

SB0315 Langenkamp-2022-20 JPR Testimony.pdf.pdf

Uploaded by: Daniel Langenkamp

Position: FAV

Testimony
By Daniel Langenkamp
On the Sarah Langenkamp Memorial Safety Act SB0315
Maryland Senate Judicial Proceedings Committee
Thursday, February 22, 2024

Senate: Good afternoon, Chair Smith, Vice Chair Waldstreicher, and Committee Members.

Eighteen months ago, my wife, Sarah Debbink Langenkamp, a U.S. diplomat and the mother of our two boys, was crushed when a driver for Beacon Building Supply swung his 50,000 pound truck into his parking lot without seeing Sarah, who was riding her bike in a clearly marked bike lane to his right. He struck her handlebars first, and when she fell, the wheels of his massive truck rolled over her, crushing her, and killing her.

We both had just been evacuated from Ukraine, a war zone, *for our safety*, only to see Sarah killed on a street in Bethesda weeks after our arrival.

You would think the crime of killing a person would engender a punishment worthy of the magnitude of the act. After all, Maryland imposes stiff punishments for less serious crimes. The maximum penalty for [littering](#) can land you a fine of \$30,000 and five years in prison.

Yet when the driver who killed Sarah was sentenced in September, he was handed a sentence for a traffic violation that carried a fine of just \$2,000 and 150 hours of community service -- the maximum punishment allowed by law for killing a vulnerable road user. His license was referred for a six-month suspension to the Maryland Department of Motor Vehicles. He will likely be driving again next month.

The judge in the case, expressing his own frustration, said the law simply did not give him the ability to impose a stiffer sentence because the crime of killing with a vehicle was considered a traffic violation. I'm sorry, he said. The law did not give him the ability to do anything more.

In the wake of the sentencing, I have worked with Montgomery County State Attorney John McCarthy, Delegate Sara Love, and Senator Ariana Kelly to craft a bill that would help rectify this situation. It is an elegant fix for a gap in the law. Why not, McCarthy suggested, give some of the same protections to people in bike lanes and shoulders that exist for pedestrians in crosswalks across the state of Maryland?

The Sarah Debbink Langenkamp Memorial Safety Act ([HB0337](#) in the Maryland House and [SB0315](#) in the Senate) does just that, and a bit more. The penalties are modest -- up to 60 days in jail and a fine of up to \$2,000 for a person who causes a crash with a cyclist in a bike lane or shoulder. (The fine for crosswalks is slightly more modest, just \$1,000).

It is a far cry from the penalty we currently have for littering, but is it far better than the current law. And it sends an important signal to all drivers that bike lanes and shoulders are special-- *protected and safe* for cyclists.

There is a clear precedent for providing these protections. We create substantial penalties for drivers who speed in school zones, pass stopped school buses, or provide the same jail time for those who hit pedestrians in crosswalks. As a society we agree that it is not only cars who have a right to use our roads.

Sarah's death was a tragedy that has robbed our country of an extraordinary diplomat--a star of our generation of foreign service officers, and irreparably changed every minute of my family's present and future.

Her death was tragic, but it was not a fluke or an "accident." She was part of a thousands of "vulnerable road users" to die on U.S. roads in 2022, when more bikers were killed than since 1994 and when more pedestrians died than in 40 years, partially due to the fact that lines and sticker alone DON'T make bikers and pedestrians safer. Just like with school zones, you need law enforcement too--as well as safe speeds, safe drivers, safe vehicles, and safe road engineering.

We know that a stiff penalty alone for killing won't suddenly create zero deaths in Maryland. But with trends like these, we need to do something.

The roads of our industrialized peers' are getting safer and safer every year. Pedestrians are twice as likely to get killed on our roads than in Canada; they are four to six times more likely to be killed on our roads than in the safest counties, like Iceland and Singapore.

Sarah's bill says we care about more than just littering. We care about life, too.

SB315_FAV_AARP.pdf

Uploaded by: Karen Kalla

Position: FAV



One Park Place | Suite 475 | Annapolis, MD 21401-3475
1-866-542-8163 | Fax: 410-837-0269
aarp.org/md | md@aarp.org | twitter: @aarpmd
facebook.com/aarpmd

**SB315 Vehicle Laws—Bicycle Lanes and Shoulders – Yielding Right-of-Way -
(Sarah Debbink Langenkamp Memorial Act)**
Senate Judicial Proceedings Committee
Support
February 22, 2024

