

Testimony in Support of House Bill 1290

Mr. Chairman and members of the House Transportation Committee, thank you for allowing me to speak in favor of House Bill 1290.

My name is Justin Kristan, I am a resident of West Fargo, North Dakota and have been an avid bicyclist since 1982. I have been a member of the League of American Bicyclists since 2004 and have been a certified League Cycling Instructor (LCI) since 2004. The LCI certification course is a three-day course which prepares an individual to teach adults and children the skills necessary to operate their bicycles on roadways safely and legally. I also hold a Master's Degree in urban and regional planning with a specialization in bicyclist and pedestrian planning and facility design.

I have driven my bicycle for recreational and utilitarian purposes since 1982. I have been fortunate to have not experienced any hit and runs with motorists. I have experienced numerous close passes by motorists at speeds above 25MPH. The experience is shocking and wind conditions in North Dakota can make the impending close pass inaudible.

As bicycling becomes more popular in North Dakota and more bicyclists take to North Dakota's roadways it is imperative that the State make roadways safer for bicyclists. A simple and measured approach is to add a safe passing law for bicyclists.

Safe passing laws specifically related to bicyclists are found in thirty-two (32) states. North Dakota does not have such a law. Bicyclists are vulnerable roadway users and recognition of this fact should be codified into state statute in North Dakota.

A three-foot passing law is good but falls severely short of what is necessary for a bicyclist to avoid serious injury or death when a motorist passes them too closely. It is my feeling that North Dakota should reach for a higher level of recognition and care when it comes to keeping bicyclists safe on North Dakota roadways. All roadway users are not created equal. Roadway user laws need to be equitable not equal.

I am recommending that House Bill 1290 state that a safe passing distance for bicyclists by motorists is “a distance that is sufficient to prevent contact with the person operating the bicycle if the person were to fall into the driver’s lane of traffic.” This is similar to Oregon’s safe passing law for bicyclists.

Crossing a double yellow line or in a no-passing zone can be dealt with by using language that states motorists must only pass when it is safe to do so. Again, Oregon has sufficient language in their safe passing laws to allow for a safe passing law for bicyclists even when the motorist is crossing a double yellow line or in a no-passing zone.

Thank you for the opportunity to testify in favor of House Bill 1290.

Respectfully,

Justin Kristan

Resident of West Fargo, North Dakota

League Cycling Instructor 1147