



**EVERY BICYCLIST COUNTS**

a memorial to cyclists by the League of American Bicyclists

# BICYCLIST SAFETY MUST BE A PRIORITY

*Findings from a year of fatality tracking  
— and the urgent need for better data*

MAY 2014



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# BACKGROUND

A terrible string of fatal bike crashes in the Tampa Area in late 2011 and early 2012 left the local bike community reeling.

As they shared each awful tragedy with us, we too felt frustrated and powerless. We also realized how little we really knew about the circumstances of serious crashes between bikes and cars, and how woefully inadequate (and late) the available data was at the national level.

For a 12-month period, we set about the grim task of tracking and documenting every fatal traffic crash involving a bicyclist captured by relevant internet search terms. We also wanted to offer a place to remember the victims and raise the hope that their deaths would at least inform efforts to prevent such tragedies in the future.

The result was the Every Bicyclist Counts initiative: [everybicyclistcounts.org](http://everybicyclistcounts.org)

We owe a huge debt of gratitude to Elizabeth Kiker for compiling much of this data and to the

Ride of Silence and Ghost Bike programs that offer so much comfort to the friends and families of bicyclists killed on the road -- and a vital outlet for the outrage felt by everyone that rides a bike when they hear of these needless deaths.

Over the course of the project we documented 628 fatal bike crashes, a high percentage of the official number of such fatalities recorded by the authorities.

We wanted to explore how and why these crashes were happening, how they were reported, what was done as

a result of the crashes, if blame was assigned, how the motorists were treated, and whether or not there were any consequences for their actions if they were deemed to be at fault in any way.

The results are sobering, eye-opening, and critically helpful in informing the current debate about the need for a non-motorized traffic safety performance measure.

We learned, for example, that a much higher percentage of fatal crashes than expected were "hit from behind" incidents -- that's important to know for our education program. Not surprisingly, high-speed urban and suburban arterial streets with no provisions for bicyclists are over-represented locations -- that's good information to share with our Bicycle Friendly Community partners.

Overwhelmingly, however, we were struck by the lack of information, the lack of action, and the lack of a sense of outrage over these deaths, even in communi-

ties where this kind of tragedy is relatively common.

That's critical to know as we work with Congress and the federal agencies to specifically focus on these fatalities through a non-motorized safety performance measure that significantly improves accountability and data collection processes for the future.

Otherwise, we will have to keep reporting a totally unacceptable and unnecessary death toll on our nation's roadways.

*The results are sobering, eye-opening, and critically helpful in informing the current debate about the need for a non-motorized traffic safety performance measure.*

*Andy Clarke  
President, League of American Bicyclists*

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# INTRODUCTION

In 2013, after one year of tracking, the League of American Bicyclists completed its Every Bicyclist Counts initiative.

This year, the U.S. Department of Transportation will decide how it will hold states accountable for public safety on our nation's roadways. The League strongly believes that the Federal Highway Administration needs to set a national performance measure for safety that includes non-motorized safety.

Based on our experience with Every Bicyclists Counts, there is a clear role for the USDOT and state DOTs in reducing the number of bicyclist fatalities and improving our understanding of the risks bicyclists face.

As it stands, the vast majority of national data on traffic fatalities comes from the Fatality Analysis Reporting System (FARS) maintained by the National Highway Traffic Safety Administration (NHTSA).

Data reported by FARS is the best currently available at the national level, but it's limited in the amount of information it provides and leaves much to be desired in the timeliness of its data releases.

As March 2014 the most current data available in the online FARS data tables is from 2011. Information from 2012 is available in the much less user-friendly FARS Query System.

In creating our Every Bicyclist Counts data collection we consciously modeled our data on what is collected as part of FARS, but also added data elements in the hope of learning more about fatalities — and ultimately how they might be prevented.

From February 2011 to February 2013 we proactively gathered information for Every Bicyclist Counts from monitoring media and public outreach. We captured 628 fatalities overall and 552 in 2012 alone. In 2012, FARS reported 726 bicyclist deaths.

While we were not able to capture all fatalities in 2012, or over the longer time period of the Every Bicyclist Counts initiative our data is largely consistent with FARS where both data sources have comparable data.

Our Every Bicyclist Counts dataset is limited to fatalities and depended upon public sources and input. The majority of the information captured by Every Bicyclist Counts came from newspaper reports (56% of all reported sources), TV reports (25%) and blogs (19%).

