

**Members Present**

John Sisson, Chair	DTC/WILMAPCO
Nicole Majeski, Co-Chair	DelDOT
Marsha Carson	Department of State – ADA Title II Coordinator
Doug Denison	Department of State
Bob Ehemann	DNREC
Ken Grant	AAA
Kimberly Holmes	DE Healthcare Association
Bill Jiron Jr.	Governor's Appointee
Richard Klepner	OHS
Reed Macmillan	Dover/Kent MPO
Louie Phillips	American Heart Association – DE Chapter
Jennifer Walls	Sussex County
Mike Wagner	Department of Education
Todd Webb	DelDOT
Jessie Welch	Governor's Appointee

Members Absent

Fred Breukelman	DHSS
William Payne	Citizen Representative
Jamie Wolfe	State Council for Persons with Disabilities

Guests

Brian Clarke	DelDOT
Tracy L.Y. Condon	DSP
Joshua Johnson	JMT
Jonathan Kirch	American Heart Association
Tom Lawless	DelDOT
Tom Nickel	DelDOT
Linda Osiecki	DelDOT
Lloyd Schmidz	Citizen
Brian Urbanek	DelDOT
Tigist Zegeye	Wilmapco

DelDOT Staff

Maria Andaya	DelDOT
Annie Cordo	DAG
Denny Hehman	McCormick Taylor

- 1. CALL TO ORDER:** The meeting was called to order by Chair John Sisson at 10:02 am.
- 2. MINUTES:** On motion of Mr. Macmillan and seconded by Ms. Carson, the Council approved the January 30, 2018 meeting minutes.
- 3. MEMBERSHIP UPDATES:** Ms. Andaya introduced new Council members: Ms. Kimberly Holmes to represent the Delaware Healthcare Association as designated by its



President, Wayne Smith. Ms. Louie Phillips for the American Heart Association – Delaware Chapter as per email from its Executive Director, David Morris. Mr. Richard Klepner was designated by DSHS Secretary Robert Coupe to replace Ms. Jana Simpler. Two new appointees by Governor Carney are Ms. Jessica Welch of Wyoming and Mr. Bill Jiron Jr of Greenwood. Ms. Andaya welcomed all of them and thanked them for their willingness to serve.

Ms. Andaya informed them that the Council meets quarterly usually the 4th Tuesday of January, April, July and October. There are also three subcommittees that meet in between those meetings in case anybody is interested.

4. SUBCOMMITTEE UPDATES:

- a. **Built Environment Subcommittee:** Ms. Linda Osiecki reported that she and Tom Nickel were elected to co-chair the subcommittee. They also have a new member, Mr. Tom Lawless who is an engineer with DelDOT's Project Development-North. Ms. Osiecki said that the subcommittee discussed median barriers at the last meeting. There's a DelDOT project that just moved to design that will consider different kinds of barriers including landscaping and others. They also discussed inviting representatives from the MPOs and counties to join the subcommittee. Ms. Osiecki also said the Mr. Mark Luszcz of DelDOT Traffic sent the subcommittee members a copy of the HAWK Pedestrian Signal Compliance Study that his section recently completed. The study indicated that the installation of signs at the HAWK signals may have a positive effect with motorists compliance but not as much with pedestrians.
- b. **Education and Enforcement.** They met twice since the last Council meeting. They have been discussing the recommendations made from last year and how to move forward. One of the items they have been discussing is the training of crossing guards. He said that Ms. Andaya and Mr. Chip Kneavel are working on establishing a list of contact points per school so they can work with them and AAA (AAA provides free crossing guard trainings). Mr. Klepner also reported that they just met with an enforcer from the Drug Alcohol and Tobacco Education (DATE) to discuss impaired pedestrians and what can be done to minimize the number of pedestrians walking while highly intoxicated.
- c. **Legislative and Policy Subcommittee.** On behalf of Mr. CR McLeod, Ms. Majeski reported that the subcommittee is going to meet in May.

5. ACTION ITEMS:

- a. **2017 Annual Report review and approval.** Ms. Andaya provided the Council a summary of the 2017 Pedestrian Council Annual Report. Since March, the report was circulated twice to the members of the Council via email for review.

