



Task Force Meeting 4 Summary Notes

Thursday, October 26, 2017

1:30 PM – 4PM

Task Force Members:

Shayne Boucher, Captain Charles Baker, Vincent Boylan, Ragina Cooper-Averella, Chris Eatough, Tom Gianni, Tom Huesman, Jon Korin, Delegate Stephen Lafferty, Laurie Lemieux, Nick Driban (for Mike Lenhart), Michael Lore (for Senator Susan Lee), Mark Morelock, Peter Sotherland, Mayor Patrick Wojahn, Chief Michael Wynnyk, Corporal David Zanon

Task Force Members Not Present:

Delegate Andrew Cassilly, Jack Keene, Senator Roger Manno

MDOT Staff Present:

Marty Baker (MDOT TSO), Stacey Beckett (MDOT SHA), Virginia Burke (MDOT TSO), Tom Curtain (MDOT TSO), Natisha Galloway (MHSO), Kelly Melhem (MHSO), Oluseyi Olugbenle (MDOT TSO), Diane Patterson (MDOT TSO)

Consulting Staff Present:

Leigh-Ann Dawes and Mary Arzt (Sharp & Company), Elisa Mitchell and Bryon White (Sabra Wang and Associates), Alia Anderson (Toole Design).

Members of the Public:

Louis Campion, Jeff Dunckel, Joshua Feldmark, Peter Gray, Kim Lamphier, Marieannette Otero, Barbara Zektick

Welcome and General Announcements (Chair and All – 15 mins)

The Chair asked Task Force members for any comments on the Draft Meeting 3 Notes, two additions were made:

1. Correct recommendation regarding enforcement of 3-foot law:
 - *Consider legislation to enable law enforcement to use newly available technology to better detect and document non-compliance with the three-foot passing law, and to mail tickets to registered vehicle owners (if unable to stop motorist at the time of violation).*
2. Amend recommendation regarding ridership and exposure data:
 - *State and local agencies should explore new methods for collecting ridership, exposure data, and non-reported crashes.*

The Chair agreed with these changes. The notes were approved and will be posted online with the other meeting materials to the Task Force website:

http://www.mdot.maryland.gov/newMDOT/Planning/Bike_Walk/Task-Force.html.



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The Chair explained that the Consultant team compiled the list of recommendations raised by the Task Force in meeting 2 and meeting 3. In addition, the bicycle advocates on the Task Force submitted an additional list of recommendations for the Task Force to consider. The Chair also noted that the Consultant Team worked to incorporate the advocates' recommendations into the presentation, and that they will be discussed during the meeting to evaluate their inclusion in the final report.

A draft report of recommendations will be distributed to the Task Force members on November 9th. Following November 9th, the Task Force can send comments to Marty Baker. The draft will also be posted to the Task Force website and the public may email comments to BikeSafetyTaskForce@mdot.state.md.us. The Chair reminded the Task Force and the public that introduction of new material will be closed after November 9th. The last day to submit comment will be November 22nd. The final report will be assembled in early December and submitted to the Legislature before the end of the year.

The Chair spoke about the recently-issued League of American Bicyclists' Bicycle Friendly State Report Card for Maryland, and said that many of the issues in the report were already included in the Task Force's list of recommendations. The Chair also mentioned that some of the issues not recommended by the Task Force can be addressed in the Maryland Bicycle and Pedestrian Master Plan update, and that comment cards on the 2014 Plan's Objectives and Goals are available in the meeting. He announced MVA's new Bicycle and Pedestrian Safety Program Manager, Jeff Dunkel, previously with Montgomery County.

Hard copies of the agenda, meeting 3 summary notes, context paper 3, a 1-page draft compilation of Task Force recommendations, a 5-page list of recommendations submitted by bicycle advocates, a copy of the meeting #4 presentation and comment cards on the Bicycle and Pedestrian Master Plan Objectives and Goals were made available to Task Force members.

