



Testimony to the House Armed Services, Veterans Affairs and Public Safety Committee
Wednesday, June 10, 2015

Patricia Kovacs, Ohio Bicycle Federation secretary

pkovacs@att.net

(614) 476-9093

Chairman Johnson, Vice-Chair Perales, Ranking-Member Craig, ladies and gentlemen of the House Armed Services, Veterans Affairs and Public Safety Committee, thank you for giving me the opportunity to speak on behalf of House Bill 154 to make changes to traffic laws to improve safety for cyclists on Ohio roadways. The bill includes the provision that when a motorist overtakes a cyclist, the safe passing distance shall be not less than three feet (ORC 4511.27).

The reasons for HB 154 are:

- Cyclists riding on the right side of the travel lane may need to move further left unexpectedly when they encounter potholes, debris, drainage grates or other obstacles in their path, and motorists should provide additional lateral passing distance for them to do so.
- Cyclists (in particular young or less experienced cyclists) may lose control when passed too closely, especially by larger vehicles at higher speeds, which may generate a wind gust.
- National studies of crash reports show that approximately 9.4% of crashes involving cars and bikes are motorist overtaking or sideswipe crashes.
- HB 154, if added to Ohio law, will lead to improved justice for victims of reckless driving because the defense would be required to establish that the victim swerved more than the minimum clearance distance to have caused the crash.
- Similar provisions have been enacted in 26 other states (AZ, AR, CA, CO, CT, FL, GA, IL, KS, LA, ME, MD, MN, MS, NB, NV, NH, OK, PA, SD, TN, UT, VA, WV, WI, WY) and DC.
- Cleveland, Columbus, Cincinnati and Toledo have already adopted three foot passing laws. These laws are inconsistent and HB 154 would provide uniformity in our traffic law throughout the state.
- The Ohio Digest of Motor Vehicle Laws, the guidebook for new drivers, already recommends that motorists provide at least 3' clearance when passing cyclists.
- An Ohio highway patrol officer stated, "Currently officers use their best judgment on what they consider to be safe passing distance. Having a specific measurement will give officers a benchmark for future violations." Police officers in Texas have enforced the three foot law by observing how closely motorists pass bike patrol officers.

Questions were raised about how motorists can provide a three foot passing distance on a narrow lane or road. Many urban roads have multiple lanes or a center turn lane, which can be used to change lanes to pass cyclists. In rural areas, motorists may be delayed a few seconds until it is safe to pass a cyclist. It is permissible to cross the solid yellow line to pass slow moving vehicles in Ohio, if the slower vehicle is going less than half the posted speed, the overtaking vehicle does not exceed the speed limit and there is

sufficient clear sight distance to pass safely (ORC 4511.31). This law applies to passing all slow moving vehicles, including Amish buggies and farm machinery.

Why should Ohio legislators enact a three foot passing law? Thousands of Ohio citizens use their bicycles as an efficient, affordable, environmental-friendly and healthy way to travel. An online petition for this proposal has received over 3000 signatures.

<http://bit.ly/OBF-3Foot>

Ohio children are educated and encouraged to ride bicycles to school through the ODOT sponsored Safe Routes to School program. Ohio cities are encouraging bicycle travel by providing infrastructure to support it, such as roadway improvements to accommodate cyclists, bicycle maps defining safe routes, bicycle parking and bike share programs. Despite these education, encouragement and engineering improvements, many cyclists are afraid to bicycle on roadways for fear of being seriously injured or killed in a collision with an automobile. 50 to 65% of parents identify volume and speed of traffic as a deterrent to allowing their children to walk or bike to school. We owe it to our children's health to provide safe walking and biking environments to counteract a tripling of obesity rates in 20 years.

House Bill 154 would also permit all Ohio vehicles to proceed through intersections after stopping and yielding right-of-way when not detected by signal detectors. Many traffic signals are triggered by buried wires, which do not always detect bicycles and motorcycles. ODOT provides a service number to call to identify the jurisdiction of the signal and Ohio cyclists are reporting these malfunctioning signals to request that the sensitivity to be adjusted. But even when a signal is adjusted, the cyclist must place his or her bicycle directly over the buried wire, which is sometimes difficult to locate if the street has been resurfaced. Failure to detect a vehicle should be considered a malfunction in ORC 4511.132.

The American Motorcyclist Association joins us in supporting HB 154 because Ohio's motorcyclists, like cyclists, are often not detected by the detectors at intersections which change the signal from red to green.

For these reasons, we strongly urge this committee to vote in favor of House Bill 154, which will improve safety for cyclists on Ohio roadways at no cost, enhancing our quality of life and improving the physical fitness of Ohioans young and old.