

DJ HB 519 - Bikes on sidewalks (1).pdf

Uploaded by: Dana Jones

Position: FAV

DANA JONES
Legislative District 30A
Anne Arundel County

Ways and Means Committee

Secretary, Women's Caucus

Vice Chair, Anne Arundel
County Delegation



The Maryland House of Delegates
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Annapolis, Maryland 21401
410-841-3211 · 301-858-3211
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony of Delegate Dana Jones
Before the Environment and Transportation Committee

In Support of HB 519
Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements
February 16th, 1:00 pm

Chair Barve, Vice-Chair Stein, and members of the Environment and Transportation Committee,

I come before you today to re-introduce HB519, which would help create safer and more consistent transit policies.

Current Maryland law forbids bicycles on sidewalks as the default statewide. However, localities can and have overridden this law for safety and other reasons. Unfortunately, this has inadvertently created inconsistency throughout Maryland for cyclists. In many areas of our state, roads will switch between state, county, and city roads a number of times leading to confusion for those commuting by bike. If this law was consistent throughout the state, not only would those commuting by bike be safer, but it would also help avoid confusion on which laws to follow when traveling across jurisdictions. All of this, of course, is compounded by the safety issues for bicyclists sharing our major roads with vehicles.

This bill would amend state law to say that, unless disallowed by local ordinance, a person may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area - with the caveat that riders shall proceed in a safe manner, yielding to pedestrians.

As many of you may know, localities throughout the state have already enacted similar local bills including Montgomery, Howard, and Anne Arundel Counties, as well as the Capital City of Annapolis.

Implementing this more consistent policy around bicycle usage will add to safety for bikers, help to reduce traffic violence to cyclists, create safe routes to school for our kids & address

transportation disparities. It can help ensure that Marylanders have access to a safer, more sustainable, and affordable transportation method.

I respectfully urge a favorable report on this simple consistent bill for Marylanders.

A handwritten signature in blue ink that reads "Dana Jones". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Delegate Dana Jones

Bike MD 2022 HB 1153 – Riding on Sidewalks.pdf

Uploaded by: Jarryd Hawkins

Position: FAV



HB 519 – Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements

House Environment & Transportation Committee

February 16, 2023

Josh Feldmark

joshua@bikemd.org

Position: Support

My name is Joshua Feldmark and I write this as a representative of Bike Maryland. We represent cyclists of all abilities across the state, cyclists who ride 5 miles around the park with their families, for transportation, to a 100-mile ride. Bike Maryland has over 18,000 members from across the state. Additionally, we consistently organize or advocate on behalf of pedestrians and many other non-vehicle transportation users.

As you have probably noticed, I begin all our written testimony with the above paragraph. I do so, one because it was the intro our friend Kim Lamphier wrote for all her testimony on behalf of Bike Maryland, and to continually make clear that we are here to represent the interests of ALL cyclists.

This is most relevant to HB 519 because this is an issue most likely to impact kids on bikes, individuals who use their bike as transportation, and occasional recreational cyclists. Currently state law asserts that bikes are prohibited on sidewalks unless the local governing authority expressly allows it in law. This bill represents the opposite of current law by allowing bikes on sidewalks unless the local governing authority expressly prohibits it in law.

There are many locations in every jurisdiction in Maryland where sidewalks represent the safest and most efficient place for cyclists. Currently, in jurisdictions other than Howard, Frederick, and Montgomery County and the city of Annapolis, a child riding her bike to school on sidewalks is breaking the law. This can be easily fixed, is fiscally responsible, and will make everyone safer.

Bike Maryland fully supports HB 519 and urges a favorable report.

