

Pedestrian and Pedalcycle Advisory Committee Minutes

Subject: Minutes for Spring Quarterly Meeting
Date and time: March 09, 2021 1:00 PM to 3:00 PM
Location: Virtual Meeting

The meeting was called to order at 12:31 PM by Roy Gothie, Statewide Bicycle and Pedestrian Coordinator. Roll was taken, and a quorum was declared.

PPAC members in attendance were Josiah Shelly (alternate for Representative Tim Hennessey), Kyle Wagonseller (alternate for Representative Carroll), Jason Gerard (alternate for Senator Sabatina), Roy Gothie (alternate for Secretary Yassmin Gramian), Diane Kripas (alternate for Secretary Cindy Dunn), Ben Guthrie, Sarah Stuart, Frank Maguire, Julie Fitzpatrick, William Hoffman, Lauri Ahlskog, and Chandra Kannan, Fred Richter, and Scott Bricker.

Additional attendees included Deputy Secretary for Multimodal Transportation, Jenn Granger (PennDOT), Justin Lehman (Department of Health), Natasha Fackler (PennDOT Policy Office), Ngani Ndimbi (PennDOT Policy Office), Wayne Mears (PennDOT Press Office), Samantha Pearson (Elm Street Commission), Angela Watson (PennDOT Multimodal Deputate), Francis Hanney (PennDOT District 6-0), April Hannon (PennDOT District 4-0), Michelle Tarquino (PennDOT District 8-0), Chris King (PennDOT District 3-0), Charles Richards, (PennDOT District 5-0), Troy Love (PennDOT Bureau of Operations and Maintenance), Chris Metka (PennDOT Planning and Programming Office), Mark Bitner (PennDOT Planning and Programing), Jackie Koons-Felion (PennDOT Planning and Programming), and Jon Crum (Federal Highway Administration).

Sarah Stuart opened the meeting and welcomed the members.

The minutes from the December 07, 2020 meeting were unanimously approved. (Motion to approve, with one change, by Lauri Ahlskog and second by Frank Maguire).

Roy Gothie provided a brief update on PennDOT's follow-ups regarding the Personal Delivery Devices (PDDs). There were no additional follow-ups.

Mark Bitner provided a brief update on the Transportation Alternatives Set-Aside program.

Jon Crum provided an update from Federal Highway Administration highlighting the pivot to address climate change and Compete Streets under the new administration and the update to the Manual of Uniform Traffic Control Devices (MUTCD).

Justin Lehman, Department of Health, provided an update on the status of the State Physical Activity and Nutrition 5-year grant from CDC for funds from the Walkable Communities initiative and other projects by the DOH (Attachment #1)

Diane Kripas, Department of Conservation and Natural Resources presented an update on the DCNR's current activities including the 2020-2024 Land and Trail Network Strategic Plan (Attachment 2) – the full plan is found here:

http://www.docs.dcnr.pa.gov/cs/groups/public/documents/document/dcnr_20030875.pdf

Roy Gothie, Pennsylvania Department of Transportation, provided a brief update on PennDOT activities (Attachment #2).

Legislative Updates were provided by Nolan Richie (Attachment #3).

Under new business, the group discussed PennDOT's follow-ups regarding District Bicycle and Pedestrian Coordinators. Sarah Stuart requested the committee's letter on policy and legislative priorities to Secretary Gramian be included in the PPAC minutes (Attachment #4)

The meeting was adjourned at 3:05pm

Next Meeting

Date and time: June 8th, 1:00pm

Location: Virtual Meeting (Microsoft Teams)

Fred Richter _____ Secretary

_____ Date of Approval

Attachment #1

Pennsylvania Department of Health, Division of Nutrition and Physical Activity Update

WalkWorks is a program focused on increasing physical activity opportunities through the development of active transportation plans or similar policies, such as Complete Streets policies and the implementation of walking routes in communities. The aim of the plans or similar policies is to facilitate the development of activity-friendly routes to everyday destinations through active transportation and land use plans and policies at the local and regional levels.

