Support SB 336: AN ACT CONCERNING THE PENALTY FOR CAUSING HARM TO A VULNERABLE USER OF A PUBLIC WAY

The Need
Careless drivers injure hundreds of people every year in Connecticut. 130 pedestrians and cyclists were killed between 2010 and 2012 and approximately 1,400 pedestrians and cyclists are injured every year.

Connecticut has made strides towards creating safer environments for everyone who uses the State’s roadways. The 2009 Complete Streets law requires road projects to incorporate infrastructure for all users of the road. To encourage non-motorized transportation and improve safety, better enforcement tools are also needed.

Unless there is evidence of drug or alcohol use, or a hit and run, careless drivers are rarely held accountable for their devastating, preventable, actions. Driving that injures or kills is often penalized with little more than a fine. The vulnerable user law recognizes that “vulnerable road users,” such as pedestrians, bicyclists, first responders, and highway workers need additional legal protections. It provides enhanced penalties for careless driving resulting in injury or death of a vulnerable road user.

Bill Overview
The vulnerable user bill does not require any additional revenue from the State for enactment and 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, blind persons and their service animals, and persons operating farm tractors, bicycles, scooters, roller or inline skates, and skateboards.
- Establishes a fine of not more than $1,000 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.

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.

Supporters: AARP Connecticut • Bike and Pedestrian Alliance of Clinton • Bike Walk Connecticut • Connecticut Bicycle and Pedestrian Advisory Board • Connecticut Chapter, Sierra Club • Connecticut Citizens Transportation Lobby • Connecticut Fund for the Environment • Connecticut Horse Council • Connecticut League of Conservation Voters • Connecticut Livable Streets Campaign • Connecticut PIRG • Elm City Cycling • Farmington Valley Trails Council • Greenwich Safe Cycling • People-Friendly Stanford • Regional Plan Association • Shoreline Bicycle and Pedestrian Coalition • Sound Cyclists Bicycle Club • Transit for Connecticut • Tri-State Transportation Campaign • 1000 Friends of Connecticut • Yale Traffic Safety Committee
Vulnerable User Laws: Improving Traffic Justice in Other States

Five states — Delaware, Hawaii, Oregon, Vermont, and Washington — have vulnerable user laws that define a set of road users as vulnerable and provide specific processes and penalties for actions directed at those users. The District of Columbia and 17 states address vulnerable road users in some way by prohibiting certain actions — such as harassment or the throwing of objects — or by providing the ability for persons to be charged with greater penalties when their actions result in the injury or death of a vulnerable road user.

In Oregon, the passage of the state’s vulnerable user law led to increased police enforcement of crashes involving pedestrians and cyclists. In response to the law, local police reformed their practices and now investigate all crashes where a “vulnerable user” is transported by ambulance.

In New York, “Hayley and Diego’s Law,” which requires that careless drivers who injure or kill take a driver re-education course and potentially face a fine and license suspension, has been applied in over 250 cases since 2008.

Supporters of Safer Public Ways

_AARP Connecticut_
Nora Duncan, State Director

_Bike and Pedestrian Alliance of Clinton_
Debbie Lundgren, Chair

_Bike Walk Connecticut_
Kelly Kennedy, Executive Director

Connecticut Bicycle and Pedestrian Advisory Board
Neil Pade, Chair

Connecticut Chapter of the Sierra Club
Martin Mador, Legislative Chair

Connecticut Citizens Transportation Lobby
Jill Kelly and Carol Leighton, Co-Chairs

Connecticut Fund for the Environment
Roger Reynolds, Senior Attorney

Connecticut Horse Council
Fred Mastele, President

Connecticut League of Conservation Voters
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Connecticut Livable Streets Campaign
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Farmington Valley Trails Council
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Greenwich Safe Cycling
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People-Friendly Stamford
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