

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Representative Rex Crowell at  
Chairperson

1:30 ~~xxx~~/p.m. on February 9, 1984 in room 519-S of the Capitol.

All members were present ~~except~~:

Committee staff present:

Fred Carman, Revisor of Statutes  
Hank Avila, Legislative Research  
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Reverend John F. Richter, Holton  
Ms. Ruth Wilken, Girl Scouts Council of Kansas  
Mr. Richard Froyd, League of American Wheelmen  
Mr. Larry Ross, Wichita Bicycle Committee

The first order of business was a hearing on HB-2525.

Reverend John F. Richter of Holton, Kansas was introduced and gave testimony regarding HB-2525. (See Attachment 1)

Reverend Richter told the committee he is deeply concerned about the existing exclusion of the bicycle from the statutory definition as a vehicle. He further stated the present restriction of bicycle operation as near to the right side of the road as practicable places the bicyclist in jeopardy when riding in a sub-standard width lane without shoulders or with curbing containing drainage grates, proceeding through an intersection when overtaking traffic in executing a right turn, making a left turn whether from a two lane or multiple lane roadway and proceeding around or passing either a stopped or slow moving vehicle.

Reverend Richter said the cyclist is forced to operate the bicycle according to pedestrian rules rather than vehicle driver rules, therefore, he requested that the Uniform Traffic Code be amended by including the bicycle in the Code's definition of a vehicle, and passage of HB-2525.

Chairman Crowell asked Reverend Richter if he foresees any problems with insurance if a bicycle is to be treated as a vehicle as far as insurance requirements. Reverend Richter answered that many policies extend to cover the bicyclist.

Representative Johnson asked Reverend Richter if he intended that bicycles should have access to the same roadways as all vehicles, and he replied that is his intention.

Ms. Ruth Wilken of the Girl Scouts Council of Kansas appeared before the committee and raised the question regarding Page 4, Lines 132 to 135. She went on to say that if such a bill is passed, the Council would want to instruct the girls in the proper use of bicycles, and she read, "Any person operating a bicycle or motorized bicycle on a one-way highway and with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable." Ms. Wilken noted that on Page 3 it stated that on two-way streets they must stay in the right hand lane and now they are saying if there are two lanes going one direction, they may ride in the left-hand lane. Ms. Wilken questioned the safety of this.

Chairman Crowell requested that Mr. Richter reply, and he advised it was his understanding it is permissible to change to the left

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,  
room 519-S, Statehouse, at 1:30 ~~xx~~/p.m. on February 9, 1984

lane on a one-way street to make a turn, when the rider's safety is involved.

Rep. Dean Shelor read a letter he received from Mr. E. D. Rathbun, M.D., (See Attachment 2) who advocated enacting a law recognizing bicyclists as vehicles.

Mr. Richard Froyd of 2512 Seabrook, Topeka, representing the League of American Wheelmen, gave favorable testimony on HB-2525. (See Attachment 3)

Mr. Froyd described accidents encountered by bicyclists and said the most feared is being hit from behind as a motor vehicle passes. Another type of accident occurs while making left turns, as the bicyclist under current Kansas law, is supposed to make a left hand turn from the right lane or the right side of a lane. Mr. Froyd quoted figures from the 1978 AAA Foundation for Traffic Safety, and told the committee that almost two-thirds of the fatalitites happened at night. He also related that 60 per cent of the accidents occurred when the bicyclist was traveling straight ahead on the roadway, and the time of day when accidents are most likely to happen is between 4:00 p.m. and 6:00 p.m. Mr. Froyd stated the three fatalities in Kansas were of the "motor vehicle overtaking bicycle" type.

The meeting was turned over to questioning by the committee, and Chairman Crowell asked if it should be required that children have a license and insurance to ride a bicycle on the street. Mr. Froyd answered that most Homeowners policies extend to the bicyclist and unless the law is changed bicycles would probably fall under the category of mopeds and mopeds can operate on the street without the operator being licensed and have the option of taking out insurance.

Next to testify in favor of HB-2525 was Mr. Larry Ross, president of the Wichita Bicycle Committee. (See Attachment 4)

Mr. Ross stated that the time has come to consider the bicycle as a vehicle because the existing situation is that bicycles are being operated on the streets and highways of Kansas. Mr. Ross told the committee that if this bill is approved, it would update the existing Motor Vehicle Code of Kansas by incorporating the changes of 1975 and 1979 passed by the National Committee on Uniform Traffic Laws and Ordinances. He related that this Committee, in a story reported in the Topeka Capital-Journal, March 13, 1982, gave Kansas the highest rating in the country for its motor vehicle code in terms of being uniform with the National Uniform Traffic Laws and Ordinances, but cited deficiencies in the two areas. First was the laxity of laws dealing with driving under the influence of alcohol and drugs. Second, the committee reported Kansas had no laws governing the bicycle as a vehicle and had a poor showing in dealing with bicycle safety.

Mr. Ross maintained that a major benefit derived from defining the bicycle as a vehicle with the same rights and responsibilities as that of a motor vehicle will be to provide a basis for the betterment of the co-existence of the automobile and the bicycle on roads and streets throughout the state.

