

Current Bicycle and Pedestrian Related Legislation Introduced in the 2016 Tennessee General Assembly

This is a general summary of these bills and not a thorough analysis. If you have an opinion on these bills (and you should) please contact your Senator and Representative. [Find My Legislator](#)

[HB 1650 \(Carter\)](#) [SB 1716 \(Gardenhire\)](#)

The original bill restricts the use of state gasoline tax revenues to highways and bridges and prohibits the use by TDOT and local governments for pedestrian, bicycle, and other non-vehicular facilities.

The sponsor has negotiated a “compromise” with the Department of Transportation but it still sets a very bad precedent. **Continue to voice your opposition to this bill.**

The amendment **prohibits** TDOT and local governments from using these revenues for bicycle and pedestrian trails, paths and greenways on high speed roads (> 35 MPH).

This is where the speed differential between cars and pedestrians and cyclists is greatest. These are exactly the roads where separated lanes and paths have the greatest ability to increase safety for all users and reduce congestion. No road user benefits from this restriction.

It disallows use for dedicated bicycle lanes on slower speed highways (<35 MPH) unless the work is part of a larger project and it “serves a transportation purpose supported by an engineering analysis”. This is extremely hazy language and it’s unclear how it would impact new projects.

It allows the use of state tax gas revenues as a match for Federal funds and for existing bike lanes. **It still prevents the use of state gas tax revenue for some new bike lanes.**

The bill is scheduled for the Senate Finance Ways and Means Revenue Sub-Committee on March 1.

The Vice-Chair of the sub-committee is Senator Thelma Harper of Nashville and Senator Steve Dickerson of Nashville is a member. Dickerson will have opposition in November from Erin Coleman who made the At-Large Council runoff last year. He might be more receptive because of that fact.

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The chair of the committee is Senator Doug Overbey who was a sponsor of the Jeff Roth Three Foot Law and is a former board member of the Jeff Roth Foundation. He should oppose this bill.

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The bill is scheduled for the House Transportation Sub-Committee on March 1 and there is a very good chance it will be voted out of sub-committee. The Chair noted she was receiving many emails opposing the bill and there have been several news articles quoting the sponsors. We are having an impact so continue to oppose this so called compromise. However, the bill now has five co-sponsors including Courtney Rogers who is Vice-Chair of the full Transportation committee. That is not a good sign.

[HB 1711 \(Smith\)](#) [SB 1705 \(Briggs\)](#)

This bill substantially changes state law dealing with electric bicycles. The bill:

- clarifies current law and creates three categories of electric bikes
- authorizes the use of electric bicycles on routes designated for bicycles
- excludes electric bicycles from the definition of "motor vehicle" and from driver licensing, insurance and registration
- essentially makes e-bikes the same as bicycles in state law

This is a bill being pushed around the country by the manufacturers behind [People for Bikes](#). It passed in [California](#) last fall. It creates three classes of electric bikes, Class 1 and 2 with a maximum speed of 20 MPH and Class 3 with a maximum of 28 MPH. The class 2 bike **does not require the operator to pedal** (i.e. it's not pedal assist) and I understand these are considered Mopeds and not bicycles in Europe. **The law for the Class 3 bicycle mandates adult helmet use. There is no helmet mandate in Tennessee for adult bicyclists and, in my humble opinion, this creates a terrible precedent.**

Section 7 allows the use of the 20 MPH e-bikes on trails and greenways unless the city outlaws them by ordinance. The 28 MPH e-bike is not allowed on trails and greenways unless the city allows them by ordinance. It appears that all three classes can use bike lanes. As far as I know there is no Nashville ordinance on the issue but Metro Parks has a rule that does not allow motorized bikes on greenways.

The bill is on the Senate Transportation and Safety Committee calendar for February 29. There is an amendment circulating but it doesn't appear to substantially change the bill.

[SB 1697 \(Massey\)](#) [HB 1487 \(Clemmons\)](#)

This bill, as amended, makes it illegal to operate a motor vehicle in a bicycle lane except a taxi or vehicle for hire may temporarily park to load or unload. It creates a Class C misdemeanor for operating a motor vehicle within a bicycle lane.

Representative Clemmons was very receptive to concerns about local control and amended the bill to state that nothing will preempt current or future restrictions to parking in bike lanes by local governments. Nashville has a current ordinance that does not allow any parking in bike lanes. Any restrictions to vehicle use of bike lanes are to be welcomed.

This bill is on calendar in the Senate Transportation Committee on February 29 and in the full House Transportation Committee on March 1.

Potential Legislation to Protect Bicyclists and Pedestrians

Elena Zamora, a 17 year old high school in Nashville, was killed in 2013 when she was hit by a truck driver who “didn’t see her” in a crosswalk. The driver received a \$500 fine. Legislation will soon be introduced to increase the penalty for failure to yield the right of way resulting in death to a Class A misdemeanor which is a \$2,500 fine and/or 11 months 29 days in jail. Stay tuned for more information.

This document does not represent the position of any organization or the opinion of any person except me.

[Carey Rogers](#)

[General Assembly](#) committee meetings are streamed on the web.

Info on how the GA works (or doesn’t). [About the Legislature](#)