

**MICHIGAN TRAILS & GREENWAYS ALLIANCE**

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# Revise Michigan's Right Turn Signal

## ***A common sense update to the Michigan Vehicle Code (MVC)***

- **House Bill (# TBD) (\_\_\_\_\_)**  
***Currently seeking additional co-sponsors***

## ***Action***

Michigan bicyclists ask the Governor and Michigan Legislature to:

- **Add a provision to the Michigan Vehicle Code allowing bicyclists to legally signal right turns using an extending right arm pointing in the same direction;**
- **Retain current MVC language, which allows automobile drivers without functioning turn signals to continue to signal right turns by using a left arm extended upward.**

## ***Issue***

In Michigan, bicyclists have all the same rights and responsibilities as motorists, including signaling turns. Since most bicycles are not equipped with turn signals, by law, bicyclists must let other roadway users know their intentions in traffic by using hand signals.

Currently, the MVC states that cyclists must indicate a left turn by pointing to the left with an extended left arm. A right turn, however, is to be made with an upturned left arm. Since drivers of automobiles without functioning turn signals cannot easily or safely reach across their passenger seat to signal right turns by simply pointing to the right, Sec 257.648 of the MVC states, "When a signal is given by means of the hand and arm, the driver shall indicate his or her intention to stop or turn by extending his hand and arm from and beyond the left side of the vehicle and signal as follows: (b) Right turn ..... hand and arm extended upward."

This provision, however, does not make sense for bicyclists and is now so uncommon that many motorists do not even understand the meaning, often confusing it for a bicyclist waiving.

In most states, in addition to the upturned left arm, cyclists are also allowed to legally signal with their right hand. On a bicycle, pointing the direction you wish to turn is far more intuitive for both the cyclist and motorist.

## ***Facts***

- At least 32 states allow cyclists to signal with their right hand.
- According to a study by Drury & Pietraszewski, the bent left arm signal was correctly perceived by 65% of following drivers, but the straight right arm signal was perceived correctly by 78%.
- Not only is it safer and more intuitive to point in the direction you plan to turn, but the right arm signal is easier to teach children: "Point which way you plan to go."
- Hand signals are not only the most efficient form of communication while biking; they are also an important way of ensuring safety among yourself, help prevent accidents among other bicyclists, motor vehicles and pedestrians, and also aid in helping bicyclists feel more comfortable and confident on the road.
- Hand signals communicate one's intentions to other roadway users, and many times this communication alleviates confusion and frustration among automobile drivers.

## ***For More Information***

To learn more contact LMB Associate Director John Lindenmayer at 1-888-642-4537 or [john@LMB.org](mailto:john@LMB.org).

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# Vulnerable Roadway User Penalties

## ***Give Michigan Cyclists a Brake***

- **House Bill (#TBD)**(Santana) (HB 4958 of 2009)
  - **House Bill (#TBD)**(Yonker) (HB 4959 of 2009)
- Currently seeking additional co-sponsors***

## ***Action***

Michigan bicyclists ask the Governor and Michigan Legislature to:

- **Adopt standards that create enhanced penalties, including community service and driver-improvement education, substantial fines and jail time, in addition to a mandatory one-year license suspension for drivers who injure or kill vulnerable roadway users.**

## ***Issue***

Modeled after accepted European standards, vulnerable road user laws are growing in popularity in the United States and have been proven to help reduce traffic injuries and advance a vision of zero traffic deaths.

To the astonishment of many, fatal incidents involving skilled cyclists legally using public roads often do not result in any charges against the driver. This is because there are few laws protecting bicyclists, pedestrians and those with disabilities from being struck by vehicles. Unless there is proof of gross negligence or circumstances such as alcohol, drugs, or excessive speed on the part of the driver there are limited legal provisions to enact civil or criminal penalties. A vulnerable user provision would provide law enforcement and prosecutors with an enhanced set of penalties that fall between a basic traffic infraction and a serious crime.

Killing a cyclist often doesn't even merit court appearances. In practice, Michigan law places seemingly little burden on drivers to be alert for other roadway users. Non-motorists using a road have every right to expect that drivers will safely maneuver around them. For those drivers who fail to comply, there needs to be provisions in state law where their driving skills are called into question and penalties applied.

Obliviousness should not be an allowable defense when a vehicle operator causes injury or death to other roadway users. "I didn't see him" should not be excusable.

