

DISTRICT LEADERS 2023 ISSUES QUICK-SHEET

When you go to speak to your representative, focus on these three main topics of concern for bicyclists. We have bills for each topic that will help bicyclists, and your representative's support will help each of these bills to pass.

1. PROHIBIT HANDHELD PHONE USE WHILE DRIVING

EXPLANATION:

Using a cell phone while driving increases crash risk. The drivers who spent the greatest amount of their driving time interacting with a cell phone also had the highest rates of near-crashes and crashes. Researchers have consistently linked texting or otherwise manipulating a cellphone to increased risk. Engaging in visual-manual subtasks (such as reaching for a phone, dialing, and texting) associated with the use of hand-held phones and other portable devices **tripled the risk** of getting into a crash.

Based on national police-reported data on fatal crashes in the United States **during 2017, 3,166 people died in motor vehicle crashes in which distraction was deemed a contributing factor**. That is about 9 percent of all crash deaths.

The Iowa DOT has compiled traffic crash data involving distracted driving. Look at the chart that shows increasing distracted driving fatalities at <https://iowadot.gov/mvd/stats/distracted.pdf>.

TALKING POINTS:

- A recent crash in Charles City—where the driver admitted to using a phone—killed Ellen Bengtson. The case was dismissed by the courts due to Iowa's lack of distracted driving laws. Read more at the [Des Moines Register](#) or [Charles City Press](#).
- This law could reduce preventable traffic crash fatalities present in 9% of crashes.

2. CHANGE LANES TO PASS

EXPLANATION:

The Iowa Code, Iowa Supreme Court Ruling, Iowa Attorney General opinions, and the Iowa Driver's Manual echo the same sentiment: change lanes to pass bicyclists. As of July 2018, 32 states and the District of Columbia have enacted laws requiring motorists passing bicycles to leave 3 feet of space or more between them. Two states have laws that go beyond 3 feet. Pennsylvania has a 4-foot passing law. South Dakota has a two-tiered passing law requiring vehicles to leave 3 feet for passing bicyclists on roads with posted speeds of 35 mph or less, and a minimum of 6 feet on roads with speed limits greater than 35 mph.

One relatively new refinement to safe passing laws is to require a motorist to completely change lanes when passing a bicyclist. Five states— Delaware, Kentucky, Oklahoma, Washington, and Nevada—currently require this. We feel changing lanes to pass people riding bicycles increases

the safety of bicyclists on the road. See language in the Iowa Driver's Manual, page 54 <https://iowadot.gov/mvd/driverslicense/dlmanual/dlmanual.pdf>

An Iowa poll in January of 2016 showed 75% of Iowans support changing lanes to pass bicyclists as a law. Yet, according to studies at the National Advanced Driving Simulator (in Coralville, Iowa), **85% of motorists studied in simulations do not change lanes to pass bicyclists**. Further, the lateral distance between a passing car and bicyclists was shown to decrease based upon the age of the driver. Drivers seem to have difficulty determining what actual lateral distances are when moving down the road.

While we believe the code supports the concept of changing lanes to pass other vehicles, there is confusion around changing lanes to pass bicyclists. A clear statement in the Iowa Code could provide clarity in insurance disputes, driver's education, and public opinion.

TALKING POINTS:

- Over 50% of fatal bicycle crashes in the past decade are bicyclists hit from behind. 85% of bicyclists report having been passed too close for safety.
- Requiring motorists to change lanes to pass bicycles is easy to teach, easy to enforce, and easy to follow.
- The law will reduce confusion on how to pass bicyclists in the courts and law enforcement.
- The law will be easy for driver education instructors to teach.

3. STANDARDIZED PENALTIES FOR HITTING A BICYCLIST

EXPLANATION:

If a bicyclist is killed or injured on Iowa roadways, it is a lesser penalty than if a motorist, motorcyclist, or pedestrian is struck on Iowa roadways.

This legislation does not raise the penalty but creates the same penalty regardless of the mode of transportation. If the motorist is charged with steering unreasonably close to a bicyclist (321.281) the current result is a traffic ticket regardless of injury severity. A crash with a serious injury or fatality must occur to trigger the enhanced penalty. This penalty is not likely to deter crashes, but would create a consistency in the Iowa code.

TALKING POINTS:

- Under the current Iowa Code, fatal or serious bike crashes are not subject to the same enhanced penalties that fatal or serious injury crashes involving motorists, motorcyclists, or pedestrians.
- This proposal does not raise fines. This simply adds the infraction to the existing list of similar infractions subject to enhanced penalties.
- We do not see this proposal as a deterrent to fatal crashes, but rather a consistency in the Iowa Code to subject similar actions to the same penalties.

When you have had your meeting, fill out the form at <https://iowabicyclecoalition.org/meeting-report/> or scan the QR code to fill it out online.