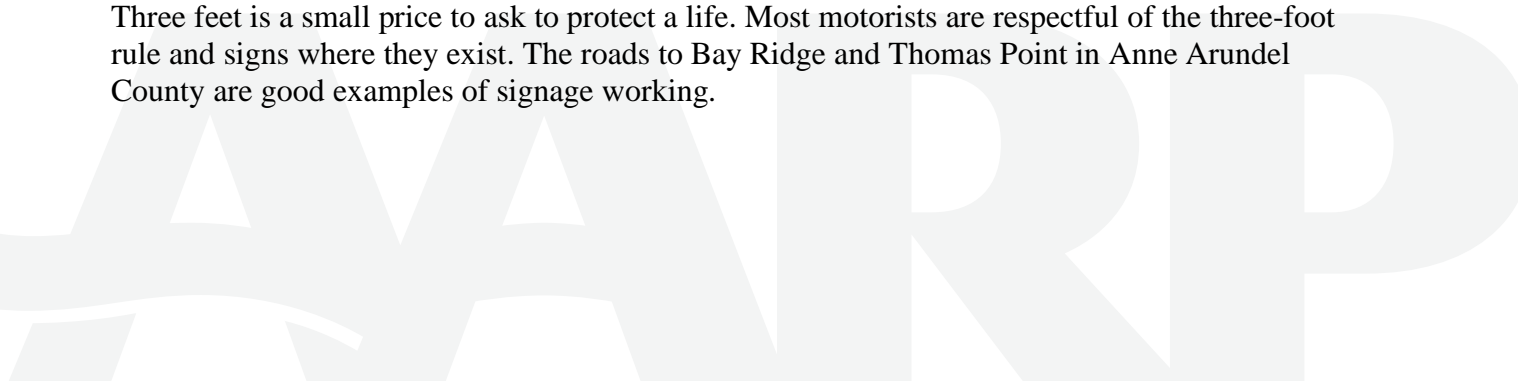
Good afternoon Chair Smith and members of the Senate Judicial Proceedings Committee. I am Karen Kalla, volunteer legislative aide and member of the executive council for AARP Maryland, and resident of Montgomery County. AARP has more than 850,000 members statewide. AARP is the largest nonprofit, nonpartisan organization representing the interests of Marylanders who are age 50 years and older and their families. Key priorities of our organization include creating livable and sustainable communities where individuals can affordably and safely age in place. On behalf of our 850,000 members, we support **SB315 Vehicle Laws – Bicycle Lanes and Shoulders – Yielding Right-of-Way – (Sarah Debbink Langenkamp Memorial Act)** and thank Senator Kelly for sponsoring this important legislation.

SB315 specifies that cars traveling on a road must allow three feet between them and a bicyclist unless road conditions do not allow that much space or the bicyclist veers into the three-foot space. The bill delineates a fine of no more than two months in prison and/or \$2,000.

As a bicyclist, who is 72 years old, I greatly appreciate this practice being established and enforced by legal parameters. I started bicycling as a child as many of us do. Upon graduating from high school, I worked two summers in Ocean City where a bike was my only means of transportation. Later in life, I would drive from my home in Rockville to Glen Echo or the C&O Canal to bicycle the rest of the 12 miles to my office near Capitol Hill. My partner and I have bicycled countless times the rural roads and mountains near Cumberland where he had a home – and the roads in Annapolis and Anne Arundel County where I had a home. We still bicycle the Rock Creek, Capital Crescent, and Mt. Vernon trails on a regular basis, or around town for pleasure.

I know what it feels like to bicycle on a road where three-foot rules are publicized by signs and where they don't exist or are not followed. I also know what it feels like to be intentionally blasted by black smoke from a passing truck – a practice known as 'rolling coal' where a diesel truck is altered to put out thick black smoke, often in the direction of cyclists, joggers, and electric cars. This too should be unlawful – but I digress.

Three feet is a small price to ask to protect a life. Most motorists are respectful of the three-foot rule and signs where they exist. The roads to Bay Ridge and Thomas Point in Anne Arundel County are good examples of signage working.



We need more of these signs and practices with strict accountability throughout the state. It does little good to tell drivers they need to respect and give space to bicyclers, then do nothing to hold them accountable when they do not.

Bicycling is an environmentally respectful way to travel for work or daily activities; it is a joyful and healthful pastime; and it reduces the number of cars on the roads. It also provides a healthy social activity for everyone – including seniors. Bicycling should be encouraged and supported in every way.

Bicyclist safety and accessibility are key elements in livable and sustainable communities. Maryland is experiencing the development of major Town Center communities that center on accessibility without cars – an admirable and necessary step. In this process, it is essential to promote the use of bicycles (and pedestrians) and ensure the safety of those who choose this mode of transportation. These individuals are contributing to a better quality of life for all by giving up their cars for shopping or pleasure. AARP appreciates the support that SB315 gives to those who would prefer to bicycle to the grocery store, doctor appointment, visit friends, or just enjoy a ride for its own pleasure.

