

Will Rhode Island support a Vulnerable Users Law?

A resolution passed late last year by the Warwick City Council to provide increased safety for bicyclists has become known as “Frank’s Law”, in recognition of Warwick resident, Frank Cabral, an expert bicyclist who was run over and killed by a careless driver in Charlestown. An expanded version of the Warwick resolution, RI H5074, is slated to be introduced to the Rhode Island State Legislature this year. Carrying on the momentum created by the Warwick City Council’s resolution, the Providence Bicycle Coalition (PBC) is spearheading an effort to upgrade Rhode Island Laws that pertain to cyclists and other non-motorized road users.

Guided by Oregon’s 2007 “Vulnerable Roadway User Law”, PBC members identified a number of specific changes to RI H5074 as originally written that will better protect vulnerable roadway users such as pedestrians, emergency personnel, police officers and motorists stopped on the side of the road. The group met with RI State Representative Al Gemma, House Deputy Majority Leader, to suggest several modifications. RI H5074, modified to include PBC’s recommendations, was presented to the House Judiciary Committee at a recent hearing. Six bicycle advocates testified at the hearing in favor of the legislation and were pleased with a positive reception by the committee. The bill will most certainly need review and modification by lawyers, but with solid constituent support (that means NBW members and all our friends) it has a good chance of passing.

The bill’s changes to existing laws are minor but the wording in the proposed vulnerable roadway user section of the bill proposes more substantial protections for cyclists. The category of “Vulnerable user of a public roadway” has been expanded to include skateboards, roller skates, in-line skates, scooters, bicycles, and farm tractors or implement of husbandry without an enclosed shell. The bill increases penalties for the “offence of careless driving if commission of offense contributed to serious physical injury or death of vulnerable user of public roadway.” The bill will require the driver to complete a traffic safety course, perform 100-200 hours of community service, pay substantial fines, and lose driving privileges.

The law, as now written, will require police officers at the scene issuing a citation for the offense of careless driving to note on the citation if the cited offence contributed to serious physical injury or death of a vulnerable user of the public roadway. The law requires the

defendant who has been issued the citation to make a first appearance by personally appearing in court at the time indicated on the summons. Currently, many automobile-bicycle incidents involving injury to bicyclists are never reported or recorded by the police, giving the false impression that roads are safe for cyclists. Tightening the requirements for reporting by police will result in more accurate bicycling accident statistics and in turn, greater awareness of our vulnerability.

Once the bill is reviewed and modified to increase its chances of passing, it will be time for all of us to write our state legislators in support of the bill. The Narragansett Bay Wheelmen and the PBC will post the final version of the bill on our web sites. We encourage everyone in the NBW to support the legislation by sending letters to elected officials who represent your community and the bill’s sponsors, Alfred A. Gemma (District 20, Warwick), Frank G. Ferri (Democrat- District 22, Warwick), Robert E. Flaherty (Democrat- District 23, Warwick), and Joseph A. Trillo (Republican- District 24, Warwick). You will find all Rhode Island State legislators’ e-mail and snail mail addresses at: www.rilin.state.ri.us/

If passed into law, RI H5074 will become a good first step to confirming our right to the road and safety for all cyclists in Rhode Island, by creating real consequences for bad and careless drivers who endanger the lives of vulnerable road users.



Negotiating that tricky uphill sharp left turn in Slatersville, on the Great Grandma’s Farm Ride, April 2009. Motorist thoughtfully waited until riders were clear before negotiating his left turn. Photo: M. Foulkes

The South Coast Bikeway

Learning from our neighbors

Adam Recchia

The following article appeared in the May 2009 edition of *The South Coast Insider* and is reprinted with permission. We find it interesting but not surprising that Massachusetts cyclists are envious of Rhode Island's record in planning—and completing—bike paths.

For a lot of us, including cyclists, bikeway planners and forward thinkers, the ultimate goal for bike paths in southeastern Massachusetts is a bike path that would extend from the Rhode Island state line in Swansea to the existing bike path that runs along the Cape Cod Canal.

The South Coast Bikeway has had two exciting additions this year. As well as the completed Phoenix Bike Trail in Fairhaven and smaller segments in New Bedford and Swansea, the first segments of both the Mattapoissett and Fall River bike paths are complete.

The new Brightman Street bridge construction is progressing nicely and its completion will bring a long anticipated bicycle and pedestrian connection between Fall River and Somerset. A feasibility study is being conducted in Wareham for their lengthy segment of the path and Marion is steadily nearing the completion to the planning phase for its segment, with only one more small sliver of property to be acquired for it.

While these small successes are steps in the right direction there are still many hurdles to overcome.

RI inspiration

We should look to Rhode Island for inspiration since they are ahead of the game when it comes to bike paths. They have three major paths over 10 miles in length and two shorter ones as well, with two running alongside active railroads and traversing dense urban areas. We should pay attention to that particular detail over here in Massachusetts, as our planned bikeways would have to do the same to reach completion.

Trains & bikes

Take Wareham, for example. The route recommended by SRPEDD in a 2007 study would have a major segment of the bike path running along the active Mass-Coastal freight rail line, which runs the infamous “trash train” from the Cape to the SEMASS plant in Rochester. A bike path running next to active trains? Isn't that crazy, some may ask?

Well Rhode Islanders certainly don't think so. They've got two bike paths running alongside active trains: the Blackstone River Bikeway through Lincoln and Cum-

berland, and the Ten Mile River Greenway in East Providence. Throw up a fence with some adequate spacing between track and trail, and you have a facility to serve two needs: a rail-*with*-trail.

This technique of using extra right-of-way on rail lines for bike paths is one that has spread across the country. Numerous studies have been conducted by the Rails to Trails Conservancy that are very supportive of this very idea. Even MassHighway's 2006 Project Development & Design Guide has a nifty table listing general standards for a bike path within an active railroad right-of-way.

Okay, so you're not convinced? “What about bikers and pedestrians getting hit by trains?” We hear this all the time.

The answer is that people walk along rail lines already (we see it here in Taunton everyday!), and that's when they get hit by trains. People will not continue to walk along train tracks if they have a nice walking/biking path to walk on instead. It has been shown in studies that rails with trails have a lower trespassing rate than those without.

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So that takes care of one of our problems, now what about bike paths through dense urban areas? Well, you can toss one in on a freight rail line, or you can do what the Rhode Island Department of Transportation is doing through the dense cities of Pawtucket and Central Falls. Simply narrow an exiting roadway and build a path right next to it, with an ornamental jersey barrier separation. Wouldn't that be nice in Fall River?

The bottom line is that Southeastern Massachusetts can easily match Rhode Island's bike-friendliness with some forward thinking and a little bit of courage. By looking to our neighbors and copying what they have done so well, we can achieve our goal of someday completing the South Coast Bikeway with most of the kinks already worked out.