Discussion and questions by the committee followed the testimony of Mr. Ross, and Representative Knopp indicated he feels it might be a problem letting children make left-hand turns in traffic.

CONTINUATION SHEET

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Chairman Crowell asked Mr. Ross if he felt that these changes would result in fewer bicycle accidents for all age groups. Mr. Ross replied that he didn't feel the changes in themselves would decrease accidents, and that the only way to change the behavior of bicyclists is to have an educational program for them.

The meeting was adjourned at 2:50 p.m.



Rex Crowell, Chairman





*Evangel* UNITED METHODIST CHURCH

John F. Richter, Pastor  
227 Pennsylvania Avenue, Holton, Kansas 66436

Arthur J. Faust, Asst.  
(913) 364-3834

TO: House Transportation Committee

SUBJ: Testimony in Support of House Bill 2525

Date: 9 February 1984

FROM: John F. Richter

1. Whereas, I ride a bicycle for exercise, sport and utility over 3,000 miles annually; participate in and direct bicycle tour groups in the State of Kansas; and train children, youth and adults in bicycle maintenance, safety and vehicle law; therefore, I am deeply concerned about the existing exclusion of the bicycle from the statutory definition as a vehicle. Further, the present restriction of bicycle operation "as near to the right side of the roadway as practicable" places the bicyclist in jeopardy when riding in a sub-standard width lane without shoulders or with curbing containing drainage grates, proceeding through an intersection when overtaking traffic is executing a right turn, making a left-turn whether from a two lane or multiple lane roadway and proceeding around or passing either a stopped or slow moving vehicle.

2. The consequence of such definitions and restrictions is two-fold. First, it forces the cyclist to operate the bicycle according to pedestrian-like rules rather than vehicle driver rules. Studies sponsored by both Bike Centennial and the American League of Wheelman demonstrate that the trained bicyclist operating by vehicle driver rules is three times safer than his pedestrian counterpart and thus is placed in jeopardy when operating by pedestrian-like rules.

Secondly, if a cyclist adopts safe bicycling practices advocated by safety experts and developed by professional associations that conform to those used by other vehicle operators, the cyclist is found to be in violation of the Uniform Vehicle Code in the State of Kansas and is not only subject to citation for traffic violation and unwarranted liability, but loss of rights or legal status in the recovery of

rightful claims for either property damage or personal injury when an accident occurs.

Therefore, I submit to you that it is extremely urgent to amend the Uniform Traffic Code by both including the bicycle in the Code's definition of a vehicle and by prescribing the operation of the bicycle in the manner of other vehicles to both reduce the confusion of other vehicle operators, enhance the safety of cyclists, as well as securing their legal rights and declaring their responsibilities and duties.

I, thus, urge your favorable consideration and recommendation of House Bill 2525 to the House of Representatives for passage during this session of the Kansas Legislature. Thank you.

Attachments:

1. Article describing Rev. Richter's cycling activities.
2. Flyer promoting the Kansas East Conference (of The United Methodist Church) Youth Bicycle Tour.





## *'Bike it, you'll like it'*

Holton youth and adults interested in bicycling for aerobic conditioning are invited to join others in the community on Monday and Thursday evenings beginning in April at 5:30 p.m. from 315 W. Second Street. The Rev. John Richter, Pastor of Evangel United Methodist Church, will coordinate and lead the rides of varying pace and distance to meet each group's needs.

Bicycling is one of the fastest growing sports in America. It takes many forms from recreation riding and commuting to touring and racing. Persons of all ages enjoy and benefit from this economical form of transportation that is pollution free and doesn't use our fossil fuels.

In addition, biking is good exercise. It conditions the body's muscular and cardiovascular systems. It stimulates good health habits and promotes effective weight control. But to achieve these goals requires a self-disciplined riding program.

There are three basic goals for maximizing one's enjoyment of cycling. The first is aerobic conditioning. This is achieved by riding without coasting at a steady pace long enough to achieve a "training effect." Age, weight and condition should be considered so as not to wear yourself out too quickly or over-extend yourself. Persons over 40 years of age should consult their physicians before beginning an aggressive riding program.

The second goal is to begin gradually. Pace, time and distance should be comfortable to begin with. Each should gradually be increased until one attains the desired level of conditioning for the type of riding you wish to do whether short rides around town, aerobic conditioning or longer distance touring. A regular riding schedule of three or four workouts a week is recommended to maintain an optimum level of fitness.

Goal three is the development of an efficient cadence. Cadence is the pedaling rhythm of the bike rider.

Count the number of right pedal rotations per minute to determine your cadence. A good lively pedal rhythm is necessary to achieve aerobic conditioning and muscle tone sufficient for enjoyable biking. Your cadence goal should fall somewhere between 60-90 rpm on flats and up most slopes by the proper selection of gears. Use of lower gears allowing the rider to pedal lightly also prevents ankle and knee injuries.

In addition to the semi-weekly riding sessions, some longer Saturday rides will be planned by the riders. A "fun and fitness ride" to the roadside park north of Holton and back from the Courthouse square is planned for 2 p.m. Saturday, April 23. This ride will conclude the Holton Drug Education Week sponsored by the NEK-CAP Alcohol/Drug Abuse Program. Riders are asked to sign up during the week before the ride at the NEK-CAP office on the south side of the square.

