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BICYCLES RIDDEN ON ROADS

House Bill 4864 as enrolled
Public Act 348 of 1994
Second Analysis (12-16-94)

Sponsor: Rep. James McNutt
House Committee: Transportation
Senate Committee: Transportation and
Tourism

THE APPARENT PROBLEM:

Until very recently, the bicycle was not taken seriously as a mode of transportation. In fact, bicyclists were traditionally regarded as nuisances who should be relegated to the sidewalks. The majority of bicyclists were children, and fifty years ago it was decided that it would be safer to assign them to designated bicycle paths, which were usually adjacent to, but separate from, main roadways. Now, according to the League of Michigan Bicyclists, there are more than 100 million bicycle enthusiasts in the United States, and half of these are adults. Bicycling has once again become a means of transportation -- for environmentally conscious persons and for keep-fit enthusiasts. Bicycle clubs are growing in popularity for people of all ages; and organizations, such as the Rails to Trails Conservancy, promote connecting open spaces into a nationwide network of public trails by using abandoned rails corridors. In general, "serious" bicyclists oppose laws requiring cyclists to use bicycle paths, and would prefer to ride on roadways. The paths, they complain, are poorly maintained (the Michigan Department of Transportation is not required to maintain bicycle paths); crowded with walkers, runners, "roller-bladers," and small children; and otherwise unsafe, due to overgrown shrubbery that obscures bicyclists' and motorists' vision at busy intersections. It is proposed that Michigan join the majority of other states in abolishing requirements to use bicycle paths.

THE CONTENT OF THE BILL:

The Michigan Vehicle Code currently requires someone operating a bicycle or moped on a roadway to ride as near to the right side of the road as is practicable, except that a bicyclist may pass a standing vehicle or one moving in the same direction. However, where a usable and designated

"path for bicycles" is provided adjacent to a road, the bike rider must use the path and is prohibited from using the road. Under the bill, a bike could be ridden on the road unless required by local ordinance to use the bike path. However, a bicycle rider who was under 16 years of age would have to use the bike path unless accompanied by an adult.

MCL 257.660

FISCAL IMPLICATIONS:

According to the Department of Transportation, the bill would have no impact on state funds. (12-16-94)

ARGUMENTS:

For:

Bicycle riding is once again growing in popularity. This has been recognized by Congress, in its consideration of bicyclists' needs in the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, which requires that each state include provisions for bicycle and pedestrian facilities, such as separate trails and crosswalks, as a small part of its long range transportation plan. As a group, bicycle riders are as diverse as the types of bicycles now available. Some are commuters and racers, whose speed is more comparable to that of automobiles than to other cyclists or pedestrians. Others ride for pleasure, to enjoy the scenery, and these bicyclists prefer separate paths to busy roads. The preferred route is usually determined by the person's destination or age, and each should be able to make this choice. On the other hand, few would argue against the wisdom of restricting younger bicyclists to paths, since -- according to secretary of state statistics -- minors account for fifty percent of

all bicyclist deaths. The provisions of the bill would take the needs of all bicyclists into consideration.

For:

Bicycling enthusiasts argue that many bike paths are actually much less safe to ride on than are roadways. Cyclists' views are likely to be obstructed, and motorists are much less aware of bicycles as they are "out of sight, out of mind." Further, the state is not required to maintain bike paths to keep them in good repair, and thus it should not require cyclists to use them when they may be dangerous.