

FOLLOW UP MATERIAL REGARDING BICYCLES AND OTHER VULNERABLE USERS

1. Statistics on other state "safe passing" laws and distances
2. Existing waiver penalty schedule for vulnerable user laws
3. Vermont bicycle crash data
4. National bicycle fatality trend
5. Details on 4 fatal bicycle crashes in VT in 2015

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How many states have safe passing laws written for bicyclists?

36 states and the District of Columbia have safe passing laws that explicitly mention bicycles.

How many states require a safe distance of at least 3 feet?

28 states and the District of Columbia have safe passing laws that define a "safe distance" as at least 3 feet.

Do any states require more than a 3 foot passing distance?

Yes, Pennsylvania requires a 4 foot passing distance. Oregon and Rhode Island require "a distance sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver's lane of traffic" which is often likely to be greater than 3 feet. New Hampshire and South Dakota require a distance greater than 3 feet when a motor vehicle is going faster than 35 mph.

Are 3 foot passing laws ever enforced?

Yes, the City of Austin and the City of Memphis have done proactive 3 foot passing law enforcement. While statewide data on traffic citations is difficult to find for most states, Florida has an annual report on traffic citations and issued 496 improper passing of a bicycle citations in 2014.

What is the impact of unsafe passing on bicyclists?

While there is no annually reported nationwide data on the types of crashes that cause the serious injury or death of bicyclists, a 2014 review of media reports by the League of American Bicyclists found that 40% of deaths with reported crash types were rear-end crashes, likely resulting from unsafe passing. Data from the Insurance Institute for Highway Safety suggests that 45% of bicyclist deaths may be due to unsafe passing. Even where no crash occurs, unsafe passing contributes to bicyclist attitudes towards safety and motor vehicles. According to a 2012 survey by the National Highway Traffic Safety Administration, a motorist driving very close to a person on a bike was the most frequently reported action that made the person on a bike feel threatened, with 39% of people feeling threatened reporting that action as the cause for their fear for personal safety.

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Amendment to Waiver Penalty Schedule

Violation	Statute	Code	Points	*Min	*Max	Waiver
Using External Felt-Soled Boots or Waders	10 V.S.A. § 4616	4616	5	\$41	\$1,191	\$133
Interfering with Guide Dog (First Offense)	13 V.S.A. § 355(d)	GD1		\$0	\$100	\$75
Interfering with Guide Dog (Subsequent Offense)	13 V.S.A. § 355(d)	GD2		\$0	\$250	\$200
Violating Stop-Work Order (First Offense – Duration 1 day)	21 V.S.A. § 692(c)(1)	SW1		\$0	\$5,000	\$750
Violating Stop-Work Order (First Offense – Duration 2 days)	21 V.S.A. § 692(c)(1)	SW2		\$0	\$5,000	\$2,250
Violating Stop-Work Order (First Offense – Duration 3 or more days)	21 V.S.A. § 692(c)(1)	SW3		\$0	\$5,000	\$3,750
Violating Stop-Work Order (Subsequent Offense – Duration 1 day)	21 V.S.A. § 692(c)(1)	SW4		\$0	\$10,000	\$3,750
Violating Stop-Work Order (Subsequent Offense – Duration 2 or more days)	21 V.S.A. § 692(c)(1)	SW5		\$0	\$10,000	\$7,500
Improperly Passing Vulnerable User	23 V.S.A. § 1033(b)	PVU	4	\$41	\$1,191	\$156
Operating Unnecessarily Close to Vulnerable User	23 V.S.A. § 1039(a)	FVU	4	\$41	\$1,191	\$271
Throwing Object at Vulnerable User	23 V.S.A. § 1039(a)	TVU	4	\$41	\$1,191	\$386
Operating Motorboat without Proper Muffling Device	23 V.S.A. § 3309	9MD	0	\$41	\$99	\$99

*The minimum and maximum penalties established by law include fines and surcharges.

Pursuant to 4 V.S.A. § 1102(d) and our appointment by the Court Administrator we establish the waiver penalties shown above.