The second Saturday ride planned will be sponsored by the Kaw Valley Bicycle Touring Club of Topeka. Rev. Richter and Orin Marshall of Holton will coordinate and direct the Holton Bike Tour on May 14. The tour group will leave the courthouse square at 9 a.m. for a 47-mile ride west to Soldier corner, north through Soldier to Goff, then east through Wetmore to US-75 and south to the roadside park with the return to Holton on old highway 75. The riders will then enjoy a "dutch treat" lunch at the East Side Cafe. Even if you don't ride with the group, you may wish to see the riders off or ride with them to the edge of Holton.

Bicycle riding is both safe and fun if you follow the rules of the road, choose good equipment, dress for weather conditions and stay fit. And your family can maintain a year around fitness program with an exercycle in the TV or family room to supplement spring, summer and fall bicycling. So whether you're going shopping, to school or work, "bike it, you'll like it."



# Kansas East Conference



## BIKE TOUR 300

June 17-23, 1984

A 300 mile bicycle tour of moderate difficulty for youth grades 7 through 12. Averaging 50-60 miles per day, the group will explore area history, study church heritage, and visit sites of interest. Bike skills and safety will be emphasized to enhance tour enjoyment. All baggage, bedrolls, spare parts and tools will be carried by SAG wagon accompanying riders. Meal preparation areas and accommodations will be provided at local churches enroute. Youth will share some meal preparation and other housekeeping chores enroute. Participants should come prepared to contribute to worship and devotional experiences.

### TOUR ITINERARY:

Sunday--4 p.m. Assemble: Orientation Ride 16 miles	Evangel UMC in Holton for bicycle safety inspection and minor adjustments, supper, orientation and get acquainted.
Monday--7 a.m. Departure: 56-60 miles	Enroute by state highway and paved county roads to Lawrence. Points of interest include a family cemetery, Valley Falls, Ozawie, Perry Lake, and Perry. (rolling hills)
Tuesday--7 a.m. Departure: 55 miles	Enroute to Vassar UMC. Points of interest include Kansas University, Stull, Watson, Overbrook, Michigan Valley, and Vassar. (rolling to flat)
Wednesday--7 a.m. Departure: 47 miles	Enroute to Council Grove via US-56. Points of interest include Admira, Allen, Council Grove (Santa Fe Trail). (rolling hills)
Thursday--7 a.m. Departure: 50-55 miles	Enroute to Manhattan. Points of interest include Kalso, Parkerville, White City, Skiddy, Grandview Plaza, Junction City, Fort Riley, Odgen, KSU. (rolling to flat)
Friday--7 a.m. Departure: 67-70 miles	Enroute to Holton. Points of interest include St. George, Wamego, Onaga and Soldier Hills. Concludes with evening banquet and fellowship time. (flat to rolling hills)
Saturday--8:30 a.m. Breakfast: No miles	Parent pick-up from 9-10 a.m. Have a safe trip home.

### NEEDED EQUIPMENT:

- 1) 10 speed bicycle in servicable condition (preferably new tires and tubes with no loose or wobbly wheels).
- 2) Handlebar or seat bag for personal articles, lunch, etc.
- 3) One or more water bottles with cage recommended.
- 4) Lightweight plastic raincoat and wind breaker.
- 5) Helmets provided (\$10 deposit required).
- 6) Sunglasses and sun lotion.
- 7) Cushion grips or padded cycling gloves recommended.
- 8) Spending money (\$10-15 recommended).

CARRIED ON SAG wagon: Air tank, basic tools in SAE and metric, some spare parts (basic), snacks, water jugs, first aid kit, your luggage and bedroll. Please do not buy or bring expensive paniers, backpacks, tents, or other camping gear to carry on your bicycle-- needed equipment and luggage will be carried in the SAG wagon.

### REQUIRED:

- 1) Fitness examination.
- 2) Fitness training program (5 weeks preceeding tour)

week 1	16 miles	4 days-4 miles each
week 2	20 miles	4 days-5 miles each
week 3	24 miles	4 days-6 miles each
week 4	32 miles	4 days-8 miles each
week 5	40 miles	4 days-10 miles each

APPLICATION DEADLINE March 21, 1984 Projected cost \$100.00

For more information and application form contact Jerry Grabher, P.O. Box 4187,  
Topeka, Ks. 66604 913-272-9111



February 6, 1984

Dean Shelor  
State Capitol Building  
Topeka, Kansas 66612

Dear Dean:

Since temporarily deserting the ranks of the glider pilots, I have become involved in bicycle riding to maintain a certain amount of fitness for my aged body. Since I started pedaling in 1978, I have covered about 17,500 miles on the highways of Kansas, other states, and approximately 18 foreign countries.

The hazard of bicycling in the United States and in Kansas is that bicyclists are usually dismissed as a minor nonhuman obstacle in the vicinity of traffic. A law will not change this situation but at least bicyclists should have some recognition as vehicles and a right of recourse. Last year a boy in Pennsylvania was run down by a car and paralyzed from the neck down and to date, no criminal or civil action has been possible owing to the fact that he was not a pedestrian and he was not involved in a vehicular accident technically as bicycles are not recognized as vehicles in the state of Pennsylvania. I have ridden in 18 foreign countries and in all of them except Italy the bicyclist is courteously recognized as a vehicle on the road.

