

2021 HOUSE TRANSPORTATION

HB 1252

2021 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1252
1/21/2021 2:45 PM

A bill relating to stopping and yielding while operating a bicycle; and to provide a penalty.

2:45 **Chairman Ruby** opened the hearing.

Attendance

Representatives	
Representative Dan Ruby	P
Representative Tom Kading	P
Representative Rick Becker	P
Representative Cole Christensen	P
Representative LaurieBeth Hager	P
Representative Jared C. Hagert	P
Representative Karla Rose Hanson	P
Representative Terry B. Jones	P
Representative Emily O'Brien	P
Representative Mark S. Owens	P
Representative Bob Paulson	P
Representative Gary Paur	P
Representative Robin Weisz	P
Representative Greg Westlind	P

Discussion Topics:

- Stop as yield
- Clarify language for bikes
- Penalties

Representative Mock introduced the bill and proposed an amendment. Testimony #2051.

Morgan Lommele, People for Bikes, testimony read by Rep. Mock. Testimony #1996.

Steve Salwei, Director of Transportation Programs, for ND Department of Transportation. Supports the bill.

Justin Kristan, West Fargo, ND, member of League of American Cyclists, supports the bill. Testimony #2135.

Vincent Wuebker, Cyclist from Fargo, supports the bill. Testimony #2061.

3:18 **Chairman Ruby** closed the hearing

House Transportation Committee
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Jeanette Cook, Committee Clerk



NORTH DAKOTA HOUSE OF REPRESENTATIVES

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

2051



Representative Corey Mock

District 18
P.O. Box 12542
Grand Forks, ND 58208-2542
C: 701-732-0085
crmoc@nd.gov

COMMITTEES:
Appropriations

January 21, 2021

HB 1252 – Stop-As-Yield / Idaho Stop

Dear Chairman Dan Ruby and members of the House Transportation Committee,

As an avid cyclist I'm excited 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. You have received testimony and may hear from some of them following me.

This legislation proposes to codify a common maneuver that enhances safety and improves traffic flow. Aside from stop-as-yield, you may hear other names for this and another variety of this maneuver:

“Idaho Stop” – common name for the bill as written 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.

“Delaware Yield” – common name for a drafted amendment to this bill 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.

I'll quickly walk through the bill first then the amendment distributed electronically.

HB 1252 (as written)

- Subsection 1a: allows a cyclist to slow to a controllable speed at an intersection controlled by a stop sign, requiring the rider to yield to any vehicle in the intersection or approaching from another roadway.
- Subsection 1b: allows a cyclist to stop then yield to any vehicles in the intersection or approaching from another roadway at intersections with a solid red traffic-control light.
- Subsection 2: states that a collision in an intersection with a stop sign or solid red traffic-control light is evidence the cyclist failed to yield the right of way.

HB 1252 (amendment)

- Removes Idaho Stop language
- 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

There is one underlying fact of both versions I want to emphasize: this bill does not change yielding and right-of-way laws. It does not allow a cyclist to just run a red light or a stop sign. Instead, it allows a cyclist to safely – and legally – approach controlled intersections with caution and proceed through the intersection only when clear.

HB 1252, either as written or amended, would enhance safety and improve traffic flow on our city streets. I hope your committee gives this bill constructive thought, consideration, and ultimately a favorable recommendation before sending it back to the House floor.

Thank you again, Chairman Ruby and members of the committee.



January 20, 2021

Dear Chairman Ruby and Members of the House Transportation Committee,

On behalf of PeopleForBikes, I am writing in support of HB 1252, relating to stopping and yielding while operating a bicycle.

PeopleForBikes is the national advocacy group that works for better policies and infrastructure for bike riding. We strive to make bike riding **safer and more inclusive for everyone**, including our 10,000 individual supporters in North Dakota.

