

Pedestrian and Pedalcycle Advisory Committee Minutes

Subject: Minutes for Spring Quarterly Meeting
Date and time: April 09, 2019 12:30 PM to 3:00 PM
Location: Desert Room – Keystone Building, Harrisburg, PA

The meeting was called to order at 12:35 PM by Roy Gothie (PennDOT Bicycle – Pedestrian Coordinator). Roll was taken, and a quorum was declared.

PPAC members in attendance were Elizabeth Sickler (alternate for Representative Taylor); Kyle Wagonseller (alternate for Representative Carroll), Roy Gothie (alternate for Secretary Leslie Richards), Diane Kripas (alternate for Secretary Cindy Dunn), Frank Maguire, Benn Guthrie, Sarah Stuart, Lauri Ahlskog, Bradley Flamm (by phone), Fred Richter, William Hoffman, and Chandra Kannan (phone).

Additional attendees included Justin Lehman (Department of Health), Whiney Kerr (Department of Health), Stacey Newcomer (Pa Commuter Services), Ross Willard (Recycle Bicycle), Samantha Pearson (Elm Street Commission), Ngani Ndimbie (PennDOT Policy Office), Emily Watts (PennDOT Policy Office), Stephen Horner (Department of Ageing), Chris Metka (PennDOT), Allie Noll, (PTBF),

The minutes from the December 05, 2018 meeting were unanimously approved by voice vote (Bill Hoffman motion and Lauri Ahlskog second) with one correction on attendance.

Diane Kripas, Department of Conservation and Natural Resources, noted that their annual open period for grant application would close on April 10th and reviews of the submittals would be starting. She reminded everyone DCNR is currently updating the 5-Year State Land and Water Strategic Trail Plan and that there was a survey to fill out online. DCNR is also updating the Statewide Outdoor Recreation Plan and a draft plan should be ready by late fall 2019.

Additionally, DCNR is continuing to advance their trail gap identification project by redefining a ‘gap’ to reflect project level issues and not larger, less refined projects. The project group is currently collecting data to create a revised priority list. This project is anticipated to be completed in early 2019.

The group had short discussion on DCNR's policies regarding e-bikes on trails, in state parks and state forests was had with DCNR agreeing to follow-up with the group at the next meeting (Interim Report – Attachment #1)

Justin Lehman, Department of Health, provided an update on status of the State Physical Activity and Nutrition 5-year grant from CDC grant that funds the Walkable Communities initiative and other projects by the DOH. He stated that 11 communities were receiving Active Transportation Planning funds with eight pursuing active transportation plans and three pursuing complete streets policies. He also provided an update on trainings supported by the Department (Attachment #2)

Samantha Pearson provided information on the upcoming Community Revitalization Conference in Erie Pa sponsored by the Downtown Development Association. It is being held from June 2nd – 5th.

Roy Gothie, Pennsylvania Department of Transportation, provided a brief update on the progress of the new Statewide Bicycle and Pedestrian Master Plan. There will be a May 30 public workshop in Harrisburg that will include a live webcast of the presentation. The Department will be providing descriptions of the vision, policy, themes, and actions as well as some of the background materials developed thus far . He then shared updates to the DOT website including new pages focused on walking and the link between transportation and health. Finally, he mentioned the draft policy on trails-in-limited-access-highways was nearly ready for a full internal review.

The Committee then questioned the outcomes and response to the letter sent to Secretary Richards regarding additional full-time staff and coordinating resurfacing projects with identified bicycle infrastructure needs. (Attachment #3) Sarah Stuart and Roy Gothie agreed to continue the discussion and follow-up with Secretary Richards and the District Executives.

Frank Maguire made a motion to request a meeting with Secretary Richards to discuss the 5-year resurfacing plan and the need to hire additional full-time staff. Lauri Ahlskog seconded, and the motion passed w/o opposition.

Steve Horner provided an update from the Department of Aging. There is \$2.0M available each year – Senior Community Center Grants for improvements and activities. This year 49 centers split the available funding for fiscal year 2018-2019. The next grant round will be opening in September / October 2019. Diane Kripas noted that DCNR has coordinated projects with the Department of Aging on active transportation projects for community centers.

Moving to New Business - Sarah Stuart updated committee members on the recent letters / resolutions by Pittsburgh and Philadelphia to the state legislature requesting more operating control of their streets and right-of-way (Attachments #4 and #5). She also shared PA crash data research done by the Bicycle Coalition indicating that more options are needed for infrastructure improvements.

