

**TO: Joint Committee on Transportation**

**FROM: Elizabeth Graser-Lindsey**  
**21341 S. Ferguson Rd.**  
**Beavercreek, OR 97004**

**DATE: March 2, 2021-03-02**

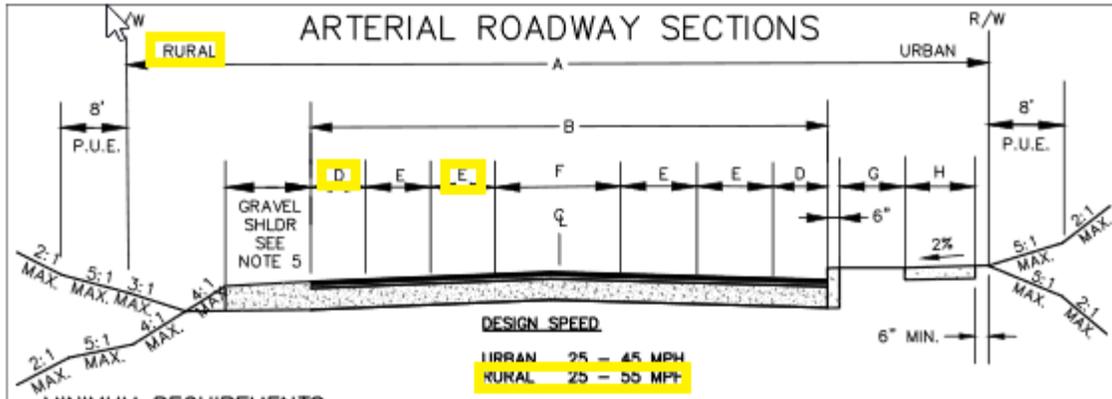
**Concerning SB 395** (Staff Summary: *"Increases required expenditure on footpaths and bicycle trails from one percent to five percent of amounts received from State Highway Fund. Applies to Department of Transportation, counties and cities under certain circumstances. Updates Oregon Bicycle and Pedestrian Advisory Committee membership and duties."*)

I support SB 395 **with modifications**.

I live in rural Clackamas County. I have been active in the Hamlet of Beavercreek for 20 years and was involved with transportation issues frequently and with a survey of bicycling needs. I have served on the county's Transportation System Plan public advisory committee, the county's Traffic Safety committee and the county's Bike committee and I have been part of an official county engineering safety review for Beavercreek and well as done transportation safety work with county engineers (e.g. measured sight distances or considered the cause of roadway incidents) and independently (by looking at crash records for my area).

I have traveled the state enough to know that the specific examples that I can give from my community are typical of many rural areas around the state.

Rural roads in Clackamas County and much of the rest of the state lack paved shoulders by the lane of travel (also called the Bike Facility "D" in the county graphic below). The roadways are not brought up to standard when the roads are repaved (and the frontage isn't brought up to standard even when development occurs) (this continued to be the case in 2020).



**MINIMUM REQUIREMENTS**

ROAD TYPE	RIGHT-OF-WAY (FT)	PAVED WIDTH (FT)	NO. OF LANES	BIKE FACILITY (FT)	TRAVEL LANE (FT)	CENTER TURN LANE (FT)	PARKING (FT)	LANDSCAPE STRIP (FT)	SIDEWALK (FT)
	A	B	C	D	E	F	W ADD'L R/W	G	H
URBAN	70	40	2	8	12	0	W ADD'L R/W	5	5-7
URBAN	80	40	3	8	12	14	W ADD'L R/W	5	5-7
URBAN	90	64	4	8	12	0	W ADD'L R/W	5	5-7
URBAN	104	78	5	8	12	14	W ADD'L R/W	5	5-7
UNINCORPORATED RURAL COMMUNITY	62	40	2	8	12	0	NONE	5	5-7
UNINCORPORATED RURAL COMMUNITY	78	54	3	8	12	14	NONE	5	5-6
RURAL	60	40	2	8	12	0	NONE	NONE	NONE
	78	54	3	8	12	14	NONE	NONE	NONE