Michael C. Pratt
 Michael C. Pratt, Hearing Officer

11-15-2010
 Date

Rita Flynn Villa
 Rita Flynn Villa, Hearing Officer

11/10/10
 Date

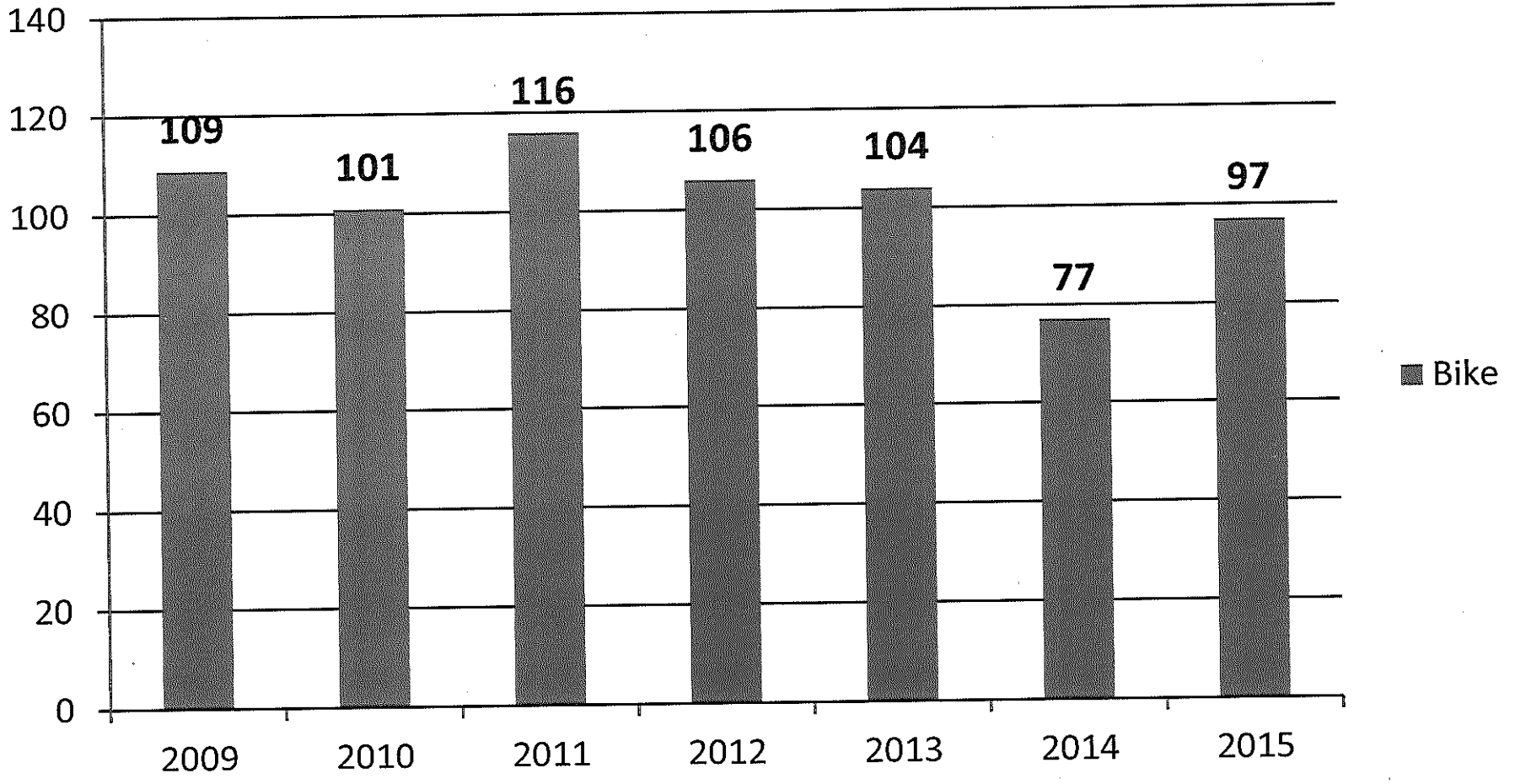
Christine Hoyt
 Christine Hoyt, Hearing Officer (specially assigned)

