

Mayor's Pedestrian/Bicycle Advisory Committee
3131 O St, Suite 300
Lincoln, NE 68510

November 8, 2022

Mayor Leirion Gaylor Baird
City/County Building
555 South 10th St
Lincoln, NE 68508

RE: Letter of Request – Bicycle Safety Stop Ordinance

Honorable Leirion Gaylor Baird:

We are writing this letter in support of creating a city ordinance in Lincoln that would implement a Bicyclist Stop-As-Yield Ordinance, or “Safety Stop,” for people using low-speed conveyances (bicycles, electric bicycles, electric scooters, wheelchairs, etc.). The basic premise of this ordinance is that people using low-speed conveyances would be able to treat stop signs as yield signs, and stop lights as stop signs. Currently, nine states have some form of “Safety Stop” laws; California has sent a bill to the floor for discussion and a vote. In 2018, Colorado passed a law allowing communities to decide whether they wanted to enact the law, and in 2022 made it a statewide law.

Fatalities in traffic crashes involving bicyclists continue to rise. The National Traffic Highway Safety Administration (NHTSA) reports a 38% increase in bicyclist fatalities from 2011 to 2020, with 26% of bicyclist fatalities in 2020 occurring at intersections.¹ Research has shown that passage of these types of laws increases safety outcomes in the states that have enacted them by reducing interactions between motorists and bicyclists in intersections, increasing visibility of bicyclists in intersections, and reducing the number of bicyclist-only injuries related to starting and stopping on a bicycle.

Benefits:

- Cost-neutral, safety-enhancing policy.
- Improves Lincoln's reputation as a bike-friendly, safety-focused city and helps our national rankings.
- Decriminalizes a common-sense behavior, allowing law enforcement to focus on more pressing issues.
- Codifies Lincoln's commitment to fairness and equality for citizens of all classes, races, ethnicities, and genders.
- Benefits both motorists and bicyclists due to decreased opportunities for interactions at intersections.
- Does not change current right-of-way laws, under which a collision involving any type of road user indicates a failure to properly yield to the traffic control device (red light, stop sign, etc.), or a failure to give right of way.

Opponents' concerns (and responses):

- *Motorist confusion:* Any new traffic practice or feature (i.e. roundabouts, flashing yellow left turn arrows, etc.), initially causes confusion, but we still make changes that improve safety and efficiency. Also, the safety stop is not new or surprising to drivers – it is simply, at the moment, illegal.
- *A perception that people on bicycles are acting outside of or above the law:* If the Safety Stop becomes legal, bicyclists are not breaking the law by practicing it. If the Safety Stop is perceived as special treatment for bicyclists, consider the vulnerability dynamic between a vehicle and a bicycle at an intersection: In a collision, a person on a bicycle will always lose. The ability to avoid interactions with vehicles will help keep people on low-speed conveyances safer. A major benefit to both people on bicycles and in cars is efficiency: Bicycles are most efficient when in continuous motion, and people driving vehicles will not need to pass a bicyclist when taking off from a stop sign or red light, since the bicyclist has already cleared the intersection.

¹ National Traffic Highway Safety Administration. “Bicyclist ‘Stop-As-Yield’ Laws and Safety Fact Sheet.” *NHTSA.gov*, March 2022.

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- *Safety*: People outside of vehicles have a much better view of an approaching intersection, and can see whether an intersection is clear much sooner than a person in a vehicle can. Due to their vulnerability, bicyclists are already well aware that the onus for their safety is on them.
- *Difficulty determining fault in collisions*: Right-of-way laws would not change with enactment of this ordinance.

For more information, we have included the NHTSA's Bicyclist "Stop-As-Yield" Laws and Safety Fact Sheet, as well as Bicycle Colorado's fact sheet regarding Colorado House Bill 22-1028 (Statewide Regulation of Controlled Intersections).

Thank you for your consideration of this ordinance.

Respectfully,

Delrae Hirschman
Chairperson of the Mayor's Pedestrian/Bicycle Advisory Committee