She noted there are sponsorship memos for local radar and vulnerable roadway users but no bills have been yet introduced. HB 37 has been introduced to prohibit use of a cell phone without hands-free accessories. To advance these and other bills, there is going to be a lobby day on April 30th, details will be posted on social media.

A brief discussion on crosswalks and definitions of unmarked crosswalks was held. Roy Gothie explained the concept of a marked and unmarked crosswalks, compared them to multi-use trail crossings and agreed to develop a graphic representation that explained the differences for public use.

The final item on the agenda was e-scooters and related bills and polices. Ngani Ndimbie mentioned that HB 631 was scheduled for a hearing on April 18th and the Department is developing testimony and a position on the draft bill. The committee discussed the proposed bill as drafted, the Department's proposed amendments to the bill and the ability of local governments to regulate usage under existing language. Sarah Stuart described her recent visit to Baltimore and their final review of the pilot program.

The meeting was adjourned at 3:00pm

Next Meeting

Date and time: July 10, 2019 – 12:30pm

Location: Desert Room – Keystone Building, Harrisburg, PA

Fred Richter _____ Secretary

_____ Date of Approval

ATTACHMENT #1

Bureau of State Parks:

The Bureau of State Parks has received requests and questions from individuals regarding the legality of using electric assisted bicycles on Pennsylvania State Park trails already open to bicycling. State Park and Forest regulations do not specifically deny the usage of electric assisted bicycles on trails and roads open to bicycle usage. Therefore, as long as the bicycle meets the below listed Federal definition of a bicycle, park managers and all staff should treat electric assist bicycles as they would regular bicycles.

The key factors are that the electric assist bicycle's specs meet those of the Federal definition of a bicycle:

1. Electric motor less than 750 watt
2. Functional pedals
3. Max speed
4. Does not have the capability of being self-propelled (i.e. must be pedaled in order to engage the electric motor)

E-bikes are bicycles having the capability to be assisted by an electric motor. They are not electric scooters that are able to be completely self-propelled by a motor or to be treated as such.

Electric-Assist Bicycles are an emerging new category of vehicle primarily used in urban and suburban areas as an alternative commuting vehicle. Now these bikes are starting to catch on in the recreational arenas. They are based on the concept of augmenting, not replacing, human power to move from one place to another. With this type of bike, an electronic control system senses the rider's effort (rear wheel torque and/or speed) and then augments that effort by supplying power from an on-board battery to an electric motor that also powers the rear wheel. The amount of "assistance" can range from 50% to 400% of the effort exerted by the biker. The electric motor not only "pulls its own weight" but makes pedaling easier for the biker. The result is that the rider can travel longer distances with less physical effort, at a greater speed, and arrive fresher. Electric bikes typically travel at top speeds of 15 to 20 miles per hour and go up to 30 miles per charge.

Laws generally regard these new hybrid bikes as non-motorized vehicles, making them appropriate for use on bike paths and trails. They are bike rack lockable, and need no license to operate (although not all state laws and local ordinances are totally clear on these issues).

The U.S. Congress has defined a low-speed electric bicycle as any bicycle or tricycle with fully operable pedals, an electric motor not exceeding 750 watts of power and a top motor-powered speed not in excess of 20 miles per hour (32 km/h). An electric bike or trike that meets these limitations is regarded as a bicycle by Public Law. This Law defines electric bicycles only for the purpose of Consumer Product Safety and does not allow for their use on roads. It is a safety criteria that manufacturers use in building electric bicycles, which helps protect them from the threat of lawsuits from within states attempting to legislate more stringent safety requirements.

Laws, however, vary from state to state. In Pennsylvania, Title 75 (Vehicle Code) defines a Motorized Pedal cycle as: *A motor-driven cycle equipped with operable pedals, a motor rated no more than 1.5 brake horsepower, a cylinder capacity not exceeding 50 cubic centimeters, an automatic transmission and a maximum design speed of no more than 25 miles per hour.* This definition was clearly written with gasoline-powered pedal cycles in mind. The requirement of an automatic transmission can be limiting for those who simply want to add an electric-assist motor to a bicycle. Almost all bicycles have transmissions consisting of chains and manually shifted sprockets. The law appears to not speak to electric pedal assisted bikes specifically. The federal government has passed legislation recognizing the unique characteristics of electric bikes: their quiet, clean operation, ease of use and their environmentally benign nature. Most jurisdictions recognize these as distinct from existing moped and motorcycle classifications because they are more akin to bicycles than their heavier, faster gas-powered cousins (the moped, motorcycle etc.).

