# Legislation Details (With Text)

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| **Title:** | Urging the Pennsylvania General Assembly to grant more local control for the operation of the right-of-way, the installation of roadway features, to effectively enforce speed limits and the implementation of policies that discourage dangerous driving. | | | | |
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Urging the Pennsylvania General Assembly to grant more local control for the operation of the right-of-way, the installation of roadway features, to effectively enforce speed limits and the implementation of policies that discourage dangerous driving.

WHEREAS, According to data of reported crashes compiled by the Pennsylvania Department of Transportation, forty-six percent (46%) of people killed in traffic crashes on Philadelphia streets in 2017 were people walking, and thirty-six percent (36%) of people seriously injured in traffic crashes on Philadelphia streets in 2017 were people walking; and

WHEREAS, Restrictions in the State Motor Vehicle Code limit the ability of local jurisdictions to implement certain roadway designs proven to be effective in protecting vulnerable users, such as pedestrians, bicyclists, motorcyclists, and individuals with limited mobility. Local jurisdictions are also prohibited from experimenting with roadway designs based on best engineering judgement; and

WHEREAS, Philadelphia is a complicated, dynamic, and vibrant city with many different modes of travel and mobility options; the power to regulate the safe and equitable use of the right-of-way should be devolved to the most local level of government possible; and

WHEREAS, Philadelphia is a Vision Zero City and has committed to eliminating all traffic fatalities by 2030 through an equitable approach to engineering, education, and enforcement systems; and

WHEREAS, Despite a demonstrated desire for more mobility choices from residents of dense urban cities and mobility-challenged small towns alike, the Commonwealth of Pennsylvania has not updated its Motor Vehicle Code to allow for more pedestrian and bicycle-focused policies and discourage behavior that endangers the lives of vulnerable users in many years; and

WHEREAS, A person walking is twice as likely to be killed by a vehicle that is traveling 30 miles per hour as a

vehicle traveling 25 miles per hour and three times as likely to be killed by a vehicle traveling 40 miles per hour. Despite this staggering statistic, local law enforcement is prohibited under state law from using radar or LIDAR technology to detect and enforce speeding on neighborhood streets, and in many cases, local jurisdictions are barred from reducing speed limits on city streets. Previous bills introduced in the State House and Senate would have allowed municipalities to use radar or LIDAR technology to enforce speeding, which is proven to be much more effective than currently-used VASCAR enforcement; and

WHEREAS, People are inherently vulnerable and speed is a fundamental predictor of crash survival. Speeding is a concern in many neighborhoods and around schools in Philadelphia. Automated enforcement has proven effective in New York, DC, and other cities, and Philadelphia is will pilot automated speed enforcement on Roosevelt Boulevard and PennDOT will pilot automated speed enforcement in work zones. Expanding to areas around schools, especially in dense, walkable areas could save children from death and serious injury, and

WHEREAS, Despite the thousands of pedestrian and bicyclist injuries that occur on Pennsylvania's roadways annually, fines for reckless driving, passing within less than four feet of a pedestrian, bicyclist, motorcyclist, and individuals in wheelchairs, failure to yield to a pedestrian, and careless driving that leads to the injury or death of a pedestrian or bicyclist have not been increased in several years. Among other provisions, a previously introduced House Bill would increase the fines for careless driving resulting in bodily injury or death of a bicyclist or pedestrian; and

WHEREAS, While several states require motorists to fully stop for pedestrians, drivers in Pennsylvania must only yield to pedestrians, which increases the likelihood for a crash. In 2012, a bipartisan group of Representatives sponsored a House Bill, which would mandate that motorists stop when a pedestrian "is upon, or within one lane of, the half of the roadway upon which the vehicle is traveling or onto which it is turning"; and

WHEREAS, According to the United States Department of Transportation, nearly half of bicyclists and one quarter of pedestrians killed in traffic crashes nationwide die from impact to the side of vehicles. Cities across the country have mandated that both city-owned and private trucks install a side guard, after a mandate in the United Kingdom resulted in significant decrease in pedestrian and bicycle fatalities. In Pennsylvania, municipalities are prohibited from requiring private companies to install this lifesaving piece of equipment; and

WHEREAS, The Pennsylvania Motor Vehicle Code mandates that parking must occur within 12 inches of the curb, which under some interpretations makes the installation of Parking Protected Bike Lanes, which allow parked vehicles to serve as a barrier between vehicle lanes and bicycle lanes, difficult. In the past, legislation has been introduced in both the Pennsylvania House and Senate to explicitly permit parking to occur with 12 inches of a bike lane buffer; now, therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby urge the Pennsylvania General Assembly and State Senate to grant more local control for the operation of the right-of-way, the installation of roadway features that are safer for all users, the ability to effectively enforce speed limits, and the implementation of policies that discourage dangerous driving and decrease the risk of bodily injuries and death of pedestrians, bicyclists, individuals with limited mobility, and other vulnerable users.

FURTHER RESOLVED, That a copy of this resolution be sent to the Philadelphia delegation of the Pennsylvania State House and Senate, the chairs and minority chairs of the State House and Senate Transportation Committees, Governor Tom Wolf, and Pennsylvania Secretary of Transportation Leslie


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Richards.