Lawmaking in the state of Kansas is particularly important as we are part of the Bike Centennial Transamerica Bicycle Trail and part of a southwestern cut-off that joins the eastern Bike Centennial Trail with a southern Transamerica Bicycle Trail. In addition, the Great Bicycle Ride across America and virtually all of the Transamerica bicycle races are run through the state of Kansas; we have a national/international obligation to recognize bicycling activity on our highways.

If I can be of any further help in this matter, please let me know.

Sincerely,



E. D. Rathbun, M. D.

EDR/jj

Statement by Richard Froyd before the House Transportation Committee

Mr. Chairman and members of the committee. My name is Richard Froyd and I live at 2512 Seabrook, Topeka. I am speaking for HB 2525 as State Legislative Representative for the League of American Wheelmen.

Thus far, there are 18 states that recognize the bicycle as a vehicle. They are Alaska, Idaho, South Dakota, Minnesota, Wisconsin, Ohio, Pennsylvania, Massachusetts, Rhode Island, Maryland, Kentucky, Virginia, North Carolina, Louisiana, Mississippi, Alabama, Georgia and Florida.

I have given you copies of laws from Maryland and Alabama. The letter on the gray sheets is from former assistant Attorney General, Bob Alderson, who wrote HB 2525, to Fred Carmen explaining the reasons for the changes.

In 1978 the AAA Foundation for Traffic Safety published an extensive study by Kenneth Cross, Ph.D. In his study he cited 37 different kinds of accidents between motor vehicles and bicycles. His data was gathered from Santa Clara and Santa Barbara Counties of California; the states of Pennsylvania and Tennessee; and Washington, D.C. For the sake of brevity, I will illustrate the accidents that pertain to HB 2525.

The accident bicyclists fear the most, is being hit from behind as a motor vehicle passes. In the Cross Report, nearly 25% of the fatalities occurred in this type of accident. Almost 2/3 of the fatalities happened at night. Sections 11 (a), (b), (c) and (d) which upgrades the lighting and reflector requirements, would be helpful in preventing this type of accident.



Another type of accident concerns left turns. As I interpret current Kansas law, a bicyclists make a left hand turn from the right lane or the right side of a lane. The Cross Study cites 8.4% of its fatalities coming from this type of maneuver. Section 2 (2) which bicyclists full use of the left lane to make a turn; section 3 (a) which re-emphasizes the left hand turn signal; section 9 (2) which allows bicyclists to turn left at intersections, private roads or driveways; are positive remedies for this kind of accident.

For motor vehicle-bicycle accidents at intersections, 12% of the fatalities happened when bicycles and motor vehicles collided. Section 9 which directs the cyclist to ride on the right-hand side of the roadway should help reduce this type of accident as 62% of these accidents happened because the cyclist was going the wrong way.

Figures from the Kansas Department of Transportation (KDOT) tend to follow the Cross study. Sixty percent of the accidents occurred when the bicyclist was traveling straight ahead on the roadway. The three Kansas fatalities wer of the "motor vehicle overtaking bicycle" type. The next highest percentage at 15% concerned bicyclists making a left hand turn.

Of the 13 contributing factors KDOT uses to tabulate their statistics, carelessness (22%) and failure to yield right of way (11%) were the main factors associated with bicycle-motor vehicle accidents in Kansas for 1982. However, in 46% of the accidents, there were no apparent contributing factors.

In regard to the time of day when accidents are likely to happen, the hours of 4-6 PM account for 26% of the accidents. Since

most of the accidents are among school age children, perhaps an education program would be in order. HB 2525, if passed, would go a long way in defining the do's and don't's of bicycle laws in Kansas.

As State Legislative Representative for the League of American Wheelmen, I have talked to several bicyclists who have concerns about section 7 where a baby can be carried by an adult in a backpack or sling. In many instances when a bicyclists falls, he or she will roll on the road or ground which creates a potentially dangerous situation for the baby. Since the advent of child seats and bike trailers, most bicyclists with very young children opt to use these new products that have come on the market during the last five years.

Thank you for the privilege of addressing you on HB 2525 this afternoon.

Given before the Kansas House Transportation Committee, February 9, 1984



Remarks before the House Transportation Committee  
February 9, 1984 by Larry Ross

Honorable Chairman and fellow members of the House Transportation Committee, my name is Larry Ross and I live at 452 North Clifton, Wichita. I am president of the Wichita Bicycle Committee comprised of Wichita City staff representatives of the Planning, Treasurer's, Police and Park Departments; several bike shop owners and representatives of discount stores selling bicycles; members of the Oz Bicycle Club and several citizens-at-large.

I am appearing before you in support of HB 2525. If approved, this bill would update the existing motor vehicle code of Kansas by incorporating the changes of 1975 and 1979 passed by the National Committee on Uniform Traffic Laws and Ordinances. In a story reported in the Topeka Capital-Journal, March 13, 1982, this committee gave Kansas the highest rating in the country for its motor vehicle code, while citing deficiencies in two areas.