The maneuvers allowed in this bill are colloquially referred to as the "Idaho Stop." The Idaho Stop allows cyclists to get in front of traffic and increase their visibility to motorists. Having cyclists "clear" an intersection before the light turns green can reduce the potential for collisions in the intersection and improve the flow of traffic.

Research¹ on Idaho's 30-year Idaho Stop law has shown that bicycle safety is 30% safer in Idaho than in states lacking the law. In the first year after adopting the Idaho Stop, bicycle injuries declined by 14.5% in the state. Stopping at stop signs significantly slows² a cyclist's momentum and even requires a higher energy expenditure throughout their ride. This could impact the safety of a cyclist when moving through an intersection.

PeopleForBikes supports HB 1252 and urges a do pass recommendation on the bill. Thank you for your time.

Sincerely,

Morgan Lommele
Director of State + Local Policy
PeopleForBikes
720-470-2981
morgan@peopleforbikes.org

¹ <https://denver.streetsblog.org/wp-content/uploads/sites/14/2018/02/idaho-law-jasonmeggs-2010version-2.pdf>

² <https://nacto.org/wp-content/uploads/2012/06/Fajans-J.-and-M.-Curry.-2001.pdf>

Mr. Chairman and members of the House Transportation Committee, thank you for allowing me to speak in favor of House Bill 1252.

My name is Justin Kristan, I am a resident of West Fargo, North Dakota and have been an avid bicyclist since 1982. I have been a member of the League of American Bicyclists since 2004 and have been a certified League Cycling Instructor (LCI) since 2004. The LCI certification course is a three-day course which prepares an individual to teach adults and children the skills necessary to operate their bicycles on roadways safely and legally. I also hold a Master's Degree in urban and regional planning with a specialization in bicyclist and pedestrian planning and facility design.

I have driven my bicycle for recreational and utilitarian purposes since 1982 and have seen and heard many different perspectives about bicycling through the actions of motorists and non-motorists alike. Most of the interactions I have had with motorists and non-motorists have been very respectful. Through their actions they have shown much understanding of my physical limitations as a bicyclist. All roadway users are not created equal.

House Bill 1252 is a recognition of the fact that all roadway users are not created equal and should not be treated equally for the purposes of safety and equity. House Bill 1252 does not suggest reckless or deviant behavior. It intends to recognize the physical effort involved in driving a bicycle and the vulnerability a bicyclist faces at stop and traffic-controlled intersections. House Bill 1252 places an expectation upon bicyclists that they will operate their bicycles safely and with their full attention. North Dakota Century code recognizes reckless operation of vehicles on roadways. Bicyclists are subject to these laws. House Bill 1252 does not release bicyclists from reckless driving laws.

House Bill 1252 is an opportunity to align North Dakota's recent active transportation planning efforts which are some of the most innovative in the United States, (see NDMoves, North Dakota's Statewide Active and Public Transportation Plan, adopted April 2019) with innovative and equitable consideration of all roadway users with the intent to increase safety and equity on North Dakota roadways.

I urge the House Transportation Committee and stakeholders to use a broader lens when considering the value of House Bill 1252 for the purpose of increasing safety and equity on North Dakota roadways for bicyclists.

Thank you for the opportunity to testify in favor of House Bill 1252.

Respectfully,

Justin Kristan,

West Fargo, North Dakota

League Cycling Instructor 1147

Testimony from Vince Wuebker**House Bill 1252****House Transportation Committee****Thursday – January 21, 2021****Yielding and stopping while operating a bicycle on a roadway.**

Mr. Chairman, members of the Committee, my name is Vince Wuebker. I am a cyclist from Fargo. In 2020 I rode over 11,000 miles. In the past 3 years I have ridden more than 23,000 miles with most of those miles coming on North Dakota roads. Regarding stopping at a 4 way stop, unless there is a vehicle approaching from any direction, I will slow down and roll through the stop sign to keep up some momentum. It is an unwritten rule of the cyclist. If there is a vehicle approaching, I will stop as I am worried the vehicle will be the one to run a 4 way stop. A battle I would not win.