BikeAAASupportHB519BikesonSidewalks-2023.pdf

Uploaded by: Jon Korin

Position: FAV



Support HB519

Bikes on Sidewalks

Bicycle Advocates for Annapolis & Anne Arundel County
P.O. Box 208, Arnold, MD 21012 www.bikeaaa.org

House Environment & Transportation Committee
Annapolis, MD 21401-1991

February 14, 2023

RE: SUPPORT House Bill 519

Dear Chair and Members of the Committee,

I am a resident of District 30, president of Bicycle Advocates for Annapolis and Anne Arundel County (“BikeAAA”), Chair of the Anne Arundel County Bicycle Advisory Commission, and former Member of the 2017 Maryland Bicycle Safety Task Force. On behalf of BikeAAA and it’s more than 1,000 members, we support HB519.

Maryland law 21-1103 prohibits people, including children, from riding bicycles (which includes similar devices like scooters) on sidewalks unless the local jurisdiction expressly permits it by ordinance. Montgomery and Howard Counties have long had such ordinances and in 2021 the City of Annapolis clarified their permitting ordinance and Anne Arundel County unanimously passed one with bipartisan sponsorship. Montgomery and Howard Counties have not experienced pedestrian complaints or issues with bicyclists on sidewalks.

Many people rely on bicycles for transportation, especially in our lower income communities and yet most places lack a connected network of paved trails and bike lanes for them to safely complete their trips to work, school, transit, shopping and other destinations. Some bus and rail transit users rely on bikes for the “last mile” at either end including carrying their bikes on bus-front racks, light rail or MARC trains. Many recreational riders prefer to bike from home to a park, trail, library or other destination rather than putting the bike on a rack on the back of the car. There are many children who bike to school. All of them ride on sidewalks where there is no safe alternative. Any police officer will tell you that no one of any age is going to be ticketed for biking safely on a sidewalk. At the same time, biking safely on a sidewalk should not be a reason for a law enforcement action. The current situation is that people ride on sidewalks for safety and yet Maryland law prohibits it. This bill advances Maryland’s Vision Zero goals by aligning Maryland code with safe and equitable biking. It will align our law with the current safe public practice and law enforcement policy. It would also permit local jurisdictions to prohibit bikes on sidewalks in areas where it is deemed unsafe.

Please support HB519 to make Maryland mobility safe for all users, especially our most vulnerable.

Sincerely,

Jon Korin
President, Bicycle Advocates for Annapolis & Anne Arundel County (443-685-4103)

BikeAAA is an all-volunteer 501(c)(3) promoting safe cycling for transportation & recreation

Annapolis Transportation Board Recommendations-STA

Uploaded by: Kurt Riegel

Position: FAV

Recommendations by the Annapolis Transportation Board Regarding Maryland State Code

Title 21 - Vehicle Laws - Rules of the Road Subtitle 11 Miscellaneous Rules, § 21-1103. **Driving on sidewalk**

Present Code

a) Except as provided in subsection (b), (c), or (d) of this section, a person may not drive any vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary driveway.

b) 1) For the purposes of this subsection, "bicycle" does not include "moped", as defined in § 11-134.1 of this article.

2) Where allowed by local ordinance, a person may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area.

3) In a place where a person may ride a bicycle on a sidewalk or sidewalk area, a person may also ride a bicycle from the curb or edge of the roadway in or through a crosswalk to the opposite curb or edge of the roadway.

c) Unless prohibited by local ordinance, an individual with a disability may use a special vehicle other than a wheelchair on sidewalks or sidewalk areas.

d) An individual may use a wheelchair on sidewalks or sidewalk areas in accordance with § 21-501.1 of this title.

The problem with the present code is that it sets the default backwards, declaring the riding of bicycles on sidewalks to be illegal throughout the state of Maryland unless each and every jurisdiction takes the difficult and expensive step of specifically allowing it by local ordinance. Sidewalks paralleling many streets are relatively safe to ride on and are often rarely used by pedestrians. It is nonsensical to prohibit the use of an already underutilized resource established at significant public expense, and thereby worsening hazards that bicyclists must face.

