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TESTIMONY
SENATE COMMITTEE ON BUSINESS AND TRANSPORTATION

BY
APRIL BERTELSEN
CITY OF PORTLAND, BUREAU OF TRANSPORTATION

February 25, 2012

Senate Bill 345

Chair Lee Beyer, members of the Committee, thank you for this opportunity to appear before you today. For the record, I am April Bertelsen, Pedestrian Coordinator for the City of Portland Bureau of Transportation.

I would like to thank you for giving the City of Portland the opportunity to voice our strong support for Senate Bill 345. The City of Portland seeks this legislation to allow pedestrians to travel on low-speed narrow residential roadways, and as such, allow for shared residential streets. Senate Bill 345 would do so by amending the Oregon Vehicle Code to allow pedestrians to travel in the roadway on low-speed, narrow residential roadways without sidewalks. Specifically, it amends Oregon Vehicle Code Chapter 814, Section 814.070, Improper Position Upon or Improperly Proceeding Along Highway.

Context and Issue:

State law [ORS 801.368] specifies narrow roadways as less than 18 feet wide, two-way, and located in residential areas. Oregon Vehicle Code [ORS 811.111] has established a 15 mph regulatory speed on narrow roadways throughout Oregon.

Oregon Vehicle Code does not stipulate narrow residential streets as having sidewalks or not, and in this regard, provides no differentiation between narrow, residential roadways and wider, faster-speed roadways for accommodating pedestrians.

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Pedestrians, including wheel chair users, on all roadways without sidewalks under the Oregon Vehicle Code [ORS 814.070] are confined to either the shoulder as far from the roadway as possible or to the left outside edge of the roadway, regardless of the street's character (narrow-slow-low or wide-fast). Divided highways are noted to have slightly different specifics.

The Vehicle Code in not distinguishing between high-volume, high-speed roads and low-volume, low-speed narrow residential roadways, creates a legal impediment to the use of paved surfaces by pedestrians and wheelchair users in areas where both motor vehicle speeds are low (less than 15 MPH) and traffic volumes are low. It also creates an impediment to improving gravel and dirt streets with a low cost and effective solution of a narrow residential roadway without sidewalks.

Proposed Solution:

The City of Portland seeks legislation allowing pedestrians to travel on low-speed narrow residential roadways so long as the pedestrian does not create a traffic hazard and signs are posted that caution that pedestrians may be in the roadway.

This legislation will:

- Build upon the existing definition of narrow residential roadways, defined in the Oregon Vehicle Code, Section 801.368.
- Enable local jurisdictions to the option of signing narrow residential roadways to allow pedestrians to walk in the roadway where they determine it is context appropriate.
- Enable local jurisdictions the choice to allow shared narrow residential roadways as tool for implementing a low-cost solution for meeting basic infrastructure needs.

The legislative intent is to allow pedestrians in the roadway if they do not create a traffic hazard. To be clear, the act of simply walking in the road is not a traffic hazard, nor is pausing in the roadway. Activities such as lying down in the road or lunging at a moving car may constitute a traffic hazard.

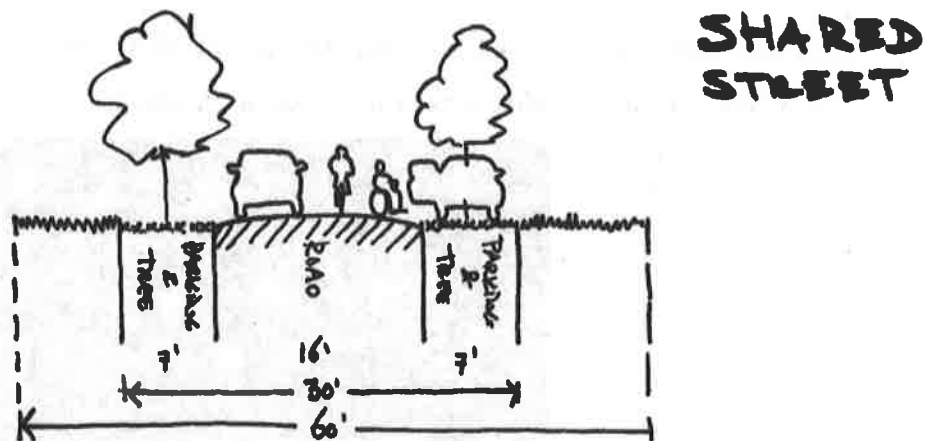
The legislative intent is also to allow pedestrians to share the roadway in locations where conditions are deemed appropriate. Appropriate conditions for sharing the roadway include residential streets and where vehicles speeds and volumes are very low. A local jurisdiction is not required to provide shared street environments on streets meeting the criteria; shared residential streets are not mandatory. If they do choose to allow a shared street, shared street signs must be posted at each end of the narrow residential roadway.

A “narrow residential roadway without sidewalks” may become a “shared residential street” when it operates as a shared environment and is not just a street without sidewalks.

Pedestrians in a shared environment have a right to the roadway, sharing space with vehicles on the shared roadway. Shared residential streets operate similar to narrow roadways where drivers queue and wait while yielding to on-coming traffic. The intent of a shared residential street is that all users, whether vehicles or pedestrians, would yield and shift to allow use of the whole roadway while passing. Roadways exist today where pedestrians and vehicles share roadway space. This legislation will provide a pedestrian’s legal right to share certain roadways when approved by the local jurisdiction.