**NOTES**

- SEE DRAWING C100 FOR DETAILS ON THE STRUCTURAL SECTION.
- MAXIMUM GRADE RESIDENTIAL = 12%
- MAXIMUM GRADE COMMERCIAL/INDUSTRIAL/MULTIFAMILY = 8%
- CROSS SLOPE SHALL BE 2-4% (INCLUDING SHOULDER).
- SLOPES SHALL BE RECOVERABLE WITHIN THE CLEAR ZONE PER SECTION 245.
- GRAVEL SHOULDERS ARE ALLOWED FOR RURAL AREAS ONLY (UNLESS REQUIRED, FOR SURFACE WATER MANAGEMENT) SHOULDERS SHALL BE FULL DEPTH OF ROAD SECTION AND THE WIDTH SHALL BE BASED ON AASHTO GREEN BOOK TABLE 6-5.
- AN 8 FOOT WIDE PUBLIC UTILITY EASEMENT (PUE) IN ADDITION TO THE RIGHT OF WAY.
- SEE ZDO SECTION 1007 FOR SIDEWALK WIDTH REQUIREMENTS. IN LOCATIONS WHERE CURB AND SIDEWALK ARE NOT REQUIRED A PAVED OR GRAVEL SHOULDER IS REQUIRED.
- THESE STANDARD SHALL APPLY EXCEPT WHERE COMPREHENSIVE PLAN REQUIREMENTS SPECIFY A DIFFERING SECTION.
- LEFT TURN LANES OR RIGHT TURN LANES SHALL BE PROVIDED PER THE COMPREHENSIVE PLAN, CIP OR AS WARRANTED BY SECTION 295. RIGHT TURN LANE WIDTHS SHALL BE MINIMUM OF 12 FEET WIDE BUT BASED UPON A TRUCK TURNING MOVEMENT ASSESSMENT.
- LANE WIDTHS MAY VARY PER COMPREHENSIVE PLAN CROSS SECTIONS AS WARRANTED BY SECTION 250.6.5.
- THE REQUIREMENT FOR PARKING SHALL BE DETERMINED BY ENGINEERING BASED UPON ADJACENT LANE USE, HEAVY VEHICLE TRAFFIC, EXISTING TRAVEL LANE WIDTH, PARKING NEEDS, DESIGN SPEED AND CRASH HISTORY.
- TURN LANES, PARKING, MEDIANS, PEDESTRIAN REFUGES AND ISLAND SHALL BE PROVIDED AS DETERMINE BY ENGINEERING AND MAY REQUIRE ADDITIONAL RIGHT OF WAY. RAISED MEDIANS AREA REQUIRED ON FIVE LANE ROADWAYS
- BICYCLE FACILITIES SHALL BE CONSISTENT WITH THE ACTIVE TRANSPORTATION PLAN AND TRANSPORTATION SYSTEM PLAN.

REVISION	DATE	BY
REVISION	11/20	RM

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
150 BEAVERCREEK ROAD  
OREGON CITY, OR 97045



APPROVAL DATE: 6/1/2020

SCALE: N.T.S.

STANDARD DRAWING

**ARTERIAL ROADWAY SECTION**

**C140**

Because of the absence of a shoulder, bicyclists and pedestrians (and even equestrians) legally share the lane of travel with motor vehicles including on high-speed, congested rural roadways (such as Beavercreek Road in my area).

The absence of a shoulder creates a dangerous situation for bicyclists and pedestrians such as here, where over several hundred feet there is a several foot drop off inches from where the bicyclist or pedestrian is trapped in the lane of motor vehicle travel:



As a result, Oregon is having rural pedestrian and cyclist deaths and injuries. An adult without a driver's license was cycling for transportation in the lane of travel at Beavercreek Rd. and Ferguson Rd. (near my home) and was hit by a car and suffered brain injury not long ago. My young-adult daughter was hit in her foot (without injury) on Henrici Rd. when traveling on the dirt just off the road (hemmed in by trees) several years ago.

When the Hamlet of Beavercreek surveyed residents, most found the situation so dangerous for pedestrians and bicyclists that, despite their desire to walk and bicycle,

the danger kept them from doing so since many had alternatives. My neighbor drives the few hundred feet to my house rather than walks due to the perception of danger.

