



**Members Present**

Janelle Cornwell	Sussex County
Rich Vetter	Dover/Kent MPO
Susan Moerschel	DNREC
Tina Shockley	DOE
Marsha Carson	Department of State
Jana Simpler	OHS
John Sisson	WILMAPCO
Jonathan Kirch	AHA/ASA
William Payne	Citizen Representative
Jamie Wolfe	SCPD
Barbara Monaghan	DDDC
Todd Webb	DelDOT (alternate for John McNeal)
Jennifer Cohan	DelDOT

**DelDOT Support Staff**

Sarah Coakley	DelDOT
Sonia Marichic-Goudy	McCormick Taylor

**Members Absent**

Jim Lardear	AAA
Wayne Smith	Delaware Healthcare Association
Richard Killingsworth	DHSS

**Guests**

Tom Nickel	DelDOT
Jennifer Pinkerton	DelDOT
Annie Cordo	DOJ/DelDOT
Lieutenant Matthew Cox	Delaware State Police (DSP)
James Peiffer	Wilmington Police Department (WPD)
Richard Klepner	OHS
Peter Haag	DelDOT
Barbara Hughes	RK&K
Tigist Zegeye	WILMAPCO
Jim Johnson	Wallace Montgomery
Linda Osiecki	DelDOT
Rob McCleary	DelDOT
Fred Breukelman	DPH
Paul Moser	DelDOT
David Nicol	DelDOT
Drew Boyce	DelDOT

**I. CALL TO ORDER**

The meeting was called to order at 10:10 am by Co-chair Jonathan Kirch.

## **II. INTRODUCTIONS**

All members, staff, and guests introduced themselves.

## **III. MEETING MINUTES REVIEW (6/28/2016)**

Mr. Jonathan Kirch asked Council if there were any comments on the June 28, 2016 meeting minutes. Mr. John Sisson made a motion to approve the meeting minutes. The motion was seconded by Ms. Jamie Wolfe. The meeting minutes were approved by all council members in attendance, without changes.

## **IV. OLD BUSINESS**

### **Subcommittee Updates**

Mr. Jonathan Kirch invited the subcommittee chairs to provide updates.

#### Legislative and Policy

Lieutenant Matthew Cox provided the update. Two main items were discussed within the subcommittee meetings. The first item is a conversation the subcommittee had about the location of DART bus stops. The discussion centered around coordinating road work with a reevaluation of bus stop locations and crash data. This discussion is ongoing and no further specifics were reported to the Council. The second topic was a discussion of the type of data that is missing from crash reporting. For example, Lieutenant Cox mentioned that the crash reports do not explain why a pedestrian chose to cross the street in a certain location. The subcommittee discussed possibilities to gather this data. A drop down menu or a data field for manual input of the origin/destination could be added to the data gathered.

Mr. Kirch asked what barriers need to be overcome in order to add this information to the reports. Lieutenant Cox explained that it is a matter of logistics. A free form line for manual data entry is not searchable due to all the variables and diverse inputs that are possible. Currently the data base is fully searchable. Without a searchable field, this type of input will not add to the information set available for analysis. A drop down menu would be very cumbersome because there would be such a variety of origins and destinations such as grocery store, library, school, etc. Currently the drop down menus are mandated by federal standards. One thought is to work with an academic analyst to determine a path forward. Lieutenant Cox and DelDOT's Adam Weiser will be meeting with DelJIS to discuss a path forward. Ms. Jana Simpler requested that Richard Klepner from OHS be included in that meeting.

Mr. Kirch also asked if there is a need to evaluate new or additional vendors for the reporting system. Lieutenant Cox believes there are no infrastructure issues because the program was built from the ground up specifically for Delaware.

