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June 13, 2013

Melinda B. Peters
State Highway Administrator
Maryland State Highway Administration
7201 Corporate Center Drive
Hanover, MD 21076

Dear Ms. Peters:

Like your predecessor, you have shown a strong commitment to ensure that Maryland's state highways serve all modes of users, including bicycles. Unfortunately, a recent letter from SHA to the Maryland Bicycle and Pedestrian Advisory Committee (MBPAC) announced a number of policies and guidelines that, if carried out, would significantly undercut the Governor's efforts to make bicycling a safe and convenient form of transportation on many state highways.

I write today to ask you to ensure that SHA's forthcoming *Bicycle Policy & Design Guidelines* meets the State's aspirations for the growth of bicycling, and the safety of those who travel by bike. WABA and is deeply troubled by a number of the decisions announced in the May 21 letter to MBPAC, and evidently codified in the draft *Guidelines*. This document is very important because project and district staff regularly indicate a reluctance to provide any sort of accommodation that is not specifically mentioned in the guidelines.

We are also troubled by the public review process for this important policy document: especially the seemingly limited consideration given by SHA staff to a number of thoughtful comments provided by MBPAC. As the statutorily-empowered Committee to advise Maryland agencies on issues related to bicycling, the public depends on both the expertise of MBPAC members, and on the willingness of state officials to take seriously their substantive arguments and concerns. That did not happen in this case. Accordingly, **we ask you to ensure that the draft *Guidelines* are not finalized until SHA fully considers and addresses the merits of the many concerns expressed by MBPAC and shared by WABA and many who live and bike in Maryland.**

Attached is the May 21 summarizing SHA's responses to MBPAC's items of concern. These SHA responses, by and large, fail to address the underlying issues that MBPAC raised. Instead, the letter generally avoids or deflects issues rather than making an attempt to ensure that the guidance is revised to address the concerns. In some cases, the responses evince either a lack of understanding of the point being raised, or circular reasoning. Thus, the vast majority of the deficiencies noted by MBPAC have remained in the guidance.

We appreciate the time already taken to prepare this document, but we remain deeply concerned that the *Guidelines* are subpar in many ways and will enshrine practices that are unsafe, while failing to adopt others that have been shown to greatly improve bicyclist safety, often at little cost.

For example:

- MBPAC asked for clarification on the definitions of “cycle track.” Cycletracks have been shown in peer reviewed research to provide the greatest safety increase of studied bicycling facilities and are included in the NACTO Guide. Buffered bike lanes have also been shown to greatly improve bicyclist safety and are included in the current editions of both the AASHTO Guide and the NACTO Guide. In response to MBPAC’s inquiry, SHA responded that the agency has insufficient information to include them and therefore has removed them from the manual entirely.
- MBPAC asked that the guidance clarify that sharrows be outside the door zone of parked cars. Shockingly, SHA refuses to commit to this and instead states that the determination will be made on a case-by-case basis, reserving the right to place shared lane markings instructing cyclists to ride in the door zone.
- In numerous places, SHA asserts as rationale for failing to include certain markings of unsafe areas that such markings will “wear away easily because they are driven over frequently,” as if ordinary wear is a reasonable justification for a highway agency to forego roadway striping, or an explanation for why markings to protect cyclists are less important than the many others on Maryland’s roadways.

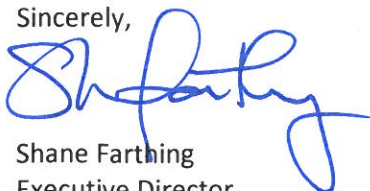
MBPAC asked for several small clarifications to the guidance, such as additional safety margins for hazards from the right of the roadway. SHA responded that the guidance need not include these concerns because project staff can change the design as needed. But we know from experience that district and project staff invariably decline to make improvements for bicycle safety on the grounds that headquarters needs to include it in the guidance first.

The document fails to address maintenance. It fails to address significant concerns raised about traffic speeds and volumes and their effects on appropriate bicycle lane width. It fails to allow designers to consider the actual, observed speed of traffic or the design speed in favor of the posted speed limit. In short, it fails to substantively address the majority of the concerns raised by the State’s advisory body on bicycle and pedestrian matters regarding substantive issues of safe design and leaves in place language that MBPAC has pointed out may lead to unsafe designs.

This document is of great importance to the future of bicycling in Maryland, as it will be used directly as justification for future infrastructure decisions on state highways, and will be treated as authoritative guidance by many others within the state. Given its importance, it should not be finalized while the entire bicycling community—including the Committee empowered to advise SHA on this very topic—has expressed such fundamental concerns with so many of the policies it enshrines.

As both an advocacy organization and organization representative of members of the bicycling community, WABA respects the expertise and input of MBPAC and feels that their thoughtful comments to SHA on this design manual raised significant concerns that the agency has not sufficiently addressed to date. Thus, we ask that you not finalize this design manual until those concerns have been substantively addressed.

Sincerely,



Shane Farthing
Executive Director