

Resolution supporting passage of state legislation to require that Ohio motorists pass bicyclists leaving at least three feet of clearance and permitting vehicle operators to proceed at intersections even when not detected by traffic signal equipment – STAFF REPORT

TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING AGENDA

September 21, 2016

This resolution supports the passage of House Bill 154 of the 131st Ohio General Assembly: Motor vehicles-safe passing distance-bicycles/malfunctioning traffic lights. House Bill 154 has been passed by the Ohio House of Representatives and is now for the Ohio Senate's consideration.

This bill, sponsored by Representatives Michael Sheehy (District 46) and Michael Henne (District 40), would make two improvements in the law. First, it would require that Ohio motorists pass cyclist leaving at least 3 feet of clearance when passing. Second, it would alter the protocol for proceeding through an intersection by permitting all Ohio vehicles to proceed through an intersection after stopping and yielding right-of-way even when not detected by the device designed to move the signal from red to green.

- 26 states and the District of Columbia require that motorists give bicyclist at least 3 feet of clearance.
- Cleveland, Columbus, Cincinnati, and Toledo already have 3-foot passing ordinances.
- 16 states currently permit non-detected vehicle to proceed at intersections after stopping and yielding right of way.

Every year the League of American Bicyclists ranks all 50 states according to five categories: legislation & enforcement, policies & programs, infrastructure & funding, education & encouragement, and evaluation & planning. Ohio currently ranks 16th. The two key provisions in this bill are both noted in Ohio's report card for this ranking as areas where the state could improve.

This bill has received strong support from the American Motorcyclists Association because motorcyclists, like bicyclists, are often not detected at intersections. The Ohio Bicycling Federation also supports this bill. TMACOG's Pedestrian and Bikeways Committee supports this legislation. The two key provisions in this bill are both recommended for support in the 2015-16 Toledo Region Transportation Legislative Agenda.

**A RESOLUTION OF THE
TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS
SUPPORTING THE PASSAGE OF STATE LEGISLATION TO ADOPT A
SAFE BICYCLE PASSING LAW AND PERMITTING VEHICLES TO
PROCEED THROUGH AN INTERSECTION EVEN WHEN NOT
DETECTED BY TRAFFIC SIGNAL EQUIPMENT**

WHEREAS, the Toledo Metropolitan Area Council of Governments (TMACOG) is a voluntary association of local governments and non-governmental partners in northwest Ohio and southeast Michigan, organized on May 31, 1968, and established under Chapter 167 of the Ohio Revised Code and the Michigan Public Act No. 7 (EX-SESS), and has carried out comprehensive metropolitan and regional planning since that date; and

WHEREAS, the Toledo Metropolitan Area Council of Governments (TMACOG) is designated as the Metropolitan Planning Organization (MPO) by the Governor through the Ohio Department of Transportation in cooperation with local elected officials and is authorized to carry out the continuing, cooperative, and comprehensive transportation planning process (Process) for the Toledo area that results in plans and programs that consider all transportation modes and supports community development and social goals; and

WHEREAS, the MPO has been designated by the U.S. Department of Transportation and the Ohio Department of Transportation (ODOT) to direct, coordinate, and administer the Process in the Toledo area as mandated by the Congress in Titles 23 and 49 U.S.C.; and

WHEREAS, a House Bill 154 has been passed by the Ohio House of Representatives and is now up for consideration for the Ohio Senate of the 131st Ohio General Assembly to require that Ohio motorists pass cyclist leaving at least 3 feet of clearance when passing, and also to permit all Ohio vehicles, including bicycles to proceed through an intersection after stopping and yielding right-of-way even when not detected by traffic signal equipment, and

WHEREAS, 26 states and the District of Columbia require motorists give bicyclists at least 3 feet of clearance when passing; and

WHEREAS, 16 states currently permit non-detected vehicles to proceed at intersections after stopping and yielding right of way; and

WHEREAS, other organizations such as the American Motorcyclist Association and the Ohio Bicycle Federation support this legislation; and

WHEREAS, the provisions of the this legislation are included the 2015-16 Transportation Legislative Agenda; and

WHEREAS, Cleveland, Columbus, Cincinnati, and Toledo already have 3-foot passing ordinances; and

WHEREAS, this resolution was recommended for approval by the Pedestrian and Bikeways Committee on August 16 and by the Transportation Council on September 7, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS:

THAT, TMACOG fully supports state legislation that will require that Ohio motorists pass bicyclists leaving at least three feet of clearance; and be it further

THAT, TMACOG fully supports state legislation that will permit vehicle operators to proceed at intersections when not detected; and be it further

THAT, duly authenticated copies of this resolution be forwarded to State Senators Keith Faber, Frank LaRose, Edna Brown, and Randy Gardner.

Adopted by the Executive Committee, September 21, 2016

Yea _____, Nay _____, Abstain _____

Craig A. Stough, Chair
Toledo Metropolitan Area
Council of Governments (TMACOG)

Tim W. Brown, President
Toledo Metropolitan Area
Council of Governments
(TMACOG)