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3:00 P.M.
State Capitol, Room Teleconference

S.B. 581
RELATING TO BICYCLES

Senate Committee on Transportation

The Department of Transportation **opposes** S.B. 581, which permits a bicyclist to proceed through an intersection from a right turn only lane if they cannot safely merge into the traffic lane, provided they signal intention to merge left. It also permits a bicyclist to proceed in a right turn only lane when approaching an intersection, even if they do not intend to turn right, provided that they do not pass a stopped vehicle and that they exercise reasonable safety when passing a moving vehicle.

Being that the right turn only lane is designated for all vehicles turning right, pedestrians and other vehicles may not be prepared for a bicyclist to continue forward from this lane, thus increasing the potential for on coming roadway users to crash into the bicyclist.

Furthermore, where there are intersections with straight only lanes and dedicated right lanes. While the straight lanes have the red light, its right turn lanes may not because they flow and merge into traffic that is going from left to right. This will have the bicyclist going against the stop light for the straightway and directly into the flow of traffic.

It is safest when all roadway users utilize the roadways as they were designed for.

Thank you for the opportunity to provide testimony.

SB-581

Submitted on: 2/3/2021 12:44:46 PM

Testimony for TRS on 2/4/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Rogers	Testifying for Transportation Chair Ewa Neighborhood Board #23	Support	No

Comments:

Chair Senator Lee, Vice Chair Senator Inouye and members of the Transportation Committee Please accept my testimony for this very important legislation.

I cannot tell you how many times I have been forced to enter an intersection from the right turn only lane while riding a bike, knowing fully that I was in violation of traffic code. This legislation will make Hawaii one of a handful of states that have the full complement of what the League of American Bicyclists deem Where to Ride Laws.

Where to Ride laws are an important part of bicyclists' right to the road because they regulate bicyclists' use of the road. When safety requires a bicyclist to take the lane it is important that the law allows a bicyclist to do so. Good Where to Ride laws manage the expectations of drivers and let drivers know that a bicyclist has the right to take the lane according to their personal judgment of their safety and road conditions.

The league of American Bicyclists list seven exceptions to the general requirement to ride as far to the right as **practicable** that allow a bicyclist to take the lane in certain situations. Hawaii has six of these general requirements stipulated in the HRS:

- Operating at or above the rate of speed of normal traffic flow on the roadway
- Passing
- Turning to the left
- Avoiding hazards or hazardous roadway conditions (usually this is accompanied by a non-exhaustive list of hazards, often including parked cars to address the door zone)
- Operating in a lane that is not sufficiently wide for a bicycle and vehicle to operate side by side
- Operating on a one-way street, in which case a bicyclist may ride near to the left side of the roadway

Permitting a bicyclist to proceed through an intersection from a right turn only lane will complete the list of exceptions recommended by the League of American Bicyclists and give cyclists substantial autonomy in deciding where they feel comfortable riding on a

roadway given the conditions that exist on that roadway. These rules permit bicyclists to position themselves so that they are visible to motor vehicle traffic, act like other vehicles, or otherwise protect themselves from turning vehicles and other hazards.

Please consider a change to the text of Chapter 291C

The phrase “as practicable” is used throughout the text of Chapter 219C HRS. This supports the interpretation of law enforcement and not the safety of the cyclist who is the most vulnerable. The phrase “as practicable” should be replaced by “As deemed safe by the bicyclist” or something similar, to give the most vulnerable road user the choice.

Please move this legislation through the legislature and adopt these amendments to Chapter 291C HRS.