Through these sources we collected information on 76% of the bicyclist fatalities reported in FARS in 2012. Since the Every Bicyclist Counts dataset is limited to fatalities it does not contain any information on injuries, near-misses, or general exposure to risks.

# EVERY BICYCLIST COUNTS

In capturing and reporting data on 552 fatalities in 2012, we wanted to explore how and why these crashes were happening, how they were reported, what was done as a result, if blame was assigned, how the motorists were treated, and whether there were any consequences for their actions. We also aimed to provide a opportunity for friends and families to memorialize their lost loved ones.

## Steven Kane

Age 57 Riverhead, NY November 01 2012

Comments: 16

**Source** The Middle Island man police say struck and killed a bicyclist on Middle Country Road in Calverton Thursday afternoon admitted to police he was on methadone at the time of the crash, according to prosecutors. William Slatton, 30, was arraigned this morning in Riverhead Justice Court on charges of driving under the influence of drugs, aggravated unlicensed operation of a motor vehicle and four counts of endangering the welfare of a child. Slatton pleaded not guilty to all counts and was remanded to the Suffolk County Correctional Facility in lieu of \$50,000 cash bail after his arraignment. Slatton described himself as the stay-at-home dad of the four young children who were passengers in his 2005 Toyota Camry when, according to police, he veered into oncoming traffic and onto the shoulder of the opposite lane, where his car struck cyclist Steven Kane, 57. Kane was pronounced dead at the scene of the crash. See prior story. Slatton, who has prior felony and misdemeanor convictions, is currently on probation, prosecutors told Riverhead Town Justice Allen Smith. He also failed to appear in court three times, the assistant district attorney said. His record prompted the court to set bail at \$50,000 cash, \$100,000 bond. The case against Slatton will be reviewed by the felony division, which may bring additional charges, prosecutors said. Kane, of Brightwaters, was an engineer at Brookhaven National Laboratory. A bicycle racing enthusiast, Kane brought his bike to work and rode every day during his lunch hour, said coworker George Goode, BNL assistant director for for environment, safety and health. Kane was a nationally ranked racer in his age group, married and a new grandfather, Goode said.



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### Collision Data

Crash time: Afternoon

Closest Intersection:

Land use: Suburban

Road type: Urban Arterial

Where on the road the collision happened: Road

Collision type: Head on

### Driver Data

Vehicle type: Automobile

If truck: Unknown

At crash time driver was: Alcohol/Drugs, Suspended or Revoked License

### Sources

Source: News Report

Type: Newspaper

Pos/Neg: Neutral

Link if Website: <http://www.sfgate.com/news/article/Bicyclist-struck-and-killed-in-Suffolk-County-4002229.php>

Source: News Report

Type: Newspaper

Pos/Neg: Neutral

Link if Website: <http://www.riverheadlocal.com/breaking-news/7484-da-driver-in-fatal-crash-admitted-to-methadone-use->

### Legal Status

Legal status: Misdemeanor

Against: Against Driver

Civil Suit filed?:

Settled?:

In favor of:

Type of Charge: charges of driving under the influence of drugs, aggravated unlicensed operation of a motor vehicle and four counts of endangering the welfare of a child

### ANGELA LEVINE

November 03 2012

I worked for Steve as a temp for a few months a few years ago. My office was directly across from his. He was great to work for. Every day was entertainment to hear him interact with people. He was intelligent, droll, and vibrant. Then I procured a different position in the same department as Steve. He was a vital asset to our department. No one can ever replace him. He devoted his professional life to making Brookhaven National Laboratory a safer place to work. This is just so wrong that he has been taken from us.

### Diana Stegall

November 04 2012

I knew Steve through our work together with the American Society of Safety Professionals - and he was a true safety professional. Very smart and sharp of wit. His introductions at board dinners are legendary. Many tried, but none succeeded in having the room laughing as hard as he did. He will be sorely missed.

### Arn M. Hegggers

November 05 2012

Steve and I were roommates for a time at the Coast Guard Academy. He was a great friend, probably more rebellious his freshman year than the Administration or upper class fully appreciated, but he had a passion for life. He was scheduled for a race in Maine and we were going to get together when he came up.... We never know when that day will come, so doing what we love and maintaining relationships is so important. He will be missed. My thoughts and prayers go out to Barbara, his children and grand daughters.