Maryland is different, and worse, than most other states. Out of 51 (states and DC), only four are like Maryland in prohibiting bicycles on sidewalks by default. One, Alabama, has an absolute prohibition on bicycles on sidewalks without exception. Maryland is in a shameful minority on this issue, discouraging the use of bicycles where they are safe and mandating unsafe riding by default.

This approach is a remnant of the rush toward automobile-centric transportation that began in the 1950s, proceeding to extremes during the 1960-1980 period. There is growing need and public sentiment for encouraging a diversity of transportation modes, especially including bicycles, for the many benefits they provide. For example, a person choosing transportation by bicycle takes a car off the road, relieving traffic congestion and freeing up parking space, while also providing health benefits and convenience to the bicyclist.

Just one example shows how wrong this policy can be. Rowe Blvd/ Bestgate Road (State Road 70) is a principal connector between downtown Annapolis downtown and Westfield Mall/ Parole Annapolis Towne Centre. Heavy auto and truck traffic move at high speeds on narrow lanes, with no provision for bicycles. Bestgate Road features schools, parks, playgrounds, senior care centers, medical offices, and residences. State law presently obliges children and seniors to ride bicycles in dangerous high-speed traffic rather than on the virtually empty and safe sidewalk paralleling the road.



Recommended Changes to the State Code

We recommend a change in the default setting in the state law for bicycles on sidewalks, as below:

- a) *Except as provided in subsection (b), (c), or (d) of this section, a person may not drive any vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary driveway.*
- b) 1) *For the purposes of this subsection, “bicycle” does not include “moped”, as defined in § 11-134.1 of this article.*
- 2) ~~*Where allowed*~~ ***Unless disallowed*** *by local ordinance, a person may ride a bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area. **Riders shall proceed in a safe manner, yielding to pedestrians.***
- 3) *In a place where a person may ride a bicycle on a sidewalk or sidewalk area, a person may also ride a bicycle from the curb or edge of the roadway in or through a crosswalk to the opposite curb or edge of the roadway.*
- c) *Unless prohibited by local ordinance, an individual with a disability may use a special vehicle other than a wheelchair on sidewalks or sidewalk areas.*
- d) *An individual may use a wheelchair on sidewalks or sidewalk areas in accordance with § 21-501.1 of this title.*

Bicycle.pdf

Uploaded by: Kurt Riegel

Position: FAV



Annapolis Transportation Board

Bicycles on Sidewalks

Annapolis, Anne Arundel County, State of Maryland

Where do we stand?

What should we do?



Goal

- **Diverse and resilient transportation system that serves everyone**
- **Bicycles are just one (important) component**
- **Good and safe infrastructure is difficult & expensive, so let's address a bite-size chunk**
- **Some infrastructure already exists - sidewalks**
- **Not ideal but here, paid for, and underutilized**



Bicycles on Sidewalks

- **Maryland State law forbids bicycles on sidewalks as the default setting statewide**
- **Localities can override**
- **Some do, some don't**
- **Localities' rules often confusing/contradictory**
- **Riders have no good way of knowing whether a trip traversing several localities is legal**



Present Local Situation

- **Maryland State law forbids bicycles on all sidewalks, state/county/city, by default**
- **AACounty same, except “where permitted”**
- **Annapolis is blurry, forbidding “negligent riding” so we mostly don’t know one way or the other**



Why Change?

- **Many roads are unsafe, or safe only for highly skilled “spandex” riders**
- **Vulnerable populations (children, elderly, inexperienced) are mandated by law to ride on unsafe roads built for & used by cars**
- **Hardly any safe infrastructure & yet we forbid using safe infrastructure that already exists and is underutilized**



