



Louisville Metro Council

Kelly Downard
District 16 Councilman

Debbie Carroll
Legislative Assistant

September 23, 2013

Ms. Vanessa Burns, Director
Metro Public Works

Re: Bicycles and Signage on River Road

Dear Director Burns,

I appreciate your reply to my letter of September 3, 2013 relating to the safety of travel on River Road. All of your references to the Manual on Uniform Traffic Control Devices (MUTCD) discuss what may be done. Your letter fails to address the safety of bicyclists and motorists.

River Road has been designated by the Department of Transportation as the primary route for large construction trucks delivering and recovering rock and other building materials needed to construct the East End Bridge. There are 60 plus such vehicles going back and forth on River Road Monday through Friday until 2016. As you know, I worked with Metro Public Works to add 35 mph speed signs for trucks only to help with safety. I am told by those involved with bridge construction that the trucks have had some close encounters with bicyclists. I have asked for more detailed and reliable data.

You were quick to reference the MUTCD to support your case. I have researched back to 1897 when bicycles were first allowed to ride on roads and highways. By the way, bikes were, in most cases, the fastest vehicles on the road then. Bicycles have enjoyed various liberties and restrictions over time. Most highways were constructed without regard for anything but motor vehicles. Motorcycles were afforded the use of a full lane in 1968 and, as stated in your letter, bicycles may do the same now.

A quick reading of the law in Kentucky defines bicycles as vehicles - KRS 189.010 (19)(a) and (b)(8). The operator of any vehicle moving slowly upon a highway shall keep his vehicle as closely as practicable to the right-hand boundary of the highway, allowing more swiftly moving vehicles reasonable free passage to the left - KRS 189.300 (2). A case could probably be made that bicycles are low-speed vehicles and therefore restricted from operation on a highway with a speed limit over 35 mph. - KRS 189.282 (2)(c). River Road has a 45 mph speed limit for vehicles. I do not currently plan to go that far, but do point it out to be clear that if you are using law/MUTCD, such a requirement exists.

One avid cyclist suggested to me that the signs be removed while referencing the MUTCD... 'It is true the Kentucky Transportation Cabinet has adopted the MUTCD; but this means the MUTCD in its entirety has been adopted by the Transportation Cabinet. The Bike-Ped co-coordinator, or any other official for that matter, cannot pick and choose what regulation they will follow and which they won't. The MUTCD plainly states: Section 1A.08 Authority for Placement of Traffic Control Devices Standard: 03. All regulatory traffic control devices shall be supported by laws, ordinances or regulations. Currently the Commonwealth of Kentucky, Jefferson County and Louisville Metro have no laws, ordinances, or regulations permitting bicycles to use the full lane. Quite simply, the Bike/Ped Coordinator ignored proper operating procedure to erect the signs on River Road.'

Now, with all posturing completed, let me lay out my rationale. There are large amounts of autos traveling at least at the speed limit of 45 mph. There are large trucks traveling continuously everyday at 35 mph. It is not safe.

The Bicycles May Use Full Lane (BMUFL) signs may be beneficial and add considerable safety for cyclists and motorists in most applications. A 22 foot heavily traveled, curving road is not a good application. If there have been close calls in the first month with the trucks, we have to take some action. Putting up the BMUFL signs at this point in time is very dangerous.

I am aware that River Road is popular with many in the cycling community. It also seems to have become a beacon for "who has rights" for bicyclists. Our responsibility here is not advocacy but safety. Please help me reach a resolution of this issue without further legislative activity.

Sincerely,



Kelly Downard
Louisville Metro Council
District 16 Councilman

cc: Mayor Greg Fischer, Louisville Metro
Mayor Tom Eifler, City of Indian Hills
Mayor John Evans, City of Prospect
Mayor Richard Breen, City of Glenview
Mr. Pat Johnson, Metro Public Works
Mr. Dirk Gowin, Metro Public Works
Ms. Angela Nichols, INDOT
Ms. Emily Hagedorn, The Courier-Journal