

28-812. Applicability of traffic laws to bicycle riders

A person riding a bicycle on a roadway or on a shoulder adjoining a roadway is granted all of the rights and is subject to all of the duties applicable to the driver of a vehicle by this chapter and chapters 4 and 5 of this title, except special rules in this article and except provisions of this chapter and chapters 4 and 5 of this title that by their nature can have no application.

28-815. Riding on roadway and bicycle path; bicycle path usage

A. A person riding a bicycle on a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway, except under any of the following situations:

1. **If overtaking and passing another bicycle or vehicle proceeding in the same direction.**
2. If preparing for a left turn at an intersection or into a private road or driveway.
3. If reasonably necessary to avoid conditions, including fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals or surface hazards.
4. **If the lane in which the person is operating the bicycle is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.**

B. Persons riding bicycles on a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

5. Licensing of Bicycles in Tucson (30 min)

Discussion: Rich Corbett mentioned that the Governor's task force looked at this 20 years ago. One of the concerns what to do with children and the problems of trying to license children who occasionally ride on the streets. If licensing adults only this would be an inequality.

- It costs more to run the program than merely nominal charge. Either the "tax" would be onerous to the citizens who own bicycles or the program would not be self funded.
- Those who ride bicycles also contribute to the tax base through sales, not the least of which is the RTA sales tax for roadway improvement. Many cyclists also own automobiles that contribute to the tax pool for roadway use.
- Bicycles don't make potholes, this is the result of heavier motor vehicles. Perhaps the tax should be by the pound and apply to motor vehicles by the pound equally.

- Roadway debris needs to be removed not just for cyclist safety, but also for pedestrian safety and motorist safety.
- LAB reports that parking costs for motor vehicles annually in the U.S. is about \$300 billion with a single parking stall costing between \$10,000 and \$20,000 per automobile. Not so with bicycles. Therefore bicycles do not cost the public what motor vehicles do.
- LAB also reports that annually, 43,000 people lose their lives on U.S. roadways costing about \$260 billion. (2.6 million non-fatal collisions.) Only 720 are cyclists. Again, the cost of collisions and crashes of cyclists simply does not equate to overall roadway crash costs.
- LAB reports \$18 billion in automobile advertising. Cost to the environment cannot be measured at this time. Not so with bicycles.
- LAB reports that bicycles overall are very low impact compared to motor vehicles.
- LAB reports that about 100,000,000 Americans do not drive. The roadways are for all Americans, not just those who drive. This is nearly 1/3 of all Americans that use roadways through public transit, pedestrian, cycling, etc. Taxing one group is a form of targeting.
- LAB reports that bicyclists belong in the streets and not on sidewalks because the dangers of sidewalk riding. Motorists are more likely to hit cyclists on sidewalks than in the streets. Because sidewalks are bi-directional, this encourages "against traffic" riding which is the leading cause of collision in Tucson according to the review of TPD reports.
- The nation has an epidemic of obesity that takes a toll on our health care system and all of society. Cycling should be encouraged as one means of combating obesity. The return that our economic condition would realize from less obesity far outweighs the revenue from licensing.
- Licensing will have a negative impact on visitors with bicycles and part year residents. It will have a negative impact on Tour de Tucson, Tour of the Tucson Mountains, and other annual events.
- Tucson is positioned well for an upgrade to Platinum Bicycle Friendly City in 2012, that, if obtained, will bring additional business revenue to the region. Licensing can have a chilling effect on this award and our subsequent economy. (Gilbert in Maricopa County requires licensing and has no standing as a BFC and no appreciable revenue from it.)

- The cost of riding cross country increases as various cities adopt licensing and prohibit bicycle use on their streets without licensing. The same requires the cyclist to either pay, or detour. Federal law, 23 USC 109(m) prohibits any action that takes away non-motorized access of our roadways.
- Many cyclists will resist the tags and stickers from being placed on high dollar frames.
- The cost of our law enforcement to enforce bicycle licensing is an expense that is not justified in this economy.
- Theft tracking may be a benefit, however, voluntary registration can take care of this issue along with better investigation and enforcement. Recovery of stolen bicycles once outside of Tucson becomes minimal. There are national registration databases available to cyclists concerned about this. No other positive reasons were articulated.

Richard Corbett moved that Tucson **not** adopt bicycle licensing for the above reasons and further discussed reasons. Eric Post seconded. Unanimous vote in favor. The Enforcement Subcommittee asks that the BAC adopt its position against licensing.

6. Diversion Program, UofA, PCSO, NPS (15 min)

Discussion. Eric will coordinate with UAPD and PCSO and work out a procedure for writing the letters from PCSO and UAPD to the Chief Justice. Also, work out procedures for tracking eligibility. Encouragement for Eric Post, Matt Zoll and Rich Corbett to meet with PCSO/UAPD.

Eric to follow up with NPS.

7. Platinum Challenge (15 Min)

Tabled due to time constraints. Eric to provide recent Platinum materials to the BAC Enf. Subcom for further discussion at the next meeting.

Adjourn 7:30 pm.