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COMMITTEES:
Appropriations

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Chairman David Clemens and Members of the Senate Transportation Committee,

As an avid cyclist I'm honored to sponsor HB 1252 and bring it before you today, but the real honor comes from the opportunity to introduce legislation that was highly requested by constituents, friends, and neighbors.

This legislation proposes to codify a common maneuver that enhances safety and improves traffic flow.

HB 1252 was originally introduced as legislation commonly referred to as the "Idaho Stop" -- a legal maneuver that allows cyclists on roadways to treat stop lights as stop signs and to treat stop signs as yield signs. Idaho passed this law in 1982 and realized incredible improvements to traffic safety and efficiency.

Amendments were added on the House side to change this bill into the "Delaware Yield" -- another common name for similar legislation that allows cyclists to treat stop signs on roads of two lanes (or less) as yield signs. Delaware passed their version of the law in 2017.

Other states have adopted their own versions of the law in recent years, including Arkansas which passed the full "Idaho Stop" in 2019 and Colorado, which standardized state code in 2018 that complemented city ordinances allowing stop-as-yield practices.

Many advocates of HB 1252 support either version of the bill. Admittedly most in the cycling and traffic community would prefer the original version of the bill as the model legislation is nearly 40 years old and accommodates reasonable traffic measures at all types of controlled intersections.

NDDOT worked on this bill earlier in the session; they were supportive of Delaware Yield language which is in the bill before you.

As sponsor I support either version of the bill largely because this legislation codifies common practice, improves safety, incorporates the maneuver into drivers education, and would improve traffic flow along most city streets.

Before we move into more discussion and questions I'd like to walk you through the language of the bill as it passed the House:

- Subsection 1: requires a cyclist approaching an intersection on a road with 3 or more lanes must stop before proceeding
- Subsection 2: requires a cyclist approaching an intersection where a vehicle is currently stopped at the same stop sign to also come to a complete stop before proceeding
- Subsection 3: allows a cyclist approaching an intersection on a road of 2 or fewer lanes to slow and proceed through the intersection without stopping, but only if they approach at a safe and controllable speed and yielding to other vehicles in or approaching the intersection
- Subsection 4: states that a cyclist must always yield the right of way to any vehicle already in the intersection
- Subsection 5: states that when a cyclist and another vehicle approach an intersection about the same time, the operator on the left shall yield to the operator on the right
- Subsection 6: adds language from the original Idaho Stop law that states if a cyclist is involved in a crash within an intersection, the collision is prime facie evidence that the cyclist failed to yield the right of way.

Regardless of which version of the bill is before you I cannot stress this point enough: HB 1252 does not change yielding and right-of-way laws. This bill would not allow a cyclist to run a red light or dangerously cross into traffic. Instead, it would allow cyclists to safely -- and legally -- approach controlled intersections with caution and proceed through the intersection only when clear.

Data is empirically clear that both the Idaho Stop and the Delaware Yield enhance safety and improve traffic flow on city streets.

I hope you give HB 1252 constructive thought, consideration, and ultimately favorable recommendation.

Thank you again for your time and consideration, Chairman Clemens and members of the committee.