

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: December 4, 2013

TO: Honorable Members of the Rules, Elections and Intergovernmental Relations Committee

FROM: Gerry F. Miller *gfm* Council File No: 13-0002-S139
Chief Legislative Analyst Assignment No: 13-11-1012

SUBJECT: Resolution (Bonin – O’Farrell) to support S. 1708 and H.R. 3494 which would amend title 23, United States Code, with respect to the establishment of non-motorized performance measures tied to bicycle and pedestrian safety

CLA RECOMMENDATION: Adopt Resolution (Bonin – O’Farrell) to include in the City’s 2013 – 2014 Federal Legislative Program SUPPORT for S. 1708 and H.R. 3494, the Bicycle and Pedestrian Safety Act, which would amend Title 23, United States Code, with respect to the establishment of non-motorized performance measures tied to bicycle and pedestrian safety.

SUMMARY

On November 26, 2013, a Resolution (Bonin – O’Farrell) was introduced to support S. 1708 (Merkley) and H.R. 3494 (Blumenauer), The Bicycle and Pedestrian Safety Act, which would amend Title 23, United States Code, with respect to the establishment of non-motorized performance measures tied to bicycle and pedestrian safety. The Resolution states that as part of the current federal surface transportation legislation, Moving Ahead for Progress in the 21st Century (MAP-21), the federal Department of Transportation is required to set a performance measure to reduce traffic fatalities and serious injuries. The Resolution further states that the National Highway traffic Safety Administration (NHSTA) states that 16.3% of traffic related fatalities are pedestrians or cyclists, yet states spend just 0.4% of their safety dollars for bicycle and pedestrian safety.

The Resolution states that with a separate bicycle and pedestrian safety performance measure, states will be required to examine their bicycle and pedestrian deaths separate from automobile deaths, which will highlight the need for more funding for bicycle and pedestrian safety measures. The Resolution, therefore, seeks an official position of the City of Los Angeles to support S. 1708 and H.R. 3494, the Bicycle and Pedestrian Safety Act, which would amend Title 23, United States Code, with respect to the establishment of performance measures tied to bicycle and pedestrian safety.

BACKGROUND

Bicyclists and pedestrian fatalities make up a growing percentage of traffic fatalities across the United States. The problem is especially acute in urban areas, like the City of Los Angeles. According to the 2010 Statewide Integrated Traffic Records System, the most recent data available, 44% of all traffic deaths recorded in the City involve pedestrians and bicyclists.

Under current law, the federal Department of Transportation is required to establish performance metrics to reduce traffic fatalities and serious injuries, but these metrics are not required to include bicycle and pedestrian deaths and injuries as separate from motor vehicle deaths. This downplays the seriousness of this issue, and does not highlight the need to seriously address pedestrian and bicyclist safety on roadways across the country.

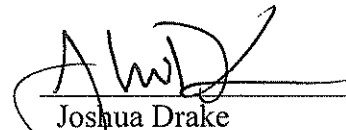
To address this issue, The Bicycle and Pedestrian Safety Act was introduced as S. 1708 (Merkley) and H.R. 3494 (Blumenauer). These bills are identical, and amend Title 23, United States Code, to establish roadway safety performance measures tied to bicycle and pedestrian safety. Proponents of this legislation state that it will help prioritize roadway designs that are safe for all users, as well as promote programs to make the road safer for all users.

DEPARTMENTS NOTIFIED

Department of Transportation

BILL STATUS

11/14/2013	S. 1708 introduced; referred to the Senate Committee on Commerce, Science, and Transportation
11/14/2013	H.R. 3494 introduced, referred to the House Committee on Transportation and Infrastructure
11/15/2013	H.R. 3494 referred to the Subcommittee on Highway and Transit


Joshua Drake
Analyst

GFM:MF:jwd

Attachment: Resolution (Bonin – O’Farrell)

RESOLUTION

WHEREAS, any position of the City Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, as part of the current federal surface transportation legislation, Moving Ahead for Progress in the 21st Century (MAP-21), the United States Department of Transportation is required to set a performance measure to reduce traffic fatalities and serious injuries; and

WHEREAS, states across the nation measure reductions in overall fatalities and serious injuries, however, they are not required to differentiate vehicular, bicycle and pedestrian collisions; and

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) indicates that bicyclists and pedestrians now represent 16.3 percent of all traffic deaths, yet states spend just 0.4 percent of their safety dollars on bicycle and pedestrian safety; and

WHEREAS, the 2010 Statewide Integrated Traffic Records System (SWITRS), the most recent year available data, indicates that bicyclists and pedestrians represent 44% of all traffic deaths recorded in the City of Los Angeles; and

WHEREAS, on November 14, 2013, a coalition of bipartisan lawmakers in the United States House of Representatives and United States Senate introduced H.R. 3494 and S. 1708, respectively, "The Bicycle and Pedestrian Safety Act" that would amend title 23, United States Code, with respect to the establishment of non-motorized performance measures; and

WHEREAS, with a separate bicycle and pedestrian safety performance measure, states will be required to examine their bicycle and pedestrian deaths separate from automobile deaths, which will highlight the need for more funding to be allocated toward bicycle and pedestrian safety improvements;

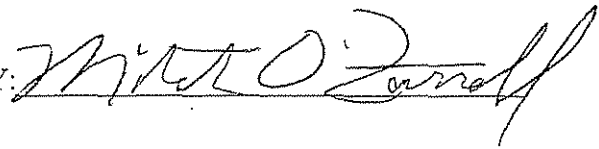
THEREFORE BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013-14 Federal Legislative Program SUPPORT of S. 1708 and H.R. 3494 that would amend title 23, United States Code, with respect to the establishment of non-motorized performance measures tied to bicycle and pedestrian safety.

PRESENTED BY:



MIKE BONIN
Councilmember, 11th District

SECONDED BY:



mst

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