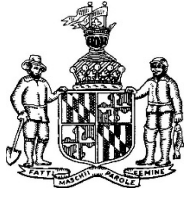
AARP supports and advocates for increased mobility—safe and accessible infrastructure that provides a wide range of connected transportation options, including public transit, cycling, and walking. Another key aspect of this infrastructure is housing located within easy walking/bicycling distance of public transportation, grocery stores, and other shopping, healthcare, recreation, and cultural institutions.

SB315 offers important opportunities and guidance for enhancing bicycle safety and access for people of all ages to improve the quality of life in communities throughout the state and *enabling more people to comfortably age in place*. For these reasons we ask the Senate Judicial Proceedings Committee to issue a favorable report on SB315. If you have any questions, please feel free to contact Tammy Bresnahan at tbresnahan@arp.org or by calling 410-302-8451.

O'Grady Letter of Support SB315 Bike Lanes and Sho

Uploaded by: Kyle O'Grady

Position: FAV



STATE'S ATTORNEY
JOHN J. MCCARTHY

State's Attorney for Montgomery County

50 Maryland Avenue
Rockville, Maryland 20850

240-777-7300
FAX 240-777-7413
WWW.MONTGOMERYCOUNTYMD.GOV/SAO

DEPUTY STATE'S ATTORNEYS
PETER A. FEENEY
RYAN S. WECHSLER

February 21, 2024

The Honorable Will Smith
Chair, Judicial Proceedings Committee
11 Bladen Street
Annapolis, MD 21401

Dear Chair Smith and Committee Members:

On behalf of the Montgomery County State's Attorney's Office and the Maryland State's Attorneys' Association, I write in support of SB315—Vehicle Laws - Bike Lanes and Shoulders - Yielding Right-of-Way (Sarah Debbink Langenkamp Memorial Act). I am an Assistant State's Attorney assigned to the Felony Trial Division and Acting Supervisor of the Traffic Fatality Unit.

Section 21-1209 of the Maryland Transportation Article exists to protect operators of bicycles, electronic personal assistive mobility devices (EPAMDs), and motor scooters by establishing responsibilities of and restrictions on drivers of motor vehicles who share the road with them. These responsibilities are common sense – exercise due care, pass at a safe distance, don't throw objects at or open a car door into a cyclist, and often most importantly, yield the right of way to a person lawfully riding a bicycle, EPAMD, or motor scooter in a designated bike lane or roadway shoulder. At present, a violation of one of these provisions is a payable citation, even when it contributes to an accident or a death. This bill would make a violation contributing to an accident subject to a penalty of 2 months or a fine not exceeding \$2,000. This penalty would be in line with protections already afforded to other vulnerable users of the roadway, including pedestrians (21-502), wheel chair users (21-501.1), and cyclists and play vehicle operators (21-1202).

Adding an incarcerable penalty will also serve the overall interests of the community and Criminal Justice system. Not only does it increase accountability of the offending drivers, it provides judges greater discretion to appropriately differentiate more serious cases, like those involving fatalities or subsequent offenders. The new penalty provision will also make a violation contributing to an accident a must appear offense. Over the past 9 years, I have handled dozens of traffic fatality cases where the at-fault driver received only payable citations. Senate Bill 315 extends respect and recognition to injured victims and next of kin by giving them their day in court.

This bill does not change the responsibilities or restrictions on drivers or cyclists. Their respective obligations to follow the rules of the road remain the same. But it continues our legislature's pattern of increasing roadway safety for cyclists and other vulnerable users by extending protections already afforded to other vulnerable users in similar circumstances.

I strongly urge this Committee to issue a favorable report on SB315.

Sincerely,

Kyle O'Grady

Felony Trial Division
Assistant State's Attorney

SB0315 FAV MSchweisguth.pdf

Uploaded by: Melissa Schweisguth

Position: FAV

Melissa A Schweisguth
Hyattsville, MD (D22)
February 21, 2024

RE: FAVORABLE position on SB0315, the Sarah Debbink Langenkamp Memorial Act

Dear Chair Smith and Members of the Judicial proceedings committee,

Thank you for your service to our state. I am writing to express my support for SB0315, the Sarah Debbink Langenkamp Memorial Act and ask that the committee provide a favorable report and support its full passage. As someone who bikes as a primary mode of transportation, I am keenly aware of driver negligence, which must be addressed fully, now, to save lives.

SB0315 memorializes Sarah Debbink Langenkamp, who was tragically crushed by a truck driver while legally cycling in a bike lane on River Road, MD 190, in August 2022. The driver, Santos Reyes Martinez, pleaded guilty but received only token penalties for the highly negligent driving that took Sarah's life.