Bureau of Forestry:

Thank you for your question asking “Can pedal-assist eBikes 750 watts and lower be used on PA State Forest Lands where regular pedal bicycles are allowed? There is conflicting information on the internet and the PA DCNR doesn't seem to address this anywhere.” It is always appreciated when a person who is unsure of the rules and regulations in the State Forest is willing to ask for clarification prior to their visit. With that being said, the answer to that question is that the Bureau of Forestry does accept the use of Class 1 E-bikes on trails open to mountain bikes provided that they meet all of the following standards;

1. They must have an electric motor less than 750 watts
2. They must have fully functional pedals
3. They have a weight not more than 75 pounds
4. They must have a maximum speed of less than 20 mph
5. They can not have the capability of being self-propelled (i.e. must be pedaled in order to engage the electric motor)

ATTACHMENT #2

The Pennsylvania Department of Health, Division of Nutrition and Physical Activity, was awarded a Centers for Disease Control and Prevention (CDC) grant, called State Physical Activity and Nutrition (SPAN) grant. The five-year grant covers 10/1/18-9/30/23. This grant will allow WalkWorks to continue to support local communities through funding and technical assistance to develop plans that will, when implemented, enable/enhance pedestrian and bicycle connections to vital local destinations and increase safe and accessible opportunities for residents to be physically active.

Through WalkWorks, a Funding Opportunity Announcement (FOA) was released inviting local government entities to receive funding to assist with:

- a. The development of a transportation plan, which will identify and prioritize projects related to modes of active transportation with an emphasis on walking and biking; and/or
 - b. The development of policies – such as Complete Streets or Vision Zero – that include language in support of environmental changes for enhancing places for physical activity with an emphasis on walking.
- WalkWorks is currently works with 8 communities to develop an active transportation plan and 2 communities to adopt a Complete Streets policy.
 - **The next FOA will be released around August 1, 2019.**

WalkWorks hosted 1 webinar and will host 2 more Complete Streets webinars in March and April

- March 28 – Complete Streets Basics and Benefits
- April 11 – Best Practices for Design
- April 18 – Planning and Policies

The Pennsylvania State Association of Boroughs will host 2 Complete Streets in-person trainings in May.

- May 13 in Doylestown
- May 14 in Gettysburg

Whitney Kerr also attended from the Department of Health. Whitney works with county and municipal health departments to implement comprehensive programs to increase healthy lifestyle behaviors, such as physical activity and healthy eating. Related to physical activity, they aim to improve transportation-related safety for those who walk, bike and take public transit.

ATTACHMENT #3



Pedalcycle and Pedestrian Advisory Committee
Harrisburg, Pennsylvania

January 4, 2019

Secretary Leslie Richards
PennDOT
400 North Street
Harrisburg, PA 17120

Dear Secretary Richards,

On behalf of the Pedalcycle and Pedestrian Advisory Committee, I am bringing two important matters to your attention that need to be addressed by the Central Office.

Last year, PennDOT District 6 released its five-year paving plan to the public for the first time. This enabled advocates, county and municipal officials to recommend and request which roads should receive bicycle and pedestrian improvements. PennDOT District officials now have enough time to evaluate recommendations prior to the full development of pavement marking plans. This is a very welcome development and key to the incorporation of more complete

streets during the resurfacing process and complements the PennDOT Connects process that focuses on capital projects.

We strongly recommend that PennDOT Central Office facilitate similar processes of releasing 5-year paving plans by the other PennDOT District offices.

Secondly, it is acutely clear that PennDOT District offices need full time bicycle-pedestrian coordinators. Many instances of missed opportunities are raised at PPAC meetings that make it obvious that without full time trained bicycle pedestrian coordinators, PennDOT District offices are not taking every step possible to make state roads complete and as safe as possible for all road users. .

An agency as large as PennDOT cannot function with only one full time bicycle-pedestrian coordinator.

Surely you recognize that many responsibilities fall upon the overworked staff who currently have Bicycle-Pedestrian portfolios as part of their job description. There are numerous issues with respect to coordinating and advising counties and municipalities on PennDOT Connects, resurfacing plans, capital projects and policies that would be best executed by a full-time coordinator at the District office. Philadelphia, Pittsburgh and Central PA have more than enough bicycle-pedestrian issues to keep an individual dedicated to bicycle/pedestrian issues busy.