1. For the last 7 years, the University of Pittsburgh GSPH has partnered with the Pennsylvania Department of Health on the WalkWorks program. As of March 1, the Pennsylvania Downtown Center became the new WalkWorks partner.
2. 10 communities were selected to develop and adopt Active Transportation Plans or related policies between 11/1/19-9/30/20.
 - Due to COVID-19, the development and adoption of most plans and/or policies were delayed.
 - As of 3/9/21, seven (7) communities have adopted their respective plans or policies.
 - 2 communities expect to adopt their plans this month. 1 community is still pending.
3. WalkWorks selected nine (9) new communities, late in 2020, to develop and adopt Active Transportation Plans or related policies in 2021. The names of the recipients have been posted on the WalkWorks website. www.pawalkworks.com.
 - DCNR is providing funds to fully support 2 of these plans and policies.
4. WalkWorks anticipates releasing another Funding Announcement in about 2 weeks; consider sharing with your networks and encourage them to begin thinking about the importance of having an active transportation plan or similar policy, consider submitting a joint application with a neighboring municipality, and identifying representatives from the following sectors for the stakeholder group: Health, Education, Economic development, Planning, DCNR, Transportation/PennDOT Bike/Ped Coordinator, Advocacy groups, Community-at-large and the governing body.
5. Find WalkWorks on the map!
 - Go to www.pawalkworks.com and click on the Locations tab.
 - Column 1 lists the 28 counties that have a WalkWorks walking route.
 - Click on county name to view a map of the walking route(s) in the county.
 - Column 2 lists the 14 counties that have a community that has adopted an Active Transportation Plan or similar policy.
 - Click on county name to view the adopted plan(s) or policy.
 - The interactive map below the columns highlights WalkWorks counties and plots the location of every walking route and adopted plan or policy.
 - Links are provided to view all walking routes and adopted plans/policies.

Attachment #2

Department of Transportation Update

1. PennDOT has shared the final draft of the Bike Chapter with FHWA to receive concurrence on our responses to their comments. We expect to release the chapter in late April.
2. PennDOT is advancing work on the project to map all trail crossings of state routes. This work will involve developing a data dictionary, piloting the work in District 4, and creating a template that other districts can utilize, and our planning partners can add to – for trail crossings on local roads. The goal is a useable and updatable database that supports local and regional trail connectivity and is incorporated into the PennDOT Connects process.
3. The 2021-22 MTF round of application acceptance closed on November 9, 2020. Those current applications are in their final stage of evaluations, and we anticipate an announcement sometime around the beginning of Spring. With respect to the 2022-23 MTF round of applications, we would anticipate an opening sometime in fall again.

Each year, the MTF program is funded with \$40 million of Act 89 money. Of that \$40 million, \$35 million must go to Highway-Bridge projects, and the remainder, \$5 million CAN go towards Bike-Ped, Aviation, Rail-Freight, Ports, Passenger, and even Highway-Bridge.

This year we received 231 applications for the total \$40M with a requested amount of \$250,000,000 from the MTF fund. Specifically, we received 98 Bike-Ped applications worth a total of \$93,000,000.

Attachment #3

Legislative Update

Bills under Consideration by the General Assembly of Interest to PPAC

Distracted Driving (HB 37-Brown):

- Overview:
- Status: Referred to House Transportation on 2/16/2021

e-Scooters (Senator Laughlin):

- Overview:

Protected Bike Lanes (Senator Sabatina and HB 140-Maloney):

- Overview:
- Status:
 - HB 140: Referred to House Transportation on 1/13/2021; Reported as amended by House Transportation on 2/4/2021; and currently on 2nd Consideration in the House.