Regarding the Red Stop Light, I as a cyclist will always stop. If there are no vehicles approaching either direction I will continue through the red light. This is especially important to note that not all red lights have a cross walk button to push and the weight of a cyclist is not going to trigger the light to change. So, at 5 am I will yield and proceed through the red light.

House Bill 1252 in the world of the cyclist is total common sense and the right thing to do. And making it part of driver's education would continue to make North Dakotans aware of the continued growth of those of us that are riding bicycles on the North Dakota roadways. I urge a DO PASS vote on House Bill 1290.

Vincent J. Wuebker
701-238-9837
vince@fargohotspring.com

2021 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1252
1/21/2021

A bill relating to stopping and yielding while operating a bicycle; and to provide a penalty.

4:08 **Chairman Ruby** brought back HB1252.

Attendance

Representatives	
Representative Dan Ruby	P
Representative Tom Kading	A
Representative Rick Becker	P
Representative Cole Christensen	P
Representative LaurieBeth Hager	P
Representative Jared C. Hagert	P
Representative Karla Rose Hanson	P
Representative Terry B. Jones	P
Representative Emily O'Brien	P
Representative Mark S. Owens	P
Representative Bob Paulson	P
Representative Gary Paur	P
Representative Robin Weisz	P
Representative Greg Westlind	P

Discussion Topics:

- Amendment

Rep. Mock proposed amendment. Testimony # 1946.

Representative Hagert moved the amendment. 21.0154.01002

Representative Jones seconded the motion.

Voice vote. Carried.

Representative Hanson moved a Do Pass as amended.

Representative O'Brien seconded the motion.

Roll call vote.

Representatives	Vote
Representative Dan Ruby	Y
Representative Tom Kading	A
Representative Rick Becker	N
Representative Cole Christensen	N
Representative LaurieBeth Hager	Y
Representative Jared C. Hagert	N
Representative Karla Rose Hanson	Y
Representative Terry B. Jones	Y
Representative Emily O'Brien	Y

Representative Mark S. Owens	Y
Representative Bob Paulson	N
Representative Gary Paur	N
Representative Robin Weisz	Y
Representative Greg Westlind	N

Carried. 7-6-1

Representative Jones carrier.


Additional written testimony:

Murphy Simon	Ski and Bike Shop in support	# 2152
Kelly Bjerke	Fargo in support.	# 1968
Rocky Schneider	Fargo in support.	# 1932
Mike Allmendinger	Fargo in support.	# 1924
Aaron Feickert	Fargo in support.	# 1880
Anne Woods	Fargo in support.	# 1605
Jason Gates	Fargo in support.	# 1559

4:21 **Chairman Ruby** adjourned.

Jeanette Cook, Committee Clerk

January 21, 2021


1/21/21

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1252

Page 1, line 8, remove "An individual operating a bicycle on a roadway:"

Page 1, remove lines 9 through 21

Page 1, line 22, replace "junction of roadways." with "An individual operating a bicycle who is approaching a stop sign at an intersection with a roadway having three or more lanes for moving traffic shall come to a complete stop before entering the intersection."

Page 1, line 23, after "2." insert "An individual operating a bicycle who is approaching a stop sign at an intersection where a vehicle is stopped in the roadway at the same stop sign shall come to a complete stop before entering the intersection."

3. An individual operating a bicycle who is approaching a stop sign at an intersection with a roadway having two or fewer lanes for moving traffic shall reduce speed and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the individual shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the individual is moving across or within the intersection, except that an individual, after slowing to a reasonable speed and yielding the right-of-way if required, cautiously may make a turn or proceed through the intersection without stopping.
4. An individual operating a bicycle who is approaching an intersection shall yield the right-of-way to any vehicle that already has entered the intersection.
5. When an individual operating a bicycle and a vehicle enter an intersection from different roadways at approximately the same time, the operator of the vehicle or bicycle on the left shall yield the right-of-way to the vehicle or bicycle on the right.
- 6."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1252: Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1252 was placed on the Sixth order on the calendar.

