

An argument AGAINST [LD 1230](#)

“An Act to Enhance Traffic Safety with Regard to  
the Operation of Bicycles on Public Ways”

Dear Senator Diamond, Representative Martin, and Members of the Transportation Committee:

My name is Bronwyn Nelson and I live in Westbrook, ME. I am a former professional driver, logging over 100,000 miles a year; I am now an IT professional and daily bike-commuter to the Portland waterfront. I am a Group Ride Leader for a local bike club, and co-author of the BCM’s [Group Ride Guidelines](#), which emphasizes Safe, Courteous, and Legal bicycling behavior. I also use my bike and Maine roads to raise nearly \$50,000 so far for Maine charities, riding 4-5000 miles every year on roads all over the state.

I disagree with this proposed law for three main reasons:

1. By requiring a change in cyclist behavior only, it implies that bicycles are the dangerous road users and proposes to shift the onus for safety to them alone
2. That shift places an unrealistic demand on cyclists, forcing them to sacrifice their safety for others’ convenience, while creating more, not less, dangerous conditions
3. No allowance is made for varying road and traffic conditions (obviating §2063), or for cyclists’ needs based on their route and destination—it concerns itself only with what drivers need

Current Maine law supports the idea of Same Road, Same Rules, Same Rights. LD 1230 fundamentally changes this balance by placing the responsibility on the cyclists (the vulnerable road user) and granting the rights to the motor vehicle driver who, inarguably, is the most protected and presents the greatest danger in any interaction. If LD 1230 is passed, cyclists will become responsible for anticipating the thoughts of operators *they cannot see*, and the vehicle operators, who have the full field of view, will have the right to expect cyclists in front of them to clear the way. This is an inversion of logical thinking and cannot possibly increase safety on our roads.

As an example, drivers and riders alike probably appreciate roads built like this section of Brighton Ave in Portland (part of my daily commute). It allows ample room for a motor vehicle to pass one or more cyclists safely (with the requisite 3’ passing distance) without crossing into oncoming traffic, making for a safe and comfortable shared-use experience for all.



Most Maine roads, however, are more like these. They are beautiful and we love driving and riding on them, but they demand more care in their use:

*Shore Road, Cape Elizabeth*



*Salmon Falls Rd, Buxton*



On roads like these, which are undersized, lack shoulders, and have debris/broken pavement at the sides, Maine law states that cyclists may use the full lane. If I am riding by myself and you approach from behind in your car, you likely would feel comfortable in going around me safely. If I am riding with my bicycle club, with anywhere from 10-20 other riders, you will likely feel less comfortable.

To clarify, imagine you are driving on Beach Ave, in Kennebunk, when the Kennebunk bike club is on their Sunday Morning ride. 15-20 riders are in front of you. LD 1230 is asking that they:

- a) know you are behind them
- b) anticipate that you want to pass (and that you're not just turning off into a driveway or to the church), and
- c) that they disassemble the pack they are riding in to create a single file for you.

*Beach Ave, Kennebunk*



As you can see in the picture above, there is not enough room for a bicycle and a motor vehicle to share the lane side-by-side legally (given the 3' passing law). You, as the driver, will have to cross into the oncoming traffic lane in order to pass legally. 20 riders, in single file, take up more linear space than all the visible road distance in this picture (or in the Salmon Falls Road and Shore Road pictures above). If you have ever driven these roads on a summer Sunday morning, you know it is nearly impossible to travel a distance like that without meeting oncoming traffic, to say nothing of the danger created by the blind curve.

If that same group is riding two abreast instead of single file, it takes half that linear distance; if it maintains a pack structure, it takes up even less, making your pass take  $\frac{1}{2}$  -  $\frac{1}{3}$  the time/distance. In both these situations, you are safer because you are exposed to oncoming traffic for less time, and the riders

are far safer because they are not strung out in an undulating line with you—and the driver behind you—attempting to pass. It seems counter-intuitive in the moment, but maintaining a group structure is the safest action in these encounters.

Unfortunately, the typical interaction when a group is strung out in a line, as proposed by LD1230, is that the first driver sets the pattern for those behind: what you do the driver(s) behind you will do, whether or not they are in a position to properly evaluate the road/traffic conditions. I see this every day. The first driver might make it around the entire group, but the second (and third) can't; unfortunately, they don't realize this until they are already involved in the pass, so their only option is to pull back into the lane—and into the cyclists—who then have to thread a needle not to end up in a ditch, or piled into the back of a parked car, trash cans, etc. However, if you are passing a two-abreast group or a pack of riders, not only will you take more of the oncoming lane (thus giving the riders more space), but the driver behind you gets a better view of what's ahead and can make better choices.

LD 1230, instead of creating a safer shared-road experience, will encourage more unsafe passing by drivers who think they “can just sneak by” without crossing into the opposite lane (thus squeezing cyclists and violating the 3' law). As the pictures included here prove, that is not possible in most cases, but drivers consistently believe that it is. The moment they realize they are wrong invariably occurs when their only choice for personal safety is to create life-threatening risk for the cyclist(s) and/or oncoming traffic.

I experience unsafe passing *every day* on my ride to and from work as a lone rider, and that's on some of Maine's better roads when it's just me alone; imagine how unsafe passing will increase if drivers are granted greater entitlement by a law that requires an entire subset of road users to defer to what's behind them: motor vehicles with greater size, speed, and built-in distractions. This law cannot achieve its stated goal.

It is difficult to evaluate all sides of an issue when you have limited experience with any one part of it; I am happy to invite any of you on a ride with me, either with my group or just two of us, so that I can let you experience how proper lane positioning by cyclists, under current Maine law, enhances road safety for all, and how the proposed law, in practice, will only increase the dangers.

Thank you for your time.

Respectfully submitted,

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\*Photo credit: Google Maps