### Jeff Moller

November 05 2012

I was a classmate and friend of Steve's at the US Coast Guard Academy. Steve was tough, smart, friendly, loyal and so funny. Always had a twinkle in his eye and something witty to say. He will be sorely missed by his CGA classmates.

# FINDINGS

The findings presented are based on the totality of the information we collected and not limited to only those fatalities reported in the February 2011 to February 2013 timeframe of the Every Bicyclist Counts initiative. Several fatalities were reported outside that timeframe and they are included in the data examined for this report.

## Common Collision Types

Through Every Bicyclist Counts, we were able to find out significantly more about fatal bicycle crashes than is publicly available in FARS. This reinforces the idea that better data collection and reporting is possible and should reaffirm the commitment of NHTSA to improve FARS reporting.

In 2012, FARS experimented with providing data based upon the Pedestrian and Bicycle Crash Analysis Tool (PBCAT), but abandoned that effort in the hope to resume it in 2015 or 2016 when it reports data from 2014. The crash typology used in our initiative does not exactly match that of PBCAT, but it is broadly similar.

For example, the most common collision type in our Every Bicyclist Counts data is a rear end collision. Approximately 40% of fatalities in our data with reported collision types were rear end collisions. This is higher than what was found in the 2010 FARS release that included PBCAT-based crash types (27% of fatal crashes with reported collision types), although the crash type “motorist overtaking bicyclist” was the most common collision type in that data as well.

In many instances, it may be difficult for bicyclists alone to prevent fatal collisions. Safe cycling practices, proper lane control and equipment, and sensitivity to roadway conditions and context can help mitigate risks.

Investments in infrastructure, education, and other department of transportation activities can also have a profound impact on the safety of our roadways and help prevent the particularly problematic “motorist overtaking bicyclist” collision type.

TABLE 1

COLLISION TYPE	#	%*
REAR END	194	40%
CYCLIST SIDE/CAR FRONT	51	11%
T-HIT	46	10%
HEAD ON	40	8%
NONE	33	7%
RIGHT HOOK	30	6%
DRIVER FAILURE TO YIELD	29	6%
OTHER	22	5%
SIDESWIPE	17	4%
CYCLIST FAILURE TO YIELD	10	2%
LEFT CROSS	6	1%
LEFT HOOK	4	1%
UNKNOWN	146	N/A

\* %=481

Source: League of American Bicyclists, Every Bicyclist Counts

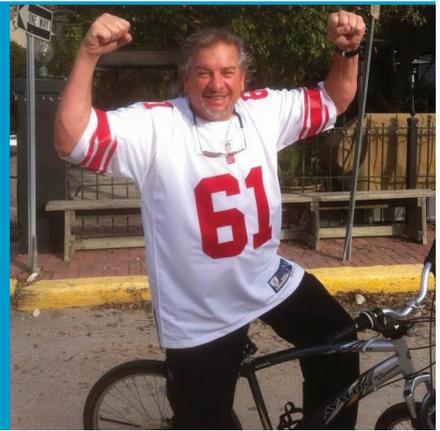
## Motorist and Bicyclist Behavior

There are two major ways to create safer roads: behavior changes by people using the roadways and engineering changes by the people creating and maintaining them. Every Bicyclist Counts gave us important data on current behaviors of motorists and bicyclists involved in fatal collisions.

Among the 238 fatal crashes where an additional factor was reported for the DRIVER, three factors

# FREDRICK JOHN MARTINEZ

Killed March 19, 2013. Age 51. Flagler Beach, Fl.



The oldest of six kids born and raised in Queens, NY, Freddy joined the Navy right out of high school at age 18 and served for six years traveling the world while on duty. His sister, Tami, described him as the definition of a “free spirit.” Always on the move, he attended 15 NFL Super Bowls, countless concerts and traveled the country. “[We were all jealous of his lifestyle,” Tami said. “So carefree.”](#) He had finally put down roots a in Flagler Beach, Fla., when we was tragically killed while riding his Avalon seven-speed bike home from the bank on the afternoon of March 19, 2013. A man driving a work van along the four-lane roadway said he sneezed suddenly, causing him to veer into the bike lane in which Freddy was riding. He was 51. The Navy veteran also left behind his parents, five siblings and a 26-year-old daughter. “[The only comfort we take is that he did live his life to the fullest,”](#) his sister said.

stood out:

- » 101 (42%) of those drivers were reported to be operating their vehicle in a careless or inattentive manner
- » 86 (36%) of those drivers were reported to have committed hit and runs
- » 28 (12%) of those drivers were reported to be under the influence of alcohol and/or drugs

Among the 94 fatal crashes where an additional factor was reported for the CYCLIST, three factors stood out:

- » 22 (23%) of those cyclists were reported to be riding the wrong way upon the roadway
- » 16 (17%) of those cyclists were reported to have failed to yield the right of way
- » 8 (9%) of those cyclists were reported to have been riding upon the sidewalk

In addition to those specific factors many — 46 or 49% — of the reported factors for cyclists were described individually.