Radar for Local Police (Senator Scavello and HB 606-Rothman):

- Overview:
- Status:
 - HB 606: Referred to House Transportation on 2/24/2021

Vulnerable Highway Users:

- No sponsor

e-Bikes:

- No sponsor

Attachment #4

Dear Secretary Gramian,

Please find in this email a series of recommendations, priorities and comments agreed to by the Pedalcycle and Pedestrian Advisory Committee.

This email addresses the following issues:

1. Administrative policies that we would like PennDOT to address in 2021
2. Legislative Priorities for 2021
3. Nominating a representative from the disabled community
4. PPAC comments on Act 106, the Personal Delivery Device bill that was recently enacted.

Sincerely yours,
Sarah C. Stuart

1. Administrative policies for PennDOT or other agencies in 2021

- Create new positions for full time District Level Bike/Ped Coordinators in key Districts
- Create a Division of Active Transportation in the Central Office to implement PennDOT's 2019 Active Transportation Plan
- Institute and track an annual process for a robust District level coordination with MPOs & RPOs, townships and the public to incorporate bike/ped facilities into maintenance projects

- PennDOT and PA DCNR adopt statements clarifying state policy about e-bikes on multi-use trails
- Issue the Bike Chapter of DM2 for public comment
- Issue Ped Chapter of DM2 for public comment
- Issue Traffic Calming guidance
- Adopt a Vision Zero approach to addressing how PennDOT will reduce the killing of people by motorists on state roads
- Adopt a Complete Streets policy
- PPAC should review PennDOT's current guidance on right-turn improvements (slip lanes, right-turn lanes, curb radius, etc.) in urban areas and make recommendations
- PennDOT adopts a policy that requires all new traffic signals, and upgrades to existing signals approved after (date—say 6 mos. or up to 1 yr. out, to allow enough time for the standard clearance transmittal) must be designed to detect bicycles.
- PennDOT to adopt a policy that when a construction project closes a free-access road and the posted detour includes a limited-access highway, the limited-access highway must be opened to non-motorized traffic without undergoing the established application process for as long as

the detour is in effect. As an alternative, a separate non-motorized detour that is not appreciably longer or hillier than the established detour may be used, in order to eliminate the need to open the L-A highway.

- PPAC formally requests PennDOT to recommend how the Commonwealth can require trucks to have underride or side guards.

2. Legislative priorities for 2021

- parking protected bike lanes and plazas (identical to HB792)
- vulnerable highway users (similar to HB1536)

- limits on distracted driving (similar to SB 131-Sabatina and HB 37-Brown):

- radar for local law enforcement (SB 607-Scavello)

- e-scooters
- electric bicycles (SB 1240-Street and HB 2646-Wentling)
- allow automated speed enforcement on all State Routes

3. Suggestions for a disability representative –

- Request a suggestion from Senator Christina Tartaglione

4. PPAC Comments on PennDOT's implementation of PDD legislation

It is hard to understand how the General Assembly passed legislation to legally vest robots with the same rights as humans, while at the same time, during the 2017-2018 and 2019-2020 legislative sessions failed to enact legislation to protect humans, such as: parking protected bike lanes, increased protections for vulnerable road users, automated enforcement of speeding motor vehicular drivers, allowing local police departments to use radar and limiting driving while using cell phones.

1. PDDs on multi-use trails. PDDs should not be permitted on trails at all and should be geofenced to prevent their use. The proposed e-bike legislation (HB2636) does not allow any e-bike over 100 pounds on trails, which eliminates the use of most cargo bikes. Why should a 550 pound PDD be allowed and not a cargo bike? Secondly, a multi-use trail is not a "pedestrian area"; it's a multi-modal area. Trail management structures and physical trail conditions are too diverse to put the burden on the local jurisdiction to respond to permit requests.

