

Excerpt of Personal Email of November 7, 2008

From: Terry A. Little, PE, PTOE
Traffic Services Manager
Ada County Highway District
3775 Adams Street
Garden City, ID 83714

To: Mark McNeese

Re: Bicycle Right of Way at Stop Signs

I have been at the street level of bike cycle design and safety as a professional engineer for about 30 years and overseen the striping of hundreds of miles of new bike lanes. I have biked to work for a dozen years over that time and pretty regularly for the last year here in Boise. Allowing bicyclists to run stop signs actually just legalizes what the common practice is regardless of the law. That way motorists can better predict what the bicyclist is going to do.

When I came to Idaho in the early 90's the general right of way rule for all vehicles assigned the right of way to the driver on the right at uncontrolled intersections. The driver on the stem of the tee always yielded in spite of the law, even to drivers on his or her left. The law was then changed to reflect what drivers actually do at tee intersections. The law allowing bicyclists to not stop at stop signs does exactly that, codifies what happens in most cases anyway. It puts the motor vehicle and bicycle more on an even basis for maneuvering which contributes to a safer condition. A bicyclist coming to a complete stop can create more delay for everyone at an intersection than for one that judges gaps and moves slowly but steadily through the intersection. We all see bicyclists that abuse it but I think most of the complaints are not safety issues but drivers that just didn't like what they saw and aren't even aware of what the law says.



Not intended to indicate support or
endorsement of above entity

Personal Email of December 5, 2008

From: Bob Egan, Deputy
Ada County Idaho
Sheriff's Office

To: Mark McNeese and others

Re: Bicycle Thoughts in Idaho

Here's the perspective from one part-time bike cop. It's my point of view solely, not the view of Ada County Sheriff's Office. Overall I think the Idaho rules re bicyclists at stop signs and stop lights are excellent and I'd suggest other states adopt them.

I think our laws should reflect societal norms and should be reasonable enough that the average citizen is likely to follow them. I am not a fan of laws that are unreasonably strict and widely ignored, and then not enforced except arbitrarily by law enforcement.

Nowhere on earth (and I have biked across a good deal of it, and this is true even in Germany) do bicyclists come to a FULL stop at stop signs when there is no traffic. The practice of treating a stop sign like a yield sign is standard practice and it is safe. A bicyclist has a very clear view of traffic, is for the most part not talking on a cell phone, and also has much less inertia and thus can stop in a much shorter distance than a car.

Although I can't speak for all cops, I think it's true that hassling bicyclists is low on everyone's priority list. My view is that law enforcement should be performed in a way that encourages people to get out and exercise and to become part of the community. I like the Idaho bike laws because a biker can act normally in front of a cop. As a bike cop, I like not being put in the position of having to enforce laws that I would not follow when out of uniform.

As I said, that's an opinion of one person.

- Bob Egan



March 11, 2009

To Whom It May Concern:

Jason Meggs wrote an excellent paper on Idaho's unique stop sign law for bicyclists. He has studied the law's possible repercussions very thoroughly. His research confirms Idaho's 27 years of experience. I would just like to add a few comments.

I have been called and emailed by many folks around the country asking questions about Idaho's law. The questions take a logical course but always end with the REAL question—how many cyclists get injured because they don't stop at stop signs? My answer is always the same, NONE. The stop sign indicates to the cyclist (and motorist too) "you have no right-of-way here, so yield to other vehicles." To the motorist it also says "stop." Not properly yielding the right-of-way is what causes crashes. Please understand that the stop sign law gives no new right-of-way privileges to bicyclists. A cyclist who fails to yield the right-of-way and causes a crash is at fault.

Section 49-807, Idaho Code, states that both a stop sign and a yield sign are directed at the roadway user to indicate preferential right-of-way.

In other states, opponents to the Idaho law often say that they do not want cyclists "running" stop signs. This term is usually associated with drivers that either ignore or don't see the stop sign. I can assure you that cyclists understand the laws of physics, and that "pressing their luck" can be an unhealthy practice.

In closing, I would like to commend you for getting this far in the debate. Fortunately you have a neighbor whose 27 years of experience would indicate that nothing unexpected is going to happen should you adopt our law.