## Helmet use

Among the fatalities tracked by Every Bicyclist Counts, only 150 of the 633 reported fatalities included information on whether the cyclist was wearing a helmet. In the majority — 83 or 57% — of those fatalities the cyclist was wearing a helmet. This is higher than other data sources that record helmet use have reported.

For 2012, FARS reported that 136 cyclists injured in fatal crashes were wearing helmets, that 485 were not, and that there were 105 instances where use was unknown or not reported. In the past FARS has been criticized for underestimating helmet use, and while our data does not directly show that underestimation continues it does cast doubt on whether FARS data on helmet use is accurate.

## Media Reporting

In 100 of the 628 fatal crashes recorded in the Every Bicyclist Counts initiative, the media report of the crash was classified as a negative report.

In many instances the media reports take the perspective of the motorist in a motorist-bicyclist crash, by explaining, for example, how a motorist failed to notice a bicyclist due to sun glare or dark clothing.

Another theme included bicyclists crossing roadways and media reports failing to explain the circumstances of crossing by addressing which vehicle had the right of way and other factors, such as how much time the driver had to react to the bicyclist's movement.

Additional themes in media reporting included:

- » Passive voice that made it unclear how a collision occurred
- » References to the equipment and attire of the bicyclist without educating the public about what the law requires
- » Discussing vehicles not persons
- » Lack of reporting that continued to the final disposition of cases

# TRISH CUNNINGHAM

Killed August 21, 2013. Age 50. Annapolis, MD.



Trish Cunningham was a force. The married mom of three coached track and field and cross country athletes at the Annapolis High School (including her son Ben and daughter Avery), and field hockey and lacrosse as part of St. Mary's Recreational League. She also pushed herself athletically, often ranking in her running age group in the region and, in 2013 completed her first duathlon. “She inspired her team, her family, friends, and community to strive for excellence and live up to their potential,” her oldest daughter, Morgan, said. On August 21, 2013, she finished cross country practice and headed out for her usual 15-mile bike ride down Riva Road. As she began to crest a small hill, which is a no passing zone, a motorist fatally struck her from behind. The case was sent to a grand jury and the driver received just four modest traffic citations — for killing the community leader. The driver is now contesting these citations in court. Following her death, the phrase “Run Like Trish (RLT)” gained traction in Annapolis and the high school cross country team wore green “Trish” bracelets throughout the 2013 season. The tragedy also propelled advocacy to enforce Maryland’s 3-foot passing law and cyclists, runners and community members took to Anne Arundel County intersections in September 2013, holding signs that reminded motorists of the law. Trish is survived by her husband; children Morgan, Benjamin and Avery; four sisters and a brother; and her parents. “While the [driver] took her life,” Morgan said, “Trish Cunningham’s inspirational spirit lives on in the Annapolis community.”

## Most Fatalities Occur on Urban Arterial Roads

According to FARS data, most bicyclist fatalities — 44% — occur on urban arterial roads.

While on most roadway types fatal crashes are considerably more likely to occur at non-intersection-related locations, urban arterials have a roughly equal number of fatalities that occur at intersection-related and non-intersection-related locations.

In general, fatal collisions are more common at intersection or intersection-related locations in urban areas than in rural areas. Fatal collisions are 3.7 more times more likely to occur at a non-intersection-related location in rural areas than at intersection-related locations.

ROAD TYPE	Non-Intersection	Intersection-related
Rural-Arterial	63	15
Rural-Collector	49	9
Rural-Local	53	21
Urban-Arterial	149	150
Urban-Collector	29	19
Urban-Local	59	62
<b>TOTAL</b>	<b>402</b>	<b>276</b>

Source: NHTSA Fatality Analysis Reporting System 2012

## Consequences and Enforcement

Due to the nature of our data collection we don't have perfect information on the result of each crash, how blame was assigned, how motorists were treated, and the consequences (either civil or criminal) for motorists found at fault.

