Text File

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,

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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.