## ***Facts***

- Bicyclists not following Michigan traffic laws would not be protected under this law.
- Similar penalties already exist in numerous states and local communities. In Michigan, similar penalties exist for those who injure or kill construction workers and operators of slow-moving farm vehicles.
- In 2009, 2,027 bicycles were involved in bike/auto crashes, with 19 bicyclists killed and 1,648 injured.<sup>1</sup>
- 56% of these accidents involved the cyclists "going straight ahead" prior to the crash. Likewise, 54% of the actions of automobile driver prior to a crash were "going straight ahead," meaning that approximately half of bike/auto incidents were most likely avoidable and were the result of drivers not sharing the road.<sup>1</sup>
- In 2009, 2,215 pedestrians were involved in pedestrian/auto crashes, with 1,21 pedestrians killed and 1,823 injured.<sup>1</sup> 27% of these pedestrian/auto crashes, involved the pedestrian "crossing at an intersection," again demonstrating inattentiveness by the drivers.
- Bicyclists have the same rights and responsibilities as drivers but, because they (like farm vehicles) are usually slower than other vehicles, impatient drivers often endanger them.
- Driving a vehicle in Michigan is a revocable privilege – not an inalienable right.
- Similar versions of these bills (HB 4958 and 4959 of 2009) were passed in 2010 with broad bi-partisan support but were never taken up by the Senate.

## ***For More Information***

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<sup>1</sup> 2009 Michigan Crash Facts - OHSP

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# Bicycle Safety in Drivers Ed

## Add 'share the road' component to driver's education curriculum

- Seeking House and Senate sponsors to reintroduce HB 4960 and SB 531 of 2009.

## Action

Michigan bicyclists ask the Governor and Michigan Legislature to:

- **Improve Michigan driver's education curriculum, *What Every Michigan Driver Must Know* and *Road Skills Study Test Guide* to include more comprehensive instruction on the laws pertaining to bicycles.**
- **Work with the Secretary of State (SOS) and cycling community to provide improved public education on sharing the road through pamphlets and educational videos in SOS offices, PSAs, renewal mailings, and other available communication outlets.**
- **Include questions on the driver's education written test regarding bicyclists.**

## Issue

Having the same rights and responsibilities, drivers and bicyclists are safest when they share the road and follow the same traffic rules.

Each year, crashes with motor vehicles kill dozens of bicyclists on Michigan roads and injure thousands more. Despite Michigan's growing crash rates, very little time is spent on educating drivers about bicycle safety.

Driver's training can significantly reduce common, dangerous driver errors. Incorporating curriculum on 'sharing the road' into driver's education, *What Every Michigan Driver Must Know* and the *Road Skills Study Test Guide* will help train drivers from a young age about bicycle safety.

By spending inadequate time on bicycle safety, uninformed motorists often incorrectly insist, and often violently, that bicyclists do not belong on the roads. Aggressive and misinformed motorists regularly threaten cyclists both verbally and physically. Michigan's *Driver Education Curriculum Guide*, states, "By ensuring that students are properly prepared to drive, we will reduce crash rates among young drivers and make Michigan's roads safer." Failing to include a comprehensive bicycle-safety curriculum, however, endangers the lives of all roadway users.

Under Section 35 of PA 384 of 2006, the SOS may approve an alternative curriculum if it substantially meets or exceeds the standards of SOS's prescribed model curriculum. Michigan cyclists believe it is the responsibility of the SOS to provide leadership to develop and standardized such an improved curriculum.

## Facts

- Crash data by the Michigan State Police shows that bicycle fatalities were up 55% from 2009 to 2010 and that pedestrian fatalities increased 6% for the same time period.
- Michigan's Graduated Driver Licensing program requires drivers under the age 18 to complete 24 hours of in-class instruction, six hours of behind-the-wheel instruction, and four hours of observation, providing ample opportunities for improved instruction on sharing Michigan's roadways.
- After assuming oversight for driver's education in 2004, the SOS assembled a Driver Education Advisory Committee to update the curriculum. This Committee, however, did not include cycling advocates.
- Michigan has over seven million licensed drivers but requires no driver's education for drivers 18 and older, increasing the risks for bicyclists and pedestrians on Michigan's roads.
- Other states have developed model bicycle safety curriculums. An evaluation of Utah's Share the Road Driver's Education Program showed that 76% of educators felt that the program increased student's knowledge of safely sharing the road.
- The League of Michigan Bicyclists works regularly to teach bicyclists about their rights and responsibilities on Michigan roads through the distribution of *What Every Michigan Bicyclist Must Know* booklets and other educational outreach efforts.
- A similar version of this bill (HB 4960 of 2009) was passed in 2010 with broad bi-partisan support but was never taken up by the Senate.

**For More Information** contact LMB Associate Director John Lindenmayer at 1-888-642-4537 or [john@LMB.org](mailto:john@LMB.org).