However, we do have a good amount of data on these issues and hopefully it can inform advocates, state DOTs, and the US DOT as they take actions to make our roads safer.

In 285 out of the 633 reported fatal crashes either the obituary or publicly entered data contained a term that indicated a potential enforcement action (e.g. citation, arrest, charge).

Of those 285 crashes:

- » 136 showed evidence of a likely official enforcement action and
- » Final sentences were found for 77

This data is based on public reports and is not exhaustive for the period of time covered by Every Bicyclist Counts or all fatal crashes collected as

part of Every Bicyclist Counts. The statistics that are presented here are meant to give some context to the state of justice for cyclists, but are not necessarily representative. There are a variety of reasons that information may be incomplete and the sample sizes are so low that small reporting differences can have a large impact.

There were four types of charges that frequently occurred:

- » DUI-related charges
- » Hit-and-run-related charges
- » Charges of a variation of negligent or vehicular manslaughter or homicide
- » Charges related to moving violations or careless driving

In 45 cases, multiple major charges were filed against one driver, usually a combination of hit-and-run and/or DUI and manslaughter or homicide. For the statistics shown below some simplification of charges was necessary and cases were grouped into like-sounding charges without accounting for state-to-state variations in language.

# AARON COHEN

Killed February 16, 2012. Age 36. Miami, Fla.



In Aaron Cohen's death, there is hope for a better future. The Miami businessman and husband was taken from his loving wife and two children, Aiden and Lily, age one and three years old, when he was the victim of a hit-and-run while on his bike on February 15, 2012. The 36-year-old was passionate about bicycles: He was seemingly always training for his next race or triathlon, said his cousin, Elyse. "Aaron was everyone's favorite something -- he was my favorite cousin," Elyse said. "He was the person who never missed a birthday, always made time for one-on-one activities and made you feel like you were the only person in the room that mattered when he talked to you." On February 15, Aaron and his friend Enda went for a bike ride, as they did most Wednesday mornings. As they rode over a causeway, a car veered into the bike lane and hit both cyclists. The motorist drove off. Enda had a broken ankle, but Aaron was several feet ahead, unmoving. He died in the hospital the next day. The motorist, who according to news reports was driving with a restricted license, turned himself in 12 hours later and ultimately served only 264 days in prison. There is hope. Aaron's family and friends formed a coalition to gather support for a more stringent sentence for hit-and-run drivers. [The Aaron Cohen Life Protection Act](#) proposes a minimum mandatory sentence of four years for leaving the scene of an accident in an attempt to ultimately save more lives.

CHARGE	NUMBER	SENTENCES	AVERAGE YEARS OF INCARCERATION
Multiple Major Charges	45	26	7
Homicide or Manslaughter	41	25	5.2
Hit-and-run related	16	4	4.1
Careless driving-related	15	11	.1
DUI-related	12	8	4.1
Murder	4	2	21.5
Assault-related	2	1	12

Source: League of American Bicyclists, Every Bicyclist Counts

Due to lack of reporting or lack of prosecution, we don't know much about the consequences of most crashes that result in bicyclist fatality. Nationally:

- » 45% of fatal cyclist crashes had some indication of a potential enforcement action
- » 21% had evidence of a likely charge
- » 12% resulted in a sentence

When there was evidence of a likely charge, a final sentence was found 57% of the time. But some states were significantly lower, including Louisiana (3 of 8, 38%), South Carolina (1 of 3, 33%), and Texas (4 of 14, 29%).

In most cases where a final sentence was found the sentence was due to either a guilty or no-contest plea. Altogether, 49 of the 77 (64%) sentences found were due to either a guilty or no contest plea. It did not appear that one type of charge was more likely to result in a guilty or no contest plea, with about one-third of charges reported resulting in a plea across the top three charge categories. Plea bargains are common, but tend to trade an assurance of conviction for a lesser sentence. The average incarceration term for those pleas was 6 years, with a low of 30 days.

There were only five reported cases in which a conviction occurred after criminal trial. The average sentence in those cases was 13.2 years, with a low of 7 years in incarceration. Only three cases of acquittals or grand juries refusing to indict a motorist were found.

While a lesser penalty than incarceration, only nine news reports mentioned whether the driver's license was revoked or suspended. In those reports the average suspension was 3.9 years, with a low of six months. Only four licenses were revoked or suspended permanently.