Page 1, line 8, remove "An individual operating a bicycle on a roadway."

Page 1, remove lines 9 through 21

Page 1, line 22, replace "junction of roadways." with "An individual operating a bicycle who is approaching a stop sign at an intersection with a roadway having three or more lanes for moving traffic shall come to a complete stop before entering the intersection."

Page 1, line 23, after "2." insert "An individual operating a bicycle who is approaching a stop sign at an intersection where a vehicle is stopped in the roadway at the same stop sign shall come to a complete stop before entering the intersection.

3. An individual operating a bicycle who is approaching a stop sign at an intersection with a roadway having two or fewer lanes for moving traffic shall reduce speed and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the individual shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the individual is moving across or within the intersection, except that an individual, after slowing to a reasonable speed and yielding the right-of-way if required, cautiously may make a turn or proceed through the intersection without stopping.
4. An individual operating a bicycle who is approaching an intersection shall yield the right-of-way to any vehicle that already has entered the intersection.
5. When an individual operating a bicycle and a vehicle enter an intersection from different roadways at approximately the same time, the operator of the vehicle or bicycle on the left shall yield the right-of-way to the vehicle or bicycle on the right.

6."

Renumber accordingly

21.0154.01001

Sixty-seventh
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1252

Introduced by

Representatives Mock, Hager, Jones, Kading, O'Brien, D. Ruby

Senators Bakke, Dwyer, D. Larsen

1 A BILL for an Act to create and enact a new section to chapter 39-10.1 of the North Dakota
2 Century Code, relating to stopping and yielding while operating a bicycle; and to provide a
3 penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 39-10.1 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Yielding and stopping while operating a bicycle on a roadway.**

8 1. ~~An individual operating a bicycle on a roadway:~~

9 ~~a. May turn or proceed through a stop intersection indicated by a stop sign without~~
10 ~~stopping but shall slow to a speed reasonable for the existing conditions when~~
11 ~~approaching the stop sign and, if required for safety to stop, shall stop at the~~
12 ~~point nearest the intersecting roadway. After slowing to a reasonable speed or~~
13 ~~stopping, the individual shall yield the right of way to any vehicle in the~~
14 ~~intersection or approaching on another roadway so closely as to constitute an~~
15 ~~immediate hazard during the time the individual is moving across or within the~~
16 ~~intersection or junction of roadways.~~

17 ~~b. May turn or proceed through a steady red traffic-control light with caution after~~
18 ~~stopping at the point nearest the intersecting roadway. After stopping, the~~
19 ~~individual shall yield the right of way to any vehicle in the intersection or~~
20 ~~approaching on another roadway so closely as to constitute an immediate hazard~~
21 ~~during the time the individual is moving across or within the intersection or~~
22 ~~junction of roadways.~~

23 ~~2. If the individual operating a bicycle is involved in a collision with a vehicle in the~~
24 ~~intersection or junction of roadways after proceeding past a stop sign without stopping.~~

1 ~~or past a steady red traffic-control light, the collision is deemed prima facie evidence of~~
2 ~~the individual's failure to yield the right of way~~An individual operating a bicycle who is
3 approaching a stop sign at an intersection with a roadway having three or more lanes
4 for moving traffic shall come to a complete stop before entering the intersection.

5 2. An individual operating a bicycle who is approaching a stop sign at an intersection
6 where a vehicle is stopped in the roadway at the same stop sign shall come to a
7 complete stop before entering the intersection.