Penalties serve as a key deterrent to driver negligence and a motivator for driver vigilance, but must be substantive enough to have an effect. Current Maryland penalties for hitting a bicyclist in a bike lane are not substantive enough to change current levels of driver negligence. SB0315 would address this weakness by imposing penalties that are proportionate to the severity of the violent harm caused by a driver who hits a cyclist in a bike lane. While penalties alone are not sufficient, they are a critical tool for Vision Zero, to be complemented by improved road design, safer speeds, and safer vehicles. Our state must enact SB0315 while implementing complementary measures to deter negligence and save lives.

SB0315 is urgently needed as Maryland is seeing increased numbers of cyclists who are killed and severely injured by drivers, when those cyclists are legally using our roadways. Eleven bicyclists were killed by drivers on Maryland roads in 2022, the year Sarah Langenkamp was killed. Fifteen bicyclists were killed on Maryland roads in 2023, an increase of more than 35 percent from the year before. The state is straying farther away from its goal of zero road deaths and serious injuries by 2030 as road road deaths are getting worse for cyclists, pedestrians and drivers alike. The impact on Maryland families including Sarah Langenkamp's is devastating.

The Administration and the General Assembly must adjust penalties while providing the attention, resources, and funding needed to create safe transportation infrastructure, to draw some redemption from the deaths of 304 pedestrians and bicyclists, including Sarah Debbink Langenkamp, on Maryland's roads in just the last two years. Please provide a Favorable SB0315 committee report and House floor vote.

Thank you for considering my testimony.

Melissa A Schweisguth



2024-SB 315_ Memorial-FAV.pdf

Uploaded by: Nicholas Marks

Position: FAV



SB 315: Sarah Debbink Langenkamp Memorial Act
Senate Judicial Proceedings Committee
Terps For Bike Lanes – FAVORABLE

February 6, 2024

Chair Smith and Committee Members,

I am writing this testimony on behalf of Terps For Bike Lanes in support of SB 315, a proposal aimed at enhancing road safety and promoting sustainable transportation. Our organization is dedicated to improving bicycle infrastructure in and around our campus to create a safe and inclusive environment. Our advocacy efforts span various areas, including the establishment of new bike lanes and paths, the enhancement and maintenance of existing bike facilities, and the development of bike infrastructure in areas where it is currently insufficient or absent. We actively engage with key stakeholders such as students, the University of Maryland Department of Transportation Services (DOTS), Facilities Management (FM), and the City of College Park to drive these improvements. Terps for Bike Lanes believes in sustainability, accessibility, and equity as core values. Bike lanes not only promote environmental sustainability by offering an eco-friendly transportation option but also enhance accessibility and contribute to addressing economic disparities in marginalized communities. The bill is named after a Bethesda woman who was hit and killed by a flatbed truck while cycling home from a back-to-school event at her children's elementary school in August 2022. This is perhaps the most important bill we are providing testimony on this session.

Research supports the potential positive impact of increased penalties on road safety. According to "The Effect of Increased Penalties on Traffic Fatalities: A Meta-Analysis" by Jonah B. Gelblum, et al. (2016), tougher penalties can lead to reductions in traffic fatalities, although the magnitude of the effect varies across studies. Similarly, "The Impact of Harsher Penalties on Seat Belt Use and Traffic Fatalities" by David P. Chang (2020) focuses on seat belt laws and suggests that increasing penalties can be effective in improving compliance with traffic safety regulations. Moreover, the "Traffic Safety Cameras: Evidence for Effectiveness" report by the Insurance Institute for Highway Safety (2022) summarizes research on the effectiveness of red light cameras and speed cameras in reducing crashes and fatalities, suggesting a potential parallel impact for enforcing bike lane/shoulder right-of-way violations.

Understanding the vulnerability of road users is crucial for effective legislation. The "Vision Zero Network: Vulnerable Road Users" defines vulnerable road users and emphasizes the need for specific protections due to their increased risk of injury or death in crashes. The "World Health Organization: Global Status Report on Road Safety 2020" highlights the disproportionate impact of road traffic crashes on vulnerable populations, including cyclists and pedestrians. Additionally, the "National Highway Traffic Safety Administration (NHTSA): Cyclist Safety" resource provides data on cyclist fatalities and emphasizes the importance of infrastructure and enforcement for safety.

Examining specific legislative approaches is crucial for informed decision-making. "The Idaho Stop: Evaluating the Safety Effects of Allowing Bicycles to Treat Stop Signs as Yield Signs" by Peter Huang, et al. (2019) assesses the impact of the Idaho Stop law and finds no significant increase in crashes or injuries. Meanwhile, "Do Stricter Helmet Laws Save Lives? An Analysis of State-Level Data" by David P. Chang (2020) analyzes the impact of helmet laws on cyclist fatalities and finds mixed results, suggesting that other safety measures might be more effective. The "Vision Zero Network: Best Practices for Enforcing Bicycle Laws" outlines strategies for effective enforcement of bicycle laws, including dedicated patrols and specialized training for officers.