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# DNR Acreage Should Not Be Limited

*Placing arbitrary limits on amount of land owned by DNR is unwarranted and detrimental*

- **Senate Bill 0248** (Senator Casperson, et al)

## **Action**

Michigan bicyclists ask the Governor and Michigan Legislature to:

- **Oppose the establishment of an arbitrary limit on the amount of acreage that may be owned by the DNR at any given time.**

## **Issue**

Senate Bill No. 248 states that the DNR shall not be permitted to acquire any additional land if the DNR owns or controls 4,475,000 acres of land. It is unclear why the sponsors of SB0248 believe it is necessary to establish an arbitrary and capricious cap on the amount of land the DNR may own at any given time. Placing such a limit on the DNR could force the department to reject prime land for conservation and/or outdoor recreation opportunity including expanding Michigan's trail network, merely because the DNR happens to hold more than the permitted amount of acreage at the time such opportunities arise. Such constraints severely limit the DNR's flexibility to accept gifts, devises and donations and would place the DNR in the difficult position of having to cast off existing acreage in order to avoid exceeding the proposed arbitrary cap.

Additionally, it is unclear why this particular acreage limit was chosen and whether this figure is supported by objective criteria.

It is especially ironic that the proposed acreage limit contradicts many of the DNR's stated purposes which are identified in the first paragraph of SB0248: a) protecting and conserving natural resources; b) providing and developing facilities for outdoor recreation; c) preventing the destruction of timber and other forest growth; d) promote the reforestation of forestlands, etc.

The proposed acreage limit would preclude the DNR from preserving and/or developing any additional land above and beyond the 4,475,000 limit. Accordingly, instead of being protected and/or responsibly developed, such land would be at greater risk of being deforested, used for commercial and/or residential purposes, etc.

## **Facts**

- One of the DNR's primary goals is to increase participation in outdoor recreation.
- Each year, hunting, fishing, wildlife activities, boating, hiking, cycling and similar endeavors generate an economic impact of \$9 billion dollars.
- State forests support a forest products industry and recreational industry which generate \$14 billion and support 136,000 jobs.
- Limiting the amount of land that may be held by the DNR at any given time is contrary to many of the DNR's stated goals and will have a chilling effect on new DNR projects

## **For More Information**

To learn more please visit [www.mmba.org](http://www.mmba.org)

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# Implement Bikes-On-Trains

*Support Safe, Easy Multi-Modal Connections for Bicyclists and Train Passengers*

## Action

Michigan bicyclists asks the Governor and Michigan Legislature to:

- **Ask the Michigan Department of Transportation (MDOT) and Amtrak to prioritize allowing bicycles on-board Michigan's three Amtrak routes, especially through roll-on service.**
- **Ask MDOT and Amtrak to ensure that the new rolling stock to service Michigan routes includes 21<sup>st</sup> century provisions for bicycles on-board trains.**
- **Ask MDOT and Amtrak to include short and long-term bike parking in all future site plans.**

## Issue

Seamless multi-modal connections are essential to a sustainable 21<sup>st</sup> century transportation system. It should be easy for travelers to make connections from one mode of transportation to another to easily and safely link trips. One great example is the potential for train travelers to travel from community to community and then bicycle to their final destinations.

Many Amtrak routes across the county offer roll-on bike service allowing passengers to bring a bicycle on board train cars without having to check them as boxed luggage. Unfortunately, as of this date, no Michigan Amtrak lines allow for bicycles on board, including the *Blue Water, Lake Shore Limited*, and the *Pere Marquette*. All three of these routes use the same train equipment as Downstate Illinois Service and the Missouri River Runner, both of which allow for bicycles on trains.

Our state is home to a number of bicycle tours in or near Michigan communities serviced by Amtrak. By adding bike facilities on Amtrak trains, many Michigan communities could benefit from increased tourism spending, particularly from vacationing Chicago residents.

Southwest Michigan has a particular competitive advantage that could be leveraged through such a service. Not only does this part of the state offer numerous cycling opportunities, Chicago's Union Station is less than a 3-hour train trip from destinations such as Niles, Dowagiac, and Kalamazoo. Many Chicago residents do not own an automobile and would prefer to not have to rent one to travel to and within Michigan. Allowing bikes on board would give these tourists the option to utilize Amtrak to visit our state. Without options to bring bicycles on board, Michigan is losing out on significant travel-related spending generated by bicycle tourism. In addition, commuters traveling within Michigan would also have additional transportation options.

Roll-on bike service for Michigan trains does not necessarily require new rolling stock. In many other states Amtrak offers on-board bicycle services in a variety of ways, including: bicycles stored onboard in bike racks; bicycles stored as checked baggage secured by tie-down equipment (not in a box); and by allowing folding bicycles to be brought onboard as carry-on baggage.

## Facts

- Amtrak routes out of Chicago, using the same cars as Michigan, already allow bikes on trains. Amtrak simply needs to update their online reservation system to make this feasible here.
- Bicycle tourism is a booming industry, and bikes on trains could attract additional visitors. The Apple Cider Century, an annual one-day bicycle tour of the orchards, forests and wine country around Three Oaks, draws over 5,000 cyclists. Since 1974, it has been the Midwest's largest one-day century event. Similar numbers participate in the Dick Allen Lansing to Mackinac Ride (DALMAC), which annually draws over 2,000 riders, typically from over 20 states.

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