Ms. Jamie Wolfe would like to see reporting on whether accessibility at a crash site met standards. Ms. Wolfe explained that information such as: was there sidewalk where someone was crossing, was the crossing accessible, were curb cuts in place, or do the curb cuts lead into the street is important to understanding the cause of crashes. Ms. Linda Osiecki further clarified that the reporting could discuss whether pedestrian facilities exist at all at a particular site and whether the existing infrastructure is accessible and compliant. Existing DelDOT inventories already review accessibility and compliance, but the police reports do not include this. However, the question was raised whether DSP would have enough expertise in accessibility standards to

accurately report on this. The group discussed whether someone from DelDOT should go to crash sites and investigate the accessibility. Mr. Todd Webb mentioned that the Department maintains an infrastructure inventory and assessment map. This map could be overlaid on the crash data and analyzed. This could then coincide with the origin/destination information to create the crash story. While many curb cuts are not upgraded or even exist until a “pave and rehab” project is scheduled, the overlaid data may show areas requiring prioritization.

Mr. Kirch asked if Land Use and Zoning has been a percolating discussion in the subcommittee. It has come up at the general meeting but was not discussed in the sub-committees.

#### Built Environment

Mr. John Sisson gave the subcommittee report. The subcommittee met twice. They discussed median barriers, complete streets, and pedestrian safety audits. Pedestrian safety audits are an analysis of large corridors in areas of high crash volumes. The subcommittee feels this is a very productive way to analyze and prioritize areas of concern. The subcommittee also discussed who should review and sign off on design plans. For example, they discussed whether DelDOT’s Pedestrian Coordinator should review plans and sign the title sheet. They also discussed how projects are getting prioritized and funded. They will be inviting Drew Boyce to give a presentation on this topic. The subcommittee anticipates having recommendations ready for the October Council Meeting. The subcommittee has more presentations scheduled for September and from there will discuss recommendations. The subcommittee also discussed where gaps occur in the design standards and which, if any, pedestrian safety enhancements such as median barriers should be added to the DelDOT Road Design Manual. In addition, the subcommittee discussed how all the different projects with different funding sources are coordinated. The subcommittee pondered whether the prioritization has been maximized to provide the biggest improvement for the dollars spent.

Ms. Barbara Monaghan wanted to call into the subcommittee meeting but was told that she would not be allowed to verbally participate because of FOIA regulations which require those not in attendance to appear by video conference, which has been advertised seven (7) days prior to the meeting, in order to verbally participate rather than simply listen. Mr. Todd Webb would like to advertise these services and assist those not able to attend the meeting in person to participate through other measures such as video conferencing. It was mentioned that the video conferencing must take place in a public location such as a library not a private home. Ms. Coakley shared that all of the meetings are advertised and include contact information for accommodations. Ms. Jamie Wolfe asked if this restriction may be lifted if it is documented that the phone conversation was a reasonable accommodation. DelDOT will review the situation and determine a path forward in an effort to provide accommodations for all persons who wish to participate.

#### Education and Enforcement

Mr. Peter Haag provided a recap of the subcommittee’s meeting held this morning. The subcommittee developed and voted to approve seven (7) recommendations for the Council to review and potentially approve. The subcommittee also discussed ways to address changing pedestrian behavior. The subcommittee discussed whether other authorities, such as housing authorities or neighborhood advocacy groups, should be included in this discussion about changing pedestrian behavior. One example they discussed was providing outreach to daycare centers not just schools.

Mr. Kirch asked for a description of what the words “enforcement and modify pedestrian behavior” mean to the subcommittee. Mr. Klepner explained that the subcommittee discussed whether education alone reduces pedestrian crashes and gives the biggest factors of return investment. The subcommittee discussed whether fines would keep pedestrians from repeating an unsafe act in the future. It seems to be most productive when education and enforcement are used together.

Lieutenant Cox explained that pedestrians are usually only fined for not crossing at marked crosswalks (mid-block crossing) and failing to yield to oncoming vehicles (crossing against the signal). Recently DSP chose a location and provided two weeks of education. They spoke to 200 people who were crossing incorrectly to educate them about pedestrian safety. Over a one week time frame they gave out tickets for unsafe pedestrian behavior. In that week DSP issued 20 tickets. Since this effort, there has been one fatality at this location.