Considering the ethical implications of legislation is paramount. "Equity and Road Safety: Addressing the Disproportionate Impact of Traffic Crashes on Marginalized Communities" by The Equity Action Lab (2023) highlights the need for equitable enforcement of traffic laws and the potential for harsher penalties to disproportionately impact low-income communities. Additionally, "Procedural Justice and Traffic Enforcement: Promoting Fairness and Trust" by David A. Harris (2014) discusses the importance of procedural justice in traffic enforcement, ensuring fairness and avoiding discriminatory practices.

Penalties play a dual role as deterrents and motivators for education and driver vigilance, but their effectiveness hinges on adequacy. The existing penalties in Maryland for striking a bicyclist in a bike lane fall short in this regard. SB 315 aims to establish penalties commensurate with the level of harm caused by a driver who hits a bicyclist in a bike lane. By doing so, SB 315 is poised to fill the gap in deterrence and motivation that presently exists.

We believe that the proposed legislation aligns with these findings and will contribute significantly to the safety of vulnerable road users, promoting a more sustainable and equitable transportation system. We appreciate your consideration of this matter and look forward to the positive impact that HB 337 can have on our community. We urge a Favorable committee report on this legislation and encourage the Senate to pass it on the floor. Thank you for the opportunity to testify.

Sincerely,

Nicholas Marks

President, Terps For Bike Lanes

terps4bikelanes@gmail.com

SB0315 BBC Langenkamp Bill.pdf

Uploaded by: Nigel Samaroo

Position: FAV



SB0315: Vehicle Laws - Bike Lanes and Shoulders - Yielding Right-of-Way
(Sarah Debbink Langenkamp Memorial Act)
Judicial Proceedings Committee

Baltimore Bicycling Club – Favorable

February 21, 2024

Dear Chair Smith, Vice-Chair Waldstreicher, and Committee Members,

The Baltimore Bicycling Club (BBC) asks for your support of SB0315, the Sarah Debbink Langenkamp Memorial Act.

The Baltimore Bicycling Club (BBC) was established in 1968 and has a membership of over 1000 riders. The mission of our not-for-profit recreational organization is to promote and sponsor bicycling activities in Baltimore City and neighboring Anne Arundel, Baltimore, Carroll, Harford, and Howard counties. The BBC also promotes, defends, and protects the rights of bicyclists for a safe road riding environment in our communities through advocacy and education.

In 2022, eleven bicyclists were killed on our state's roadways, that same year, tragically, Sarah Langenkamp was one of those fatalities. Sarah and the others who were killed are not simply a statistic, they are mothers, fathers, children, grandparents, brothers and sisters. In 2023, preliminarily the number of bicyclists killed on our state's roadways was 15. Unfortunately, that number has not decreased, in fact, 30% of Maryland's roadway deaths were Vulnerable Road Users (VRU).

Penalties on their own are not sufficient, but they can serve as a deterrent and a motivator for driver vigilance. Bike lanes like crosswalks are protected spaces for VRUs, and drivers should exercise greater care and vigilance when a VRU is using that protected space, if not the penalties should be greater for a driver hitting a bicyclist in that protected space that is a designated bike lane.

SB0315 seeks to accomplish that by subjecting the individual who causes a crash with a bicyclist in a bicycle lane or shoulder to imprisonment of up to 2 months or a fine not to exceed \$2,000.00. Maryland saw 600 road fatalities in 2023, a number not seen since 2007, an alarming increase that necessitates something be done. We feel that SB0315 is a step in the right direction in protecting bicyclists, and we urge a favorable Committee report and Senate floor vote.

Thank you for your consideration and the opportunity to testify on this legislation.

Nigel Samaroo, MPH
Chair, Advocacy Committee
Baltimore Bicycling Club

SB0315- TSO - Bike Lanes and Shoulders - Yielding

Uploaded by: Patricia Westervelt

Position: FAV

February 22, 2024

The Honorable William C. Smith Jr.
Chair, Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis MD 21401

***RE: Letter of Support – Senate Bill 315 – Vehicle Laws – Bike Lanes and Shoulders –
Yielding Right-of-Way***

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) supports Senate Bill 315 as a tool in changing driver behavior and protecting vulnerable road users.

Senate Bill 315 seeks to increase penalties for motorists responsible for seriously injuring or killing anyone lawfully riding, walking, or rolling in either a dedicated bicycle lane or a marked shoulder.