Other notable trends included:

- » Drivers who killed female cyclists were more likely to be punished and more likely to receive longer sentences
- » Drivers who killed bicyclists between the ages of 20 and 30 were more likely to be punished and more likely to receive longer sentences

To ensure justice is served to deceased cyclists, their friends, and their families, we must make sure law enforcement officers, prosecutors, and judges are trained and equipped to pursue these types of common charges and give appropriate sentences for them. Vulnerable Road User laws can help by making it easier to charge careless driving-related offenses and increasing the sentences available for those offenses and homicide or manslaughter-related offenses.

In most states, enforcement actions are outside of the realm of the state DOT. However, as DOTs attempt to move towards zero road deaths they must eventually confront the role that enforcement plays and do a better job of working with their law enforcement systems.

## KYLE KEEFE

Killed September 26, 2012. Age 49. Canon City, Colo.



When Kyle Keefe was 12, he built his very own bicycle. That Fourth of July, in 1976, he rode it in the local parade in Monument, Colo. “He loved biking and the freedom it gave him,” his sister, Erin, said. Riding every day became his “source of tranquility,” she said, and also his main means of exercise. While he preferred getting out on the rougher terrain with his mountain bike, he also rode every day to and from on his daily routine. He was also a gifted musician, often performing for his big family with six siblings and more than 35 cousins. “He had a way of making you feel great and could lift you up from the deepest sorrow,” Erin said. On his daily route on September 25, 2012, on sleepy suburban streets, a motorist turned right into Kyle’s path in Canon City, Colo., killing him. The motorist fled the scene, leaving Kyle on the street. He died a day later in the hospital. The driver was found guilty of leaving the scene of an accident involving death, criminally negligent homicide and careless driving causing death — and was sentenced to only 90 days in jail, five years probation and a one-year suspended license. “Kyle is forever missed by all of his family and friends,” his sister said. “We miss hearing him play his guitar and singing his songs. We miss the love and hugs he freely offered. We miss his smile and his laughter. We miss his eternal youth and playfulness. We miss his encouragement and his beautiful words of wisdom... There was a greatness about him that can never be duplicated.”

## MOVING TOWARD PERFORMANCE MEASURES

Since the passage of the 2012 federal transportation bill — MAP-21 — and its creation of performance measures, we have been working to ensure that bicyclist safety is measured and improved. Every Bicyclist Counts highlights some of the data we believe could make a difference for bicyclist safety — however, states currently do not have an incentive to collect this data because they are not held accountable for the safety of bicyclists.

While we lack ideal data, we can say some things about the performance of different states for bicyclists and give some context to what a performance measure might look like. Even without federal requirements or accountability, states can adopt their own performance measures and make non-motorized safety a priority.

The table below provides insight on fatalities and commuting for the states with the largest populations of regular bicycle commuters in 2012. Although this data lacks any information on the

length and number of trips, which might allow us to know how many miles bicyclists travel, it is the closest proxy that we have to the exposure of bicyclists to risks.

Using existing data, we can look at bicycle safety through either a risk-based or a population-based performance measure. A risk-based performance measure says that 8.6 bicyclists have died for every 10,000 regular bicycle commuters in the United States between 2008 and 2012. Twenty seven states, and Washington D.C., perform better than this national fatality rate. All but one state with a mode share greater than the national average in 2012 — Florida — perform better than the national fatality rate. In addition, seven of the 10 states with the most regular bicycle commuters perform better than average.

A population-based performance measure says that 2.2 bicyclists have died per 1 million people in the United States between 2008 and 2012. Thirty nine states, and Washington, D.C., perform better than this national fatality rate. Four of the states

**TABLE: Fatalities and Commuting Rates in the States with the 10 Largest Commuting Populations, 2008-2012**

STATE	AV. # OF FATALITIES	SHARE OF NAT'L FATALITIES	AV. # OF BIKE COMMUTERS	FATALITIES PER 10K BIKE COMMUTERS	FATALITIES PER 1M POPULATION
CALIFORNIA	109	16%	169,860	6.4	2.9
FLORIDA	113	17%	51,997	21.7	6.0
NEW YORK	42	6%	44,548	9.4	2.2
OREGON	10	1%	39,517	2.5	2.6
ILLINOIS	25	4%	35,072	7.2	2.0
COLORADO	10	2%	32,578	3.1	2.0
TEXAS	48	7%	29,282	16.5	1.9
WASHINGTON	9	1%	28,304	3.3	1.4
PENNSYLVANIA	14	2%	25,969	5.5	1.1
ARIZONA	21	3%	24,687	8.4	3.2

Source: NHTSA FARS 2008-2012; U.S. Census Bureau American Community Survey 2012 (5-year estimate)

# JOHN MELLO

Killed February 24, 2013. Age 57. McKinleyville, Calif.



