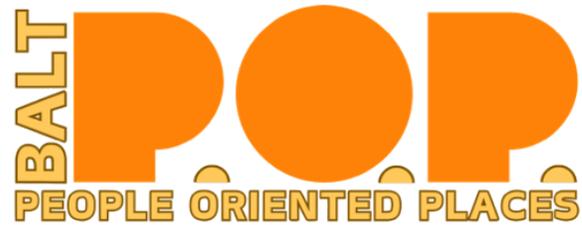


Bill: HB1567

Bill Title: Vehicle Laws - Bicycles, Motor Scooters, and EPAMDs - Overtaking and Passing (Pass Pedestrians Safely Act)



Position: **Unfavorable**

Members of the House Environment and Transportation Committee,

As a group that advocates for transportation options which contribute to the liveability, productivity, and overall appeal of our communities comprising the Baltimore region, we oppose HB1567.

The safety concerns expressed by this bill seem to be very misplaced. While Maryland law **does** impose a requirement on **drivers** to maintain a 3-foot buffer when passing **cyclists**, it **does not** impose a requirement on **drivers** to maintain a 3-foot buffer when passing **other automobiles or pedestrians**. So why the focus on placing the latter 3-foot buffer requirement on **cyclists** with this bill? The damage and injuries caused by an automobile strike are many times greater than the damage and injuries caused by a bicycle strike. The asymmetric risk profiles at play here justify the different safety measures/standards.

The 3-foot requirement imposed by this bill would make it impracticable for a cyclist to travel on the vast majority of bicycle facilities in Maryland and still comply with the law. Consider that a standard bike lane is typically 4–5 feet wide and designed for travel adjacent to parked vehicles and/or motor vehicle travel lanes. Cyclists also typically find themselves on narrow residential streets with on-street parking, passing stopped vehicles in an adjacent travel lane, and maneuvering around vehicles blocking a bike lane.

Yes, the bill uses the qualifier “when practicable”, but there are precious few instances when traveling on a bicycle facility where maintaining a 3-foot buffer with automobiles is feasible. And, when traveling on a roadway without a bicycle facility, maintaining a 3-foot buffer with automobiles would require the cyclist to boldly and daringly “take the lane” - a truly daunting demand.

Please consider that to be a cyclist in Maryland is frequently an exercise in frustration and requires a lot of nerve. In most Maryland communities, bicycle infrastructure meant for daily, functional use is, for the most part, non-existent and, at best, inconsistent.

Bicycle infrastructure can range from faded sharrows on the roadway to a thin white line adjacent to a curb to a lane running through the door zone of a row of parked cars. Bike lanes will frequently run for a couple blocks and then abruptly stop. Cycle tracks are prone to having

automobiles park in them and debris collect in them, with no attempt ever made to have snow cleared from them. And this is when bicycle infrastructure actually exists.

In most cases, cyclists find themselves biking along roads with no facilities built for them, with nothing at all preventing them from getting struck by an automobile other than defensive measures and the due diligence of drivers. Cyclists are the epitome of vulnerable road users (VRUs).

And yet, this bill seeks to protect drivers (and pedestrians) from those cyclists. We are not aware of any evidence that this is an issue worth addressing. Conversely, the long-standing issue that **does** need to be addressed are VRUs being struck by automobiles.

Specific to the Baltimore region, the Baltimore Regional Transportation Board (BRTB), on an annual basis, tracks five performance/safety measures to carry out the Federal Highway Administration's Highway Safety Improvement Program. The last of those five measures is "Number of Non-motorized Fatalities & Serious Injuries". The absolute numbers and trend for this measure are abysmal.

The 2024 number for this measure was 398, which is a 37% **increase** over the 2005–2009 baseline number of 290. The BRTB's proposed target for this measure is 306 by 2030 [1], an **increase** from last year's 2030 target of 294 [2]. In terms of VRU deaths and serious injuries, BRTB's target will make active transportation users less safe than they were 20 years ago. The times when people truly need protecting are when they are on bicycles, not when they are inside automobiles.

We hope the committee finds these points helpful and convincing and we urge its members to **vote against HB1567**. Thank you for your efforts and the opportunity for us to testify on this legislation.

[BaltPOP - Baltimoreans for People-Oriented Places](#)

[1] Baltimore Metropolitan Council proposed Resolution #26-18: "Adopting Highway Safety Targets for the Baltimore Region"

<https://baltometro.org/wp-content/uploads/BRTBRes26-18-1.pdf>

[2] Baltimore Metropolitan Council Resolution #25-19: "Adopting Highway Safety Targets for the Baltimore Region"

https://baltometro.org/wp-content/uploads/files/bmc_documents/committee/resolutions/brtb/BRTBRes25-19.pdf