11/3/10
 Date

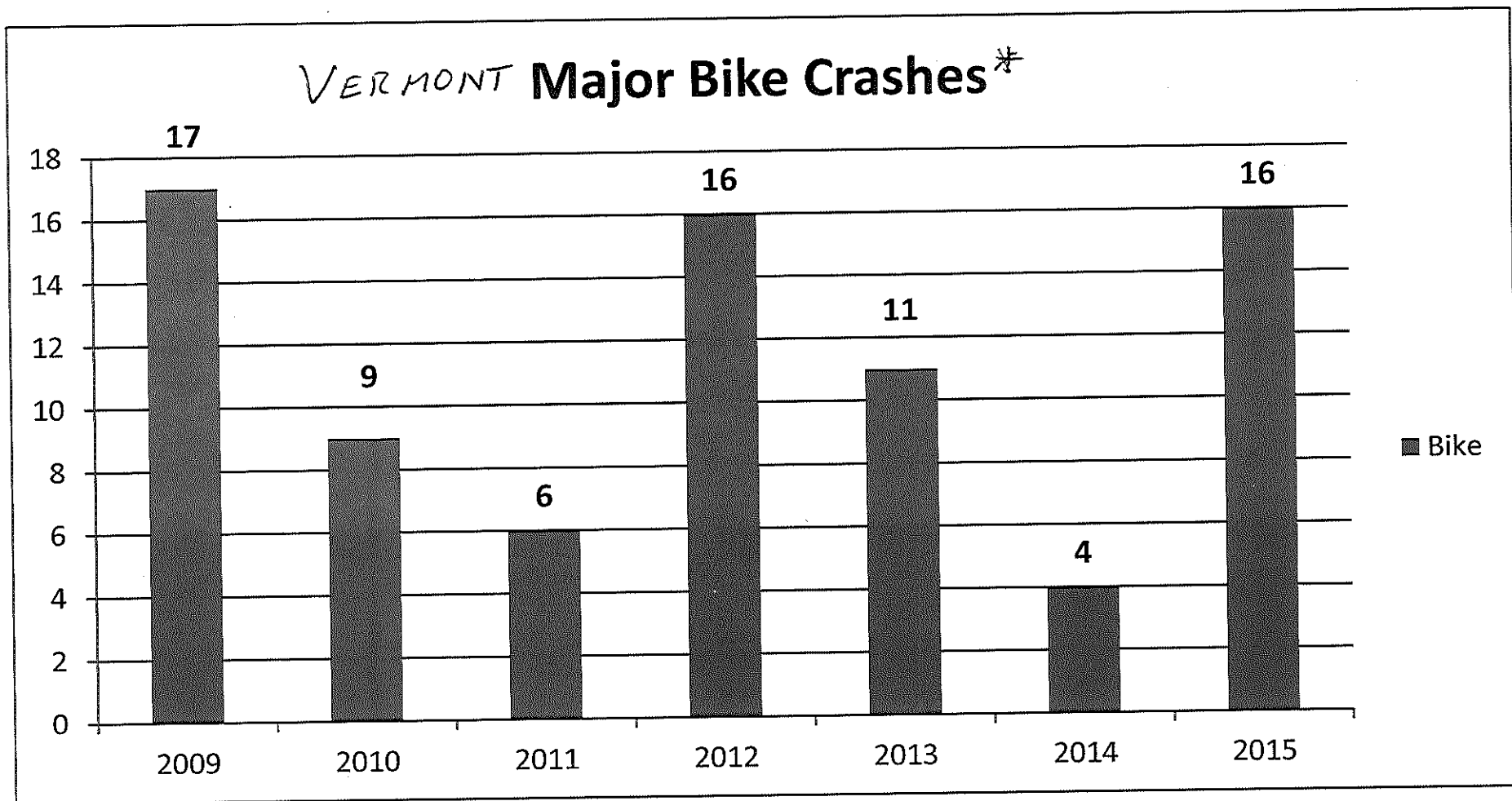
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VERMONT

Total Bike Crashes



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* MAJOR = FATAL OR INCAPACITATING INJURY