### **FY 17 Council Budget**

Ms. Coakley reported that there is \$9500 left in the budget to be used before June 2017. There are no current spend recommendations. The budget will be kept on the council agenda for each meeting so that discussions continue on possible expenditures.

### **V. NEW BUSINESS**

#### **Office of Highway Safety Pedestrian Survey Report**

Mr. Richard Klepner then gave a presentation on the Office of Highway Safety Pedestrian Survey Report. The presentation explained that within a crash report there is a good idea of who, what, where, and when the crash occurred but there is not “why”. This would be the key to understanding pedestrian behavior. The presentation will be posted on the Pedestrian Council website.

Ms. Susan Moerschel asked what percent of fatal pedestrian crashes last year were male. Mr. Klepner did not remember the specific percent but gave the general statistic of 70% male and 30% female. Mr. Klepner noted that this survey was not completed specifically for the Pedestrian Council but actually was prepared separately from the Council. Pedestrian behavior on the high speed roadways used in the survey may not represent all pedestrian behavior on smaller or slower roads in areas like Wilmington or Newark, for example. The full report was also distributed.

### **VI. ACTION ITEMS**

#### **Education and Enforcement Subcommittee Recommendations**

The subcommittee then presented their seven (7) recommendations to the Council. The seven recommendations are as follows:

1. Share the Road Safety Class
  - a. Recommend that DelDOT work with Delaware State Police, local law enforcement, Office of Highway Safety, and others to develop and conduct a “Share the Road Safety Class” and that the Pedestrian Council endorse the class as an educational supplement to pedestrian ticketing.
2. Driver’s Education and Defensive Driving Curriculum

- a. Recommend that DeIDOT work with Division of Motor Vehicles and Department of Education to provide additional pedestrian information in Delaware's Driver's Education Curriculum and Defensive Driving Courses.
3. White Cane Law
    - a. Recommend Division for the Visually Impaired Orientation and Mobility Specialists include information on the White Cane Law in their training of DART Travel Trainers.
    - b. Recommend white cane law training be included in Delaware's Driver's Education Curriculum and Defensive Driving Courses.
  4. Crossing Guard Training
    - a. Recommend that DeIDOT work with Office of Highway Safety, Department of Education, and school districts to conduct crossing guard training prior to each school year and that the Pedestrian Council endorse the recommendation that crossing guard training be required on an annual basis for all non-law enforcement crossing guards in Delaware.
  5. Safe Routes to School
    - a. Recommend that DeIDOT establish and use data-driven thresholds for targeted outreach to specific schools regarding the Safe Routes to School program.
  6. Pedestrian Safety Education for School-Aged Children
    - a. Recommend that DeIDOT work with Office of Highway Safety, Department of Education, and school districts to consider including pedestrian safety education for school-aged children.
  7. Public Awareness Campaign
    - a. Recommend that DeIDOT and Office of Highway Safety hold a contest for videos concerning pedestrian safety issues that will be posted on YouTube to help raise the awareness of pedestrian safety for the general public.

Mr. Kirch invited open discussion on the recommendations:

Share the Road Safety Class – When an enforcement action occurs such as a pedestrian ticket, part of the enforcement will be attending a class similar to a defensive driving class. A program in Portland, Oregon was referenced, which is generally geared toward bicycles, but in this case would be adapted to apply to pedestrians. When someone receives a violation they can opt to take a class and have their ticket amount waived. This would be effective one time. Lieutenant Cox mentioned that law enforcement would not be giving violators this option, but the court system could implement this.

Driver's Education and Defensive Driving Curriculum – Secretary Cohan mentioned that the data in the survey presented in Mr. Klepner's presentation is excellent. Secretary Cohan believes there is a need to focus on middle and high school students to provide pedestrian education since not all students will want a driver's license. Currently driver's education is one of the main avenues to educate pedestrians, yet more and more people are foregoing driver's licenses. One suggestion was adding pedestrian education to health class, since every child has a health class.

