

SUBJECT: Revising required safety equipment for nighttime cyclists

COMMITTEE: Transportation — committee substitute recommended

VOTE: 7 ayes — Phillips, Martinez, Burkett, Fletcher, Guerra, Lavender, Riddle
2 nays — Harper-Brown, Pickett
2 absent — Y. Davis, McClendon

WITNESSES: For — Mark Stine, BikeTexas; (*Registered, but did not testify:* Laura Blanke, Texas Pediatric Society; Marc Rodriguez, City of San Antonio)
Against — None

BACKGROUND: Transportation Code, sec. 551.104(b) prohibits a person from operating a bicycle at night unless the bicycle has a lamp on the front that emits a white light visible from at least 500 feet in the front and has on the rear either a red reflector visible from 50 to 300 feet or a red light visible from 500 feet in the rear .

The offense is a misdemeanor punishable by a fine between \$1 and \$200 as described by Transportation Code, sec. 542.401.

DIGEST: CSHB 307 would revise the required equipment that bikes must have at night. The light currently required to be on the front of the bicycle could be on the person instead and the light could be flashing or steady.

For the rear equipment, the bill would eliminate the option of a reflector so that all bikes had to have a red light visible from the rear. The light could be on either the bike, as currently required, or on the person. The bill would allow the light to be either flashing or steady.

The bill would apply to an offense committed on or after the effective date of the bill, September 1, 2013.

SUPPORTERS SAY: CSHB 307 would improve road safety for both cyclists and drivers by making cyclists more visible at night. Drivers would be less likely to

experience the trauma of causing injury to a cyclist. Cyclists, who include a lot of children, would have a lower risk of death or injury due to a collision.

The bill would require cyclists to have a light on the rear of their bicycle or on their person instead of a reflector because lights are the most effective way to see cyclists at night. A reflector only functions when light shines directly on it. Rain and other weather conditions can seriously diminish its effectiveness at night.

The bill is necessary. Fifty cyclists are killed each year in Texas. Current bike safety education programs have not adequately reduced cyclist deaths. Law enforcement already identify a lack of proper lighting as a safety issue leading to collisions. The bill would allow law enforcement to take a proactive approach to prevent collisions before they occurred.

The bill would not unfairly affect low-income bicyclists. A set of bike lights can cost as little as \$2 and the increased protection significantly outweighs the potential cost of a collision. The bill would allow lights to be on a cyclist's bicycle, helmet, cap, or on any visible part of the body, which is less expensive than requiring mounted lights.

The physical benefits of cycling are clear and the state should encourage cycling safety. The bill would improve safety for cyclists while they commuted or exercised.

**OPPONENTS
SAY:**

CSHB 307 is unnecessary and would not improve safety. Current law already requires cyclists to have a light on the front of their bikes and a reflector on the back so that they can see the road and so that vehicles can see them at night. Current law also already allows cyclists to use another light at night if they need or want to. The bill would interfere with an individual's right to take personal responsibility for deciding when an extra light would or would not be necessary.

Education programs in schools and communities already exist to educate cyclists and drivers about road safety. The bill would not make drivers or cyclists any more aware than they already are about road safety and would not necessarily reduce accidents. Moreover, bicycle light offenses are often already not enforced. The bill also could unfairly affect individuals who used a bicycle instead of a car for everyday transportation and could not afford to buy a new light.