Meeting Overview and Follow Up/Recommendations from Meeting 3 (1h 55 mins)

The Consultant Team presented a recap of the previous meeting's presentation topics, which included:

- Effects of bike infrastructure on parking, pedestrians, and traffic.
- Siting of utilities along bike lanes and paths
- Best practices for ensuring access to retail, residential and commercial development adjacent to bike lanes

The Consultant Team then presented on the Issue Areas from meeting 3: maintenance of infrastructure, speed differentials, ROW and procurement, policy issues, and mitigation fees/fee-in-lieu. The issue areas presentation and discussion incorporated the recommendations from meeting 3 and the new list of recommendations from bicycle advocates. The Task Force provided feedback and agreed on the following recommendations grouped by issue areas:



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Issue 1: Maintenance

Bicycle Advocates' Recommendation IV.1.

- *Legislature should consider reversing prohibition on SHA paying for maintenance of bicycle and pedestrian infrastructure within State Road right-of-way but outside the roadway (Title 2 § 8-630) so that the State can pay for maintenance of sidewalks, trails, and protected bike lanes.*

When MDOT SHA is asked to construct or for permission to construct facilities that are within their right of way, but not within the curb lines, they normally require an agreement with local jurisdictions to clarify local maintenance responsibilities. In general, MDOT SHA maintains facilities only inside the curb of the roadway. Establishing these MOU's can be time consuming and can lead to project delays. Although Task Force members were sympathetic to the need to address this issue, they were not clear on what specific language would be suitable to address the issue, and win full support of the entire group. MDOT SHA agreed to help clarify the position by way of follow up.

Issue 2: Speed

Bicycle Advocates' Recommendation I.5.

- *Create a process for Bicycle Safety Audits (similar to audits for motorized and pedestrian safety audits) in order to improve safety especially in higher risk areas.*

MDOT currently conducts pedestrian safety audits, which includes observation of bicycle behavior, but does not review bicycle data. The Task Force agreed that this issue should be addressed in a recommendation.

Bicycle Advocates' Recommendation III.9.

- *State and local law enforcement agencies should accept video submissions for evidence of dangerous driving.*

Task Force members clarified that cyclists increasingly ride with video cameras mounted to their bikes and would like to provide this video to the police in instances involving crashes or other unsafe driving. The Task Force discussed several issues related to this topic, including: privacy and whether audio is permitted with video; the issue that civil citations are tied to a vehicle, not to an individual; and whether these prohibitions exist. The Task Force did not approve this recommendation but instead suggested that a note be added to the final report saying, "enforcement is critical and more resources are needed."

Bicycle Advocates' Recommendation III.3.

- *The legislature should consider allowance of lower speed limits on all roads (15 mph on local roads, 55 mph on State Highways), including a mechanism for a county or municipality to set a lower default speed limit.*

The Task Force discussed several issues on this topic, including: concerns that speeds limits would be lowered unsystematically; that engineering studies are the only current mechanism that permits lower



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speed limits; and which roads this would apply to. This discussion led to the following draft recommendation:

- *Consider creating a mechanism to allow greater flexibility for local governments to reduce speed limits.*

Bicycle Advocates' Recommendation II.1.

- *The legislature should consider removing prohibitions on safety cameras on state highways to allow their use on any state highway at any time where speed enforcement is needed (not just in school zones and work zones).*

Task Force members explained that safety cameras are only allowed for school, higher education, and work zones. There was discussion about whether there is a prohibition on all roads or just state roads. One Task Force member pointed out that camera technology is very sophisticated and could target just a particular lane of travel. The Task Force agreed to the following draft language.