White Cane Law – The White Cane Law is a federal law requiring a driver to yield to a visually impaired pedestrian using a white cane. This law applies to every road classification and location. The subcommittee recommends white cane law education. DART travel trainers should also be educated in this law. In addition, driver education and defensive driving classes either do not mention the white cane law or only mention it by name but do not include an explanation of the law.

Mr. Kirch asked about the value that this recommendation has to reduce pedestrian fatalities. Ms. Linda Osiecki believes this recommendation could reduce crashes that occur because drivers did not understand that they needed to yield. Mr. Kirch questioned whether this puts even more responsibility on the pedestrian. Secretary Cohan clarified that the point to this recommendation is to improve awareness of the law.

Crossing Guard Training – New Castle County is the only county with crossing guard training. AAA offers free crossing guard training. Caesar Rodney, Woodbridge, and Polytech school districts responded to crossing guard training opportunities. No other districts responded.

Safe Routes to School Program (SRTS) – Currently all schools eligible for the program are made aware of the program and those who respond are analyzed for potential projects. SRTS is a federally funded program that provides funding to improve pedestrian facilities within one (1) walking mile and two (2) biking miles to an elementary or middle school. This recommendation takes this current practice a step further by targeting schools in high pedestrian crash rate areas and strongly suggesting they apply for a project. Crash data, feeder patterns and school programs would be analyzed to prioritize schools who should be strongly encouraged to participate. The question was asked who establishes school routes in Delaware. The parents establish these routes.

Pedestrian Safety Education for School-Aged Children – This recommendation would require OHS, Department of Education, and school districts to work together. It was suggested to change the wording "to consider including" to "to include" because this recommendation is too important to only be considered.

Mr. Kirch questioned whether education is able to result in modified behavior. Ms. Linda Osiecki shared with the group that she remembers watching videos in school that taught pedestrian safety; however, it is her understanding that presently school age children are not taught pedestrian



safety. Ms. Susan Moerschel added to the discussion that while there is no quick fix for anything education is a good tool. Ms. Jamie Wolfe questioned whether education should go outside of the classroom such as through text messages or web-apps that the children could use. Ms. Tina Shockley thinks this recommendation is very important because it stresses that education is important for all ages. Ms. Jana Simpler expressed a thought that it would be irresponsible to not try to get legislation to make pedestrian safety be part of the education process.

Mr. Kirch discussed that communities have been designed and built that are dangerous and that as more and more people forego drivers licenses and therefore receive no formal pedestrian safety training pedestrian crashes will continue to rise. He encouraged the Council to grapple with that thought. Mr. Klepner explained that the education subcommittee feels compelled to offer recommendations for education.

Public Awareness Campaign – Ms. Moerschel would like to add an idea that schools who teach film could also be encouraged to prepare short films and upload them to social media as teaching avenues.

Mr. Kirch encouraged the Council to think about the recommendations. Each recommendation was considered for approval, revision, disapproval, or tabling to a future meeting, resulting in the following outcomes:

- Share the Road Safety Class – Ms. Tina Shockley motioned to approve, Ms. Marsha Carson seconded, recommendation approved as presented.
- Driver's Education and Defensive Driving Curriculum – Mr. Sisson motioned to table the discussion, Mr. Todd Webb seconded, recommendation tabled. The Council would like more information on determining who is in charge of all educational programs relating to Drivers Ed and Pedestrian Safety to make sure that all groups are educated uniformly throughout the state and that all entities are reached.
- White Cane Law – This recommendation was tabled. The Council would like more information on determining who is in charge of all educational programs relating to Drivers Ed and Pedestrian Safety to make sure that all groups are educated uniformly throughout the state and that all entities are reached. Mr. Sisson would like more clarification on the DART Travel Trainers Training that is recommended.
- Crossing Guard Training – Ms. Barbara Monaghan motioned to approve this recommendation, Ms. Marsha Carson seconded, recommendation approved.
- Safe Routes to School Program (SRTS) – Mr. William Payne motioned to approve this recommendation, Ms. Janelle Cornwall seconded, recommendation approved.
- Pedestrian Safety Education for School-Aged Children – One change was addressed in this recommendation. The words “to consider including” have been deleted and replaced with the words “to include”. Ms. Susan Moerschel motioned to approve the

recommendation as revised, Mr. John Sisson seconded, recommendation approved.

