2013 General Session

House Bill 316

Traffic Signals and Authority

Background Material

21 February 2013

Representative Johnny Anderson

10-8-69
Annoying Pastimes in the Streets

The proposed change here clarifies Utah's current code that this section is meant to only allow municipalities from prohibiting uses of the streets not related to transportation uses. From legislative research, it is believed that this language dates back to the 1920's or so. The term "bicycles s and tricycles" is intended for kids and toy bikes not related to the movement of traffic on the roadway. However, it could be seen as giving the municipality the authority to prohibit bicycles for any use which would be in violation of the rights of the cyclist being the same as the motorist under 41-6a-1102. The current Uniform Vehicle Code is a follows:

> *UVC § 15-102(a)21 Powers of local authorities [Toy vehicles]*
>
> *(a) The provisions of this code shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction, or with respect to private property when specifically authorized in this section and within the reasonable exercise of the police power from: regulating persons upon skates, coasters, sleds and other toy vehicles.*

41-6a-208
Regulatory Authority

Likewise this section un-intentionally gives local authorities the ability to take away the rights granted under 41-6a-1102. Understandably there may be situation where this is necessary; however "reasonable exercise of police power" is not defined.

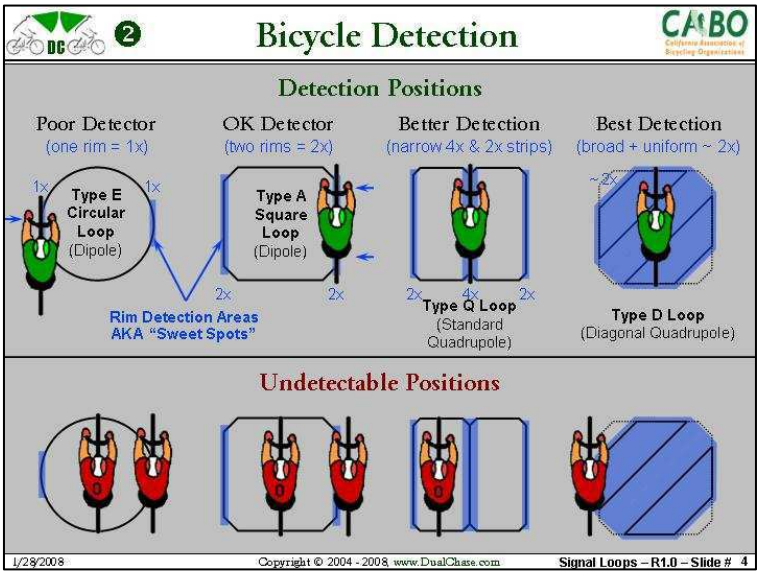
The only exceptions to the right to the roadway under Utah Statutes are on urban highways and when a "usable side-path" has been provided and the cyclists are directed there by a sign.

This change only adds in language to better define what is reasonable when it comes to prohibiting or regulating the usage of bicycles on the roadway in the traffic codes. It does not remove the ability to restrict bicycle traffic. With proper justification and consideration, cycling uses can be directed to a reasonable route depending on the situation. This clarifies the duties and responsibility of the municipality in order to prohibit bicycle traffic and to properly provide a reasonable and signed alternative.

Although not binding in Utah, under similar statutory language, recently there was a case heard by the Colorado Supreme Court over this issue which they rendered a decision in January which affirmed the right of the cyclist to the roadway unless a reasonable alternative route is provided. *See Webb v. Black Hawk:*

- *Whether municipalities may ban bicycling on local streets absent a suitable nearby alternative bicycling route.*
- *Whether legislation is rationally related to a legitimate governmental interest, and thus a reasonable exercise of police power, when the evidence on which the legislation is based does not address that governmental interest.*

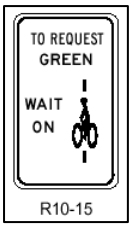
41-6a-305(7)
Traffic Signals



13 other states (2012) have already enacted legislation to allow motorcycles and bicycles to proceed when the light does not detect them and it is safe

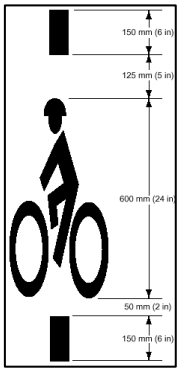
These sections recognizes that many signals which have electromagnetic sensors are either not properly calibrated to detect lighter vehicles such as motorcycles or bicycles, or due to other environmental factors cannot be calibrated for such uses. Although there is now technology to accomplish the detection of these vehicles, changing out the thousands of signals is expensive and time consuming.