MDOT's top priority is safety and any life lost on our roadways is one too many. As such, MDOT considers the safety of all users when implementing enforcement strategies supported by the National Roadway Safety Strategy (NRSS) and the Safe System Approach. As Maryland works towards eliminating traffic-related serious injuries and deaths, MDOT is applying a data driven approach to shape the strategies and metrics that guide our safety programs. MDOT's programs are designed to help Maryland prioritize efforts to achieve zero deaths and serious injuries by 2030. Resources like the NRSS, 2050 Statewide Bicycle and Pedestrian Master Plan, MVA's Strategic Highway safety Plan (SHSP), and MHSO's Crash Data Dashboard provide a clear vision for the State to equitably prioritize needs and improve the safety of all lawful roadway users in Maryland.

Senate Bill 315 is a way to recognize and honor the life of Ms. Langenkamp while also affirming the State's commitment to ensuring safe and responsible activity on our roadways.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 315 a favorable report.

Respectfully submitted,

Pilar Helm
Director of Government Affairs
Maryland Department of Transportation
410-865-1090

Senator Kelly SB315 FAV.pdf

Uploaded by: Senator Ariana Kelly

Position: FAV



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 22, 2024

**Testimony in Support of SB315
Vehicle Laws - Bike Lanes and Shoulders -
Yielding Right-of-Way (Sarah Debbink Langenkamp Memorial Act)**

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Committee:

SB315 is the Sarah Debbink Langenkamp Memorial Act.

Sarah Langenkamp was a constituent and a devoted mother, wife, and US Diplomat. On August 25th, 2022, Sarah was biking home in Bethesda, using a designated bike lane, when she was struck and killed by a driver operating a flatbed truck.

Sarah's husband, two young sons, and family have been left to grieve this senseless loss. In just 2022, there were 606 total crashes in Maryland involving cyclists, and 11 of these crashes were fatal ([Zero Deaths MD](#)).

Our cyclists deserve to make it home to their families safely. The death of Sarah Langenkamp was preventable, like many others, including the death of Nathan Krasnopoler in Baltimore in 2010.

When losses like these happen, the families are left feeling a lack of justice. The driver who hit Sarah was given the maximum penalty under the law for causing the death of a vulnerable individual: \$2000 and 150 hours of community service. A mother and wife gone forever.

SB315 increases the fine for a vehicle failing to yield to a cyclist in a bike lane and causing a crash up to \$2,000 if convicted and/or up to 2 months in jail. These penalties already have precedent in Transportation Title 21.

SB315 combines the \$2,000 fine for causing serious injury or death to a cyclist or pedestrian (Transp. § 21-901.3) with the existing penalty of up to 2 months in jail for a driver failing to stop for a pedestrian in a crosswalk (Transp. § 21-502).

The seriousness of failing to yield to individuals legally using designated bike lanes or crosswalks can cause serious injury or death. SB315's increased fine amount for this violation is a step in encouraging Marylanders to drive vigilantly and be aware of cyclists using bike lanes and crosswalks.

Today, you will hear from our sponsor panel, including Sarah Langenkamp's husband, Dan Langenkamp, Kyle O'Grady with the Montgomery County State's Attorney's Office, and Susan Cohen, mother of Nathan Krasnopoler, who was tragically struck and killed by a driver in 2010 while cycling in a bike lane in Baltimore.

In order to prevent avoidable tragedies like the death of Sarah Langenkamp and Nathan Krasnopoler, I urge a favorable report on SB315.

2024-SB315-Langenkamp Memorial-FAV.pdf

Uploaded by: Seth Grimes

Position: FAV



SB 315: Vehicle Laws - Bike Lanes and Shoulders - Yielding Right-of-Way (Sarah Debbink Langenkamp Memorial Act)
Senate Judicial Proceedings Committee
Washington Area Bicyclist Association – FAVORABLE

February 22, 2024

Chair Smith and Committee Members,

The Washington Area Bicyclist Association (WABA) supports SB 315, the Sarah Debbink Langenkamp Memorial Act.

WABA is an advocacy organization with 1,200 Maryland members, founded in 1972. We fight for a just and sustainable transportation system where walking, biking, and transit are the best ways to get around.

Sarah Debbink Langenkamp was crushed by a truck driver while legally cycling in a bike lane on River Road, Maryland State Road 190, in August 2022. The driver, Santos Reyes Martinez, pleaded guilty but received only token penalties for the highly negligent driving that took Sarah's life.

Penalties serve as a deterrent and as a motivator for education and driver vigilance, but only when they are adequate. Current Maryland penalties for hitting a bicyclist in a bike lane are not adequate. SB 315 seeks to impose penalties proportionate to the severity of the violent harm inflicted by a driver who hits a bicyclist in a bike lane. SB 315 will provide the deterrence and motivation that is currently lacking.

