

Commissioner Recommendations Regarding MI House Bill No. 4738

July 12, 2019

In response to House Bill No. 4738, which proposes statewide crosswalk law as an amendment to the Michigan Vehicle Code, Transportation Commissioners have prepared the following proposed action statements, recommendations and/or suggested revisions to HB 4738.

Commissioner Boland

I propose the following, which could be adapted as the Commission sees fit at the July meeting. HB 4738 does not go far enough to protect the safety of Michigan citizens; when attempting to use a crosswalk, pedestrians must enter the crosswalk (i.e. the street) in order to gain right of way, thereby placing themselves in danger. While this practice presents a danger to all cross-walk users, it is particularly problematic for the most vulnerable members of our community: children, the disabled, and the elderly. We request that the State reject HB 4738 in favor of a stricter bill that would require cars to stop at a crosswalk whenever pedestrians are waiting to cross, without requiring pedestrians to enter the street before cars have stopped. Ann Arbor already has such a crosswalk ordinance, which its Transportation Commission has repeatedly endorsed. At a minimum, the State must allow municipalities to maintain and enforce stricter crosswalk laws in order to protect their communities. The safest way to achieve this goal is to match the State Law with the stricter local laws, for uniform enforcement across the State.

Commissioner Hull

The primary concern with this bill as written is that it requires pedestrians to be in a crosswalk for drivers to yield, forcing pedestrians to step out into traffic for vehicles to stop. This is even more concerning in the case of persons with disabilities, who would not be able to move quickly if a vehicle did not stop. Furthermore, there is concern that this, if enacted, could be used to invalidate Ann Arbor's stronger crosswalk ordinance. It would be preferable for the law to match Ann Arbor's ordinance by requiring drivers to stop for pedestrians at the curb, or to at least allow for some way for pedestrians to indicate an intent to cross without placing their whole body in the intersection.

Commissioner Feldt

Ann Arbor has embraced, and by policy has agreed to support Vision Zero, Complete Streets and to apply engineering standards that encourage pedestrian and bicycle users, as well as other non-motorized transportation and mass (public) transportation. To that end, crosswalks are a vital part of the pedestrian "highway" system and a way to easily and safely cross the street is a key part of supporting and encouraging a walkable city.

Unless these agreements are revoked, our current crosswalk law is a critical component in improving crosswalks, making pedestrians safer, and changing our car dominant

culture and use of roadways to a more equitable experience that also promotes health and positive environmental impact.

Requiring a vehicle to stop for pedestrians approaching a crosswalk is a worldwide practice, as well as a normal event in cities throughout the United States. Ann Arbor is not unique or different in this requirement. Our own studies have shown increasing compliance with the ordinance, and in conjunction with other crosswalk improvements fatalities and crashes with pedestrians continue to decline.

The state law is being promoted by an Ann Arbor City Council representative, and some may mistake that for endorsement by the city or as a sign our crosswalk ordinance is in some way lacking or has failed. This is not the case. That our ordinance goes further and offers far more protection from what has been proposed at the state level needs to be clearly and emphatically, as well as that Ann Arbor is not willing to be forced to retreat from the progress we have worked to achieve since the ordinance was passed. Local challenges to the crosswalk ordinance have been defeated a number of times, and this “end run” to demolishing it on the state level is a serious threat to our pedestrian safety priorities.

The value of the proposed state law is highly questionable, as easily described in three common scenarios. Imagine a parent pushing a stroller, intending to cross the street. In Ann Arbor they only need to stop at the curb, look to determine that any approaching cars can safely stop, determine that the cars are stopping, and proceed. Under the proposed state law the parent would be required to place the stroller into the street to enter the cross walk in order to trigger a vehicle to stop. Or awkwardly enter the crosswalk backwards and put themselves at risk.

In the second scenario an eager dog with a dog walker would need to enter the crosswalk to signal the need for cars to stop. Sure, a few dogs are trained to heel, but the majority walk eagerly and enthusiastically ahead of their humans. Crossing the road under the new law requires putting the dog at risk, or distractedly entering the crosswalk and road trying to keep the dog at your side or behind you. Not a level of training most urban dogs have mastered.

In the third scenario imagine a wheelchair user having to physically enter the roadway and crosswalk in order to trigger cars to stop for crossing. If the crosswalk also involves a slight ramp, the user has to be able to maneuver backwards up the ramp if the conditions turn out to be unsafe to cross at that time. If they are being pushed, they rely on another person to judge safety from possibly more limited sight distance behind the wheelchair. As an occasional wheelchair user, please trust me that the idea of having to be in the crosswalk to trigger the crossing is just terrifying. Walking even a half block further for a light or better option is not necessarily an option. Why is this state law being promoted that puts me at significantly greater risk? It makes no sense.

Have the sponsors of the bill deliberately ignored the impact on our most vulnerable pedestrians, and the importance of promoting walking and pedestrian safety? The

evidence is clear, the evaluations are positive for ordinances like Ann Arbors, and it is a decades old practice in hundreds of places and developed countries. We should speak out against this proposed state law as proposed, require that it be updated to reflect best practices as represented by Ann Arbor and now Kalamazoo ordinances, to preserve what we have in Ann Arbor and to offer greater protection and encouragement to pedestrians and drivers throughout the state.