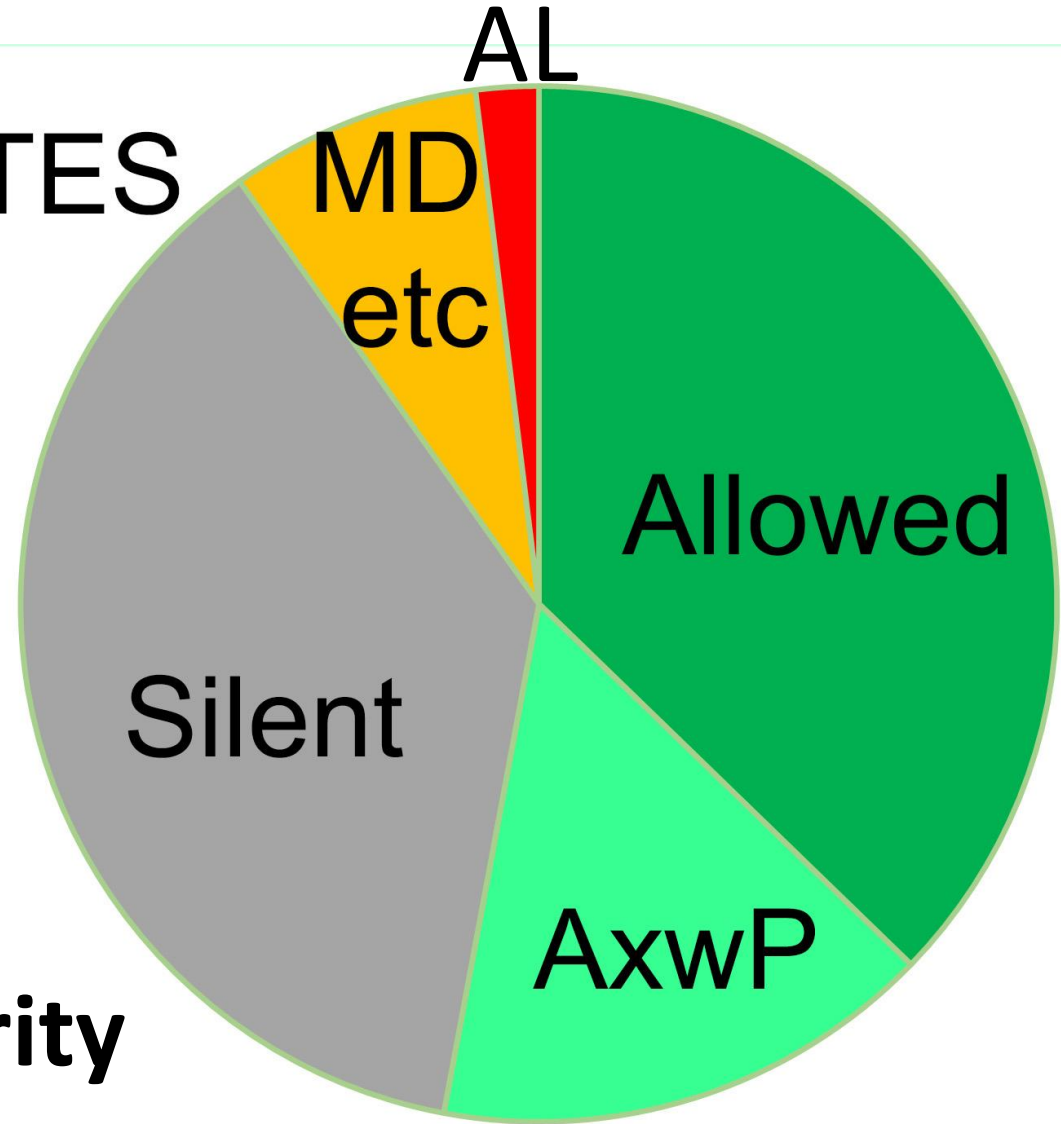
STATES

Allowed: CO, CT, DC, FL, ID, IL, MI, MN, MO, MT, NE, OH, OR, RI, SD, UT, WA, WI, WY

Allowed except where Prohibited (AxwP): AK, DE, HI, KY, ME, MA, PA, VA