Penalties alone, of course, are not sufficient. Eleven bicyclists were killed by drivers on Maryland roads in 2022, the year Sarah Langenkamp was killed. Fifteen bicyclists were killed on Maryland roads in 2023, an increase in four from the year before. Maryland pedestrian deaths increased from 130 in 2022 to 155 last year. To state that Maryland is making no progress towards meeting our Vision Zero commitment is an understatement. Our state's goal is zero road deaths and serious injuries by 2030, yet Maryland road violence is getting worse. The impact on Maryland families including Sarah Langenkamp's is devastating.

The Safe System approach calls for comprehensive improvements to eliminate traffic fatalities including safe road users, safe vehicles, safe speeds, safe roads, and post-crash care. WABA recognizes the role that safe infrastructure plays and works to win improved road design and engineering; expand the network of low-stress, protected bike lanes and trails; create safe pedestrian crossings; and encourage more equitable access to bicycling, via programs such as e-bike purchase rebates.

We appreciate that the State Highway Administration conducted a public safety walk and undertook a safety study for the stretch of MD 190 where Sarah Langenkamp was killed. However, that this response was reactive and so limited is disconcerting. The Administration and the General Assembly

must provide the attention, resources, and funding needed to create safe transportation infrastructure – in accordance with the Complete State Roads initiative that WABA launched last fall and with WABA’s 2022 Equitable Bikeways Investment proposal – coupled with penalty reform, to draw some redemption from the roads deaths of 304 pedestrians and bicyclists, including Sarah Debbink Langenkamp, on Maryland’s roads in just the last two years.

The Washington Area Bicyclist Association urges a Favorable SB 315 committee report and Senate floor vote.

Thank you for the opportunity to testify on this legislation.

Seth Grimes, WABA Maryland organizer
seth.grimes@waba.org

FINAL TESTIMONY 2024 MARYLAND SENATE docx.pdf

Uploaded by: Susan Cohen

Position: FAV

TESTIMONY

By Susan Cohen, Mother of Nathan Krasnopoler (1990-2011)

On the Sarah Langenkamp Memorial Safety Act SB0315

Maryland Senate—Judicial Proceeding Committee

Thursday February 22, 2024

Testimony of Susan Cohen,

Good Afternoon Chair Smith and Vice Chair Waldstreicher and Committee Members. I am Susan Cohen, the mother of Nathan Krasnopoler (1990-2011) and the Founder of Americans For Older Driver Safety (AFODS). I want to thank the Committee for giving me the opportunity today to address the Committee on the importance of the law changes proposed in SB 315. I founded a non-profit organization, AFODS, in 2012 and then came before this Committee for several sessions in support of several different bills from 2012 through and including 2016. Unfortunately, I had no success.

Nathan Krasnopoler, my 20-year-old son, died in August 2011 after a driver entered the bike lane near his apartment in Baltimore. He was a sophomore at Johns Hopkins University in 2011. On February 26th, nearly thirteen years ago, on a bright sunny Saturday morning, he went to the year-round farmer's market near school. On his way back to his apartment on West University Parkway, on his bicycle and wearing his helmet, he crashed into a car turning right into the bike lane where he was riding. The turn was made just a few feet in front of him and he had no place to go and crashed into the car. The driver was 83 and she had spotted him in the bike lane before she made that turn into the bike lane. Despite knowing that he was riding in the bike lane, she did not turn her head to look for him or use her side mirrors before turning. After the collision, he flew over her car and landed on her driveway. She drove over him, pinning him between the car engine and the driveway. She got out of the car, leaving it running, and sat on a wall in front of her apartment building. She never called for help or let any pedestrians know medical help was needed for my son. He had two collapsed lungs under her car and every minute counted. Finally, a pedestrian called 911 but about 15 minutes had passed and we later found out that his brain cells had died from lack of oxygen leaving him with no cognitive function. He remained in a vegetative state until his death on August 10, 2011, 5 days after his feeding tube was removed.

The driver was found in violation of the three-foot law that had gone into effect the previous October. She was also charged with negligent driving. The ticket for negligent driving had a few boxes for the officer to check off. The driver received a ticket with the "No Injury" box checked off. That error could not be corrected, we were told. The total fine for these two violations was less than \$400. No points or anything else was charged to the driver and she was never referred to the medical review process at the Maryland MVA. It was a decade before the General

Assembly enacted the vulnerable road user law. Everyone who has heard our story is appalled. Truth indeed is stranger than fiction. That was Maryland in 2011.

