

TRI-STATE TRANSPORTATION CAMPAIGN



Testimony of Steven Higashide, Senior Planner/Connecticut Coordinator Connecticut General Assembly, Transportation Committee Public Hearing February 13, 2013

Good morning. My name is Steven Higashide and I am the senior planner and Connecticut coordinator for the Tri-State Transportation Campaign, a nonprofit transportation watchdog group that works in Connecticut, New York, and New Jersey.

I am here today in support of **SB 191, "An Act Concerning the Penalty for Causing Harm to a Vulnerable User of a Public Way."** This bill has been endorsed by Connecticut's Bicycle and Pedestrian Advisory Board and multiple organizations which are listed on the attached fact sheet. The bill identifies vulnerable users of the state's public ways. These include pedestrians, highway workers, cyclists, a person driving or riding an animal, a person using a skateboard, roller skates, or inline skates; or a person operating an agricultural tractor or farm implement.

This legislation creates penalties for motorists convicted of inflicting serious physical injury or death to a vulnerable user. Offenders would be required to attend a driver's retraining program, perform community service, and be eligible for a fine not less than \$1,000. The bill does not absolve vulnerable users from using the road responsibly, but creates needed penalties for motorists who do not.

SB191 is a much-needed step towards increased driver accountability. Currently, careless drivers are rarely held accountable unless there is evidence of drug or alcohol use, or a hit-and-run crash. We need to close this enforcement gap by creating stronger penalties that can actually change behavior, raise awareness of vulnerable users, and remind people that motor vehicles must be operated with due care.

If there's one change I would suggest, it's that first responders be added to the vulnerable user definition. Police officers, state troopers, firefighters, and EMTs put their lives on the line every day and should be protected more explicitly under this legislation.

Passing this law will put Connecticut near the front of a national movement to protect vulnerable users. Similar legislation has been adopted in Oregon, Illinois, Delaware, and New York. This legislation also passed the State Senate unanimously last session – as well as the joint

SUPPORT THE PROTECTION OF ALL USERS OF CONNECTICUT'S ROADS

Support SB 191: AN ACT CONCERNING THE PENALTY FOR CAUSING HARM TO A VULNERABLE USER OF A PUBLIC WAY

Purpose:

Connecticut has made great strides towards creating safer environments for all users of the State's roadways. The 2009 enactment of Complete Streets legislation, which requires road projects to incorporate infrastructure for all users of the road, will put Connecticut on a more sustainable transportation path in the years to come. Unfortunately, Connecticut's roads are still hostile to non-motorized users because of a dearth of enforcement when drivers are careless.

Needs:

Careless drivers injure thousands of vulnerable users every year in the United States. In Connecticut alone, 115 pedestrians and cyclists were killed between 2009 and 2011 and injuries to pedestrians and cyclists average approximately 1,500 a year. Unless there is evidence of drug or alcohol use, or a hit and run, these drivers are rarely held accountable for their potentially devastating, and preventable, actions.



Bill Overview:

The vulnerable user bill consists of several components, none of which require any additional revenue from the State for enactment. The bill would:

- Establish a class of vulnerable users of a public way.
- Define vulnerable users of a public way as pedestrians, highway workers, a person using a wheelchair or motorized chair, persons riding or driving an animal, persons operating farm tractors (or implements of husbandry without enclosed shells), bicycles, scooters, roller or inline skates, and skateboards.
- Establish penalties for infliction of serious physical injury or death to a vulnerable user when a person fails to operate due care when using a motor vehicle. The penalties include:
 - A motor vehicle operator's retraining program and;
 - Performance of community service and;
 - A fine of not more than \$1,000.

Bill Myth:

While the vulnerable user bill increases fines and penalties for those that operate motor vehicles carelessly, it does not absolve vulnerable users from safely utilizing roadway infrastructure.

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