Carroll, Rhonda

From: Kelly Kennedy <kelly.kennedy.bikewalkct@gmail.com>
Sent: Tuesday, March 01, 2016 6:39 PM
To: JudTestimony
Cc: zRepresentative Al Adinolfi; Rep. Aman, Bill; Rep. Baram, David; Rep. Berger, Jeffrey; zRepresentative Cecilia Buck-Taylor; Sen. Bye, Beth; zRepresentative Vincent Candelora; zRepresentative Christie Carpino; Sen. Coleman, Eric; Rep. Currey, Jeff; Rep. Dillon, Patricia; Sen. Doyle, Paul; zRepresentative Doug Dubitsky; Sen. Flexer, Mae; Rep. Fox, Dan; Rep. Fritz, Mary; Sen. Gerratana, Terry; Rep. Godfrey, Bob; Rep. Gonzalez, Minnie; Rep. Gresko, Joseph; zRepresentative Stephen Harding; Rep. Hewett, Ernest; Sen. Kissel, John A.; zRepresentative David Labriola; Rep. Lemar, Roland; Sen. Linares, Art; zRepresentative Ben McGorty; Sen. McLachlan, Michael; Rep. Morris, Bruce; zRepresentative Tom ODea; zRepresentative Arthur ONeill; Rep. Porter, Robyn; zRepresentative Rosa Rebimbas; Rep. Riley, Emmett; zRepresentative Rob Sampson; Rep. Serra, Joseph; zRepresentative John Shaban; Rep. Simmons, Caroline; zRepresentative Richard Smith; Rep. Stafstrom, Steve; Rep. Tong, William; Rep. Verrengia, Joe; Rep. Walker, Toni; Sen. Winfield, Gary; Sen. Witkos, Kevin
Subject: Bike Walk CT and Tri-State Transportation Campaign Support for HB 5403
Attachments: BWCT-TSTC Support for HB 5403.pdf

<pdf version attached>

Bike Walk Connecticut

Tri-State Transportation Campaign

March 1, 2016

Re: SUPPORT for HB 5403, An Act Increasing Penalties For Failure To Yield To Pedestrians In Crosswalks And Failure To Exercise Due Care To Avoid Hitting A Pedestrian Or Cyclist

Dear Representative Tong, Senator Coleman, and Members of the Judiciary Committee:

Bike Walk Connecticut and the Tri-State Transportation Campaign write jointly to thank you for raising HB 5403, an important measure to make it safer for pedestrians and cyclists to use the roads. We support the bill and urge the legislature to pass it in 2016 before there's one more pedestrian or cyclist tragedy.

New Accounts Show Connecticut Not Hospitable to Pedestrians and Cyclists
Recent news accounts from across the state, along with the just-released 2016 Auto Insurance Center report on pedestrian fatalities and injuries, underscore the need for people all across Connecticut to know and follow the rules for safely sharing the road. This is not a new phenomenon: our 2014 research for the Vulnerable User law found that 10,793 pedestrians and cyclists were injured or killed on Connecticut roads from 2006 through 2012, according to state and federal statistics.

Connecticut Cyclist & Pedestrian Crash Data 2006-2012							
Year	Total Bike/Ped Fatalities	Cyclist Fatalities	Pedestrian Fatalities	Total Bike/Ped Injuries	Cyclist Injuries	Pedestrian Injuries	Total Bike/Ped Injuries & Fatalities

2006	43	5	38	1687	579	1108	1730
2007	36	5	31	1820	655	1165	1856
2008	53	6	47	1630	596	1034	1683
2009	27	1	26	1580	544	1036	1607
2010	53	7	46	1357	220	1137	1410
2011	34	8	26	1198	168	1030	1232
2012	49	4	45	1226	210	1016	1275
Total	295	36	259	10,498	2972	7526	10,793

Connecticut Needs a Share the Road Campaign for Drivers, Pedestrians and Cyclists
Everybody should feel safe using Connecticut's roads. Our roads are traveled by people of all ages and abilities who walk, run and cycle for transportation, fitness, recreation, and tourism. Those people must be welcome and expected on our roads.

Legal, Financial Consequences Would Change Behavior
Not only does Connecticut need to re-learn and recommit to the following the rules of the road, we need to step up enforcement of those rules. To the best of our knowledge, the Vulnerable User law enacted in 2014 has never been enforced. The 3-foot safe passing rule isn't widely observed or easily enforced. And clearly, the rules for yielding to pedestrians in crosswalks go unheeded. The absence of legal or financial consequences to ignoring "share the road" rules simply reinforces the undesirable behavior that so often has truly tragic consequences.

Conn. Gen. Stat. §14-300(c) Should be Corrected Too
In addition to strengthening penalties as this bill provides, please consider correcting a little known 2007 amendment to Conn. Gen. Stat. §14-300(c). Public Act 07-167 amended subsection (c) by replacing "steps to the curb" with "steps off the curb or into the crosswalk" and specifying a fine of $90, effective July 1, 2007. Prioritizing drivers over non-motorized road users, as that amendment did, is simply poor, short-sighted public policy that has no place in a world of climate change, massive traffic congestion problems, and an obesity epidemic.

Minnesota and Other Model Laws
We wish to call your attention to a few pro-pedestrian, pro-cyclist laws in other states that could serve as worthy models for Connecticut:

- Minnesota, which has the lowest rate of pedestrian fatalities, requires drivers to stop for pedestrians in any portion of the roadway.
- Massachusetts mandates yielding when a pedestrian is upon the same half of the roadway or within 10 feet of the motorist.
- Vermont includes driver harassment of cyclists and pedestrians as a punishable violation of its vulnerable user law.
- Maine law expressly provides that a crash is prima facie evidence of a violation of its' 3-foot safe passing law.
- New York City's Right of Way Law makes it a misdemeanor crime when a driver fails to yield and kills or injures a person walking in the crosswalk with the right of way.
- The National Council of State Legislatures' 50 State Summary of Pedestrian Crossing Laws is available at www.ncsl.org/research/transportation/pedestrian-crossing-50-state-summary.aspx.

State Policy Should Encourage, Promote and Incentivize Active Transportation
With four out of five Connecticut workers driving to work alone by car, it's no wonder that our roads are congested, costing us some $1.3 billion annually in lost time and wasted fuel, according to DOT. Nor should we overlook the fact that transportation is the single biggest source of Connecticut's greenhouse gas pollution. According to DEEP, that's mostly from passenger cars.

Accordingly, Connecticut must go beyond accommodating cyclist and pedestrian travel to actually *promoting* it, so that we can simultaneously relieve congestion, address climate change, improve public health, and attract and retain the millennials and knowledge workers that will give Connecticut's innovation economy a true competitive advantage.

Many of our members have been sharing their personal experiences with you about their adventures, and

misadventures, as a pedestrian or cyclist trying to navigate Connecticut's roads. We urge you to read their remarks and take them to heart.

Thank you for considering our views. We look forward to helping to see that HB 5403 passes this session.

Sincerely

Kelly Kennedy, Executive Director
Bike Walk Connecticut

Joseph Cutrufo, Connecticut Policy Director
Tri-State Transportation Campaign