She said that the Council met four times in 2017 while the subcommittees met a total of eight times. At the June 2017 meeting and upon the recommendation of the Education and Enforcement Subcommittee, the Council approved a motion requesting that Governor Carney declare October as Pedestrian Safety Awareness Month. The Council received the official proclamation from the office of Governor Carney in August and at



the August meeting, they approved the purchase of reflective items and educational materials that DelDOT and OHS gave away at various events across the state.

Another notable accomplishment in 2017 was the inclusion of the White Cane Law in the revised final statewide driving exam for driver education courtesy of Council member Mike Wagner of the Department of Education. The Education and Enforcement Subcommittee continued to explore ways to educate the public regarding pedestrian safety.

Ms. Andaya continued by giving an update on the status of the seventeen recommendations made by the Council to DelDOT in 2017. Of the seventeen recommendations, she said the following have been completed/already being done or ongoing: Funding of Reflective and Educational Materials (the Council utilized \$5,700 of its funding for the purchase of these materials in 2017, page 11); Revision of the E-Crash Form (completed as per DELJIS, page 13); Pedestrian Safety Audits (three audits were completed in 2017 and some projects that resulted from past audits were also completed, page 14); Amendment to the Delaware Code (there is no need to amend the Code since it already has provisions authorizing DelDOT to temporarily enter onto private property page 14); DelDOT Planning to Coordinate with Land Use Agencies to Promote Non-motorized Road User Safety and Accessibility (page 15).

On the other hand, the following are almost complete: ADA Transition Plan (under review by FHWA, page 8); and Revision of the Defensive Driving Curriculum (completed and will be out for public review in the fall, page 10).

Ms. Andaya said at the end of her summary that among the topics planned for discussion in 2018 include pedestrians under the influence and conducting surveys to understand the public's perception regarding pedestrian safety.

Mr. Sisson asked the group if there are any comments regarding the report. Two changes were requested: (1) Mr. Lloyd Schmidz requested that pedestrian fatalities statistics be included in the report and (2) Mr. Sisson requested that item number 1 under the Legislative and Policy Subcommittee recommendations be updated to "Completed" (page 11).

On motion of Mr. Webb and seconded by Ms. Carson, the Council approved the 2017 Annual Report with the requested changes. Motion passed.

- b. **Review and vote on funding of youth educational outreach materials.** Mr. Klepner passed around some materials that he said are still in the very early planning stage. According to him, data shows that a considerable percentage of young children get hit and injured by automobiles every year. OHS partners with a firm called Alliance Sports Marketing who does a lot of outreach materials. They're developing comic books that they can distribute to schools especially on high crash areas like Kirkwood Highway, US 40 and US 13 in New Castle County. They're planning to conduct events at schools, distribute educational materials and also practice crossing properly. Their goal is to do these events in October. Mr. Klepner asked for funding from the Council. Ms. Andaya reported that there's \$3500 left in the budget for FY2018. Mr. Klepner is not sure yet



how much the comics/coloring books will cost. He asked if the Council would consider giving what's left of the budget towards their purchase. OHS will also put in money towards this project.

Mr. Sisson said he recognizes the importance of educational outreach but maybe they can be sponsored by companies in the future for sustainability.

Mr. Webb asked to make sure that information about push buttons for pedestrian signals be incorporated. Also Accessible Pedestrian Signals (APS) for the visually impaired.

There was a question on what age group will the coloring books cater to. Mr. Klepner said they're looking at young children from kindergarten through 4th or 5th grade. Ms. Majeski suggested having it available in electronic format that can be downloaded. There was a question if it can be made available in Spanish too. Mr. Klepner said yes and that most of their educational materials are available in Spanish. Ms. Welch asked if they can be made available in Braille. Mr. Klepner said he can ask. Mr. Webb suggested reaching out to target schools and see if they have students that require accommodation and if yes how many.

Mr. Sisson asked the group if there's any other budgetary needs they have since we're getting close to the end of the fiscal year. Mr. Wagner requested more reflective items. He said every time he sees a pedestrian or bicyclist that he couldn't see until the last minute, he now pulls over and educate them. He just ran out of reflective materials. It would be nice to give them reflective items.

