



**WBWC Response to Resolution 10-1228: An Ordinance to Amend Section 10:1a of Chapter 126, Traffic (Adoption of Motor Vehicle Code and Uniform Traffic Code)
December 18, 2010**

The Washtenaw Bicycling & Walking Coalition (WBWC) promotes transportation options that make sense for a sustainable and livable community. We applaud the City of Ann Arbor's past attempts to protect all road users by seeking to keep speed limit decision-making in the hands of local officials, rather than dictated by the one-size-fits-all formula found in the Michigan Vehicle Code (MVC). We recognize that the City is being forced to adopt the entire MVC in order to comply with recent lawsuits. We urge Council and city staff to take special measures to ensure safety for all road users in any cases where speed limits must be raised. In addition, we ask that the City continue working with the Michigan Municipal League and other cities to seek reforms to the Michigan Vehicle Code, with the goal of promoting the safety of all road users and the vitality of our communities.

Current City action comes in response to lawsuits filed by a board member of the National Motorists' Association, which opposes mandatory seatbelt laws, texting-while-driving bans, zero-tolerance DUI policies, all forms of traffic calming, and other basic highway safety measures. The litigants successfully challenged some City of Ann Arbor speed limits under the 2006 Michigan Vehicle Code (MVC), which removed control of speed limits from local governments and established an "access point formula" as their basis. Unfortunately, the current MVC standards present problems on roadways where a one-size-fits-all formula does not apply, and cause particular dangers for pedestrians, bicyclists, and other vulnerable roadway users.

The access point formula mandates speed limits for roads based on the number of intersections and driveways along a half-mile interval, without permitting consideration of other relevant factors such as road conditions, curves, and hills. The narrow scope of the formula also excludes consideration of road users other than motorists, since the only "access points" considered are access points for motor vehicles. The Michigan Office of Highway Safety Planning's *Setting Realistic Speed Limits* handbook does not mention pedestrians or bicyclists and does not appear to consider these users part of the "traffic stream." Nor does the formula account for variations in land use, which may significantly determine pedestrian and bicycle traffic volumes. A formula which regulates traffic solely on the basis of a single user group is clearly inconsistent with the spirit of the State of Michigan's 2010 Complete Streets law, which required that roadways be planned and designed "to provide appropriate access to all legal users," whether they travel by "car, truck, transit, assistive device, foot, or bicycle."

Higher speed limits pose an inherent danger to bicycle and pedestrian travel. *Setting Realistic*



Speed Limits states that “lower speed limits do not necessarily improve safety,” because “[t]he more uniform the speeds of vehicles in a traffic stream, the less chance there is for conflict and crashes.” However, most bicyclists and pedestrians move at a lower speed than automobile traffic streams, so higher speed limits decrease safety for these users, especially when they are traversing a crosswalk perpendicular to the motor vehicle “stream.” The increase in pedestrian fatality rates at higher motor vehicle speeds is marked. As motor vehicle speed increases from 20 to 30 to 40 miles per hour, the likelihood of death for pedestrians struck by the vehicle increases from approximately 5% to 45% to 85%. As a result, speed limit increases on Ann Arbor streets would tend to increase the number of pedestrians seriously injured and killed. Newport Road, Huron Parkway, and Nixon Road all pass major public schools, so speed limit increases on these roads would present a particular danger for their students.

Litigants note that roadway design shapes motorist behavior, and that some motorists will continue to speed where roadway design is not consistent with the legal speed limit. Accordingly, we advocate for road diets, bicycle lanes, mid-block crossings, and traffic calming measures to improve safety over the long term. In the short term, however, we believe the appropriate solution to illegal and unsafe traffic speeds is not to legalize those speeds, but to take corrective action, including enforcement where necessary, so that motor traffic is safe for all roadway users, as well as legal.

Safeguarding pedestrian and bicycle travel is critical for the protecting the lives of road users, especially young people and senior citizens. It is also essential to improving the lives of all Ann Arbor residents and visitors, regardless of how frequently they bike or walk. As recognized by elected officials and business leaders, Ann Arbor’s safer environment for walking and bicycling, relative to other cities in Michigan, is a key quality-of-life benefit and economic asset. It also enhances human health, improves air quality, and reduces global warming pollution.

We urge the City to continue seeking opportunities for protecting all road users against speed limit increases, and ask that Council publicly voice the need for such action, in order to counter any public perception that City speed limits are simply a mechanism for generating revenue. We also ask Council to work with City staff in drafting a policy statement explaining the need for considering all road users in setting speed limits. We thank Council and staff for their extensive work to date in this matter, and we trust that working with other communities and the Michigan Municipal League, the City can accomplish reforms that improve safety for pedestrians, bicyclists and all roadway users in Washtenaw County and around the state.

For questions regarding this policy statement, please contact either of the following WBWC Board Members:

Erica Briggs (briggswhitacre@gmail.com) or Joel Batterman (jomba@umich.edu)