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U.S. Department of Transportation
Docket Operations
M-30, West Building Ground Floor, Room W12-140
1200 New Jersey Avenue SE.
Washington, DC 20590

Docket Name: National Performance Management Measures; Highway Safety Improvement Program
Docket Number: FHWA-2013-0020
RIN: 2125-AF49

Thank you for the opportunity to comment on Federal Highway Administration's proposed national performance measure for safety.

BikeWalkLee is a citizen based community coalition, with 62 stakeholder organization supporters, that works to raise public awareness and advocate for complete streets and is dedicated to improving the quality of life and mobility in Lee County. Lee County was recently awarded a TIGER V grant for its complete streets initiative project, and improving safety is a key goal of this project. Lee County's traffic safety record for bicyclists and pedestrians is in the top 10 worst in the state, and Florida is the most dangerous state in the country for pedestrians and cyclists. Twenty-three percent of recent roadway crashes in Lee County involved injuries or fatalities to bicyclists or pedestrians--nearly double the national average.

We support the inclusion of a non-motorized safety performance measure and believe such a measure is necessary to address Florida and Lee County's serious bike/ped safety problem. When MAP-21 was enacted, we were excited because we saw the greatly enhanced safety provisions in MAP-21 as an opportunity to try to get Florida to better address this problem, and we have communicated with USDOT over the past two years about the importance of providing us with the tools to make this happen--to develop national performance measures for the new safety program that require performance measures and targets for each mode of transportation.

Without these by mode targets, efforts at the state and local levels to improve bike/ped safety will be hampered. Back in 2010, BikeWalkLee undertook a major study of Florida's Safety Plan and HSIP program and found that Florida's safety plan only established one quantitative goal--to improve the safety of Florida's surface transportation system by achieving a 5 percent annual reduction in the rate of fatalities and serious injuries . Using this one measure that was not disaggregated by type of user or by fatalities vs. injuries allowed FDOT to proclaim in each year's annual report to USDOT that they were achieving if not exceeding their safety goal; and therefore, Florida was in great shape when it came to safety on its roadways! Clearly, having only this one goal masked what was really going on--an increasing share of all traffic fatalities that were bike and pedestrian and continuation of Florida's dubious distinction as the most dangerous state in the nation for cyclists and pedestrians. Further, the

safety goal was structured in a way to be achievable without policy or funding intervention. For example, the overall reduction in traffic fatalities and serious injuries that has occurred can be largely attributed to automobile safety improvements, the economic downturn, and the reduction in the number of miles driven.

In the past two years, the **Florida Department of Transportation has made improving bike/ped safety a top priority and has undertaken a statewide bike/ped safety campaign.** Last year FDOT adopted the Florida Pedestrian and Bicycle Strategic Safety Plan (PBSSP) to support Florida's Strategic Highway Safety Plan (SHSP) which takes the 5% overall goal and specifically calls for a 5% annual reduction in serious injuries and fatalities for pedestrians and cyclists. Without having a federal performance measure for bike/ped fatalities and injuries, there's no guarantee that Florida will continue with its measures. **We need our federal partners to show leadership on this issue.** With both Secretary LaHood and Secretary Foxx committed to placing a top priority on improving bike/ped safety, it's disappointing to see this strong policy position not supported by **one of the key tools that the federal government has-- performance measures and accountability for delivering results with federal dollars.**

As a member of the League of American Bicyclists, our organization **endorses the content of the League's response to FHWA Docket 2013-0020.** While the League is able to voice a national perspective on this issue, BikeWalkLee understands what's at stake on the local level. Our local officials adopted a countywide bike/ped safety action plan last Fall to focus on this problem, setting annual targets for reducing bike and pedestrian fatalities and serious injury rates, with a zero fatalities vision. With over 23% of our traffic fatalities being pedestrians and cyclists, we need our federal partners to provide leadership by setting a national goal to make biking and walking a safe transportation option and to set performance measures that will provide accountability at all levels of government for reaching those goals.

BikeWalkLee agrees with FHWA's assessment that there is a **need for better data and research on bicycle and pedestrian injuries and fatalities** — and believes that a non-motorized safety performance measure would help accomplish that.

A non-motorized safety performance measure would establish an expectation for states to collect fatality and injury data and create a clear incentive for this data collection and analysis to begin immediately. Such a database and analysis system would **help all states to focus their research and safety programs on addressing how best to reduce bicyclists' deaths and injuries** and provide valuable assistance and guidance to Metropolitan Planning Organizations (MPOs).

Creating a non-motorized performance measure will also aid FHWA in meeting the research and data requirements of MAP-21. The Highway Safety Improvement Program (HSIP) program was amended in Section 148(c)(2)(A)(vi) to improve the collection of data around non-motorized traffic crashes. Section 148(d)(1)(B) requires states to address motor vehicle crashes that involve a bicyclist or pedestrian. **Funding is explicitly eligible** to be used for addressing the safety needs of bicyclists and pedestrians.

The proposed rule raises the concern that there may be “too few” recorded non-motorized fatalities to make a performance measure statistically valid or useful. **Five thousand lives are lost each year** due to motor vehicle collisions with pedestrians and bicyclists — that is significant, and 5,000 too many. In **Florida alone, 499 pedestrians were killed and 7,290 injured, and 76 bicyclists killed and 4,600 injured in 2010 alone.** In that same year, **Lee County had 3 bicyclists killed and 125 injured, and 13 pedestrians killed and 176 injured.** These numbers are real, they're high, and they deserve to be measured.

In 30 states and the District of Columbia, non-motorized fatalities make up more than 10 percent of overall roadway fatalities. **In Florida, the rate is 22% (and 23% in Lee County), over double the national average! This percentage should NOT be considered insignificant.** It should NOT be allowed to rise, even as we make the roads safe for motorists.

Safety performance measures for non-motorized users most assuredly should be set by FHWA.

Sincerely,

Darla

Darla Letourneau
Steering Group
BikeWalkLee
a coalition working to complete the streets in Lee County
dletourneau@bikewalklee.org
www.BikeWalkLee.org
Blog: <http://bikewalklee.blogspot.com/>
Look for us on Facebook & Twitter
239-850-3219