Best Regards,

(Signed)

Mark T. McNeese, Sr. Transportation Planner
Idaho Transportation Department
Bicycle and Pedestrian Coordinator (1996-present)
Mark.mcneese@itd.idaho.gov
208-334-8272

ARE WE READY FOR AN IDAHO STYLE BICYCLE YIELD LAW?

By Ray Thomas, Oregon Bike and Pedestrian Lawyer

Would Oregon benefit from a law, similar to the one in Idaho, allowing bicyclists to slow down, yield to traffic and then travel through stop signs without coming to a complete stop or to stop. Many if not most cyclists tend to behave this way at stop signs already. Does it make sense to punish cyclists for slowly and safely riding through a stop sign when no cross traffic or pedestrians are approaching? Would cooperation and good will between cyclists, motorists and law-enforcement improve if these common sense bicycling practices were made legal? To answer these questions, it might help to consider the reasons bicyclists often choose not to stop fully at stop signs.

Why Don't Bicyclists Want to Stop at Stop Signs When There Is No Approaching Traffic?

Bicyclists tend to want to roll through stop signs when there is no approaching traffic because it requires considerable energy to stop completely and get back up to speed. In addition, bicyclists instinctively recognize they will be safer if they can minimize time spent in intersections. The Idaho experience has demonstrated bicyclists do not mistakenly fail to stay out of the way of approaching motorists at stop signs just because the law allows them to stop and/or yield and roll. While the data is not entirely clear, at least one European study has demonstrated that removing stop and yield signs

tends to reduce the number of collisions because operators pay more attention to approaching traffic and engage in cooperative merging and sharing of the roadway (in much the same way pedestrians share sidewalks).

In addition, because the bicycle relies upon the relatively low power output of the human operator, unnecessary slowing or stopping, taking one's foot out of a rat-trap or clipless pedal and partially dismounting to put a foot on the ground, then reversing the process, overcoming inertia, and getting up to speed again all require considerable effort that is unnecessary from the perspective of the rider. A recent study by Joel Fajans and Melanie Curry entitled "Why Bicyclists Hate Stop Signs" (Access Magazine, No. 18, Spring 2001) states:

With only 100 watts' worth (compared to 100,000 watts generated by a 150 horsepower car engine), bicyclists must husband their power. Accelerating from stops is strenuous, particularly since most cyclists feel a compulsion to regain their former speed quickly. They also have to pedal hard to get the bike moving forward fast enough to avoid falling down while rapidly up-shifting to get back up to speed.

For example, on a street with a stop sign every 300 feet, calculations predict that the average speed of a 150 pound rider putting out 100 watts of power will diminish by about 40 percent. If the bicyclist wants to maintain her average speed of 12.5 miles per hour, while still coming to a complete stop at each sign, she has to increase her power output to almost 500 watts. This is well beyond the ability of all but the most fit cyclists.

Fajans, a physics professor, notes that "one way cyclists conserve their energy at stop signs is to slow down, but not stop. A cyclist who rolls to a stop at 5 miles per hour

needs 25 percent less energy to get back to 10 miles per hour than does a cyclist who comes to a complete stop.” These authors (who are also bicycle commuters) conclude:

Traffic planners need to find ways to help bikes and cars coexist safely. A good place to begin is by taking the special concerns of bicyclists seriously, and not assuming that they will be served by a system designed for cars . . . allowing bicyclists to treat stop signs as yield signs . . . could solve the problems

Would an Idaho-Style Law for Bicyclists Improve the Public Perception of Bicyclists?

Ask motorists what irritates them about bicyclists and the complaint that bicyclists don't follow the same traffic rules as everyone else will be near the top of the list. Bicyclists frequently run stop signs. To many motorists this behavior justifies a punitive attitude on the roadway when bicyclists attempt to take their fair share of a lane or assert their lawful right of way in bicycle lanes.

Would it not be a good idea to make legal the type of riding behavior at stop signs many bicyclists engage in anyway? We have seen above why bicyclists resist waiting at stop signs when there is no cross traffic and the intersection is clear. Holding back progress when there is no reason to stop elevates form over substance and needlessly interrupts and delays the human powered journey, as significantly more effort is needed to regain momentum after a complete stop on a bicycle than after slowing down to yield.

