



# Virginia Legislative Update

## Active Transportation Webinar Series

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JUNE 17, 2020

MODERATOR: JIM DURHAM, ALEXANDRIA BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE

PANELISTS: SENATOR SCOTT SUROVELL AND DELEGATE KENNETH PLUM

# Housekeeping

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- ❑ Please enter questions into the Q&A box; select “To All Panelists”
- ❑ Today’s presentation will be available on the George Mason transportation site at <http://transportation.gmu.edu>
- ❑ The session is being recorded

# Agenda

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- ❑ Polling Questions
- ❑ Introductions and Opening Remarks
- ❑ Moderator Q&A
  - ❑ Insights from 2020 legislation that passed
  - ❑ Insights from 2020 legislation that did not pass
  - ❑ Potential 2021 legislative initiatives
- ❑ Audience Q&A
- ❑ Closing Remarks

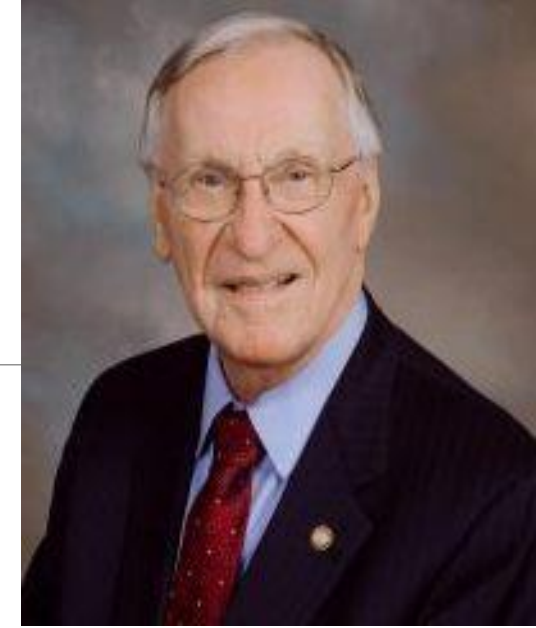
# Polling Questions

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- Where do you live?
- What were your primary pre-Covid-19 commute mode(s) of transportation?
- How often do you walk or bike for either recreation or transportation?



# Introductions and Opening Remarks



## Senator Scott A. Surovell, (D) District 36

- P. O. Box 289, Mount Vernon, VA 22121
- Phone: (571) 249-4484
- [district36@senate.virginia.gov](mailto:district36@senate.virginia.gov)
- Chief of Staff, Philip Scranage

## Delegate Kenneth R. Plum, (D) 36<sup>th</sup> District

- 2073 Cobblestone Lane, Reston, VA 20191
- Phone: (703) 758-9733
- [DelKPlum@house.virginia.gov](mailto:DelKPlum@house.virginia.gov)
- Legislative Assistant, Kristy Pullen



# SB 160 Handheld personal communications devices; holding devices while driving a motor vehicle.

Introduced by Senator Scott A. Surovell

- Prohibits any person from holding a handheld personal communications device while driving a motor vehicle.
- Specific exemptions include the following
  - The operator of any emergency vehicle while they are engaged in the performance of their official duties;
  - An operator who is lawfully parked or stopped
- A violation of this section is a traffic infraction punishable, for a first offense, by a fine of \$125 and, for a second or subsequent offense, by a fine of \$250.
- The bill has a delayed effective date of January 1, 2021.

<https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB160>



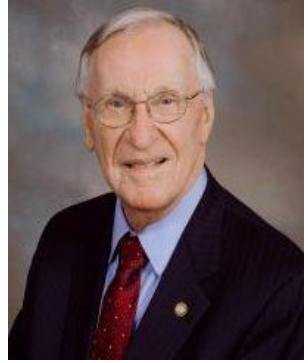
# SB 437 Bicyclists and other vulnerable road users; penalty.

Introduced by Senator Scott A. Surovell

- A person who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user is guilty of a Class 1 misdemeanor.
  - A pedestrian; operator of or passenger on a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, wheel chair or wheel chair conveyance, skateboard, roller skates, motorized skateboard or scooter, or animal-drawn vehicle or any attached device; or any person riding an animal.
  - The authorized punishment for a Class 1 misdemeanor is confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both.
- The bill also prohibits the driver of a motor vehicle from crossing into a bicycle lane to pass or attempt to pass another vehicle, except in certain circumstances.
- The bill has an effective date of July 1, 2020.

<https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB437>

# HB 886 State Trails Advisory Committee; extends sunset provision



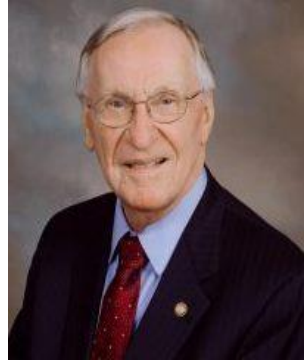
Introduced by Delegate Ken Plum

- Extends from January 1, 2021, to January 1, 2027, the sunset of the State Trails Advisory Committee.
- The committee assists the Commonwealth in developing and implementing a statewide system of attractive, sustainable, connected, and enduring trails for the perpetual use and enjoyment of the citizens of the Commonwealth and future generations.
- The bill has an effective date of July 1, 2020