Silent: CA, AZ, AR, IN, IA, KS, LA, MS, NV, NJ, NM, NY, NC, OK, SC, TN, TX, VT, WV

Prohibited unless allowed: MD, GA, NH, ND
Prohibited: AL



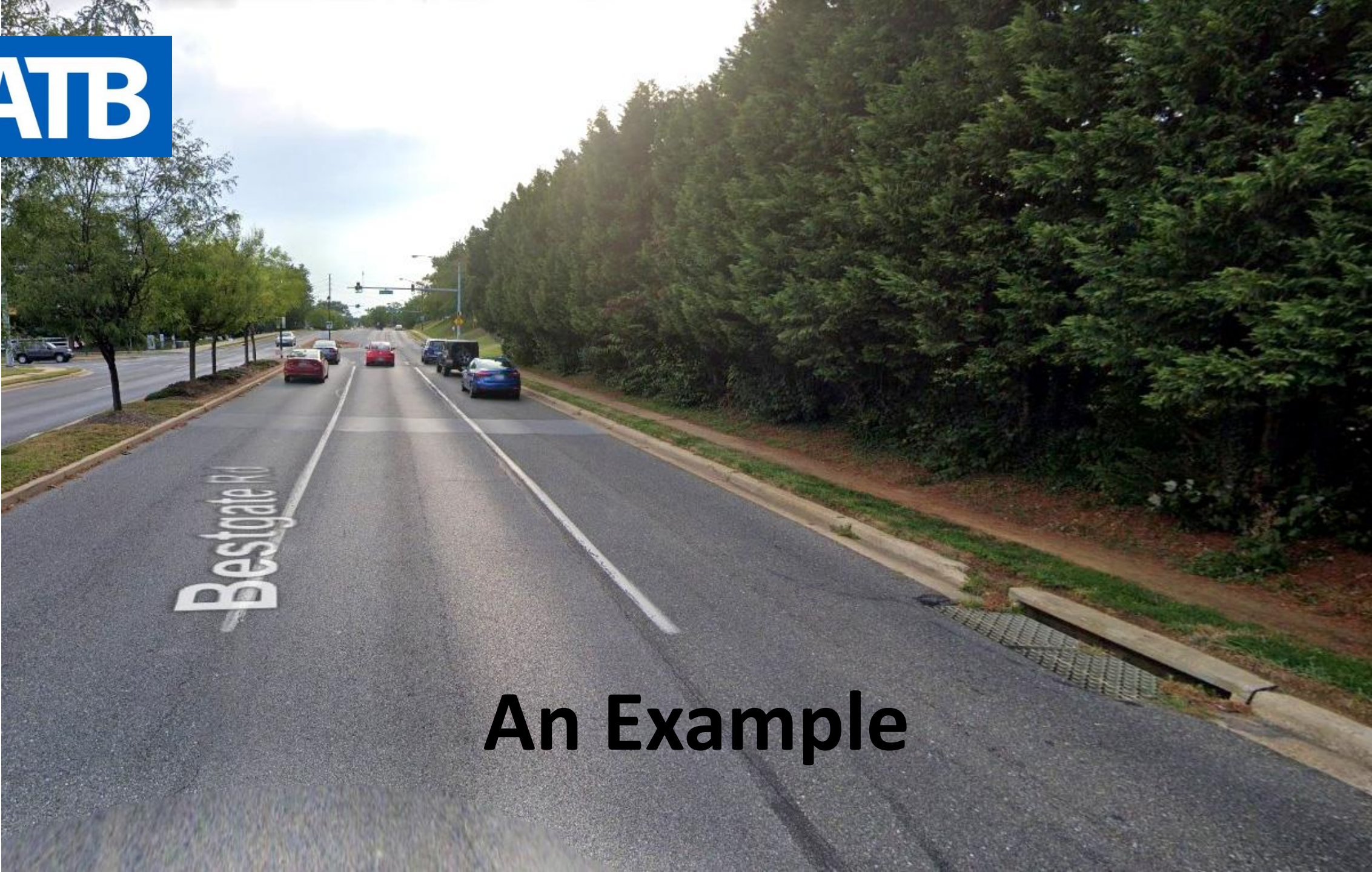
Maryland is in the Minority
We are not “normal”



