



Bicycle Access Council News & Digest

www.BicycleAccess-PA.org

December 2017

Hello Members and Supporters of the Bicycle Access Council.

It's a beautiful day in Pennsylvania!

PENNDOT RESCINDS BICYCLE ACCESS...

On 2.5 miles of BicyclePA Route-J in Dauphin County. Signs were removed and a legal notice was posted December 2 in Pennsylvania Bulletin [47 Pa.B 7402] — Pa.B Doc. No. 17-1990. The PennDOT website also removed the affected section on its BicyclePA Route-J map. There is no alternate route shown on the map — just a gap. The notice describes the route area as: “US 22/322 (EB and WB) From Peters Mountain Road (SR 225) interchange in Dauphin Borough to the Fishing Creek Valley Road (SR 443) interchange.” What PennDOT rescinded was a permit granted about fifteen years ago to use this limited access highway for Route-J. Bicycle use is now prohibited in accordance with the Vehicle Code §3511(a).

So, what's this all about? The rescinded segment utilizes a portion of freeway that was built in the 1990s to bypass Dauphin Borough, which is on the east shore of the Susquehanna River. An overpass on the freeway has railroad tracks currently used by Norfolk Southern Railway. That gives jurisdiction to the Pennsylvania Public Utility Commission (PUC) for all matters involving the overpass. That overpass created two “tunnels” carrying east bound and west bound vehicular traffic on US Route 322/22 below it. Those tunnels were undersized and poorly designed in a classic case of cost-cutting and true lack of planning for expanded use. The tunnels are prone to flooding and many crashes occur at peak volume times. Locally, the area is called the Dauphin Narrows, which is an appropriate name.

The PUC received an “unsubstantiated” complaint several years ago about the safety of using this roadway by bicyclists. To date, there have been no deaths or injuries involving bicyclists. However, the PUC filed it's own motion “To Evaluate the Safety of the Traveling Public...” which started a legal process requiring a September 2016 Prehearing Conference by the PUC. Besides PennDOT, the Bicycle Access Council was one of several “named parties” requested to submit legal memoranda to the Administrative Law Judge (ALJ) assigned to this matter. The BAC response to the judge included a challenge of the jurisdiction by the PUC on the roadway below the overpass and sought to keep universal access for bicyclists maintained.

PennDOT's legal strategy was simply to ban all bicyclists on that section of Route-J to end any legal liability. PennDOT proposed to relocate Route-J to the west shore along Routes 11/15. Local bicyclists and advocates protested that proposal because it created many more hazards than the single “pinch-point” through the Narrows and lengthened the route substantially and unreasonably. BAC unsuccessfully argued that this ends universal access for any bicyclist in need of a route to Harrisburg from the west shore. PennDOT offered to make all the safety improvements on the west shore that meets the criteria for a BicyclePA route before banning bikes. That didn't happen. In fact, nothing has happened except the sign removals. Con't...

An engineering consultant was contracted to study the options for restoring access on the west shore. The report was just released and reviewed at the December 8 Pedalcycle & Pedestrian Advisory Committee (PPAC). There were four options ranging in cost from \$600,000 to \$17 Million. Really, there are only two options — Option #1 is inbound only, Option #3 is outbound only. That leaves the remaining cost range at \$8.5 Million to \$17 Million (Option # 2 — \$8.5 M to \$10 M; Option #4 — \$15 to \$17 M).

At the conclusion of the consultant report, BAC voiced the following concerns to PennDOT:

- Will PennDOT post signs at the gap points of Route-J alerting touring bicyclists that they must find alternate routes?
- Will PennDOT address the Route-J gap on the website BicyclePA map?
- Besides the Route-J gap and loss of universal access, this ban affects the proposed route for the *September 11 National Memorial Trail*, which is supported by PennDOT and DCNR.

UPDATE...

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Plates have been issued by PennDOT as of November 30, 2017, since authorized in 2016.



THE BICYCLE COMMUTER FRINGE BENEFIT...

Has been listed as one of the proposed cuts of the US Tax Reform plan in Congress. Really? At \$20 per month, if eligible, does it make sense to eliminate this one? Meanwhile, parking subsidies and van pool allowances are still eligible at well over \$100 per month. Sheesh!

DONATIONS AND MEMBERSHIPS TO BAC...

Are deductible as a charitable contribution as allowed by law. All donations by individuals of \$250 or more are automatically sent. Letters verifying donations will be sent for lesser amounts upon request.

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.

Joe Stafford, Executive Director
Bicycle Access Council
Dallastown, PA
www.BicycleAccess-PA.org
(717) 417-1299