<https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB886>



# HB 1705 Pedestrians; drivers to stop when yielding right-of-way



Introduced by Delegate Kay Kory;

Incorporates language from HB 1644, Introduced by Delegate Ken Plum

- Clarifies the duties of vehicle drivers to stop when yielding to pedestrians at crosswalks.
- *“The driver of any vehicle on a highway shall yield the right-of-way to any pedestrian crossing by stopping and remaining stopped until such pedestrian has passed the lane in which the vehicle is stopped:”*
- *“When a vehicle is stopped pursuant to subsection A, the driver of any other vehicle approaching from an adjacent lane or from behind the stopped vehicle shall not overtake and pass such stopped vehicle.”*
- The bill has an effective date of July 1, 2020

<https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1705>

# Other Successful Traffic Safety-Related Successes in 2020

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- **HB 1442 Photo speed monitoring devices; civil penalty.**
  - Authorizes law-enforcement agencies to operate photo speed monitoring devices in or around school crossing zones and highway work zones
  - Introduced by Delegate Jerrauld C. "Jay" Jones
  - Effective date of July 1, 2020
  - <https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1442>
- **SB 34 Driver privilege cards**
  - Authorizes the issuance of driver privilege cards by the Department of Motor Vehicles
  - Introduced by Senator Scott A. Surovell
  - Delayed effective date of January 1, 2021
  - <https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB34>

# Insights from 2020 legislation that did not pass

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- **SB 659 Contributory negligence; motor vehicle accident involving a pedestrian, bicyclist, etc.**
  - The negligence of a pedestrian, bicyclist, or other person lawfully using a device other than a motor vehicle on a public highway who is involved in a collision with a motor vehicle shall not bar a plaintiff's recovery in any civil action unless the plaintiff's negligence is
    - A proximate cause of the plaintiff's injury and
    - Greater than the aggregated total amount of negligence of all the defendants that proximately caused the plaintiff's injury.
  - Introduced by Senator Scott A. Surovell

<https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB659>

# Insights from 2020 legislation that did not pass (Continued)

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- **SB 664 Motor vehicles; liability insurance coverage limits,**
  - Increases minimum motor vehicle liability insurance coverage amounts
  - Introduced by Senator Scott A. Surovell
  - Passed the Senate (31Y-8-N 1A); Defeated in House Labor and Commerce (9-Y 10-N)
  - <https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB664>

# Future Legislative Initiatives

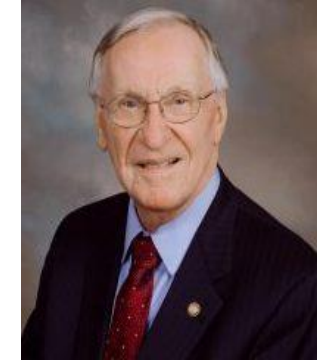
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- **Contributory negligence**
- **Suspension of a driver's license for killing or seriously injuring a Vulnerable Road User?**
- **Bicyclists required to Yield at Stop Sign, a.k.a. "Safety Stop"?**
  - Proven safety measure: A person operating a bicycle approaching a stop sign must either stop, or follow the requirements for approaching a yield sign.
  - Adopted by five states: as of June 2020: Idaho, Delaware, Oregon, Arkansas, and Washington
- **Bicyclists proceed on Leading Pedestrian Interval (LPI)?**
  - LPI has been shown to reduce pedestrian-vehicle collisions as much as 60%
  - "Where a bikeway on the through movement conflicts with turning traffic, use a leading bicycle interval along with the leading pedestrian interval. A leading bicycle interval clears the intersection of all cyclists quickly and can help prevent right hook collisions."

# Audience Q&A

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- ❑ We will select questions from the Q&A box
- ❑ When posting a question, please select “To All Panelists”



# Closing Remarks

## Senator Scott A. Surovell, (D) District 36

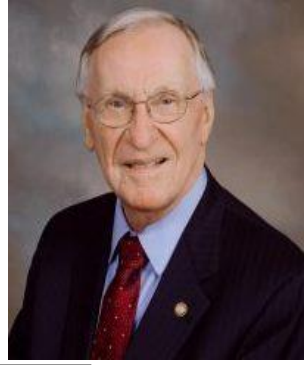
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<https://scottsurovell.org/>

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- Legislative Assistant, Kristy Pullen

<http://www.kenplum.com>



# Thanks to Our Panelists

The Virginia Bicycling Federation  
recognizes  
**Senator Scott Surovell**  
as  
**2020 Legislator of the Year**



Presented June, 2020

Champe Burnley, President

The Virginia Bicycling Federation  
recognizes  
**Delegate Ken Plum**  
for sponsorship of Legislation for  
**Stop for Pedestrians &  
State Trail Advisory Committee Reauthorization**



Presented June, 2020

Champe Burnley, President





# Active Transportation Webinar Series

- ❑ JULY 15: ACTIVE TRANSPORTATION DURING COVID-19
- ❑ JULY 29: SAFE STREETS FOR ALL
- ❑ SPRING 2021: ACTIVE TRANSPORTATION SUMMIT

DETAILS AT [HTTPS://TRANSPORTATION.GMU.EDU/ARCHIVE/ACTIVE-TRANSPORTATION-WEBINAR-SERIES/](https://transportation.gmu.edu/archive/active-transportation-webinar-series/)