8 3. An individual operating a bicycle who is approaching a stop sign at an intersection with
9 a roadway having two or fewer lanes for moving traffic shall reduce speed and, if
10 required for safety, stop before entering the intersection. After slowing to a reasonable
11 speed or stopping, the individual shall yield the right-of-way to any vehicle in the
12 intersection or approaching on another roadway so closely as to constitute an
13 immediate hazard during the time the individual is moving across or within the
14 intersection, except that an individual, after slowing to a reasonable speed and
15 yielding the right-of-way if required, cautiously may make a turn or proceed through
16 the intersection without stopping.

17 4. An individual operating a bicycle who is approaching an intersection shall yield the
18 right-of-way to any vehicle that already has entered the intersection.

19 5. When an individual operating a bicycle and a vehicle enter an intersection from
20 different roadways at approximately the same time, the operator of the vehicle or
21 bicycle on the left shall yield the right-of-way to the vehicle or bicycle on the right.

January 21, 2020

HB 1252

Representatives and Senators, thank you for your time considering this bill. My name is Simon Murphy, and I am an employee of The Ski & Bike Shop in Grand Forks and an avid cyclist. I strongly support HB 1252 for the safety of all cyclists. The Idaho stop provides cyclists the opportunity to yield at stop signs, which is far safer than completely stopping and waiting for cars. A cyclist should spend as little time in the intersection to make way for cars as they aren't used to the flow of traffic with a cyclist present. When I ride in Grand Forks, I always stop to set a good example for everyone. With current laws, I want to be treated like a car and wait my turn, but every time I get waved through the intersection by a vehicle, and this takes quite a bit more time for me to cross through the intersection coming from a complete stop. A cyclist view of the intersection is better than a vehicle, and a cyclist's speed is significantly less. HB 1252 is a solution that will make the flow of traffic smoother and the safety of cyclists far greater. Thank you for your time and consideration of this bill.

I support HB 1252 as an avid bicyclist.

I believe this law will help bicyclists conserve energy and practice a safe behavior. It will also make lower speed routes with frequent stop signs more appealing.

January 20, 2021

Re: HB1252

Chairman Ruby and members of the House Transportation Committee,

My name is Rocky Schneider and I am testifying on behalf of myself as a private citizen of North Dakota. My testimony is in no way affiliated with my employer or others I may represent.

I live in a quiet residential neighborhood in North Fargo and am an avid road cyclist and enjoy riding bike with my two school age children. I teach them the rules of the road as a pedestrian, cyclist, and as future drivers. These are important to me as they keep myself, and my family, safe to enjoy another day.

I am in support of HB1252 as it helps keep my family safe and it helps keep traffic flow efficient. I also serve as Vice Chair of the Fargo Planning Commission and on the policy board of the Metropolitan Council of Governments. I am not speaking in an official capacity, but I have experience reviewing traffic plans and roadway designs. I am confident that HB1252 will assist in the goals of both bodies of public government.

I have studied the "Idaho Stop" concept extensively. Below are the reasons for my support.

Safety

- Reduces bicycle traffic on busy roads, which result in the most severe interactions between cyclists and automobiles. This is accomplished by encouraging cyclists to use side roads with more stop signs and less traffic
- Limits road rage incidents from drivers who become frustrated by having to wait for bicycles to start and stop completely
- Encourages health and wellness by promoting bicycle friendly communities

Traffic Flow

- Stop signs are designed for automobiles, yet we are seeing the switch to more roundabouts because we know now that stop signs are inefficient. This is even truer for bicycles that take longer to come to a complete stop, and even longer to start up again. The Idaho Stop in HB 1252 uses the same concept as roundabouts, keeps traffic flowing and reduces wait times.
- Red lights use weight sensors to operate. Bicycles do not trigger these.

Decriminalization

- HB1252 simply makes law what is already common practice.
- While, bicycles are not exempt from rules of the road, the natural practice is to yield at all intersections in order to keep an efficient flow and limit interactions with automobiles.