First, was the laxity of laws dealing with driving under the influence of alcohol and drugs. Secondly, the committee reported Kansas had no laws governing the bicycle as a vehicle and had a poor showing in dealing with bicycle safety. The latter shortcoming can be redressed by passing HB 2525.

A major benefit derived from defining the bicycle as a vehicle with the same rights and responsibilities as that of a motor vehicle will provide a basis for the betterment of the coexistence of the automobile and the bicycle on roads and streets throughout the state. Educational efforts in bicycle safety will be enhanced by this definition and will go a long way toward mutual understand-

*Attachment 4*

ing between motorists and bicyclists.

The use of the bicycle for commuting, recreational riding, and exercise as well as cross-country touring has been nothing short of phenomenal. In recent years sales of adult size bicycles have risen to almost equal the sales of youth models. This trend shows every sign of increasing in coming years as more adults discover the bicycle. This development largely accounts for the fact that more bicycles have been sold than automobiles for the past five years.

In 1977 the bicycle ordinance of the City of Wichita was referred to the Wichita Bicycle Committee by the City Commission for study and possible revision. Over a six-month period we considered updating several sections of the local laws to conform to the National Committee on Uniform Traffic Laws and Ordinances (NCUTLO) recommendations passed in 1975. The revision of the Wichita bicycle ordinances in 1978 incorporated five sections that are under consideration in HB 2525.

I believe our local experience in Wichita over the past six years, since adopting the UVC changes, has been a positive one. Likewise, the adoption of the proposed changes indicated in HB 2525 will have a beneficial effect on bicycle safety in our state. HB 2525 is in the best interests of resolving definition vagueness and promoting sound bicycle practices.

According to Bike Centennial figures, thousands of cycling enthusiasts cross Kansas each year, some on organized tours and others on independent tours. Four hundred "Biking Across Kansas" bicyclists ride from Colorado to Missouri each summer. Ten bicycle clubs sponsor local and area rides throughout the state. Added



to these figures are thousands of seasoned bicyclists who enjoy urban and rural bicycle activities. Approving the changes incorporated in HB 2525 deal with an existing situation - significant numbers of bicyclists are already on the roads and streets of Kansas. Approving HB 2525 will improve the climate and increase predictability on the part of motorist and bicyclist alike. Obscure definitions and dual interpretation of vehicle behavior is not what's needed. Let's promote a sense of mutual awareness and enhance bicycle safety through adopting the bicycle as a vehicle.

Thank you for your kind consideration on this issue and I sincerely appreciate the opportunity to share the Wichita experience with you.

## *Kansas at top in traffic safety*

By MARI LINENBERGER  
 Staff Writer, Press International

A Washington-based safety group ranks traffic laws in Kansas among the safest, most up-to-date in the country. But an engineer for the Kansas Department of Transportation insists there's plenty of room for improvement.

Of the 50 states, Puerto Rico and the District of Columbia, Kansas is ranked No. 1 in its compliance with safety guidelines formed by the National Committee on Uniform Traffic Laws and Ordinances. Trailing near the bottom of the group's list is neighboring Missouri, second only to Massachusetts in harboring the most outmoded laws.

"The traffic laws in Missouri are so bad they're just unfair to everybody," said Edward Kearney, executive director of the committee.

Kearney's committee, a non-profit, private organization that advocates a Uniform Vehicle Code for governing the nation's roadways, compared road laws to its code and awarded the Missouri Vehicle Code only 279 points out of a possible 1,065.

Particularly rankling to some Missourians is the No. 1 rating given neighbor Kansas. The Sunflower state pulled in 922 points, easily outdistancing No. 2-ranked South Carolina.

The Uniform Vehicle Code has been rewritten several times since it was adopted in a 1926 meeting led by committee founder President Herbert Hoover, then U.S. Secretary of Commerce. The committee recommends its code because there are no federal standards.

"The federal government doesn't have police officers to enforce its laws," said Kearney. "And the federal court system couldn't handle all the violators."

Although Kansas has held the top spot for the past seven or eight years, it

still falls short of making all the improvements suggested in the committee's 1979 Uniform Vehicle Code, most notably in the area of drunken driving and bicycle laws, said Arlan Hicks, a policy development engineer for KDOT.

"There has been a considerable effort made to have our laws comply with the code," Hicks said in explaining why the state ranks so high on the list. "I must say, however, that the Legislature does not follow it widely. We should comply with all the standards; we have a way to go."

Hicks conducted a study on the state's compliance with the code and discovered only a few areas either not covered adequately or not covered at all.

But Kansas differs sharply from the Code on what constitutes intoxications. And further, Kansas does not address the crime of driving while under the

influence of a combination of alcohol and drugs. The code does. Of five possible points on that issue, Kansas got zero, Hicks said.

The state took only three of five points for its laws governing vehicular homicide, often defined as the killing of a person with a vehicle while in the process of committing another crime. The maximum prison penalty is one year under Kansas laws; five years under the code.

Kansas also is lax in dealing with the safety of its bicyclists, he said. It has no laws governing signals and procedures for left turns, stops, bicycle parking and bicycle racing.

"This is an area in which we have been silent too long," he said. "It may not have been practical to deal with bicycle laws 20 years ago, but it is today."