We respectfully request that you add full time bicycle-pedestrian coordinator positions in key PennDOT Districts, especially District 6, 11 and 8 in the PennDOT's next Fiscal Year budget.

Sincerely yours,



Sarah Clark Stuart



Why Pennsylvania Needs HB792 and Senate Companion Bill Parking-Protected Pedestrian Plazas and Bike Lanes

PennDOT and municipalities throughout Pennsylvania are prevented from designing and installing protected pedestrian plazas and bike lanes that are separated by parked cars onto State Roads or local roads.



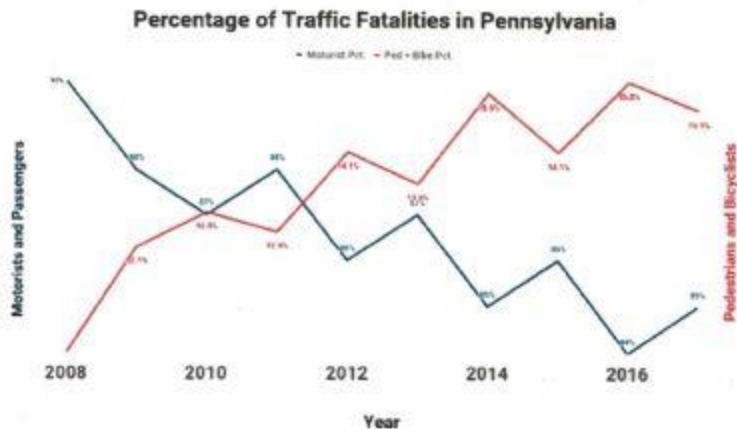
The only way to overcome this problem is to amend the Commonwealth's vehicle code, Title 75.

Representative Dave Maloney, a Republican who represents parts of District 130 in Berks County introduced [HB792](#) to make "parked car protected plazas and bike lanes" officially legal on PennDOT Streets in the Commonwealth of Pennsylvania.

State Representatives - please co-sponsor [HB792](#)

State Senators - please co-sponsor the protected pedestrian plaza and bike lane bill that Senator Larry Farnese is about to introduce.

This correction to the PA Vehicle Code is urgently needed for six reasons:



1. The percentage of all Pennsylvania traffic fatalities that are pedestrians and bicyclists is higher today than twenty years ago; the trend is going in the wrong direction.

2. Government needs to get out of the way of professional traffic engineers and let them use a proven safety design to provide more safety to pedestrians and bicyclists.
3. Municipalities are bearing a cost financially by being unable to use these designs.
4. Separating bicyclists and pedestrians and motorists makes it easier for police to enforce traffic laws in the event of an incident.
5. Together, children under 20 and seniors over 60 made up 42% of pedestrians killed in 2017 Pennsylvania.
6. By 2025, more than one in five Pennsylvania residents will be 65 or older. Seniors need greater protection on roadways.

Municipalities around Pennsylvania, including York, Pittsburgh and Philadelphia, want to install these types of lanes, but cannot, because of Title 75 requires that cars be only parked 12 inches or less from a curb. The absence of this technical fix prevents PennDOT and municipalities from installing this proven engineering design that calms traffic and improves safety while preserving motor vehicle parking.

The Bicycle Coalition of Greater Philadelphia has [worked with Representative Maloney to introduce the HB792](#) and we are grateful for the support of Mary Jo Daley (D-148), Ed Neilson (D-174), Jared Solomon (D-202), Brett Miller (R-41), Mark Longiotti (D-7) and Carol Hill-Evans (D-95) who are all initial co-sponsors of HB792.

ATTACHMENT #4

City of Pittsburgh

510 City-County Building

414 Grant Street

Pittsburgh, PA 15219

Introduced: 3/12/2019 Bill No: 2019-1482, Version: 1

Committee: City Council Status: Adopted

WHEREAS, according to data of reported crashes compiled by the Pennsylvania Department of Transportation, 4,106 pedestrians and 1,127 bicyclists were injured in crashes throughout the Commonwealth of Pennsylvania in 2017; and,

WHEREAS, restrictions in State Motor Vehicle Code limit the ability of local jurisdictions to implement certain roadway designs proven to be effective in protecting vulnerable users, such as pedestrians, bicyclists, motorcyclists, and individuals with limited mobility. Local jurisdictions are also prohibited from experimenting with roadway designs based on best engineering judgement; and,