Today, we can look back a few years, and find that the pandemic had a surprising effect on roadway deaths. They increased. Serious injuries too. That is despite a reduction in the numbers of drivers on the roadways. These data measures during the pandemic years show an increase of fatal crashes in Maryland and the rest of the country. For pedestrians and cyclists, the data shows fatalities and serious injuries significantly increased.

Roadways are particularly unsafe for people riding bicycles. My family knows this all too well. Bicycles are not usually allowed on sidewalks. Bike lanes do not exist on most roadways and even where they do exist, cars are able to enter the bike lane because the bike lane is rarely separated from the road lanes used by cars. Bike lanes can only be safe if drivers are aware of the bike lane, look for a bicycle occupying that lane and understand their responsibility to yield to the bicycle in the bike lane.

Many car drivers do not understand bike lanes or notice the presence of the lane or a cyclist in the lane. Likewise, many drivers do not understand and accept bicycles sharing the road lanes with cars when there is no bike lane. Hostility towards a cyclist is not uncommon.

SB 315 is about the consequences for a driver who fails to afford a duty of care to a person traveling by bicycle in a bike lane. Penalties are a large part of making the public aware of a driver's responsibilities towards a bike lane user. The Maryland three-foot law enacted in 2010 was great but it was not nearly enough. The vulnerable road user law passed in 2021 is terrific but it is still not enough to let drivers know that the lives of people on bicycles matter and people driving cars owe cyclists a duty of care.

The lost lives of Sarah Langenkamp and my son, Nathan, will be honored by increasing penalties. Please give SB 315 a favorable report so Maryland can say it values the lives of all road users.

SB315 Testimony.pdf

Uploaded by: Ronza Othman

Position: FWA

Subject: Favorable with amendments SB315 Bike Lanes and Bike Shoulders – Yielding Right-Of-Way (Sarah Debbink Langenkamp Memorial Act)

Date: February 22, 2024

To: Senate Judicial Proceedings Committee

From: Members of the National Federation of the Blind of Maryland

Ronza Othman, President

National Federation of the Blind of Maryland

15 Charles Plaza, #3002, Baltimore, MD 21201

Phone: 443-426-4110

Email: President@nfbmd.org

Amendment One: After line D1, add a new section “E” that states, “The driver of a vehicle that is entering and/or stopping in a bicycle lane for the purposes of loading or unloading a passenger with a disability has the right-of-way and is permitted to use the bicycle lane for this purpose.”

Amendment Two: After line 19, add “or harm a person with a disability who is trying to find and enter a vehicle or exit a vehicle in a bike lane or shoulder.”

Reasons for the Amendments: Blind people and others with disabilities have great difficulty when trying to enter or exit a vehicle when vehicles are not permitted to load and unload such passengers directly next to the curb, where some bike lanes are placed. A blind person, for example, may have to cross the bike lane and several lanes of moving traffic to get to the vehicle attempting to load them. They then have to load on the side of the vehicle where there is moving traffic because there is no curb cut. Blind and low vision individuals have been injured or nearly injured because passenger vehicles that load and unload them are not able to pull up to where they are. HB337 is a good bill because it provides protection for individuals riding a bicycle, EPAMD, or motor scooter, but it will continue to cause harm to blind individuals because bike lanes have created a barrier to those individuals safely entering and exiting vehicles such as mobility vehicles and rideshare and others that transport them. Blind people who are trying to find and enter a vehicle or exit a vehicle need protection just as much as the riders of a bicycle or other devices.

The National Federation of the Blind of Maryland passed a resolution at the 2024 convention, which states, in relevant part:

“WHEREAS, ... bicycle lanes are often the closest lanes to the curb, even where there is a curb cut for wheelchair access, and are further bounded on the street side by parking lanes or even lanes of moving traffic, forcing the blind and other people with mobility issues to traverse the bicycle lane and then navigate through parked cars or moving traffic to board the above-mentioned conveyances, and often forcing them to do so while avoiding oncoming traffic because they cannot access the opposite curb; and

WHEREAS, in situations where the operators of vehicles try to aid their blind or disabled passengers by temporarily pulling into the bicycle lane to allow these passengers to board, they are often fined by law enforcement for improperly using the bicycle lane, thus discouraging them from accommodating their passengers; and

WHEREAS, although bicyclists and other users of the bicycle lanes are required by law to yield to blind people using white canes or guide dogs and other pedestrians, they often fail to do so because they wrongly assume that their conveyances take priority over pedestrian access; and

WHEREAS, all of these impediments to disability access not only endanger the safety of blind people, wheelchair users, other individuals with disabilities, and pedestrians, but also constitute flagrant disregard for the rights of individuals with disabilities as enshrined in the Americans with Disabilities Act (ADA), the Maryland White Cane Law, and other statutes...”

Please give a favorable report to SB315 only if the amendments reference herein are added.