Traffic Safety Facts

2013 Data



May 2015

DOT HS 812 151



Bicyclists and Other Cyclists

Key Findings

- The 743 pedalcyclist deaths in 2013 accounted for 2 percent of all traffic fatalities during the year.
- Sixty-eight percent of all pedalcyclists who died in motor vehicle crashes in 2013 died in urban area crashes.
- Over a 10-year period (2004 to 2013), the average age of pedalcyclists killed in motor vehicle crashes has steadily increased from 39 to 44.
- The pedalcyclist fatality rate per capita (rate per million people) was almost 7 times greater for males than females in 2013.
- Alcohol involvement—either for the motor vehicle operator or for the pedalcyclist—was reported in more than 34 percent of all fatal pedalcyclist crashes in 2013.
- Of the pedalcyclists who died in 2013, 24 percent of them had blood alcohol concentrations (BACs) of .01 g/dL or greater.

Pedalcyclists, as defined for this fact sheet, are bicyclists and other cyclists including riders of two-wheel, nonmotorized vehicles, tricycles, and unicycles powered solely by pedals. A traffic crash is defined as an incident that involved one or more motor vehicles where at least one vehicle was in transport and the crash originated on a public traffic way, such as a road or highway. Crashes that occurred on private property, including parking lots and driveways, are excluded. Pedalcyclist crashes in this fact sheet will not include bicycle wrecks that do not involve motor vehicles.

In this fact sheet, the 2013 pedalcyclist information is presented in the following order.

- Overview
- Environmental Characteristics
- Age
- Gender
- Alcohol Involvement
- Fatalities by State
- Important Safety Reminders

Overview

In 2013, there were 743 pedalcyclists killed and an estimated 48,000 injured in motor vehicle traffic crashes. Pedalcyclist deaths accounted for 2 percent of all motor vehicle traffic fatalities (Table 1) and injured pedalcyclists made up 2 percent of the people injured in traffic crashes during the year.

The number of pedalcyclists killed in 2013 is 1 percent higher than the 734 pedalcyclists killed in 2012. The increase in 2013 is the third straight increase in pedalcyclist fatalities, a 19-percent increase since 2010.



Table 1
Total Fatalities and Pedalcyclist Fatalities in Traffic Crashes, 2004-2013

Year	Total Fatalities	Pedalcyclist Fatalities	Percentage of Total Fatalities
2004	42,836	727	1.7%
2005	43,510	786	1.8%
2006	42,708	772	1.8%
2007	41,259	701	1.7%
2008	37,423	718	1.9%
2009	33,883	628	1.9%
2010	32,999	623	1.9%
2011	32,479	682	2.1%
2012	33,782	734	2.2%
2013	32,719	743	2.3%

Source: Fatality Analysis Reporting System (FARS) 2004-2012 Final File, 2013 Annual Report File (ARF).



U.S. Department of Transportation
National Highway Traffic Safety Administration

1200 New Jersey Avenue SE.
Washington, DC 20590

VERMONT
2015
FATAL BICYCLE CRASHES

(5)

Crash Date	Crash Time of Day	Roadway Surface	Weather	CRASH TYPE	CITY OR TOWN	AOT ROUTE	COMMENTS	Add'l Comments
4/26/2015	11:00 AM	Dry	Cloudy	Fatal	Hinesburg	VT-116	Impaired (THC) driver struck bicyclist on shoulder of two lane	Vehicle speed 83-88 MPH, Teen driver
4/14/2015	5:00 PM	Dry	Sunny	Fatal	Weybridge	TOWN ROAD 0003	Impaired (alcohol) driver crossed centerline and struck bicyclist on	Driver had criminally suspended license
6/17/2015	5:30 PM	Dry	Clear	Fatal	Ferrisburgh	TOWN ROAD 0006	Impaired (alcohol) driver struck impaired (prescription drugs) bicyclist on two lane rural road.	Driver reported that bicyclist made a U-turn in front of them
9/7/2015	3:30 PM	Dry	Unknown	Fatal	Pawlet	VT-30	Possibly impaired driver (THC), fell asleep, went into opposite lane and struck bicyclist.	Marijuana and smoking paraphernalia found in car. Driver was not blood tested.