Thank you for your consideration,

Rocky Schneider

I support all these bills:

HB1252 – Stopping and yielding on a bicycle

<https://www.legis.nd.gov/assembly/67-2021/documents/21-0154-01000.pdf>

HB1290 – Overtaking a Bicycle

<https://www.legis.nd.gov/assembly/67-2021/documents/21-0182-01000.pdf>

As a cyclist and motorist formerly living and commuting in Fargo, I write in strong support of HB 1252.

Cyclists and motorists are both responsible for the safe operation of their respective vehicles. This operation, as with the use of any vehicle or tool, is and must be a careful and conscious balance of risk. Most laws and regulations applying to operators of automobiles also apply to operators of bicycles when on a public right-of-way, but it is important to note that the risks presented to the traveling public may be quite different. The situations presented in HB 1252 are excellent examples of this.

The two scenarios addressed by HB 1252, stop signs and traffic signals, are common and often frustrating situations where motorists and cyclists often interact. The time and human energy to bring a bicycle to a stop and then proceed through an intersection is nontrivial compared to an automobile, and many users of the road are familiar with the slow and frustrating stop-start at intersections where motorists must wait for cyclists to come to a full stop, wait for a traffic signal if present, and then slowly proceed through the intersection. This frequently introduces unnecessary and dangerous risks that motorists may try to compensate for the perceived delay by failing to properly yield to cyclists or other motorists, attempting to veer around a cyclist unsafely, or proceeding too quickly or without due caution.

In both situations, the remedies proposed by HB 1252 provide clear alternatives that ensure safe and efficient use of public roads and streets, while ensuring that all vehicle operators are held responsible for their actions and the operation of their vehicles. In addition to reducing risk (as discussed above), the bill has the added benefit of making travel more expedient for all users of the road.

The bill has my strong support.

I support this bill

I am submitting testimony in favor of HB1252. I travel by car mostly but occasionally commute by bicycle and ride recreationally with my family. This bill clarifies what is allowable by law when a bicyclist is passing through an unoccupied intersection so I think it will be helpful. Thank you for your time working on this issue.

2021 SENATE TRANSPORTATION

HB 1252

2021 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1252
3/5/2021

A BILL for an Act to create and enact a new section to chapter 39-10.1 of the North Dakota Century Code, relating to stopping and yielding while operating a bicycle; and to provide a penalty.

Chair Clemens calls the meeting to order. Present are Chair Clemens, Vice Chair Fors, Senators Bakke, Conley, Dwyer, D. Larsen. [9:01]

Discussion Topics:

- The Idaho Stop
- The Delaware Yield
- Collisions between cyclists and automobiles
- Cyclists' right of way

Representative Mock [9:01], District 18, presents the bill and submits testimony #7510 in favor.

Steve Salwei [9:09], Director of Transportation Programs for the NDDOT, testifies orally in favor.

Blue Weber [9:12], avid cyclist from Grand Forks, testifies orally in favor.

Additional written testimony:

Blaine Booher, of Fargo, submits testimony #7495 in favor.

Alex Logemann, Policy Counsel for People for Bikes, submits testimony #7491 in favor.

Justin Kristan, Founder and Executive Director of the ND Active Transportation Alliance, submits testimony #7489 in favor.

Rocky T. Schneider, of Fargo, submits testimony #7409 in favor.

Brian Glaeske, of Fargo, submits testimony #7052 in opposition.

Chair Clemens adjourns the public hearing. [9:12]

Chair Clemens opens committee work. [9:53]

Chair Clemens [9:53] calls **Representative Mock** to the podium to answer questions from the committee.

Senator D. Larsen [9:58] motions DO PASS.
Senator Conley [9:59] seconds.

Senators	Vote
Senator David Clemens	Y
Senator Robert Fors	N
Senator Cole Conley	Y
Senator Michael Dwyer	Y
Senator Doug Larsen	Y
Senator JoNell Bakke	Y

Motion passes 5-1-0. [9:59]
Senator Dwyer will carry.