Anne Arundel County

- **Rule mostly mirrors the State law**
- **Would be fixed if/when State law is changed**
- **Meanwhile, AA County & Annapolis should harmonize each other's rules to be more supportive & tolerant of bicycles on sidewalks**

ATB



An Example



City of Annapolis

- Existing rule is blurry and should be clarified
- O-31-20 introduced, clarifies bikes are allowed
- Areas prohibitable by Director of Public Works
- No explicit obligation to consult public and stakeholders for input/advice
- ATB has recommended clarifying this



Let's Solve These Problems

- **Reverse State of MD default**
- **Don't force people onto roads that are unsafe, or safe only for "spandex" riders**
- **Protect vulnerable populations (children, elderly, inexperienced) from exposure to cars**
- **Lacking safe bicycle infrastructure, allow using safe infrastructure that already exists**



Board Recommendations

1. City work to reverse default statewide sidewalk ban
2. Council resolution encouraging our legislative delegation/
Transportation Caucus to action (Sarah Elfreth, Dana Jones)
3. Coordinate & harmonize AACo & City rules for sidewalks
4. Pass ordinance O-31-20 with ATB suggestions, for city's
interim bicycle/sidewalk rule pending reform of state law
5. Develop clear city/county standards/administrative
procedures for signs & designating prohibited areas, with
public input from relevant boards & commissions and others
6. Stress need for major new bicycle infrastructure

end

R-2-21 Resolution to State.pdf

Uploaded by: Kurt Riegel

Position: FAV

1 **..Title**

2 **Non-motorized Wheeled Vehicles on Sidewalks** - For the purpose of encouraging the Maryland
3 General Assembly to amend State law to allow non-motorized wheeled vehicles on sidewalks by
4 default; providing amendment language; and generally relating to non-motorized wheeled vehicles
5 on sidewalks.

6 **..Body**

7 **CITY COUNCIL OF THE**
8 **City of Annapolis**

9
10 **Resolution 2-21**

11 **Introduced by: Alderwoman Tierney**

12 **Co-sponsored by: Alderwoman Pindell Charles, Alderman Schandelmeier**

13 **A RESOLUTION** concerning

14
15 **Non-motorized Wheeled Vehicles on Sidewalks**

16
17 **FOR** the purpose of encouraging the Maryland General Assembly to amend State law to allow
18 non-motorized wheeled vehicles on sidewalks by default; providing amendment language;
19 and generally relating to non-motorized wheeled vehicles on sidewalks.

20
21 **WHEREAS,** Annapolis requires a more diverse and resilient transportation system to support its
22 citizens and commerce; and

23 **WHEREAS,** alternative transportation modes contribute increasingly to the diversity and
24 resilience of the overall transportation system; and

25 **WHEREAS,** non-motorized wheeled vehicles, such as bicycles, are growing in their importance
26 among alternative modes of transportation; and

27 **WHEREAS,** safety concerns represent the primary factor inhibiting people who want to use non-
28 motorized vehicles for transportation; and

29 **WHEREAS,** the development of new infrastructure, such as individualized road lanes and paths
30 for non-motorized vehicles, or pedestrian only paths are hindered by lack of funding
31 and time constraints; and

32 **WHEREAS,** infrastructure in the form of sidewalks currently exist but are underutilized due to
33 a defect in State law that exacerbates personal safety concerns among cyclists; and

34 **WHEREAS,** child, elderly, and inexperienced cyclists are presently mandated by State law to
35 use roads and streets designed for high-speed automotive traffic when safer and
36 underutilized sidewalks are available; and

37 **WHEREAS,** state, county, and municipal laws are confusing, inconsistent, and either discourage
38 or prohibit the safe use of existing infrastructure by non-motorized wheeled
39 vehicles; and

