March 1, 2016

Re: SUPPORT for HB 5403, An Act Increasing Penalties For Failure To Yield To Pedestrians In Crosswalks And Failure To Exercise Due Care To Avoid Hitting A Pedestrian Or Cyclist

Dear Representative Tong, Senator Coleman, and Members of the Judiciary Committee:

Bike Walk Connecticut and the Tri-State Transportation Campaign write jointly to thank you for raising HB 5403, an important measure to make it safer for pedestrians and cyclists to use the roads. We support the bill and urge the legislature to pass it in 2016 before there’s one more pedestrian or cyclist tragedy.

News Accounts Show Connecticut Not Hospitable to Pedestrians and Cyclists
Recent news accounts from across the state, along with the just-released 2016 Auto Insurance Center report on pedestrian fatalities and injuries, underscore the need for people all across Connecticut to know and follow the rules for safely sharing the road. This is not a new phenomenon: our 2014 research for the Vulnerable User law found that 10,793 pedestrians and cyclists were injured or killed on Connecticut roads from 2006 through 2012, according to state and federal statistics.

<table>
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<th>Year</th>
<th>Total Bike/Ped Fatalities</th>
<th>Cyclist Fatalities</th>
<th>Pedestrian Fatalities</th>
<th>Total Bike/Ped Injuries</th>
<th>Cyclist Injuries</th>
<th>Pedestrian Injuries</th>
<th>Total Bike/Ped Injuries &amp; Fatalities</th>
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Connecticut Needs a Share the Road Campaign for Drivers, Pedestrians and Cyclists
Everybody should feel safe using Connecticut’s roads. Our roads are traveled by people of all ages and abilities who walk, run and cycle for transportation, fitness, recreation, and tourism. Those people must be welcome and expected on our roads.

Legal, Financial Consequences Would Change Behavior
Not only does Connecticut need to re-learn and recommit to the following the rules of the road, we need to step up enforcement of those rules. To the best of our knowledge, the Vulnerable User law enacted in
2014 has never been enforced. The 3-foot safe passing rule isn’t widely observed or easily enforced. And
clearly, the rules for yielding to pedestrians in crosswalks go unheeded. The absence of legal or financial
consequences to ignoring “share the road” rules simply reinforces the undesirable behavior that so often
has truly tragic consequences.

**Conn. Gen. Stat. §14-300(c) Should be Corrected Too**
In addition to strengthening penalties as this bill provides, please consider correcting a little known 2007
amendment to Conn. Gen. Stat. §14-300(c). Public Act 07-167 amended subsection (c) by replacing
“steps to the curb” with “steps off the curb or into the crosswalk” and specifying a fine of $90, effective
July 1, 2007. Prioritizing drivers over non-motorized road users, as that amendment did, is simply poor,
short-sighted public policy that has no place in a world of climate change, massive traffic congestion
problems, and an obesity epidemic.

**Minnesota and Other Model Laws**
We wish to call your attention to a few pro-pedestrian, pro-cyclist laws in other states that could serve as
worthy models for Connecticut:

- Minnesota, which has the lowest rate of pedestrian fatalities, requires drivers to stop for
  pedestrians in any portion of the roadway.
- Massachusetts mandates yielding when a pedestrian is upon the same half of the roadway or
  within 10 feet of the motorist.
- Vermont includes driver harassment of cyclists and pedestrians as a punishable violation of its
  vulnerable user law.
- Maine law expressly provides that a crash is prima facie evidence of a violation of its’ 3-foot safe
  passing law.
- New York City’s Right of Way Law makes it a misdemeanor crime when a driver fails to yield and
  kills or injures a person walking in the crosswalk with the right of way.
- The National Council of State Legislatures’ 50 State Summary of Pedestrian Crossing Laws is

**State Policy Should Encourage, Promote and Incentivize Active Transportation**
With four out of five Connecticut workers driving to work alone by car, it’s no wonder that our roads are
congested, costing us some $1.3 billion annually in lost time and wasted fuel, according to DOT. Nor
should we overlook the fact that transportation is the single biggest source of Connecticut’s greenhouse
gas pollution. According to DEEP, that’s mostly from passenger cars.

Accordingly, Connecticut must go beyond accommodating cyclist and pedestrian travel to
actually *promoting* it, so that we can simultaneously relieve congestion, address climate change, improve
public health, and attract and retain the millennials and knowledge workers that will give Connecticut’s
innovation economy a true competitive advantage.

Many of our members have been sharing their personal experiences with you about their adventures, and
misadventures, as a pedestrian or cyclist trying to navigate Connecticut’s roads. We urge you to read
their remarks and take them to heart.

Thank you for considering our views. We look forward to helping to see that HB 5403 passes this session.
Sincerely,

Kelly Kennedy, Executive Director
Bike Walk Connecticut

Joseph Cutrufo, Connecticut Policy Director
Tri-State Transportation Campaign