

Subject: Favorable with amendments SB315 Bike Lanes and Bike Shoulders – Yielding Right-Of-Way (Sarah Debbink Langenkamp Memorial Act)

Date: February 22, 2024

To: Senate Judicial Proceedings Committee

From: Members of the National Federation of the Blind of Maryland

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Amendment One: After line D1, add a new section “E” that states, “The driver of a vehicle that is entering and/or stopping in a bicycle lane for the purposes of loading or unloading a passenger with a disability has the right-of-way and is permitted to use the bicycle lane for this purpose.”

Amendment Two: After line 19, add “or harm a person with a disability who is trying to find and enter a vehicle or exit a vehicle in a bike lane or shoulder.”

Reasons for the Amendments: Blind people and others with disabilities have great difficulty when trying to enter or exit a vehicle when vehicles are not permitted to load and unload such passengers directly next to the curb, where some bike lanes are placed. A blind person, for example, may have to cross the bike lane and several lanes of moving traffic to get to the vehicle attempting to load them. They then have to load on the side of the vehicle where there is moving traffic because there is no curb cut. Blind and low vision individuals have been injured or nearly injured because passenger vehicles that load and unload them are not able to pull up to where they are. HB337 is a good bill because it provides protection for individuals riding a bicycle, EPAMD, or motor scooter, but it will continue to cause harm to blind individuals because bike lanes have created a barrier to those individuals safely entering and exiting vehicles such as mobility vehicles and rideshare and others that transport them. Blind people who are trying to find and enter a vehicle or exit a vehicle need protection just as much as the riders of a bicycle or other devices.

The National Federation of the Blind of Maryland passed a resolution at the 2024 convention, which states, in relevant part:

“WHEREAS, ... bicycle lanes are often the closest lanes to the curb, even where there is a curb cut for wheelchair access, and are further bounded on the street side by parking lanes or even lanes of moving traffic, forcing the blind and other people with mobility issues to traverse the bicycle lane and then navigate through parked cars or moving traffic to board the above-mentioned conveyances, and often forcing them to do so while avoiding oncoming traffic because they cannot access the opposite curb; and

WHEREAS, in situations where the operators of vehicles try to aid their blind or disabled passengers by temporarily pulling into the bicycle lane to allow these passengers to board, they are often fined by law enforcement for improperly using the bicycle lane, thus discouraging them from accommodating their passengers; and

WHEREAS, although bicyclists and other users of the bicycle lanes are required by law to yield to blind people using white canes or guide dogs and other pedestrians, they often fail to do so because they wrongly assume that their conveyances take priority over pedestrian access; and

WHEREAS, all of these impediments to disability access not only endanger the safety of blind people, wheelchair users, other individuals with disabilities, and pedestrians, but also constitute flagrant disregard for the rights of individuals with disabilities as enshrined in the Americans with Disabilities Act (ADA), the Maryland White Cane Law, and other statutes...”

Please give a favorable report to SB315 only if the amendments reference herein are added.