Despite any shortcomings it might have, Kansas still impressed the com-

## Kansas first, Missouri near last

The National Committee on Uniform Traffic Laws and Ordinances, a non-profit association that advocates uniform motoring laws in the United States, claims Missouri's traffic laws are among the most obsolete in the country while Kansas is the best.

The rankings are based on the comparison of state traffic laws to 213 rules of the road in its Uniform Vehicle Code. Points are given on a sliding scale from five to zero. Negative points are assessed when state laws oppose the Code's rules.

Here are the rankings, with rank, state, and points:

1. Kansas 932
2. South Carolina 867
3. Utah 852
4. Idaho 836
5. North Dakota 833
6. Georgia 827
7. Washington 812
8. Pennsylvania 787
9. Illinois 775
10. Colorado 747
11. Delaware 720
12. Maryland 718
13. Nebraska 713

14. Florida 711
15. Hawaii 683
16. Texas 649
17. New York 648
18. Vermont 630
19. New Hampshire 627
20. Alaska 620
21. Wyoming 620
22. Oklahoma 615
23. Indiana 598
24. New Mexico 596
25. Montana 586
26. Arizona 582
27. Minnesota 574
28. Ohio 565
29. Rhode Island 560
30. Tennessee 560
31. Louisiana 540
32. Oregon 529
33. West Virginia 520
34. Nevada 509
35. South Dakota 461
36. California 454
37. Washington D.C. 452
38. Kentucky 448
39. Arkansas 434
40. Iowa 419
41. Connecticut 415
42. Michigan 407
43. Wisconsin 404
44. Maine 396
45. Puerto Rico 391
46. Alabama 358
47. North Carolina 339
48. Mississippi 318
49. Virginia 316
50. New Jersey 314
51. Missouri 279
52. Massachusetts 254

committee. In reaching the rating, the committee compared 213 rules of the road in its Uniform Vehicle Code and points were given on a sliding scale from five to zero. Negative points were assessed when state laws opposed the Code's rules.

Of the 1,665 possible points, Kansas earned 932. South Carolina, No. 2 in the rankings, gained 867. Missouri fell woefully short of passing the committee's standards, winning only 279 points next to Massachusetts' 254.

"Missouri is a state of individualists," Hicks said of the Show-Me state. "As such, they like to have their own laws and live by them."

Of Kansas' other neighbors, Colorado ranked 10th with 747 points, Nebraska rated 12th with 713 and Oklahoma 22nd with 615 points. Hicks said some of the country's most industrial states — such as New Jersey and Massachusetts — pulled in some of the lowest scores.

The committee updates its list periodically, last performing the task in 1981, said Bob Alderson, vice chairman of the executive committee. Alderson, a former revisor of statutes for Kansas, currently is counsel to the Kansas attorney general. He has been a member of the national safety group since 1968.

Alderson said Kansas' efforts to follow the code are exemplary. He admonishes states like Missouri that have yet to comply with the group's standards, saying they are potential safety hazards for the rest of the country.

"The overriding purpose is to develop a model code of sensible traffic laws that can be understood easily by all motorists," Alderson said. "The efforts of the committee are to obtain compliance with this nationally because of our highly mobile society."

"It really creates a traffic hazard if people move from one state to another and are not educated about particular traffic laws in a state. A higher degree of uniformity makes it easier for motorists to travel."



Sections:

- 11.48.010 Definitions
- 11.48.020 License required and license fee.
- 11.48.030 License representatives.
- 11.48.040 Display of licenses.
- 11.48.050 Wilful destruction or alteration of licenses or serial numbers prohibited.
- 11.48.060 Transfer of license.
- 11.48.070 Replacement of lost or destroyed license.
- 11.48.080 Duties of dealers in bicycles.
- 11.48.090 Lamps, brakes and other equipment on bicycles.
- 11.48.100 Subject to traffic-control devices and traffic regulations.
- 11.48.110 Speed.
- 11.48.120 Riding on roadways and bicycle paths - turns and stop signals.
- 11.48.130 Carrying passengers.
- 11.48.150 Hitching to moving vehicles.
- 11.48.160 Bicycles and human-powered vehicles on sidewalks.
- 11.48.170 Parking of bicycles.
- 11.48.175 Impounding, leaving unattended and revocation of license.
- 11.48.180 Sale of unclaimed or impounded bicycles.
- 11.48.190 Taking without consent of owner.
- 11.48.200 Penalties for violation of this chapter.

11.48.010 Definitions. (a) Bicycle. "Bicycle" means any vehicle propelled solely by human power on or in which a person or persons may ride, having two or three wheels, any of which is twenty inches or over in diameter, except scooters, mopeds and similar devices.

(b) Bike path. "Bike path" means a path or road especially for bikes physically separated from car traffic.

(c) Bike lane. "Bike lane" means a clearly marked lane on the side of a street or road, separated from autos by a paint stripe or raised divider.

(d) Bike route. "Bike route" means a route designated on streets having low traffic volume, marked by signs and/or paint on the street.