WHEREAS, Pittsburgh is a complicated, dynamic, and vibrant city with many different modes of travel and mobility options; the power to regulate the safe and equitable use of the right-of-way should be devolved to the most local level of government possible; and,

WHEREAS, despite a demonstrated desire for more mobility choices from residents of dense urban cities and mobility-challenged small towns alike, the Commonwealth of Pennsylvania has not updated its Motor Vehicle Code to allow for more bicycle and pedestrian-focused policies and discourage behavior that endangers the lives of vulnerable users in many years; and,

WHEREAS, the Pennsylvania Motor Vehicle Code mandates that parking must occur within 12 inches of the curb, effectively preventing the installation of Parking Protected Bike Lanes, which allow parked vehicles to serve as a barrier between vehicle lanes and bicycle lanes. In the past, legislation has been introduced in both the Pennsylvania House and Senate to permit parking to occur with 12 inches of a bike lane buffer; and,

WHEREAS, a pedestrian is twice as likely to be killed by a vehicle that is traveling 30 miles per hour as a vehicle traveling 25 miles per hour and three times as likely to be killed by a vehicle traveling 40 miles per hour. Despite this staggering statistic, local law enforcement is prohibited under state law from using radar or LIDAR technology to detect and enforce speeding on neighborhood streets, and in many cases, local jurisdictions are barred from reducing speed limits on city streets. Previous bills introduced in the State House and Senate would have allowed municipalities to use radar or LIDAR technology to enforce speeding, which is proven to be much more effective than currently-used VASCAR enforcement; and,

WHEREAS, despite the thousands of pedestrian and bicyclist injuries that occur on Pennsylvania's roadways annually, fines for reckless driving, passing within less than four feet of a pedestrian, bicyclist, motorcyclist, and individuals in wheelchairs, failure to yield to a pedestrian, and careless driving that leads to the injury or death of a pedestrian or bicyclist have not been increased in several years. Among other provisions, a previously introduced House Bill would increase the fines for careless driving resulting in bodily injury or death of a bicyclist or pedestrian; and,

WHEREAS, while several states require motorists to fully stop for pedestrians, drivers in Pennsylvania must only yield to pedestrians, which increases the likelihood for a crash. In 2012, a bipartisan group of Representatives sponsored a House Bill, which would mandate that motorists stop when a pedestrian "is upon, or within one lane of, the half of the roadway upon which the vehicle is traveling or onto which it is turning"; and,

WHEREAS, according to the United States Department of Transportation, nearly half of bicyclists and one quarter of pedestrians killed in traffic crashes nationwide die from impact to the side of vehicles. Cities across the country have mandated that both city-owned and private trucks install a side guard, after a mandate in the United Kingdom resulted in significant decrease in pedestrian and bicycle fatalities. In Pennsylvania, municipalities are prohibited from requiring private companies to install this lifesaving piece of equipment; and,

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby urge the Pennsylvania General Assembly and State Senate to grant more local control for the operation of the right-of- way, the installation of roadway features that are safer for all users, and the implementation of policies that discourage dangerous driving and decrease the risk of bodily injuries and death of pedestrians, bicyclists, individuals with limited mobility, and other vulnerable users; and,

BE IT FURTHER RESOLVED, that a copy of this Will of Council shall be sent to the Allegheny County delegation of the Pennsylvania State House and Senate, the chairs and minority chairs of the State House and Senate Transportation Committees, Governor Tom Wolf, and Pennsylvania Secretary of Transportation Leslie Richards.

ATTACHMENT #5

City of Philadelphia RESOLUTION NO. 190145

City Council

Chief Clerk's Office 402 City Hall

Philadelphia, PA 19107

Introduced February 28, 2019 by Councilmember Squilla

RESOLUTION

Urging the Pennsylvania General Assembly to grant more local control for the operation of the right-of-way, the installation of roadway features, to effectively enforce speed limits and the implementation of policies that discourage dangerous driving.