40 **WHEREAS,** Maryland stands in a small minority of 4 out of 50 states and the District of
41 Columbia in prohibiting non-motorized wheeled vehicles on sidewalks; and

42 **WHEREAS,** on January 11, 2021, the Annapolis City Council adopted Ordinance 31-20, to serve
43 as an interim measure pending reform of State law.
44
45
46

1 **NOW, THEREFORE,**

2
3 **BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the Maryland General
4 Assembly is encouraged to modify the Maryland Annotated Code, Transportation Article, Section
5 21-1103(b)(2) to allow by default non-motorized vehicles on sidewalks throughout the State of
6 Maryland, and suggests the following amendments:

7
8 “Maryland State Code, Transportation, Title 21 - Vehicle Laws -- Rules of the Road Subtitle 11 -
9 Miscellaneous Rules, § 21-1103. Driving on sidewalk.

- 10
11 a) Except as provided in subsection (b), (c), or (d) of this section, a person may not drive any
12 vehicle on a sidewalk or sidewalk area unless it is a permanent or authorized temporary
13 driveway.
- 14 b)
- 15 1) For the purposes of this subsection, “bicycle” does not include “moped”, as defined in
16 § 11-134.1 of this article.
 - 17 2) ~~Where allowed~~ **UNLESS PROHIBITED** by local ordinance, a person may ride a
18 bicycle, play vehicle, or unicycle on a sidewalk or sidewalk area. **RIDERS SHALL**
19 **PROCEED IN A SAFE MANNER, YIELDING TO PEDESTRIANS.**
 - 20 3) In a place where a person may ride a bicycle on a sidewalk or sidewalk area, a
21 person may also ride a bicycle from the curb or edge of the roadway in or through a
22 crosswalk to the opposite curb or edge of the roadway.
- 23 c) Unless prohibited by local ordinance, an individual with a disability may use a special
24 vehicle other than a wheelchair on sidewalks or sidewalk areas.
- 25 d) An individual may use a wheelchair on sidewalks or sidewalk areas in accordance with §
26 21-501.1 of this title.”
- 27

28 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that members
29 of our delegation to the Maryland General Assembly, especially those members on the Maryland
30 Transportation Caucus, are encouraged to advocate for these amendments to the Maryland State
31 Code.

32
33 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City
34 of Annapolis will continue to work with Anne Arundel County in an effort to unify State, County,
35 and City laws relating to non-motorized wheeled vehicles.

36
37 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City
38 of Annapolis commits to work with Anne Arundel County to develop clear assessment
39 requirements, safety standards, and administrative procedures under any State reformed law
40 relating to sidewalks and non-motorized wheeled vehicles.

41
42 **AND, BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City
43 Clerk shall send a copy of this Resolution to the Governor, the President of the Senate, the Speaker
44 of the House of Delegates, and the Maryland Municipal League.

45
46 **EXPLANATION**

47 UPPERCASE indicates matter added.

1

~~Strikethrough~~ indicates matter stricken.

Written testimony in support of House Bill 519.pd

Uploaded by: Kurt Riegel

Position: FAV

Written testimony in support of House Bill 519 (*An Act concerning Bicycles, Play Vehicles, and Unicycles – Authorizations and Requirements*)

I write to support this legislation, for benefits that it provides including:

- To increase safety for bicyclists in Maryland
- To encourage bicycling, a nonpolluting and healthful transportation mode
- As a step toward diversified and resilient transportation which includes many modes
- For equity, opening bicycling as a safe transportation mode for low income persons
- To harmonize Maryland's bicycling on sidewalks rules to match those of most other states
- To relieve automotive congestion by diverting some travelers away from cars to bicycles.