Chair Clemens adjourns the meeting. [9:59]

Sheldon Wolf, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1252, as engrossed: Transportation Committee (Sen. Clemens, Chairman)
recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING).
Engrossed HB 1252 was placed on the Fourteenth order on the calendar.

#7510

NORTH DAKOTA HOUSE OF REPRESENTATIVES



STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Corey Mock

District 18
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Grand Forks, ND 58208-2542
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COMMITTEES:
Appropriations

March 5, 2021

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.

#7495

March 04 2021

To Whom It May Concern,

I am writing to you today to offer my support of both HB52 and HB1290. North Dakota has an opportunity to continue growing as a destination for bicycle tourism and recreation. I am in favor of all legislation that is in support of bike-friendly culture.

Sincerely,
Blaine Booher
Fargo, North Dakota



March 5, 2021

Dear Chairman Clemens and Members of the Senate Transportation Committee,

On behalf of the PeopleForBikes Coalition, I would like to provide written testimony for the Committee's March 5th hearing in support of HB 1252, legislation relating to stopping and yielding while operating a bicycle.

PeopleForBikes is the national advocacy group that works for better policies and infrastructure for bike riding. We strive to make bike riding **safer and more inclusive for everyone**, including our 10,000 individual supporters in North Dakota.

The maneuvers allowed in this bill are colloquially referred to as the "Delaware Yield" since Delaware enacted a similar law in 2017. The goals are clear – align the law for bicycles approaching intersections with stop signs to match how people actual ride bikes, while still protecting the safety of all road users. Aligning the law with real world behavior makes actions more predictable for bike riders and drivers. Perhaps most critical to Delaware's success in enacted similar legal requirements was buy-in from law enforcement, who viewed the law as both practical and enforceable.¹

Idaho was the first state to pass a law similar to HB 1252. Research² on Idaho's 30-year Idaho Stop law has shown that bicycle safety is 30% safer in Idaho than in states lacking the law. In the first year after adopting the Idaho Stop, bicycle injuries declined by 14.5% in the state. Stopping at stop signs significantly slows³ a cyclist's momentum and even requires a higher energy expenditure throughout their ride. This could impact the safety of a cyclist when moving through an intersection.

PeopleForBikes supports HB 1252 and urges a do pass recommendation on the bill. Thank you for your time.

Sincerely,

Alex Logemann
Policy Counsel

¹ <https://www.bicycling.com/news/a20026364/delaware-passes-idaho-stop/>

² <https://denver.streetsblog.org/wp-content/uploads/sites/14/2018/02/idaho-law-jasonmeggs-2010version-2.pdf>

³ <https://nacto.org/wp-content/uploads/2012/06/Fajans-J.-and-M.-Curry.-2001.pdf>

Mr. Chairman and members of the Senate Transportation Committee, thank you for allowing me to speak in favor of House Bill 1252.

My name is Justin Kristan, I am the Founder and Executive Director of the North Dakota Active Transportation Alliance, North Dakota's only statewide active transportation advocacy organization (a registered 501c3 charitable non-profit) and have been an avid bicyclist since 1982. I have been a member of the League of American Bicyclists since 2004 and have been a certified League Cycling Instructor (LCI) since 2004. The LCI certification course is a three-day course which prepares an individual to teach adults and children the skills necessary to operate their bicycles on roadways safely and legally. I also hold a Master's Degree in urban and regional planning with a specialization in bicyclist and pedestrian planning and facility design.

I have driven my bicycle for recreational and utilitarian purposes since 1982 and have seen and heard many different perspectives about bicycling through the actions of motorists and non-motorists alike. Most of the interactions I have had with motorists and non-motorists have been very respectful. Through their actions they have shown much understanding of my physical limitations as a bicyclist. All roadway users are not created equal.