It is no coincidence that police choose stop signs for traffic law “stings” (enforcement actions). Their focus is connected with the number of public complaints about bicyclists. What do motorists call about to complain about bicyclists? Running stop signs. Why? Because everyone knows that these laws apply to bicyclists even though so many people on bikes act like they don’t want to follow them.

Within the motorist community there is no corollary anti-stop sign “movement”. No motorist organization suggests that stop signs are unnecessary or silly. While some folks don’t quite get stopped at stop signs (the estimates vary between 40-70%) no motorist group (except for fleeing felons) actually behaves like they are unnecessary.

Bicyclists on the other hand will often run stop signs if there is no motor vehicle nearby. Of course, the assistance of stop signs is much needed by bicyclists at many intersections in order to keep the cars back. But if every stop sign were replaced by a yield sign there would be little change in the riding behavior of most cyclists. After all, avoiding a collision with a motor vehicle is the main goal for bicyclists in traffic; few collisions with bicyclists ever result from bicyclist confusion about who will yield first, a car or a bike. Survival is too difficult in “rough driving” (a NASCAR term for aggressive driving involving car to car contact) situations for the bicyclist to ever seriously attempt it.

Why Not Change the Stop Sign Laws for Bicyclists?

The question then arises, why not change the law for bicyclists? Some opponents warn that separate laws for bicyclists will create hard feelings and even less respectful treatment from motorists. But would there be a reduction in net hard feelings if the rules were changed for bicyclists? Wouldn't motorists have less to be grumpy about if the laws were different for bicyclists at stop signs?

The Idaho experience demonstrates that youthful riders are not endangered by the change.

If bicyclists were allowed by law to yield and roll at stop signs, it is unlikely that adult riders would increase their careless riding by getting confused and riding into a wreck with a car. Again, the survival instinct holds bicyclists back from crossing busy streets heedlessly. So, if there is no discernible increase in bicycle injuries from a yield and roll law (which is precisely the result in Idaho where the law has been in place since 1982) then will youthful be confused by any change?

Young riders are the least experienced riders on the highway and will sometimes take great risks. Their lack of mental and physical development interferes with safe riding until they become adults. When the Idaho law was first passed in 1982, several legislators raised concerns that kids might be endangered by the new law. An Idaho child education program was created to help teach kids about the new law. However,

when the law was amended in 1988 the legislature removed the education program as unnecessary because young people seemed to have little trouble with the stop sign law.

Would Idaho-style Law Hurt Bicyclists in Court?

What impact would a change in stop sign laws have in the traffic and civil courts? On the traffic side there would still be tickets for bicyclists who fail to yield before rolling through stop signs. If the law changed “police actions” that produced them, tickets would likely result in fewer disgruntled bicyclists, particularly since the intersections currently chosen by the police for “stings” are ones where bicyclists naturally want to roll through because of the absence of cross traffic and good sight lines.

To many riders it seems like a tremendous waste of law-enforcement resources to set up an enforcement action at stop signs where there is no history of serious injuries to bicyclists caused by failures to come to a complete stop. While some riders are hurt by riding at speed through stop signs and get hit by cars, these collisions do not result from confusion about whether the rider is supposed to stop or not, but instead by mistakes in judgment, careless riding or impairment.

In the civil courts there are almost no legal disputes about riders running stop signs and getting hit, because when it happens, the fault is so clearly with the cyclist that the case never gets filed, or if filed, is settled long before trial. It is likely that any change in the law would have little impact on the majority of bicycle/motor vehicle

collisions that end up in civil court. Most lawsuits relate to motorist failures to yield to bicyclists in bike lanes or during turns, not disputes over stop signs.

Could a New Law Have Negative Effects?

If changing the law will result in a net improvement in motorist attitudes toward bicyclists and bicyclist compliance with traffic laws, will there be other negatives?