City of Portland Shared Street Concept

The City of Portland recently adopted a context based approach for considering when a narrow residential roadway without sidewalks as a shared street is appropriate.



Supporting for this legislation includes two Portland neighborhoods: Brentwood-Darlington Neighborhood Association and Cully Association of Neighbors. Their letters are attached.

Other Portland neighborhood including Southwest Neighborhoods and East Portland Neighborhood Association support shared residential streets.

In Portland, shared streets must have good visibility and not have blind curves or traverse up and over steep hills that limit sight lines. Traffic calming measures (speed bumps, or chicanes, or a narrowing of a street entrance for instance), may be necessary to ensure low speeds and low volumes.

This collector road in SW Portland lacks sidewalks but does not meet shared street conditions:



SW 45th Ave

Portland shared streets must be residential, narrow, slow speed, and low volume (narrow-slow-low). Two examples of existing streets in Portland:



A narrow residential street in SE Portland (SE Mill St)



A narrow residential street in SW Portland

Gravel streets inexpensive to build but they are a barrier to mobility. Gravel streets are largely inaccessible and problems with access exist for bus operators, TriMet lift service, bicyclists, Portland Fire Bureau trucks, pedestrians, wheel chair users and strollers.



A gravel street in NE Portland

This legislation will support the City of Portland's efforts to improve unpaved roads with cost-effective narrow residential roadways without sidewalks.

How would a shared street be constructed in Portland? Two options exist for financing residential street improvements. Typically a resident or developer finances the improvements. A second option is the City, through a capital improvement project, designs,

constructs and finances the project. With tight budgets and competitive funding for grants the likelihood of City financed projects are low.

When a resident or developer undertakes a project, it must be affordable. A shared residential street is effective and within the financial reach of many residents and developers who pay for residential streets in Portland. Portland estimates a shared residential street having up to a 75% cost reduction than a traditional street.

- Traditional street (design & construction) with pavement, curb, sidewalks, planter area, surface stormwater treatment and discharge to disposal point. Cost per street (350ft long block) may be on average: \$525,000
- Shared residential street (design & construction) with pavement and gravel shoulders. Cost per street (350ft long block) may be as low as: \$115,000

The City may grant a permit or form a local improvement district for the street improvement. In a local improvement district (LID) the City performs the design, hires a contractor to build improvements and inspects it to ensure quality, and then after acceptance assess the project costs onto the benefitting properties, which in the case of residential streets, are likely to be the abutting property owners.

CONCLUSION

We urge the State legislature to pass Senate Bill 345, to allow pedestrians to travel on low-speed narrow residential roadways so long as the pedestrian does not create a traffic hazard and the local jurisdiction has signed the street for the possibility of pedestrians in the roadway. Thank you for your time and consideration.

Attachments:

Letter of support from Brentwood-Darlington Neighborhood Association

Letter of support from Cully Association of Neighbors.



Brentwood-Darlington Neighborhood Association

Post Mail Box 547
4326 South East Woodstock Boulevard
Portland, Oregon 97206

Wednesday, October 17, 2012

To Whom It May Concern,

We would like to state our endorsement for the Street by Street / Out of the Mud Initiative, with the following urge: that the Bureau of Transportation work to explore and develop additional measures to continue to reduce the cost per property owner.

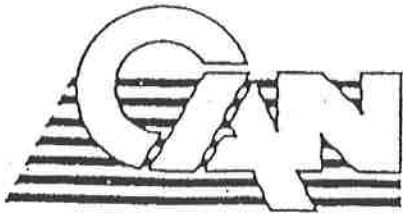
We would like to specifically support two aspects of this initiative:

- 1) The two design standards for dirt and gravel streets, named "Separate Residential" and "Shared Residential," and
- 2) The changes in the Oregon Vehicle Code that would require vehicles to yield to pedestrians, which would be necessary for the "Shared Residential" street design to succeed.

The Brentwood-Darlington Neighborhood Association believes that the Out of the Mud Initiative would add to the livability and safety of our own neighbors and of the citizens of the entire city. We are pleased to see an initiative that creatively and practically addresses the need to improve our roadways and increase non-car road user's safety, while also beginning to address the issue of financial burden to individual property owners.

Sincerely,

Brentwood-Darlington Neighborhood Association



CULLY ASSOCIATION OF NEIGHBORS

Date November 25, 2012
TO: Members of the Portland City Council
FROM: Cully Association of Neighbors
SUBJECT: Street by Street Initiative

The Cully Association of Neighbors supports and endorses the proposed *Street by Street Initiative*, under consideration for adoption by the City Council on November 29, 2012.

As a neighborhood with among the City's highest concentration of dirt and gravel streets, which impacts our livability and safety, we recognize that new tools are needed to more quickly tackle dirt and gravel streets. The two new design standards, Shared Residential Street design and Separated Residential Street design, will help in this regard by significantly reducing the cost of basic improvements through the Local Improvement District Program.

The Cully Association of Neighbors also supports the proposed change to the Oregon Vehicle Code needed to allow the Shared Residential Street to succeed.

In addition, we support the continued efforts by the Bureau of Transportation to refine the entire process for improving dirt and gravel streets to make it more affordable, easier and efficient for neighborhoods to form Local Improvement Districts.

Sincerely,

Kathy Fuerstenau, Chairwoman
Cully Association of Neighbors

