

*REPORT TO THE LEGISLATURE  
PURSUANT TO ACT 165 SECTION 47:*

**REVIEW OF VERMONT  
STATUTES THAT RELATE TO  
VULNERABLE ROAD USERS**

Legislative Report Presentation

---

Amanda Holland  
AOT Manager – Active Transportation  
Vermont Agency of Transportation

Presentation to:  
House Transportation Committee  
February 19, 2025

---

***Submitted by:***

Vermont Agency of Transportation  
Highway Division, Operations & Safety Bureau,  
Safe Systems Section, Active Transportation Unit

# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## LEGISLATIVE REPORT (2024 T-Bill, Sec 47)

### THE REQUEST:

Report on the Agency's effort to conduct a comprehensive review of Vermont statutes, including those in Titles 19 and 23, relating to the rights and responsibilities of vulnerable road users, to inform best practices and policy outcomes.

Develop the Report in consultation with relevant stakeholders identified by the Agency, which shall include bicycle safety organizations.

Report shall include a summary of the Agency's review efforts and any recommendations for revisions to Vermont statutes, to the House and Senate Committees on Transportation.

# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## SECTION 1.0 – INTRODUCTION

**PURPOSE:** Gain an understanding of Vermont’s regulatory framework that governs active transportation users, generally referred to as pedestrians and bicyclists, and their modes of travel.

- Regulatory provisions for all road users should be periodically reviewed and amended to keep pace with changes in technology, infrastructure, demographics and roadway safety.
- Identify areas of misalignment between statutes that can happen over time and ascertain the need to advance a future recommendation and proposal for amendments to statute.

### **STAKEHOLDER ENGAGEMENT:**

- To inform the assessment phase of current laws, the Agency consulted with relevant stakeholders on areas of law and subject matter to be considered in the review.
  - Monthly meetings of active transportation partners, facilitated by Agency.
  - 1:1 communication

# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## SECTION 2.0 – BACKGROUND

- Value of laws -- provide a framework of rules and responsibilities
  - Uniform instruction (permissions, expectations, standards) which regulate conduct and behavior within society
- Guide the order of movement along roadways to ensure the safe and efficient travel of all users.

---

Traffic laws are primarily addressed under two titles in Vermont statute:

*Title 19. Highways - provisions pertaining to highway infrastructure (type, construction, maintenance, etc.).*

*Title 23. Motor Vehicles - provisions pertaining to an operator (type, rights, responsibilities, etc.).*

---

- Standards and laws evolve to address changing conditions and needs of the system and its users.
- In Vermont, provisions for pedestrians and bicyclists were first introduced in 1971, since then
  - Provisions for pedestrians remain largely as originally written.
  - Provisions for the operation of bicycles have been updated to keep pace with the needs of the system.

# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## SECTION 3.0 – LEGISLATIVE REVIEW

### Step 1. Review of state statute for laws which relate to active transportation.

- Compiled references related to:
  - Rights & responsibilities of vulnerable road users (pedestrians & bicyclists)
  - Provisions that address interaction among all road users (pedestrians, bicyclists & motor vehicles).
- Provided an awareness of Vermont law.
- Developed a reference and tool to aid planning level activity.

*Review tool provided as Appendix A*

### Step 2 - Initial assessment of current language from compiled references

- Compared Vermont provisions to national standards and guidelines as well as assessments of law in other states.
- Identified areas of opportunity that require further review to reflect on regulatory intent and best practice.
  - Provisions which are unclear and/or conflict between provisions
  - Alignment with Agency's current intent and practice as well as national best practices.

*Findings provided in Subsections 3.1 – 3.5*

# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## SECTION 3.0 – SUMMARY OF LEGISLATIVE REVIEW

The following is a catalogue of the regulatory subject areas and/or specific statutes identified, findings require further investigation to determine whether the Agency would support further action to amend statutes.

