



Bicycle Access Council News & Digest

www.BicycleAccess-PA.org

January 2012

Hello Members and Supporters of the Bicycle Access Council.

It's a beautiful day in Pennsylvania!

BICYCLE SAFETY BILL HB 170 REDUX...

With a guide of how it started out and what it looks like now. For anyone following the saga of the "amended amendment" to the Vehicle Code, here is the current Bill language and the original version awaiting passage by the General Assembly. It is a tedious process to print out both versions and read through: HB 170 <http://tinyurl.com/3wc87rh> and HB 1110 (and prior HB 2689) <http://tinyurl.com/29ercfi> BAC has analyzed the differences and still supports the latest version. See December 2011 for details. Warning: This is a legal document and all 'eyes' must be crossed.

THE 10th ANNUAL PENNSYLVANIA BICYCLE CLUB CONFERENCE...

Is scheduled for March 31 in York, PA. Pennsylvania bicycle clubs will receive registration and all details later in January by USPS mail and e-mail. Although meant to benefit Pennsylvania bicycle clubs, any club from neighboring states, as well as individuals are welcome to attend. Contact BAC for details.

This year's agenda is still being developed while awaiting confirmation of several invited special guest speakers. PennDOT is expected to send a representative to update and explain policies and operations important to bicyclists.

As always, this is an annual event to showcase best practices among club leaders, whether attendees are new or experienced, which supports having a successful club. Thinking of starting a club? Want to improve your club? This is a How-To event to begin that process. Was your bike club missed from the notice? Contact BAC.

CASE CLOSED FOR ASSAULTED BERKS COUNTY CYCLIST...

At a January 12 hearing. Judge S. Keller accepted the plea of the pick-up truck driver who seriously assaulted a bicyclist on July 29, 2011. Assistant District Attorney Douglas Rhoads asked the Court for 18 months of A.R.D. — The judge ordered 24! In a stern rebuke to the defendant, the judge noted that "road rage" is serious, but in this case was particularly egregious when directed against a bicyclist. Part of the court disposition allows restitution for actual damage to the bicycle. Although significantly lower than the documented replacement cost, the bicyclist still retains the right to initiate a civil suit in "small claims court" (at the District Justice level) for the difference.

An additional order by the judge as a condition of A.R.D. prohibits "any contact" with the bicyclist by the defendant. This was added to prevent any "drive-by" intimidation, which was warranted by case facts and circumstances.

BAC monitored the entire legal process in support of the bicyclist and attended each court event, as well as, interacting with the Victim Assistance and District Attorney Offices. Many hours of phone calls and e-mails were devoted to working with the bicyclist for a satisfactory outcome. For a complete description of the incident, see the September 2011 *BAC News & Digest*.

AAA RATING OF STATE VEHICLE LAWS...

Is now available on-line at: www.drivinglaws.aaa.com AAA Will no longer offer a hard copy version (2010 was the last year). This is a very generalized version of state laws without specific statute references. More useful and interesting are several appendices with topics, such as, related bicycle laws, distracted driving, Automated Enforcement [red light] laws, etc. Only irksome issue is the title of the website and hard copy version: *Digest of Motor Laws* —Hey, bicycles are vehicles, too!

BIKE COMMUTER FRINGE BENEFITS...

Have been available since January 1, 2009. This is an IRS tax free fringe benefit available for bicycle commuters. It allows up to \$20 per month for employees who "regularly" commute by bicycle to work (The IRS does not define regularly). It can be found in the IRC, under business fringe benefits, section 132(f), which is part of the section that allows fringe benefits for mass transit, car-pooling, etc. The tax year ending in 2011 marks the third year this has been in effect. If Pennsylvania bicyclists are receiving this benefit, BAC would like to know how employers are promoting this voluntary offer.

YEAR END TAX DONATION LETTERS...

For IRS documentation were sent to all donors who contributed \$250 or more. Any BAC member or donor may receive a letter upon request for any amount of donation for which no other benefit was received. Annual \$20 memberships are eligible.

Dates to Remember

Feb 12 **STOP, SWAP AND SAVE**, Westminster, Maryland. StopSwapAndSave.com
March 11 2.00 a.m., **Daylight Saving Time** begins (now the second Sunday in March)
March 15 **PPAC**, Harrisburg. Open to the public. Contact BAC for details.
March 20-23 **National Bike Summit**, Washington, DC.
March 31 **10th Annual Pennsylvania Bike Club Conference**, York, PA

Mission Statement...

The Bicycle Access Council is a non-profit advocacy organization that serves as a forum for Pennsylvania bicyclists and as an ombudsman for bicycling issues.

It is the objective of the Bicycle Access Council to make bicycling on roads throughout the Commonwealth safe, respectable and a transportation choice by educating its members and the motoring public.

All funding for the Bicycle Access Council comes from memberships and donations. Annual membership is \$20 per year. BAC does not share membership information.

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