- Public Awareness Campaign – The initial reaction from some Council members is that this recommendation is too specific. Mr. Klepner added that he feels the subcommittee and agency staff can implement this without this being a recommendation and that it is an attainable goal. The Council decided to take no action on this item but supports it and will mention it in the annual report as being worked on by staff.

Mr. Willian Payne referenced a Maryland crab campaign about pedestrian safety noting that nothing like that can be found in Delaware. Mr. Kirch acknowledged this and discussed that this is contained within the Public Awareness Campaign, which the Council believes will be implemented.

### **Built Environment Subcommittee Recommendation**

Mr. Vetter explained that while the Complete Streets Policy is in effect an implementation plan has not been activated. The subcommittee would like to place a recommendation for a schedule to be implemented.

Mr. Kirch suggested an amendment to this recommendation to include reviewing the policy itself to analyze data collection and understanding implementation with respect to pedestrian crashes. In addition, he would like the Council to consider whether there is value for one overarching Council to oversee all bicycle and pedestrian groups taking a more holistic approach. Ms. Moerschel asked if the state needs Complete Streets education.

Mr. Drew Boyce is willing to update the Council on the implementation plan prior to the Council voting to approve this recommendation. The Executive Order from the Governor gave the state the policy at which time an implementation plan was developed and vetted through many organizations. Mr. Boyce is willing to provide a presentation to the group at the next Council meeting as well as the Built Environment subcommittee to discuss its progress.

The recommendation was tabled until the Council and Subcommittee members review Mr. Boyce's presentation.

## **VII. PUBLIC COMMENT**

Mr. Kirch opened the floor to public comment. No one in attendance had comments.

However, public comments were expressed through emails prior to the meeting.

Frank Warnock, Walking, Bicycling, and Conservation Advocate emailed the following: On behalf of myself, Amy Wilburn and Angela Connolly, please put this on the Council's active agenda by the last quarter of 2016, at the latest: A bill to revise DE's Pedestrian Code, considered for introduction during the 2017 Legislative Session. The draft language has already been completed, pending comments from the Council and other relevant stakeholders. The draft language is a "best of" version based on the code found in other progressive States (i.e. OR, WA, MA, etc).



A second comment is from Amy Wilburn. Ms. Wilburn asks the following questions:

- What is the status of obtaining the data that you believe is necessary to evaluate the pedestrian code?
- What data are you collecting/accessing in order to determine what changes should be made to the pedestrian code?
- Why have you chosen this particular data to provide guidance? If you are only considering data on fatalities and serious crashes, why have you chosen this approach, and why do you believe that it will enable you to take a comprehensive approach to changing the code?
- What efforts are being made to address quality of life in addition to crashes in terms of your comprehensive approach to updating the code? Considering that quality of life is important to current and future residents of this state and to increasing active transportation and mode share, it is an area that needs to be addressed in any comprehensive approach.

Ms. Wilburn continues: “Since you are a public, government council, it is of course required by law that a record of the meeting is created and kept. I welcome your willingness to update the pedestrian code and look forward to the Council’s response to the comments submitted by me and Frank.”

Mr. Kirch explained that a draft bill was given to Council. The legislative subcommittee reviewed it but did not recommend it to the Council. Frank and Amy are asking Council to reconsider recommending the bill. He explained that Frank and others thought the Council was going to study the bill more but that is not what the Council was doing. If anyone can bring data to the subcommittee that this bill reduced crashes in the states it was issued then the Council will reconsider.

#### **VIII. ADJOURN**

The meeting adjourned at 12:05 p.m. when quorum was no longer met (Ms. Janelle Cornwell left at 11:45, Jamie Wolfe left at 11:50, and Jana Simpler left at 12:05).

Meeting Minutes reported by:  
Sonia Marichic-Goudy PE