House Bill 1252 is a recognition of the fact that all roadway users are not created equal and should not be treated equally for the purposes of safety and equity. House Bill 1252 does not suggest reckless or deviant behavior. It intends to recognize the physical effort involved in driving a bicycle and the vulnerability a bicyclist faces at stop sign controlled intersections. House Bill 1252 places an expectation upon bicyclists that they will operate their bicycles safely and with their full attention. North Dakota Century code recognizes reckless operation of vehicles on roadways. Bicyclists are subject to these laws. House Bill 1252 does not release bicyclists from reckless driving laws.

House Bill 1252 is an opportunity to align North Dakota's recent active transportation planning efforts which are some of the most innovative in the United States, (see NDMoves, North Dakota's Statewide Active and Public Transportation Plan, adopted April 2019) with innovative and equitable consideration of all roadway users with the intent to increase safety and equity on North Dakota roadways.

I urge the Senate Transportation Committee and stakeholders to support a “do pass” recommendation for House Bill 1252 for the purpose of increasing safety and equity on North Dakota roadways for bicyclists.

Thank you for the opportunity to testify in favor of House Bill 1252.

Respectfully,

Justin Kristan,

Founder and Executive Director,

North Dakota Active Transportation Alliance

A 501c3 charitable non-profit

January 20, 2021

Re: HB1252

Chairman Clemens and members of the Senate Transportation Committee,

My name is Rocky Schneider and I am testifying on behalf of myself as a private citizen of North Dakota. My testimony is in no way affiliated with my employer or others I may represent.

I live in a quiet residential neighborhood in North Fargo and am an avid road cyclist and enjoy riding bike with my two school age children. I teach them the rules of the road as a pedestrian, cyclist, and as future drivers. These are important to me as they keep myself, and my family, safe to enjoy another day.

I am in support of HB1252 as it helps keep my family safe and it helps keep traffic flow efficient. I also serve as Vice Chair of the Fargo Planning Commission and on the policy board of the Metropolitan Council of Governments. I am not speaking in an official capacity, but I have experience reviewing traffic plans and roadway designs. I am confident that HB1252 will assist in the goals of both bodies of public government.

I have studied the "Idaho Stop" concept extensively. Below are the reasons for my support.

Safety

- Reduces bicycle traffic on busy roads, which result in the most severe interactions between cyclists and automobiles. This is accomplished by encouraging cyclists to use side roads with more stop signs and less traffic
- Limits road rage incidents from drivers who become frustrated by having to wait for bicycles to start and stop completely
- Encourages health and wellness by promoting bicycle friendly communities

Traffic Flow

- Stop signs are designed for automobiles, yet we are seeing the switch to more roundabouts because we know now that stop signs are inefficient. This is even truer for bicycles that take longer to come to a complete stop, and even longer to start up again. The Idaho Stop in HB 1252 uses the same concept as roundabouts, keeps traffic flowing and reduces wait times.

Decriminalization

- HB1252 simply makes law what is already common practice.
- While, bicycles are not exempt from rules of the road, the natural practice is to yield at all intersections in order to keep an efficient flow and limit interactions with automobiles.

Thank you for your consideration,

Rocky Schneider

#7052

Brian Glaeske
403 11th AVE S
Fargo, ND 58103

Dear Members of the Senate Transportation committee,

I am writing to urge a Do Not Pass recommendation on HB 1252 unless an amendment is made to allow bicycle's to cross an intersection against a red light after coming to a full stop if there is no traffic. This ability is key for bicycle riders to cross intersections controlled by "smart" lights with sensors in the roadways. These sensors do not detect when a bicycle is on the road surface. Bicycle riders should be legally allowed to cross and intersection after coming to a full stop.

I'm also concerned that paragraph 6 could be used to make a bicycle rider at fault if the individual operating a bicycle initially determines the intersection is clear and is hit by a speeding driver. In cases like this I don't believe prima facie evidence should be considered.

Again, I am writing to urge that this committee recommend a Do Not Pass on HB 1252 unless amendments are made to make this bill better for bicycle riders.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Glaeske". The signature is fluid and cursive, with the first name being more prominent.

Brian Glaeske