

Good morning Senators,
Thank you for the opportunity to testify and for considering updates to our vulnerable user traffic regulations.

Below you'll find information following up on the discussion we had on Friday morning:

S309 Amendment Language

Here's the [proposed amendment](#) with the changes we discussed to vulnerable user laws. I am also attaching a document that explains these changes individually in detail and includes additional data on stop-as-yield (including a list of the 8 states where this is allowed) and bicycle use of pedestrian signals.

States with use of bicycle and pedestrian signals

One of the questions posed on Friday was whether or not other states allow this practice. It is [legal in California](#). I have not found other states where this is clearly allowed, but will continue to look. It is also [legal in Burlington](#).

Possible conflict with protected left turn

Senator Chittenden brought up a possible conflict resulting from a scenario in which a lane of traffic has a green left turn arrow (protected left turn) while the crosswalk straight across the intersection has an active pedestrian signal. This could set up a potential conflict between a left-turning driver and a person on a bike crossing on the pedestrian signal.

While this signalization seems possible in theory, it is not something I have ever seen and is likely impractical for the following reasons:

- Protected left turns are typically sequenced in unison with a protected left turn on the opposing side of the intersection, which would mean that there could not be an active crosswalk signal on either side of the intersection.
- Protected left turns are typically preceded or followed by a steady green phase, which would also conflict with an active pedestrian signal on the opposite side of the intersection.
- In the very unlikely chance that the conflict scenario described above was occurring, it is still probably unlikely that there would be a crash between the person biking and the person driving, as the person biking would presumably be using a shoulder or bike lane, and so would not be moving into the motor vehicle path of travel. If there was no shoulder or bike lane, they would likely be in the queue with drivers and not utilizing the pedestrian signal.

If the committee has further questions on signalization, I would be happy to connect you with someone at VTrans. Kevin Marshia could likely be a witness or provide a good recommendation.

Vulnerable user passing law

I'm attaching an image of the safe passing distance signage that you'll see in other states. Examples of language from neighboring states:

[Massachusetts](#): "In passing a vulnerable user, the operator of a motor vehicle shall pass at a safe distance of not less than 4 feet and at a reasonable and proper speed."

[New Hampshire](#): “Every driver of a vehicle, when approaching a bicyclist, shall insure the safety and protection of the bicyclist and shall exercise due care by leaving a reasonable and prudent distance between the vehicle and the bicycle. The distance shall be presumed to be reasonable and prudent if it is at least 3 feet when the vehicle is traveling at 30 miles per hour or less, with one additional foot of clearance required for every 10 miles per hour above 30 miles per hour.”

Law enforcement testimony

If the committee is interested in hearing from Vermont law enforcement with expertise in operation and regulation of bicycles, I would recommend reaching out to Jared Katz. His email is jdkatzvt@mac.com.

Thanks, and please let me know if I can provide any additional information.

Jonathon

--

Jonathon Weber

Director of Advocacy and Complete Streets

he/him



Local Motion Inc.

1 Steele Street # 103, Burlington, VT 05401

www.localmotion.org

[Vermont Walk Bike Advocates Forum](#)

Office: (802) 861-2700 ext 104

Mobile: (413) 387-9715