The regulations of this chapter applicable to bicycles shall apply whenever a bicycle is operated upon any sidewalk, street, roadway, highway, or upon any public path set aside for the exclusive use of pedestrian and bicycle traffic, and shall also include all public parks and playgrounds or other property under the ownership, jurisdiction or control of the City, the Board of Park Commissioners or any other agency created to provide a public service in or adjacent to the City.

11.48.020 License Required and License Fee. It is unlawful for the owner or the parent or legal guardian of any minor child to authorize or knowingly permit any such minor child to violate any of the provisions of this chapter; further, it shall be the responsibility of such owner, parent or guardian to obtain or cause to be obtained, a license for every bicycle under their care or control.

Before operating the bicycle on the sidewalks, streets, parks, bike paths, or public highways of the City, a license shall be obtained and placed on the bicycle as required in Section 11.48.040 of the Code of the City, the fee of which shall be three dollars, payable in advance to the license representative; provided, however, that no such fee shall be levied, charged, or assessed against persons licensed to operate bicycles who are physically incapacitated and whose only means of transportation is that of a specially constructed bicycle.

11.48.030 License Representatives. (a) Authority to Negotiate. The City Treasurer shall have authority to require all retail outlets of bicycles and/or other private parties appointed as his representatives, to facilitate the proper licensing of bicycles operating within the corporate limits of the City. The amount to be paid to the retail outlets for performance of this service must have the approval of the Board of Commissioners. The City Treasurer shall issue licenses and application forms to the license representative.

(b) Inspection. Every new applicant for a bicycle license shall first present such bicycle for an official inspection. If, upon inspection, such bicycle is found to be in safe mechanical condition, and upon payment of the fees herein provided, a bicycle inspection representative shall attach a license to such owner's bicycle. The license shall have displayed on it the number assigned. The bicycle inspection representative will complete an application form which shall state the name of the owner, description of the bicycle, frame number and the assigned license number. The license number on the application will be accounted for and then filed in the Police Department.

11.48.040 Display of Licenses. It shall be the duty of the bicycle retail outlet, inspection stations and appointed representatives to attach the license therefor on the vertical tube of the frame of such bicycle, and such license shall be so displayed for as long as the licensee remains owner of the bicycle.

11.48.050 Wilful Destruction or Alteration of Licenses or Serial Numbers Prohibited. It is unlawful for any person wilfully or maliciously to remove, destroy, mutilate or alter such licenses during the time in which the same is operative. It is also unlawful for any person to remove, destroy, mutilate or alter the frame serial number of any bicycle. Any bicycle with the serial number defaced cannot be licensed.

11.48.060 Transfer of License. Upon the transfer of ownership or any bicycle licensed under the provisions of this chapter, the existing license and the right to use the numbered license thereof on such bicycle shall expire, and thereafter there shall be no transfer of such license and the license shall be removed by the owner thereof and it is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession; provided, however, that upon the transfer of ownership, except within the immediate family, of any bicycle under the provisions of this chapter the new owner shall, within ten days from the date of such transfer, make application to the license representative for the issuance of a license for such bicycle. It is unlawful for any persons to operate such bicycle on the sidewalk, street, bike paths, parks or public highways of the City, unless such bicycle has been inspected and licensed as provided by this chapter.

11.48.070 Replacement of Lost or Destroyed License. In the event a license is lost or destroyed, the City Treasurer, upon proper showing by the licensee and the payment of a fee of one dollar, shall issue a new license in accordance with the provisions of this chapter.

11.48.080 Duties of Dealers in Bicycles. It shall be the duty of all persons engaged in the business of buying or selling new or secondhand bicycles, or the purchase of bicycle parts, to make a weekly report to the Chief of Police giving the name and address of the person to whom each bicycle was sold or from whom each bicycle was purchased, the description of each bicycle sold or purchased, including the identifying frame number and license plate, if any. It shall be the duty of all persons, dealers or corporations purchasing secondhand bicycles to retain the same in their possession for a period of seven days, unless they receive written authorization from the Chief of Police to dispose of such bicycle prior to the end of such period of time.

11.48.090 Lamps, Brakes and Other Equipment on Bicycles. (a) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear of a type approved by the Secretary of Transportation which shall be visible from all distances from one hundred feet to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.

(b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

(c) No person shall sell a pedal for use on a bicycle, unless such pedal is equipped with a reflector of a type approved by the Secretary of Transportation which is visible from the front and rear of the bicycle to which it is attached during darkness from a distance of two hundred feet, and no person shall sell a new bicycle unless it is equipped with pedals in accordance with the provisions of this section.

11.48.100 Subject to Traffic-Control Devices and Traffic Regulations. Every person riding a bicycle shall obey all traffic ordinances applicable to the driver of any other vehicle except as to special ordinances so designated and except to those provisions which by their nature can have no application.