Mr. Schmidz suggested that in terms of reproducing materials to raised signs or braille the Division for the Visually impaired can accommodate that. It can be done through the school district. It needs advanced notice but it can be done. The next item that he brought up was about reflective items. Since bus riders are pedestrians, unless they're coming from a park and ride, it would be nice to give them reflective items that they can clip on to their clothing. Especially when October comes and it starts to get dark early. Mr. Sisson said that DART did that last year and they plan to continue doing it.

Mr. Sisson and Ms. Majeski asked if the Council was approached for funding for the Walkable and Bikeable Summit. Ms. Andaya said no.

On the motion of Ms. Majeski and seconded by Mr. Wagner, the Council approved to utilize the remaining funding towards the purchase of educational materials and reflective items.

- c. **Review and vote of FY 19 budget for research and administrative support.** Ms. Andaya requested to renew the funding for McCormick Taylor in the amount of \$10,000 to provide research services for the Council and its 3 subcommittees. She said that the subcommittees have many good ideas but lack the time to pursue them. One example is the proposed Share the Road Class that is based on a similar program already in place in Oregon. Pedestrians in violation of laws or any violators who were in contact with pedestrians can take this class in lieu of paying fines. Some legislation changes might need to happen to pursue this program.



Mr. Sisson said that the Council doesn't have to decide on this now and the matter can be deferred for the July meeting. He asked Ms. Andaya to put together a budget plan for FY 19 at the July meeting. He asked the Council members to send Ms. Andaya any budget requests or project ideas they might have. He also asked Ms. Andaya to provide as much information as possible to any budget request prior to each meeting.

6. PRESENTATION/DISCUSSION:

- a. **Pedestrian fatalities by Richard Klepner, Office of Highway Safety.** The final figures for 2016 from the Governors Highway Safety Association (GHS) places Delaware as 5th state with the highest pedestrian fatality rate per capita. Our numbers did not really go down, it's just that other states went up. Nationally, pedestrian fatalities is up. Delaware's rate per capita is 2.83. The 2017 GHS Preliminary Data did not make a direct correlation but noted an increase in pedestrian fatalities among states that legalized recreational marijuana. It also mentioned an increase of 236 percent in cellphone use in the US from 2010 to 2016. Better news for Delaware – this time last year we were at 11 fatalities, this year we're at 5. January, we had 1 fatality. Usually we have 4 or 5. Three in New Castle, one in Sussex and one in Kent. What's disconcerting is we have 5 this year but 3 of them were in the last 11 days. There was a question if this number included the fatality last night with a service dog. The answer was yes.

Regarding distracted driving unfortunately, we don't have solid data that can account for that. Unless there's an eyewitness or the individuals themselves report it, which is unlikely to happen because they can get penalized for that. So right now we don't get data regarding distracted driving nor distracted pedestrians.

Mr. Sisson asked if there's a trend location-wise. Mr. Klepner said he does not have the locations in front of him but noted that the crash in Kent happened on US 13. There was also one that occurred on I-95 where a passenger got in an argument with the driver, got out of the car and started walking. Another one was in DE 4 who was hit by a police officer responding to a call. There was one on US 40 at Appleby Road and the other one was outside of Seaford. It was a 9-yr girl crossing the street to get to a mail box. It was a hit-and-run that made a lot of news. The driver was a teen driver who didn't stop. Age 9, 21, 37, 40 and 60.

Mr. Schmidz suggested making campaigns geared towards adults. Mr. Klepner said they do have campaigns geared towards adults because majority of pedestrian fatalities involve adults. But one third of the total crashes involve pedestrians 19 years and younger. Also a big percentage of that are children age 5 and 15. We don't have anything in place to cater to this younger group. That's what the materials are for that he presented earlier. This is going to be their first undertaking reaching out to young kids.

They typically see between 300 and 400 pedestrian crashes a year. Around 10 percent of that turn into fatal crash. Of the total crashes a lot of that happen to young kids on residential roadways where speed limits are 25 and there's 85 percent chance of survival. The ones involving adults are usually on roads with higher speed limits which result in more serious injuries or worse, fatalities.