*\*These findings are based on the understanding of the staff conducting this review and may not be another's understanding and/or interpretation of statute.\**

---

### 3.1 Location of Base Definitions

- A. To uphold the current statute categorization by subject matter, establish the primary location for a definition of infrastructure in Title 19 and of operators/road users or modes of transport in Title 23 (23 V.S.A. § 4).

# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## SECTION 3.0 – SUMMARY OF LEGISLATIVE REVIEW

The following is a catalogue of the regulatory subject areas and/or specific statutes identified, findings require further investigation to determine whether the Agency would support further action to amend statutes.

*\*These findings are based on the understanding of the staff conducting this review and may not be another's understanding and/or interpretation of statute.\**

---

### 3.2 Mode of Travel Classification

- A. Classification of “Other” Modes.
- B. Identify Best Practice for Use of Term “Personal Mobility Device”
- C. Identify Best Practice to Refer to Persons with Ambulatory Disabilities in Traffic Law
- D. Motor-Assisted Bicycle Versus Electric Bicycle

# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## SECTION 3.0 – SUMMARY OF LEGISLATIVE REVIEW

The following is a catalogue of the regulatory subject areas and/or specific statutes identified, findings require further investigation to determine whether the Agency would support further action to amend statutes.

*\*These findings are based on the understanding of the staff conducting this review and may not be another's understanding and/or interpretation of statute.\**

---

### 3.3 Rights of Facility Users

- A. Operation of Bicycles on Sidewalks
- B. Enhance Interpretation of Where Devices May Travel
- C. Bicycle Lanes and Paved (road) Shoulders
- D. Pedestrian Clearance Area
- E. Clarify expectations of road users to “exercise due care”



# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## SECTION 3.0 – SUMMARY OF LEGISLATIVE REVIEW

The following is a catalogue of the regulatory subject areas and/or specific statutes identified, findings require further investigation to determine whether the Agency would support further action to amend statutes.

*\*These findings are based on the understanding of the staff conducting this review and may not be another's understanding and/or interpretation of statute.\**

---

### 3.4 Modernization of Provisions

- A. Acknowledge All Road Uses as Traffic
- B. Bicycle-Control Signals
- C. Pedestrian-Control Signals
- D. Terminology and User Evolution of Shared-Use Path
- E. Facility Type Requiring a Vehicle to Yield to Pedestrians
- F. Operating Impaired
- G. Operation of Bicycles at Controlled Intersections
- H. Parking Near Pedestrian and Bicycle Facilities

# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## SECTION 3.0 – SUMMARY OF LEGISLATIVE REVIEW

The following is a catalogue of the regulatory subject areas and/or specific statutes identified, findings require further investigation to determine whether the Agency would support further action to amend statutes.

*\*These findings are based on the understanding of the staff conducting this review and may not be another's understanding and/or interpretation of statute.\**

---

### 3.5 Harmonization Among State Agencies

- A. Bridging Language used for Trails and Highways
- B. Consider Findings from Related Efforts - *Report on Motor Vehicle Offenses (2022, Act 106)*

# Report on the Review of Vermont Statutes that Relate to Vulnerable Road Users

## SECTION 4.0 – NEXT STEPS

Agency will continue this effort in calendar year 2025 to carry out the following activities:

### 4.1 STAKEHOLDER CONSULTATION -

To gather comments and build consensus, the Agency will engage with:

- Active transportation organizations (monthly Active Transportation Partner meetings led by AOT)
- Relevant state agencies (Disabilities, Aging and Independent Living; Public Service; Motor Vehicles; Natural Resources; Health, etc.)
- Other stakeholders and subject matter experts as needed

### 4.2 INCORPORATION OF RESOURCES

To inform discussion and deliberation of statutory changes, the Agency will continue to assess national state motor vehicle standards and confer locally with related efforts on transportation regulation, policy and planning.

### 4.3 IMPLEMENTATION, AS APPLICABLE

To advance recommendations for statutory amendments, presuming the Agency identifies and intends to take a lead role in drafting language, the Agency would aim to develop a legislative proposal for consideration in a subsequent session.