf

About Us

Bike Fort Collins (BFC) is a nonpartisan, nonprofit advocacy group committed to encouraging sustainable transportation, building more walkable, bikeable, people-friendly streets and neighborhoods, and promoting inclusion and equity at every level of transportation planning.

We write in support of SB17-093 which would adopt a so-called "Stop as Yield" (SAY) law for the State of Colorado.

Local Background

In 2013, the City of Fort Collins considered a city-wide SAY policy. After deliberation and public comment, the Bicycle Advisory Committee (BAC) voted against recommending SAY to Council. At the time, the principal concerns were negative public reaction, and that local and inconsistent adoption would be dangerous, with traffic code changing at city limits that are irregular and shifting (midblock on some roads).

SB17-093

Because it would be consistent across the state, BFC supports SB17-093. This consistency will lead to predictable, teachable best practices that are situationally sensitive to the differences among road users. Below are our key points in support of this bill:

1) **SAY works**. In terms of safety outcomes, SAY has been demonstrably effective in places where it has been implemented. See following page for reports.
2) **"Same roads - same rules" is reductive and not supportive of best safety outcomes.** SAY laws recognize that streets are complex systems and all modes have different physics, best practices, and impact on safety of users around them. Mode differentiation is already evident in the separate signage and rules for pedestrians and motor vehicles. In that light, adding language specific to the safety needs of bicyclists is sensible.
3) **SAY reflects current and best practices for bicycles.** Studies indicate that while all road users self-report similar frequency of "scofflaw" behavior, drivers and pedestrians are likely to report convenience as the primary justification, while most cyclists report safety considerations. The conclusion is that the inadequacy of bicycle infrastructure and traffic control for the needs of cyclists regularly necessitates choosing between following the law and personal safety. When law/code can be reconciled with existing practice *without* compromising safety, there is a benefit for all road users in terms of consistency and predictability of behavior.
4) **SAY supports just policing.** Some have argued that the practice of SAY is largely ignored by law enforcement in many communities, either de facto, or as a matter of policy. Why change the law, if its already widely normalized? Therein lie genuine concerns about fair policing. At least one federal investigation of bicycle safety enforcement campaigns unearthed discriminatory enforcement against minority cyclists, which amounted to harassment and provided no public safety benefit. In 2015, the New York Times published an important article on discriminatory enforcement called The Disproportionate Risks of Driving While Black that outlines the impact of discretionary enforcement on minority road users. Eliminating selectively or inconsistently enforced laws with (at best) negligible public safety benefit reduces opportunity for pretextual and discriminatory law enforcement.

We acknowledge the likelihood of concerns of "exceptionalism" for cyclists but find the data in support of SAY to be compelling. Most scofflaw cycling behavior is not reckless or dangerous, and this argues for aligning the law to best practice. Mode-specific traffic code is already common; we do not believe this additional provision is unduly complicated.

Studies in Support of SAY

Meggs 2011 - Bicycle Safety and Choice: Compounded Public Cobenefits of the Idaho Law Relaxing Stop Requirements for Cycling

The data is compelling that Idaho's law improves safety. Here's a nice summary of Megg's results:

> Idaho shown brightly as safer than Sacramento, with no fatalities year after year compared to regular fatalities in Sacramento, and a much more favorable injury rate year after year. Utilizing U.S. Census 2000 data, the best available indicator of bicycling rates, an injury-to-bicycle-commuter ratio was generated, with Boise found to be 30.4%-60.6% safer than Sacramento. Bakersfield, CA was another comparison city, less dense, with similar in workforce size, but only 1/3 as many bicycle to work. Age strata may balance; although a higher percent are under 15 years (33% more), fewer are in college (50% less). Boise was 150%-252% safer (2.05-2.52 times safer). Strikingly, both cities have regular fatalities each year; Boise typically has none. Data for Boise was analyzed over several years, 1999-2003, with similar results each year. The primary difference identified between the cities was the Idaho Law. To attribute Boise's enhanced safety to the law alone would be premature without further analysis, but it is important to emphasize that this study found support in every other inquiry. Boise was safer in every comparison

And here's a paragraph from the conclusion [*clarifying italics mine*]

> There is no single measure as quick and cost effective for increased and safer cycling, than to relax stopping rules for bicyclists. Stop signs and signals intended to discourage motor traffic have been placed in precisely the places where bicyclists most wish to ride [*traffic calming measures on low-traffic streets*], often without warrant for motorists let alone bicyclists, discouraging cycling and creating widespread noncompliance with a requisite backlash.

Transport for London 2007 - Pedal Cyclist Fatalities Involving Goods Vehicles From January 1999 – May 2004

This study examined the circumstances of 49 truck collisions that killed bicyclists in London between 1999 and 2004. I find this paragraph particularly compelling (from page 5):

> Table 1 shows that a higher proportion of female cyclists (18 out of 21) were involved in fatal collisions with goods vehicles than fatal collisions with other types of vehicle. Women may be over-represented in this type of collision because they are less likely than men to disobey red lights.* This might increase the likelihood of coming into conflict with turning goods vehicles waiting at junctions.

Chen 2015 - Built environment factors in explaining the automobile-involved bicycle crash frequencies: A spatial statistic approach

A very detailed analysis of Seattle crashes. If traffic signals correlate positively with crashes, would allowing cyclists to treat them as stop signs mitigate that effect? Seems plausible.

> The results on traffic signals are consistent with past research (Wei and Lovegrove, 2012); higher signalized intersection density is associated with more bicycle crashes. Furthermore, a positive association between the density of street parking signs and bicycle crash occurrences is also confirmed by this study. A similar conclusion from one prior study showed that parked cars next to bike facilities were related to an increased crash risk (Vandenbulcke et al., 2014).

Leth 2014 - Innovative Approaches of Promoting Non-Motorized Transport in Cities
This feels more like a persuasive essay than a research paper, but it's well supported by data. They conclude:

> We started by analyzing a study about red walkers' motives and pedestrian accidents in Vienna concluding that neither green traffic lights nor marked crossings provide pedestrians and cyclists with the intended safety. Partly because of this, partly due to the fact that pedestrians are discriminated by short green times and long waiting times, red lights are often ignored. We propose to legalize this behaviour and reimplement self-responsibility in the road traffic regulations. Pedestrians and cyclists are able to cross red lights and stop signs without safety concerns as they have a direct, unobstructed perception of their surroundings. International examples show that this is feasible and safe. Reactions in Austria show that it is still a long way to go.

- Meggs 2011 (https://meggsreport.files.wordpress.com/2011/09/idaho-law-jasonmeggs-2010version.pdf)
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- Transport for London 2007 (http://camdencyclists.org.uk/wp-content/uploads/2014/09/Pedal-Cyclist-Fatalities-Involving-Goods-Vehicles.pdf)
- Chen 2015 (https://www.researchgate.net/publication/282555224_Built_environment_factors_in_explaining_the_automobile-involved_bicycle_crash_frequencies_A_spatial_statistic_approach)
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- Leth 2014 (https://www.academia.edu/7701284/Innovative_approaches_of_promoting_non-motorized_transport_in_cities)