- *Consider removing prohibitions on safety cameras on state and county highways and roads in higher risk areas.*

Issue 3: Right of Way

The Task Force discussed the issue of ROW, including insufficient accommodations for bicycles at intersections and permitting bike infrastructure (e.g. paths) in utility ROWs. One Task Force member commented on the importance of exploring opportunities for trails in railroad ROWs. Another member stated that roads should not automatically be widened to meet access permit guidelines because in many cases bike access may be better addressed elsewhere. The Task Force discussed how traffic level-of-service (LOS) is the driving factor of how ROW is allocated on roadways, and that the emphasis is on vehicle delay. Members discussed how California has replaced LOS with VMT to accommodate multimodal travel. Another member pointed out that Montgomery County allows for lower LOS (i.e. longer allowable vehicle delay) near metro stations where land use is less auto-oriented and multimodal opportunities exist. This discussion led to the following draft recommendations:

- *State and local agencies should consider opportunities to use utility and railroad right of way to expand off-road trail network.*
- *Consider all road users in traffic analysis requirements (see California example).*

The Task Force discussed the Bicycle Advocates' Recommendation V. regarding bicycle infrastructure, design, siting and best practices. One member pointed out that many or some of these could be sub-bullets of an updated design guide, and that MDOT SHA does have a guide entitled, "When Main Street is a State Highway." Another member expressed concern that some of the recommendations in this section were too prescriptive, which might limit their effectiveness. The recently-updated design guidelines for PennDOT and NJDOT were identified as good examples. One member said that the design guidelines should consider low-stress bicycling and walkability. This discussion led to the following draft recommendation:

- *Update "When Main Street is a State Road" and ensure low-stress bike facilities are addressed (see PennDOT and New Jersey examples).*



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Bicycle Advocates' Recommendation V.6.

- *Institute a comprehensive bicycle route signage system for wayfinding on state and local roads.*

A Task Force member noted that MDOT SHA is working on a policy for bicycle wayfinding on state roads such as the East Coast Greenway or Potomac Heritage Trail, and working closely with the Office of Tourism. Another member pointed out that Pennsylvania has gone a step further by creating numbered bicycle routes on state and local roads. The Task Force decided to retain this draft recommendation.

Bicycle Advocates' Recommendation II.2.

- *SHA should allow bicycle-specific traffic signals on or crossing state roads. This would mandate a reevaluation of the threshold standards SHA employs when reviewing implementation of bicycle and pedestrian signals. In addition, SHA should allow greater flexibility for signal warrants and other improvements when evaluating trail crossings of State roads and for traffic on State roads where there is a strong safety argument for bike signals or other bike improvements but the traffic signal does not meet traffic 'warrants'.*

The Task Force members discussed if Recommendation II.2 referred to HAWK signals and other mid-block treatments; bicycle signals; or existing traffic signals. MDOT SHA has started to install Maryland Enhanced HAWK signals on a case-by-case basis but continues to evaluate the process and clarify with the Office of Traffic and Safety before deployment of additional enhanced signals. The Task Force requested that MDOT SHA bring back thoughts on specific language to address this and other Design Guideline concerns.

Issue 4: Policy/TIS Issues

Bicycle Advocates' Recommendation II.3.

- *MDOT and all its sub-agencies should be required to adhere to SHA's complete streets policy for any roadway or facility design.*

The Task Force discussed that MDOT SHA is the only MDOT agency that has a Complete Streets policy. One member pointed out that MdTA is not a sub agency of MDOT. Another member stated that MDOT Maryland Transit Administration stations needs to have a stronger bicycle and pedestrian access policy. One member expressed concern that a mandate to local/county governments without funding attached would be a significant burden. There was agreement that recommendations regarding policy should include that:

- *MDOT, including all its sub-agencies should adopt and implement a complete streets policy. This should also apply to MTA to ensure bicycle access to transit.*
- *The Maryland Transportation Authority should also be encouraged to adopt a Complete Streets policy. (Note, however, that this body is not represented on the Task Force).*
- *County and local jurisdictions should be encouraged to adopt Complete Streets policies*



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Bicycle Advocates' Recommendation IV.7.

- *The State should consider a "fee in lieu" policy and improve state and local collaboration to ensure that bicycle infrastructure is added where it is needed most.*

One Task Force member said that such a policy would save the developer money. Another member expressed concern that MDOT does not have a mechanism to administer fee-in-lieu policies. This tool is better utilized at the local level. The discussion resulted in the observation that:

- *Further study should be conducted to establish a state-level fee-in-lieu process to facilitate useful bike improvements.*

Bicycle Advocates' Recommendation III.7.