John Mello was happiest on his bike, taking rides nearly every day. His daughter, Angie, said that passion for life was evident in his relationships with his children and grandchildren, as well. Father to two and grandfather to four, John “always put his family first,” Angie said. “Anyone could always depend on him for anything at a moment’s notice.” He liked to be active: He took his family out camping or on road trips or out hunting. But on February 24, 2013, that all came to a tragic end. Mello was struck by a vehicle while riding his bike on the shoulder U.S. Highway 101 in McKinleyville, Calif. “Our life will never be the same without him,” Angela said. “He was too young to leave this earth, but our lives are ever so full of memories and good times due to him, and for that I am so grateful for the time we had him. I know he is riding the golden roads now and that we will see him again when it is our time.” His brother Joe, an auto mechanic, constructed a large white cross to memorialize the spot where John was hit. He adorned the 10-foot tall cross with the mangled pieces of what remained of John’s bicycle. A plaque mounted on the cross says simply: “John Mello, Lived to Ride.” Thanks to Angie’s advocacy, the bridge near her father’s death will be designated the John Mello Memorial Bridge.

with a mode share greater than the national average in 2012 perform worse than the national fatality rate. Notably, Oregon looks substantially worse by this measure as it goes from the fourth best performance under the risk-based measure to the eighth worst performance under the population-based measure.

The choice of a performance measure can have a substantial impact. The current Notice of Proposed Rulemaking issued by US DOT in March prefers risk-based performance measures. The US DOT and the state DOTs can find ways to make performance measures that work for bicyclists and other non-motorized road users. They should not hide behind a lack of risk exposure data while not taking steps to solve that lack of data.

### **Current Efforts to Improve Data**

In addition to FARS, states often report their own traffic crash statistics. Since 1998, NHTSA and the Governor's Highway Safety Association (GHSA) have worked to improve crash reporting through Model Minimum Uniform Crash Criteria (MMUCC) guidelines.

A survey of the 10 states with the most regular bicycle commuters did not show much uniformity in how states report crashes. Eight of the 10 states included information on non-fatal injuries, as well as fatalities, but crash typing and analysis of driver and cyclist factors associated with crashes was inconsistent and often lacking.

The GHSA is a partner in FHWA's Road Safety Capacity Building Program, which aims to identify and bridge gaps in the knowledge regarding the public-sector roadway safety workforce. By adopting a performance measure for non-motorized road users, both organizations would have a greater stake in ensuring better crash reporting and analysis of crashes involving non-motorized road users, such as bicyclists.

In our 2013 Bicycle Friendly States survey, 28 states said that they collected data (e.g. traf-

fic tickets issued, prosecutions, or convictions) regarding enforcement of laws related to bicycles, or enforcement actions against motorists based on incidents with bicycles. However, this information can be difficult to come by or incomplete.

Very few states have a single statewide citation repository that meets the criteria called for in the NHTSA Traffic Records Program Assessment Advisory. Having data on traffic citations would allow some quantitative analysis of enforcement efforts and perhaps some insight into whether the culture of traffic safety is improving or worsening.

### **Cyclists Lose When Data Determines Funding**

States are currently required to create Strategic Highway Safety Plans (SHSPs) as a part of the process of using Highways Safety Improvement Program (HSIP) funds. Currently, all 10 states with the most regular bicycle commuters included bicyclist safety as an emphasis area in their SHSP.

The creation of a SHSP often included the creation of a performance measure related to reducing fatalities and injuries to bicyclists or specific action steps designed to improve bicyclist safety. A national performance measure would strengthen the commitment of the states to these areas of emphasis.

The HSIP program is data driven. Without better data it's likely that non-motorized road users, including bicyclists, will continue to lose out on this federal funding source. From 2009 to 2013 only 0.4% of available HSIP funds were spent on projects that promoted bicyclist and pedestrian safety — despite the fact that 15% of fatalities during that period were bicyclists and pedestrians and 37 states have the safety of bicyclists and/or pedestrians as an emphasis areas in their Strategic Highway Safety Plans. Right now there is a dramatic gap between stated policy and practical reality and a performance measure, providing accountability for stated policy, is needed to close it.