Nevertheless county bike counts showed 50 cyclists using the high speed, high congestion roadway (Beavercreek Rd) on a Thursday in a count several years ago. While we do get some bike enthusiasts, we also have lots of residents who bike for transportation.

- **Rural roads need to be brought up to roadway standards for the safety of pedestrians and cyclists.** While “footpaths and bike trails” (separated bike/ped ways) have their attractions, for rural areas their cost, the difficulty of collecting the right of way and the reality of there being large numbers of higher priority areas to get bikeways, make them often impractical for rural areas. **Rural areas need paved shoulders called Bike Facilities or “D” on the Roadway Standard graphic. This is a change needed in how SB 395 is currently written:** “366.514. (1) Out of the funds received by the Department of Transportation or by any county or city from the State Highway Fund reasonable amounts shall be expended as necessary to provide **rural bike facilities (a paved shoulder)**, footpaths and bicycle trails, including curb cuts or ramps as part of the project. **Rural bike facilities (paved shoulder)**, Footpaths and bicycle trails, including curb cuts or ramps as part of the project, shall be provided wherever a highway, road or street is being constructed, reconstructed, **resurfaced** or relocated.” Your addition of “resurfaced” is a very good addition to the law.
- 366.514. (2) **Rural bike facilities**, Footpaths and trails are not required to be established under subsection (1) of this section:(a) Where the establishment of such paths and trails would be contrary to public safety;  
**NOTE: I object that pedestrian and bike facilities will be contrary to public safety.** If there is an extraordinary example it should be specified rather than leaving this big opportunity to get out of facilities before they start.

Or (b) If the cost of establishing such paths and trails would [be excessively disproportionate to the need or probable use] exceed twenty percent of the cost of the project

**NOTE: If the cost could exceed 20% of the project, then specify facilities up to 20%;** don't eliminate everything because of a cost challenge.

[; or][(c) Where sparsity of population, other available ways or other factors indicate an absence of any need for such paths and trails]

**NOTE: Unsafe conditions and failure to meet roadway standards for decades that scared pedestrians and cyclists away (and traps people at**

home) should not be the grounds for extending those unsafe conditions. Factors that each indicate need should be listed and data needs to be collected with the default that pedestrians and cyclists will be provided for: (a) medium and high vehicle counts (where counts e.g. a car ever few minutes which causes lots of interactions on the road) indicate danger to pedestrians and cyclists), (b) community survey of latent interest in walking or bicycling, (c) the presence of a school, (d) existing bike counts, (e) existing pedestrian sightings, (e) dangerous road conditions such as ditches or drop offs, (f) distance from urban growth boundary, (g) community indicators.

Conditions that benefit pedestrians and cyclists benefit public safety as well:



A Molalla River School District bus driver was cited Feb. 11, 2019 after crashing the bus into a ditch near Molalla. The Clackamas County Sheriff's Office said the crash resulted in apparent minor injuries. (Clackamas County Sheriff's Office)

<https://www.oregonlive.com/clackamascounty/2019/02/school-bus-driver-cited-after-crashing-into-ditch-near-molalla-deputies-say.html> Molalla Feb. 2019

Is this where you want school children walking or biking? How do motorists pull off the road for emergency vehicles on this road?

- **“Curb cuts and ramps” should not be funded by pedestrian/bike funds** because, due to a court settlement, ODOT is already obligated to spend tens of millions of dollars every year for wheel chair ramp type facilities. This was discussed at the Oregon Transportation Commission hearings on their budget for 2024-2027.
- 366.514.b) A city or county in lieu of expending the funds each year may credit the funds to a financial reserve fund in accordance with ORS 294.346, to be held for not more than 10 years, and to be expended for the purposes required or permitted by this section.  
**NOTE: When the needed facility is a bike facility in the roadway standard, the city or county will not put the funds in a financial reserve funds** without data showing no need e.g. very low traffic, no actual or potential walking or biking (or equestrian) use.

To learn more about rural road safety check out this YouTube video my daughter with help from a county road engineer:

<https://www.youtube.com/watch?v=PLw2VStpbCM&t=138s> Rural road safety for Cars Sharing The Road with Bicyclists, Pedestrians and Equestrians by Jessica Lindsey