Even if properly calibrated and unless the loops were placed in after the last paving, the operator of these narrow vehicles don't know exactly where to stop to have the best chance to trigger the device and most don't know where to stop their vehicle from an engineering standpoint. It is common practice with new installations of bike specific sensors, to mark the pavement which has not caught-on here in Utah.



Assistive Markings for Quadrupole Loops
When a roadway is repaved over the loop sawcuts, a cyclist cannot determine the location of the conventional quadrupole sensor's center wires, and as a result may not be able to position the bicycle's rims for detection. Some cyclists may not be aware of the best part of the loop for detection, or may not be aware of the function of inductive sensors in the first place. In order to address this problem, proposed Revision 2 of the 2000 edition of MUTCD specifies roadway markings to identify the center of the loop to cyclists (right-above), and specifies a road sign (left) to educate road users about the purpose of the markings.

The exceptions in this bill make these intersections navigable by operators for bicycles and motorcycles under the current state of the signals. Many states have placed similar language for the same purpose. We are aware of both motorcyclists and cyclists who have been ticketed after stopping and waiting and were told: "well, you could just make a right then u-turn." From a safety perspective, a u-turn is one of the more dangerous things you can do (keep in mind this would be on the busier of the two roadways). Regardless, if there is a right turn lane or if you are in the left turn lane, making that right would also be an illegal turn.



Although a cyclist can dismount, push the walk button and proceed on the green, for a motorcyclist this is not very safe or practicable, a cyclist is have the same "rights" as operators of other vehicles under Section 41-6a-1102, and there is not always a cross walk button such as at many cross streets crossing Bangerter and Bingham Hwy @ 111 which are on "bicycle routes" and bicycles are not detected.

The original draft a few years ago started with language without a time limit. After review other State's Codes on this subject and speaking with signal engineers, 90 seconds seems a good compromise on a time to wait (for a minimum). Some states such as Wisconsin were as low as 45 seconds which was a concern for some local engineers. At 90 seconds, the waiting would cover most situations which this law is trying to solve. There are a few intersections where the timing phase may be more than 90 seconds, but these are very rare and are generally at intersections with plenty of other traffic (such as CFI's) where the operator would not be able to proceed following the pre-requisite conditions which they are allowed and would likely have other traffic in their lane which would trigger the light.

The coming to a complete stop language is a bit duplicative, but drives home the point that one must stop and wait. Situations where there are traffic signals and railroads (Trax for example) without crossing arms would still require the operator to obey those signals for safety purposes and where there are other vehicles in another lane or behind which should trigger the light for safe passage.

Some stats on the number of traffic signals (from December 2009 UDOT Transportation Commission Meeting report):

- *RADAR units being installed when upgraded.*
- *They replace about 200 per year*
- *Conducting training for signal maintenance workers.*
- *5 major corridors upgraded & evaluated each year (not clear whether or not bicycle detection is evaluated)*
- *Bangerter was used as an example showing better traffic flow, however this was only evaluated/presented for traffic on Bangerter, <u>not the cross traffic.</u>*
- *1400 signals state wide with computer control (UDOT managed only)*

Stakeholder Groups Consulted

Over the past four years, various versions and revisions of these proposed code changes have been presented to various groups, provided input formally and informally, and research conducted including both formally and informally. Arguments and suggestions were taken from these groups and were considered in the drafting of the language of this bill:

- Bike Utah (Utah Bicycle Coalition)
- Local and State Bicycle and Transportation Engineers
- Salt Lake City Mayor's Bicycle Advisory Committee
- Salt Lake County Mayor's Bicycle Advisory Committee
- League of American Bicyclists
- Utah Municipal and County law enforcement agencies
- Community Councils
- Bicycle Safety Instructor user groups (similar to the motorcycle safety foundation courses)
- Association of Bicycle and Pedestrian Professionals
- Survey of other state's codes
- Transportation Alliance
- Discussions with many cyclists and motorists groups

Check for updates and more background information at:
www.safe-route.org
urban-rider.blogspot.com
For questions and comment: advocacy@safe-route.org