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# CONCLUSION

The Every Bicyclist Counts initiative has given us valuable information about when, where, and how fatal bicycle crashes occur. But we still need more data and better reporting to reduce bicyclist injuries and fatalities.

There is much we do not know and will not know without better reporting. A national performance measure would push states that already include bicyclist safety in their Strategic Highway Safety Plans and ensure other states also make bicyclist safety an area of emphasis.

*Now is the time to take action.*

Right now Congressional staff and US DOT personnel are working on what will be the next federal transportation bill. There is still time to comment on US DOT's Notice of Proposed Rulemaking, which currently does not include a performance measure for non-motorized modes of transportation.

- » You can work with the League to ensure non-motorized safety is addressed in the next transportation bill.
- » You can tell government safety organizations, like NHTSA and GHSA, that bicyclists' safety is important and must be part of performance-based approaches to funding decisions.
- » You can work with your state for better understanding of the role enforcement plays in bicyclists' safety.

At the League we're committed to creating a more Bicycle Friendly America. The safety of bicyclists and the accountability of those who injure them are of the utmost importance.

What makes Every Bicyclist Count are the actions that we take to ensure that more bicyclists will not be needlessly lost.

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## RESOURCES

- » Ride of Silence: <http://www.rideofsilence.org/main.php>
- » Ghost Bikes: <http://ghostbikes.org/>
- » League of American Bicyclist Education Program: <http://bikeleague.org/ridesmart>
- » NHTSA Fatality Analysis Reporting System: <http://www.nhtsa.gov/FARS>
- » Census American Community Survey: <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>
- » Streetsblog: <http://usa.streetsblog.org/>
- » Share the Road Coalition, Ontario: <http://www.sharetheroad.ca/cycling-health-and-safety-p128276>
- » Road Peace, UK: <http://www.roadpeace.org/rdr/>
- » Cycling Touring Club UK Space for Cycling Campaign: <http://www.ctc.org.uk/news/space-for-cycling-national-campaign-for-better-streets-for-cycling>
- » Vision Zero sites
  - » NYC: <http://www.nyc.gov/html/visionzero/pages/home/home.html>
  - » Sweden: <http://www.visionzeroinitiative.com/>
  - » Transportation Alternatives: <http://transalt.org/issues/enforcement/visionzero>
  - » WalkSF: <http://walksf.org/about/goals-mission/vision-zero/>
  - » SFMTA: <https://www.sfmta.com/projects-planning/projects/vision-zero>
- » Toward Zero Deaths sites
  - » FHWA: <http://safety.fhwa.dot.gov/tzd/>
  - » GHSA: <http://www.ghsa.org/html/TZD/>
  - » National Strategy on Highway Safety: <http://www.towardzerodeaths.org/home.php>
- » The Brad Fund, Tucson: <http://www.scvbac.org/brad.html>
- » CycleHelmets.org Critique of FARS: <http://www.cyclehelmets.org/1174.html>
- » Arizona Bike Law Analysis of FARS: <http://azbikelaw.org/blog/fars-and-pbcat/>
- » North Carolina PBCAT statistics: [http://www.pedbikeinfo.org/pbcat\\_nc/](http://www.pedbikeinfo.org/pbcat_nc/)
- » Pedestrian & Bicycle Information Center PBCAT resources: [http://www.pedbikeinfo.org/pbcat\\_nc/](http://www.pedbikeinfo.org/pbcat_nc/)
- » NHTSA State Data Information Resources: <http://www.nhtsa-tsis.net/stateCatalog/stateData.html>
- » Biking in LA: <http://bikinginla.com/tag/bicycling-fatality/>
- » Right of Way's Killed by Automobile Report: [http://www.cars-suck.org/research/kba\\_text.pdf](http://www.cars-suck.org/research/kba_text.pdf)
- » City-based bicyclist safety reports:
  - » Boston: [http://www.cityofboston.gov/news/uploads/16776\\_49\\_15\\_27.pdf](http://www.cityofboston.gov/news/uploads/16776_49_15_27.pdf)
  - » Chicago: <http://www.cityofchicago.org/content/dam/city/depts/cdot/bike/general/BikeCrashReport2012.pdf>
  - » Minneapolis: <http://www.minneapolismn.gov/www/groups/public/@publicworks/documents/images/wcms1p-102346.pdf>