Some members of the bicycle community firmly believe that bicycle riders should follow the same laws as motorists. This riding philosophy has become known as Vehicular Bicycling. Proponents argue that the safest place for bicyclists is in the road with other vehicles and that if bicyclists seek special treatment, the consequence will be bureaucratic relegation to separate and unequal facilities like bicycle paths (off-road, poorly designed and poorly maintained paved paths popular in the 1960s and 1970s). However, development of bicycle-oriented facilities in Europe and the United States, including separated bikeways, bicycle lanes, bicycle boulevards and boxes, and other enhancements, have demonstrated that special treatment of bicyclists induces a substantial number of new riders to attempt bicycling to work, school and for recreation. And there is general agreement in the bicycle advocacy community that the best way to increase safety for bicyclist is to increase the number of riders on the road. As the numbers of bicyclist increases, the rate of injuries has decreased.

While the ideas of Vehicular Bicycling have considerable merit, the last two decades have clearly demonstrated that the way to increase bicycle presence on the

roadways is to create facilities that make new riders feel welcome. Separate-facilities development has not been without complications (such as the right-hook syndrome for bicycle lanes). By and large, though, investment in separate facilities in areas of high ridership, such as the Netherlands, Germany and parts of the United States, has clearly demonstrated that a supportive political and facility-development environment has the potential to promote bicycling as a viable transportation option, not relegate bicyclists to an inferior position in the transportation system.

Some opponents of an Idaho-style bicyclist law argue that motorists will harbor resentment against bicyclists accorded “special treatment” at stop signs. However, these same motorists will likely be less resentful if the law is changed to legalize a yield-and-roll practice because bicyclists will no longer be viewed as scofflaws disregarding the rules. By legalizing riding behavior already engaged in by many bicyclists, a net reduction in motorist hostility will likely develop. Reducing motorist hostility increases the likelihood of safer treatment by motorists on the roadway and ultimately, improvement in the general attitude toward bicyclists.

History of the Idaho Law

In Idaho bicyclists have been allowed by statute since 1982 to approach stop signs and roll through, after first yielding the right of way.

The original Idaho yield law was introduced as HB 541 during a comprehensive revision of Idaho Traffic laws in 1982. The bicycle provision was discussed during

committee hearings. Concerns were raised that some children on bicycles might not be as careful at stop signs if stopping were not required. The legislature added a provision amending the bill to provide options for local bicycling education for children and passed the bill.¹

In 1988, Idaho undertook a “comprehensive recodification” of the motor vehicle law, according to Kristin Ford, the Idaho Legislative Reference Librarian. Senate Bill 1245 renumbered the bicycle provision as Idaho Code 49-720² and deleted the education provision.³

¹ 49-746. STOPPING TURN AND STOP SIGNALS -- EDUCATIONAL PROGRAMS.

(1) A person operating a bicycle or human-powered vehicle approaching a stop sign shall slow down and, if required for safety, shall stop before entering the intersection. After slowing to a reasonable speed or stopping, the person 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 such person is moving across or within the intersection or junction of roadways, except that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a turn or proceed through the intersection without stopping.

(2) A person operating a bicycle or human-powered vehicle approaching a steady circular red traffic control signal shall stop before entering the intersection except that a person after slowing to reasonable speed and yielding the right-of-way if required, may cautiously make a right-hand turn without stopping or may cautiously make a left-hand turn onto a one-way roadway without stopping.

(3) Except as provided in this section, a person riding a bicycle shall comply with the provisions of section 49-661, Idaho Code.

(4) A signal of intention to turn right or left shall be given during not less than the last one hundred (100) feet traveled by the bicycle before turning, provided that a signal by hand and arm need not be given if the hand is needed in the control or operation of the bicycle.

(5) Nothing in this section shall prohibit any governmental entity or private organization from adopting or carrying out any educational program to help make children and adults aware of their highway safety responsibilities in connection with the operation of either bicycles or motor vehicles

² ~~49-746~~ 49-720. STOPPING -- TURN AND STOP SIGNALS ~~EDUCATIONAL~~

PROGRAMS. (1) A person operating a bicycle or human-powered vehicle approaching a stop sign shall slow down and, if required for safety, shall stop before entering the intersection. After slowing to a reasonable speed or stopping, the person shall yield the right-of-way to any vehicle in the intersection or approaching on another roadhighway so closely as to constitute an immediate hazard during the time such~ person is moving across or within the intersection or junction of roadhighways, except that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a turn Or proceed through the intersection without stopping.