Kurt Riegel, PhD
Chairman, Annapolis Transportation Board
2023-02-14 February 14

Attachments:

Resolution by the Annapolis City Council recommending to the Maryland State Legislature the reform that HB0519 comprises. (R-2-21 Resolution to State.pdf)

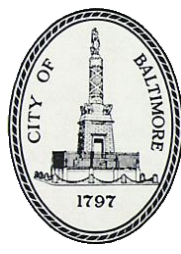
Recommendation document developed by the Annapolis Transportation Board. (Annapolis Transportation Board Recommendations-STATE.pdf)

Slide presentation on recommendations above (Bicycle.pdf)

HB0519-ET-FAV.pdf

Uploaded by: Nina Themelis

Position: FAV



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

HB 519

February 16, 2023

TO: Members of the Environment and Transportation Committee

FROM: Nina Themelis, Interim Director of Mayor's Office of Government Relations

RE: House Bill 519 – Bicycles, Play Vehicles, and Unicycles - Authorizations and Requirements

POSITION: Support

Chair Barve, Vice Chair Stein, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill 519.

HB 519 allows the use of bicycles and similar vehicles on sidewalks unless forbidden in local ordinance. This language affirms the right of more vulnerable road users to a safe riding experience while also prioritizing the comfort and safety of pedestrians.

Maryland is home to many communities lacking safe and reliable access to safe transportation alternatives. Our transportation corridors are lacking in terms of high-quality, dedicated bike and e-scooter infrastructure. Changing Maryland's existing stance regarding the riding of bikes on sidewalks from "prohibited" to "allowed" will expand access and send a clear message that our transportation corridors should accommodate all users. Though a long-term goal of local governments, including Baltimore City, is the installation and construction of safe bicycle infrastructure, we believe this is a step in the right direction.

For these reasons, the BCA respectfully request a **favorable** report on HB 519. We believe the legislation would expand safe access to our streets for a variety of road users.

HB0519 Bikes on Sidewalks Support - Frederick Bike

Uploaded by: Shayne Boucher

Position: FAV

HB0519 – Bikes on Sidewalks

House Environment & Transportation Committee

February 14, 2023

Tom Rinker, President
Frederick Bicycle Coalition
president@bikefrederick.org

Position: Support

Greetings Chair and Members of the Committee

I am an avid cyclist, a mobile bike service owner, Frederick County resident and President of Frederick Bicycle Coalition. [Frederick Bicycle Coalition](#) represents a broad coalition of recreational, commuter, mountain and adaptive cyclists. Our mission is to work with government, organizations, and individuals to promote increased and safe access for bicyclists and others in the Frederick County. We have over 1,700 followers on Facebook.

Maryland law 21-1103 prohibits people, including children, from riding bicycles (which includes similar devices like scooters) on sidewalks unless the local jurisdiction expressly permits it by ordinance. Montgomery and Howard Counties have long had such ordinances. In 2021, the City of Annapolis clarified their permitting ordinance and Anne Arundel County unanimously passed one with bipartisan sponsorship. Montgomery and Howard Counties have not experienced pedestrian complaints or issues with bicyclists on sidewalks.

In Frederick, many people rely on bicycles for transportation, especially in our lower income communities and yet most places lack a connected network of paved trails and bike lanes for them to safely complete their trips to work, school, transit, shopping and other destinations. Some bus and rail transit users rely on bikes for the “last mile” at either end including carrying their bikes on bus-front racks or MARC trains. Many recreational riders prefer to bike from home to a park, library or other destination rather than toting their bikes on their cars. There are children who bike to school and virtually all of them ride on sidewalks where there is no safe alternative.

Riding a bike safely on a sidewalk should not be a reason for a law enforcement action. Any police officer will tell you that no one of any age is going to be ticketed for biking safely on a sidewalk. The current situation is that people ride on sidewalks for safety and yet Maryland law prohibits it. This bill advances Maryland’s Vision Zero goals by aligning Maryland code with safe and equitable biking. It will align our law with the current safe public practice and law enforcement policy. It would also permit local jurisdictions to prohibit bikes on sidewalks where it is deemed unsafe.

Please support HB519 to make Maryland mobility safe for all users, especially our most vulnerable.

We request that the committee support the passage of HB519.