- *SHA should utilize modeling software that assesses and prioritizes multimodal transportation options in its planning processes.*

Bicycle Advocates' Recommendation VI.2.

- *SHA should implement a statewide counting program of biking and walking on state roads including placement of automated counters, user surveys, and crowdsourced data.*

The Task Force discussed how this recommendation was similar to a previous one regarding traffic analysis, and expressed concerns to not be too prescriptive in the language to allow for various methodologies, while still accomplishing the goal. One member pointed out that MDOT SHA has the software but lacks quality data to achieve realistic results. There was discussion about how counts would be a very useful input for the modeling software. It is SHA policy to collect pedestrian and bike data at intersections, but not along road segments. One member mentioned that other states have permanent bicycle counters. This discussion led to the following suggestions:

- *MDOT SHA should expand use of modeling software that assesses and prioritizes multimodal transportation options in its planning processes.*

Overview of Funding/Education and Outreach (Task Force Consultant Team – 15 mins)

A presentation was given on Education & Outreach Efforts and Funding Sources. The Task Force then discussed the potential recommendations.

Education & Outreach

Bicycle Advocates' Recommendation III.2.

- *The legislature should fund universal bike education in public schools (as the DC Public Schools does for all 2nd Graders).*

One Task Force member stated that Maryland is too diverse geographically to mandate equivalent bike education programs. One Task Force member stated that the State of Maryland has curricula that is available for people to use, but that curricula mandates are usually only at the city or county level.



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Another Task Force member stated that Maine has mandated it but allows for some flexibility in implementation. Further discussion about clarifying and flexibility led to the following suggestion:

- *The State should encourage and facilitate universal bike safety education*
- The Task Force agreed that further clarification to who is implied by “State” would be needed, and that examples from Maine would be worth considering.

Bicycle Advocates’ Recommendation III.5.

- The State should provide safe passing education and testing for drivers as it relates to vulnerable road users (including, but not limited to, that drivers should give 3 feet, not enter oncoming lane without adequate sight distance, that it’s ok for drivers to wait for a safe passing opportunity, and that bicyclists have a right to be in the road).

The Task Force discussed that there is not currently a test question about this issue. One member pointed out that the State of Illinois has an online curriculum that might be a good reference. The Chair moved that the recommendation be made to MDOT MVA and not to the legislature, which led to the following draft recommendation:

- *The MDOT Motor Vehicle Administration should look to best practices regarding bicycle safety and driver testing and ongoing education and driving examinations (see Illinois example).*

Funding

The Consultant Team asked the Task Force if there were other issues related to funding. The Task Force members discussed the difficulty to administer federal programs due to restrictive rules and staffing requirements, and the limited pool of State funding in the Maryland Bikeways Program.

The Chair expressed concern that the Bicycle Advocates’ Recommendation I.1. regarding Vision Zero would have serious implications for the State Highway Safety Plan (SHSP). The approach adopted by the state seeks similar outcomes, but is based on a different methodology, and is called “Towards Zero Deaths. The MPOs are in the process of adopting the SHSP, so switching to a new methodology would have many repercussions. The Chair also mentioned that there were no bicycle safety applications in the latest pool for State Highway Safety Grants. The Chair thanked the bicycle advocates for providing the list of recommendations.

The Task Force will finalize recommendations regarding education, outreach, and funding at the last meeting on November 9th. Task Force members can meanwhile reach out to Marty Baker or Peter Sotherland with any questions or comments on these topics.

Public Comment (5 mins)

Opportunity for public comment was provided at the meeting. One member of the public echoed the thank you to the bicycle advocates for their recommendations. She recommended an addition to recommendation to VI.2. to include bicycle counts on all modes including transit (buses and MARC), and



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MdTA (Hattem Bridge). She also urged that Maryland should be more proactive in addressing bicycle safety.

After requesting any final comments from the Task Force, and hearing none, the Chair reminded meeting attendees that the next meeting would be held at MDOT SHA Hanover in two weeks (November 9th) – beginning at 1:00pm. The meeting was adjourned at 4pm.