2. PennDOT jurisdiction and permitting/Local Control. PPAC should have been specifically asked to review this legislation, and to be a stakeholder in the process of drafting the application and permit process. If PennDOT approves a permit and a local municipality disagrees, is there any recourse for the municipality? What happens when Main Street is a highway/state owned road? Municipalities and their solicitors may need months to review and adopt an ordinance prohibiting PDDs. The permit process needs to provide municipalities with at least 6 months to adopt an ordinance. Also, municipal budgets have already been adopted for 2021 and they may not have the financial capacity to pay for a solicitor and public advertisement fees that are required to adopt an unexpected new ordinance.

PennDOT needs to clearly spell out how and when local municipalities are able to limit the companies that receive "permits" or approved applications from PennDOT. How will municipalities be informed of an application? How much time do they have to pass their own local ordinances? What are they allowed to limit in their ordinances? A clear notification process should be adopted for local jurisdictions, including mandatory outreach/public notice of permit applications.

3. PDDs as pedestrians. There are tremendous ramifications with vesting a PDD with the rights and responsibilities of a pedestrian. PennDOT should explain how Act 106 complies with the Vehicle Code 75 § 3541, 3542, 3543 & 3544. Will PDDs be able to see all animate and inanimate objects e.g., a blind person, a service dog or a child? What federal or state entity regulates the PDD technology? How does a person communicate with a PDD on the sidewalk or street? Do PDDs read signs and signals? What will a PDD do if a signal isn't operational? Will a PDD move out of a curb cut to allow a disabled person to cross? PDDs are supposed to yield to pedestrians, but are themselves classified as pedestrians. Do they need to yield to bicyclists?

4. Speed Limits: 12 miles an hour on sidewalks, 25mph on roads. It's incredible that the General Assembly allowed these speed limits in the law. It defies common sense and safety protocols. PennDOT should not approve any PDD that can go faster than 3 MPH on a sidewalk, which is the average rate of a pedestrian walking. Additionally, the law allows PDDs to go up to 25mph in a bike lane, shoulder or berm (assuming bike lanes are interpreted as a shoulder or berm) which is faster than an average bicyclist can travel. If they are permitted in bike lanes, PennDOT should limit them to 10mph, to allow for ease of passing. PennDOT/Municipalities should set speed limits in locations where either 12 or 25 miles per hour is not appropriate and clarify where PDDs can and cannot travel.

5. Crash Reporting. How will PennDOT handle this? If they are considered "pedestrians" will they be included with all pedestrians for crash reporting sake? Will there be new categories in crash reports? How will PennDOT educate law enforcement? What is the threshold to trigger a crash report?

6. Establish "no go zones" in municipalities. PennDOT should develop the permit with local municipalities to identify "no go zones" where PDDs will not be permitted. This includes, but not limited to, places such as: active school zones; multi-use trails; sidewalks that are a minimum width; high demand transit stops; parks; maximum grade (steepness); certain facilities; etc. Likewise, require

companies to identify their routes within the permit application. Routes should be clearly defined in the permit and the burden should be on the operator to demonstrate the appropriateness of the route, not on the municipality to prove it is not.

7. Must be able to be sensed by people with low or no vision and/or hearing. Will PPDs be required to make a noise? How will they indicate that they are turning? Will such requirements be standardized within the industry? If they are small/low to the ground, will they have a safety flag? Will their lights be on at all times or only when dark?

8. Predictability. Consider recommending PennDOT to draft language requiring PDDs to operate in a “predictable” manner.

9. Control. Set a maximum number of PDDs that an operator is responsible for at one time in the range of 20-30.

10. Emergency Response. Companies must provide operators during hours of operation and should provide monthly safety reports. First responders need to be able to stop the device and move it if it is an obstruction..

11. Public Input. PennDOT should provide for an appropriate comment period on its policy regarding how it will implement Act 106 and solicit input from other organizations such as the Association of Bicycle and Pedestrian Professionals, AASHTO, AARP, AAA, PSATS, the State Police and local police departments.

In summary, we cannot imagine a greater conflict with bicyclists and pedestrians than introducing 6 feet high, 500 pound robots onto sidewalks and providing them with the same rights and responsibilities as pedestrians.