(2) A person operating a bicycle or human-powered vehicle approaching a steady circular red traffic control signal shall stop before entering the intersection except that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a right-hand turn

In 2005, Idaho law enforcement officials asked Representative Joyce Broadsword (R -- Sandpoint) to introduce a law to clarify that bicyclists must stop at a red light before proceeding. They felt clarification was necessary because the 1982 Idaho law had allowed bicyclists at a red light, "after slowing to a reasonable speed" to "cautiously make a right hand turn or a left-hand turn onto a one-way highway" without stopping. Law enforcement requested that as a safety measure, bicyclists be required to first stop at a red light before yielding and rolling straight through, or turning left at an intersection. Senate Bill 1131 was passed and became effective in 2006.

Current Idaho law provides:

49-720. STOPPING -- TURN AND STOP SIGNALS. (1) A person operating a bicycle or human-powered vehicle approaching a stop sign shall slow down and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the person shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the person is moving across or within the intersection or junction of highways, except that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a turn or proceed through the intersection without stopping.

(2) A person operating a bicycle or human-powered vehicle approaching a steady red traffic control light shall stop before

without stopping or may cautiously

make a left-hand turn onto a one-way road~~highway~~ without stopping.

(3) ~~Except as provided in this section, A~~ person riding a bicycle shall comply with the provisions of section-49-664~~643~~, Idaho Code.

(4) A signal of intention to turn right or left shall be given during not less than the last one hundred (100) feet traveled by the bicycle before turning, provided that a signal by hand and arm need not be given if the hand is needed in the control or operation of the bicycle.

~~5) Nothing in this section shall prohibit any governmental entity or private organization from adopting or carrying out any educational program to help make children and adults aware of their highway safety responsibilities in connection with the operation of either bicycles or motor vehicles.~~

³Perhaps because, as will be discussed below, six years of experience with the new practice resulted in no increase in injuries or fatalities for bicyclists.

entering the intersection and shall yield to all other traffic. Once the person has yielded, he may proceed through the steady red light with caution. Provided however, that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a right-hand turn. A left-hand turn onto a one-way highway may be made on a red light after stopping and yielding to other traffic.

Thus, at stop signs, the Idaho bicyclist may slow, yield, and roll. At red lights when intending to turn right they can slow, yield and roll, but they must stop, yield, and then roll to make a left turn or to proceed straight through the intersection.

The Idaho Experience

Idaho's experience with its innovative approach has been positive according to Mark McNeese, Bicycle/Pedestrian Coordinator for the Idaho Transportation Department. McNeese says the Idaho law recognizes the reality that most bicyclists fail to come to a complete stop at stop signs. It is fairly easy to yield the right-of-way, if needed, without actually stopping. McNeese argues that collisions occur in stop sign controlled intersections because vehicle operators, including bicyclists, make a mistake deciding when it is safe to go, not due to confusion about whether to stop or yield. He adds that Idaho bicycle-collision statistics confirm that the Idaho law has resulted in no discernable increase in injuries or fatalities to bicyclists. McNeese says that bicyclists, due to their vulnerability, will seldom "push their luck" and refuse to yield to vehicles when necessary. Those who do take such chances would probably do so with or without the yield law.

McNeese also reports that conflicts between neighborhood traffic-calming advocates and bicycle commuters has also been reduced. He says that many neighborhoods alongside arterial roadways attempt to limit traffic cutting through their neighborhoods by requesting installation of stop signs. Since bicycle commuters and youngsters tend to favor these same low traffic-volume side streets, the flow of non-motorized commuter traffic is made smoother because bicyclists can slow, yield and roll at stop signs. He says this cuts down on bicycle commuter time (and effort) while also reducing the flow of motorized traffic on quiet neighborhood side streets.

McNeese says that in 1988, Idaho removed the education requirement from the 1982 law because special training was unnecessary. Youthful riders quickly adapted to the new system and had more respect for a law that legalized actual riding behavior.