Are crashes in municipalities or state right of way? Mr. Klepner does not have the exact number but a lot of crashes occur outside of municipalities.

There was a question if it's possible to determine how far a crash is from pedestrian facilities. Mr. Klepner said he was in the process of doing that but at that time DelDOT was updating its GIS database. Information on crosswalks, bus stops, sidewalks, etc. are needed to do this and it's probably something DelDOT can do. Mr. Sisson said we can work together on that. It would be easier for DelDOT to do that since they have the data including lighting, maintenance, etc. to see if they contribute to possible causes of crashes.

In some cases, there's nothing we can do about just like the pedestrian who got out of the car on I-95 and started walking. But in areas where we can potentially prevent them whether through education or facilities we should do it and see if we make an impact just like US 13 and 40.

Unfortunately, the pedestrian fatality on I-95 is not an isolated case. We usually get 4-5 fatalities per year on I-95, 495, 295 which are not the places you expect them. We should emphasize that if your car breaks down to stay in it and call for help.

Mr. Sisson requested to have some figures and graphs at future presentations.

- b. **Sidewalk Maintenance Policy by Brian Urbanek, Assistant Director, Maintenance and Operations, DelDOT.** DelDOT's maintenance policy is to maintain sidewalks in both operable and readily accessible working condition. What we don't maintain: owned or maintained by municipalities and those located in subdivisions; and those privately owned or maintained by others. The rest is maintained by DelDOT.

Types of maintenance: structural repairs (elimination of horizontal gaps greater than half inch, vertical gaps greater than quarter inch, repair of deteriorated pavement, as well as elimination of depressions that can trap water or ice), vegetation control 8-foot high and 1-ft past the edge of pavement. Snow removal – clear roads first before they can start sidewalks. Prioritization of sidewalks – high volume roads with bus stops are priority.

When it comes to structural repairs, vegetation control and maintenance is driven at this point on a complaint basis. For snow removal we use a state contract. If a contractor wants to participate in this they just have to meet the requirement and they can be added to the contract anytime. The biggest thing is we make sure that they meet the insurance requirement. We've been using this method since the winter of 2013-2014.

Some of the challenges that we encounter include the lack of equipment to do sidewalks. Most of our equipment are oversized. Also, there were occasions when folks were available to do some work but there's no guarantee when the next snow storm is going to come and we need to reserve folks to clear the roads when the next snow storm hit. We do use our in-house crew to inspect the work done by contractors.

The University of Delaware's Institute for Public Administration did a report that 43 of



57 municipalities in Delaware do have sidewalk regulations. For the most part, the burden is put on the adjacent property owners and the town enforce that they have 24-48 hours to clear their sidewalks.

From an inventory stand point, we classify primary sidewalks and secondary. Primary sidewalks are on major arterials with bus service and high pedestrian use. We have about 144 miles of that. Data is about a couple of years old but we're trying to update that. When we get storm events, we target primary sidewalks first.

We utilize the UD weather station in measuring snow fall. Also, factor the forecast if there's another event. For example we had a snow event followed by 50 plus degree weather. At that point we can just let it melt and address complaints rather than mobilize our crew because as fast as we are plowing the snow is melting.

Another challenge is the maintenance of traffic. It does drive up cost. Cost is definitely an issue.

There was a question from the audience if Mr. Urbanek talk to northern states to see how they do it? Mr Urbanek said yes but most of them adopt the adjacent property owners policy. But also most states only take care of expressways. There's only a few of us responsible for 90% of the roadways.

Other states have volunteer programs such as adopt a ramp. Pittsburgh has snow angels program.

(Copy of Mr. Urbanek's presentation will made available on the Pedestrian Council's website at:

https://www.deldot.gov/Programs/pedestrian_council/index.shtml?dc=meetings)

7. **PUBLIC COMMENT:** Mr. Jonathan Kirch urged the council to look closely at design issues and how that put pedestrians in danger. He said that 50-60 years ago, our children were walking and biking to school. He said that these days, we turned pedestrian into deviants of America and it's causing health problems.
8. **ADJOURNMENT:** Meeting was adjourned at 11:17 am. Next meeting is on July 24, 2018 from 10:00 am – 12:00 pm.