WHEREAS, According to data of reported crashes compiled by the Pennsylvania Department of Transportation, forty-six percent (46%) of people killed in traffic crashes on Philadelphia streets in 2017 were people walking, and thirty-six percent (36%) of people seriously injured in traffic crashes on Philadelphia streets in 2017 were people walking; and

WHEREAS, Restrictions in the State Motor Vehicle Code limit the ability of local jurisdictions to implement certain roadway designs proven to be effective in protecting vulnerable users, such as pedestrians, bicyclists, motorcyclists, and individuals with limited mobility. Local jurisdictions are also prohibited from experimenting with roadway designs based on best engineering judgement; and

WHEREAS, Philadelphia is a complicated, dynamic, and vibrant city with many different modes of travel and mobility options; the power to regulate the safe and equitable use of the right-of-way should be devolved to the most local level of government possible; and

WHEREAS, Philadelphia is a Vision Zero City and has committed to eliminating all traffic fatalities by 2030 through an equitable approach to engineering, education, and enforcement systems; and

WHEREAS, Despite a demonstrated desire for more mobility choices from residents of dense urban cities and mobility-challenged small towns alike, the Commonwealth of Pennsylvania has not updated its Motor Vehicle Code to allow for more pedestrian and bicycle-focused policies and discourage behavior that endangers the lives of vulnerable users in many years; and

WHEREAS, A person walking is twice as likely to be killed by a vehicle that is traveling 30 miles per hour as a vehicle traveling 25 miles per hour and three times as likely to be killed by a vehicle traveling 40 miles per hour. Despite this staggering statistic, local law enforcement is prohibited under state law from using radar or LIDAR technology to detect and enforce speeding on neighborhood streets, and in many cases, local jurisdictions are barred from reducing speed limits on city streets. Previous bills introduced in the State House and Senate would have allowed municipalities to use radar or LIDAR technology to enforce speeding, which is proven to be much more effective than currently-used VASCAR enforcement; and

WHEREAS, People are inherently vulnerable and speed is a fundamental predictor of crash survival. Speeding is a concern in many neighborhoods and around schools in Philadelphia. Automated enforcement has proven effective in New York, DC, and other cities, and Philadelphia is will pilot automated speed enforcement on Roosevelt Boulevard and PennDOT will pilot automated speed enforcement in work zones. Expanding to areas around schools, especially in dense, walkable areas could save children from death and serious injury, and

WHEREAS, Despite the thousands of pedestrian and bicyclist injuries that occur on Pennsylvania's roadways annually, fines for reckless driving, passing within less than four feet of a pedestrian, bicyclist, motorcyclist, and individuals in wheelchairs, failure to yield to a pedestrian, and careless driving that leads to the injury or death of a pedestrian or bicyclist have

not been increased in several years. Among other provisions, a previously introduced House Bill would increase the fines for careless driving resulting in bodily injury or death of a bicyclist or pedestrian; and

WHEREAS, While several states require motorists to fully stop for pedestrians, drivers in Pennsylvania must only yield to pedestrians, which increases the likelihood for a crash. In 2012, a bipartisan group of Representatives sponsored a House Bill, which would mandate that motorists stop when a pedestrian “is upon, or within one lane of, the half of the roadway upon which the vehicle is traveling or onto which it is turning”; and

WHEREAS, According to the United States Department of Transportation, nearly half of bicyclists and one quarter of pedestrians killed in traffic crashes nationwide die from impact to the side of vehicles. Cities across the country have mandated that both city-owned and private trucks install a side guard, after a mandate in the United Kingdom resulted in significant decrease in pedestrian and bicycle fatalities. In Pennsylvania, municipalities are prohibited from requiring private companies to install this lifesaving piece of equipment; and

WHEREAS, The Pennsylvania Motor Vehicle Code mandates that parking must occur within 12 inches of the curb, which under some interpretations makes the installation of Parking Protected Bike Lanes, which allow parked vehicles to serve as a barrier between vehicle lanes and bicycle lanes, difficult. In the past, legislation has been introduced in both the Pennsylvania House and Senate to explicitly permit parking to occur with 12 inches of a bike lane buffer; now, therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby urge the Pennsylvania General Assembly and State Senate to grant more local control for the operation of the right-of-way, the installation of roadway features that are safer for all users, the ability to effectively enforce speed limits, and the implementation of policies that discourage dangerous driving and decrease the risk of bodily injuries and death of pedestrians, bicyclists, individuals with limited mobility, and other vulnerable users.

FURTHER RESOLVED, That a copy of this resolution be sent to the Philadelphia delegation of the Pennsylvania State House and Senate, the chairs and minority chairs of the State House and Senate Transportation Committees, Governor Tom Wolf, and Pennsylvania Secretary of Transportation Leslie Richards.