11.48.110 Speed. No bicycle shall be ridden faster than the posted speed limit.

11.48.120 Riding on Roadways and Bicycle Paths - Turns and Stop Signals. (a) Any person riding a bicycle in traffic moving in the same direction at such time shall ride within five feet of the right-hand curb or edge of the street, highway, roadway or alley, except under any of the following conditions:

(1) Persons fourteen years of age or older may ride as close as reasonably possible to the right-hand curb or edge of the street, highway, roadway or alley when riding two abreast;

(2) When overtaking and passing another bicycle or vehicle proceeding in the same direction;

(3) When preparing for a left turn at an intersection or into a private road or driveway;

(4) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, right-turn or left-turn lanes) that make it unsafe to continue along the right-hand or



left-hand curb or edge;

(5) When operating a bicycle upon a street, highway, roadway or alley of the City which carries traffic in one direction only, the bicyclist shall ride within five feet of the left-hand curb or edge of roadway, except under any of the situations as detailed in subdivisions (1), (2), (3) or (4) of this subsection.

(b) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

(c) Left Turns. (1) The driver of a bicycle intending to turn left at any intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such bicycle and, after entering the intersection, the left turn shall be made so as to leave the intersection in a lane lawfully available to traffic moving in such direction upon the roadway being entered; or

(2) Approach the intersection beside the curb, proceed through the intersection in the same direction, yield right-of-way to all vehicles proceeding through the intersection, and then make the left turn so as to leave the intersection in the proper position upon the roadway being entered;

(3) Notwithstanding the foregoing provisions, the State Highway Commission and local authorities in their respective jurisdictions may cause official traffic-control devices to be placed and thereby require and direct that a specific course be traveled by turning bicycles, and when such devices are so placed, no person shall turn a bicycle other than as directed and required by such devices.

(d) Turning Movements and Required Signals. (1) No person shall turn a bicycle at an intersection unless the bicycle is in proper position upon the roadway as required in this subsection or turn a bicycle to enter a private road or driveway, or otherwise turn a bicycle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any bicycle without giving an appropriate signal;

(2) A signal of intention to turn right or left shall be given before turning and/or shall be given while the bicycle is stopped waiting to turn;

(3) No person shall stop or decrease the speed of a bicycle without first giving the appropriate signal.

11.48.130 Carrying Passengers. It shall be unlawful for any person riding a bicycle upon a street, highway, roadway, alley or sidewalk of the City, to carry another person on the same bicycle; provided, however, that this restriction shall not apply to bicycles with dual-operation construction; and provided that a child who is less than five years of age may be carried on a bicycle by a person operating said bicycle if the following conditions are met:

(1) The person operating the bicycle must either be the parent or legal guardian of the child or have the consent of the parent or guardian;

(2) The child must be carried on a seat constructed on the rear of the said bicycle, which seat must either be a manufactured type or home made, that complies with the current Consumer Product Safety Commission Standards;

(3) An authorized adult rider may carry an infant securely attached to his person in a backpack or sling.

11.48.150 Hitching to Moving Vehicles. It shall be unlawful for any person while riding a bicycle on the streets or highways of the City to hitch or otherwise attach himself onto other moving vehicles.

11.48.160 Bicycles and Human-Powered Vehicles on Sidewalks. (a) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian.

(b) A person propelling a vehicle by human power upon and along a sidewalk or across a roadway upon and along a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.

(c) No bicycle shall be ridden on sidewalks in the central business district except in designated areas.

11.48.170 Parking of Bicycles. (a) It is unlawful for any person to park or leave a bicycle on any street, alley, highway sidewalk or sidewalk area, bike path or other public place or way in the City when such place is within one city block of a bicycle rack or area designated for parking bicycles.

(b) Bicycle racks and areas designated for parking bicycles in the City shall not be located on any street, sidewalk or other public property without prior approval of the Traffic Engineer.

(c) The Police Department shall be authorized to remove any bicycles that are unlawfully parked or left within the City and shall further be authorized to remove any bicycle left or parked on public property where that bicycle blocks pedestrian travel or presents a traffic hazard.



11.48.175 Impounding, Leaving Unattended and Revocation of License. Bicycles shall be impounded to the Police Department or to any other place of safety under any of the circumstances hereinafter enumerated:

- (a) When such bicycle is not licensed according to the provisions of this chapter;
- (b) When such bicycle is not in a safe mechanical condition.

A bicycle impounded by the Police Department shall not be released until the bicycle has been investigated and the rightful owner is found and shows proof of ownership. Then an impound fee of two dollars shall be assessed to the owner before release of the bicycle.

11.48.180 Sale of Unclaimed or Impounded Bicycles. Whenever a bicycle has been impounded for a period of four months and no claim of ownership or the right to possession thereof has been made and established to the satisfaction of the Police Department, such bicycles shall be sold at public auction, after legal publication of the time, date and location of such sale.

11.48.190 Taking Without Consent of the Owner. Any person taking a bicycle for the purpose of riding the same upon the streets of the City without the consent of the owner or person entitled to legal possession thereof is guilty of a violation of this title and subject to the penalties provided in Section 11.92.00<sup>1</sup>.

11.48.200 Penalties for Violation of this Chapter. Any person or representative of a firm covered by this chapter, if convicted of a violation of any of the provisions of it, shall for the first conviction thereof be punished by a fine of not more than one hundred dollars; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than two hundred dollars; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than five hundred dollars.

<sup>1</sup>11.92.010 Penalties. (a) It is unlawful for any person to violate any of the provisions of this title.

(b) Every person convicted of a violation of any of the provisions of this title for which another penalty is not provided shall, upon conviction, be fined in an amount of not more than five hundred dollars.