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Speaker of the House
STATE REPRESENTATIVE
14th District

HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
LEGISLATIVE HALL
DOVER, DELAWARE 19901

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Route 1 Pedestrian Safety Task Force Meeting Minutes- August 7, 2013

Speaker Pete Schwartzkopf called the meeting to order at 7:04pm. Present members of the Route 1 Pedestrian Safety Task Force included Co-Chairs Speaker Pete Schwartzkopf and DelDOT Sec. Shailen Bhatt, Rep. Steve Smyk, Sen. Ernie Lopez, Sussex County Councilwoman Joan Deaver, Rehoboth Beach Mayor Samuel Cooper, Leonard Read, State Police Lt. Mike Nelson, Donald Mitchell, Bill Klemkowski, Roger Roy, Danya Quillen, and Bob Frederick.

Lt. Mike Nelson reported on the number of pedestrian and bicycle injuries and fatalities in recent years along the Route 1 corridor between the Nassau Bridge and the southern town limits of Dewey Beach. According to the State Police records, there have been a total of 14 pedestrian or bicyclist injuries and 5 fatalities in the past three years, with 5 injuries in 2011, 3 injuries and 2 fatalities in 2012, and 6 injuries and 3 fatalities in 2013.

Lt. Nelson summarized that most incidents occurred in the summer months from Thursday to Sunday in the evenings or early morning. Alcohol was involved in many cases. The incidents represent a mix of locations along the corridor. None of the pedestrians or bicyclists involved in an accident wore reflective gear. Lt. Nelson concluded that in most cases the pedestrian was at fault or partially at fault for the accident.

Sgt. Anthony Mendez with the State Police Fatal Crash Reconstruction Unit went through a number of the accidents the unit has investigated in more detail, highlighting relevant circumstances. All the accidents happened after dark. It was noted that people are confused that you walk against traffic but ride a bicycle with traffic.

Rep. Smyk asked Lt. Nelson to detail the State Police's efforts to educate the public on safety. Lt. Nelson explained that the Troopers patrol the forgotten mile – the stretch of road on Route 1 between the Lewes-Rehoboth Canal Bridge and the town limits of Dewey Beach – on weekends, stopping pedestrians, bicyclists, and drunk drivers. The State Police hosts bike checkpoints with the help of UD and bicycle organizations geared toward the exchange student population to give out lights and safety information. Programing at Epworth Church also allows the crash team to explain the rules of the road to the foreign exchange students.

Roger Roy noted that the Sussex Cyclists volunteer at the checkpoints to educate inexperienced bicyclists. DelDOT has provided orange blinking lights to put on clothing this year. Councilwoman Deaver stated that Sussex County spends millions of dollars for State Troopers to be in this area.

Speaker Schwartzkopf explained that the root of the problem in the area is expansive growth without a corresponding growth of infrastructure to deal with it. Thousands of cars come through the area and though it is expensive to fix the problems at this point, common sense ideas can help improve safety.

Sec. Bhatt said that Route 1 is essentially a super highway. Mark Luszcz, a DelDOT planner, said the Route 1 corridor experiences high traffic volume, with about 60,000 vehicle average daily traffic (ADT). The corridor will hit 80,000 ADT at its peak. For context, I-95 has an ADT of 150,000 vehicles. The standard clearance interval for a pedestrian to cross Route 1 at a crosswalk is 50 to 60 seconds based on the Americans with Disabilities Act (ADA) standard of 3.5 feet per second.

Bob Frederick acknowledged the competing interests at play on Route 1. He asked if the goal was to get cars through the area quickly or to allow pedestrians to cross to get to the beach or outlets. Sec. Bhatt agreed that the community needs to identify desired goal for Route 1. Access management is a key concern for DelDOT. There are not typically entrances directly onto a highway, but exits and service roads to access businesses and homes. Councilwoman Deaver acknowledged the county's responsibility for zoning Route 1 and not adding service roads. It was zoned as a commercial highway.

Lt. Nelson noted that from a police stand point, the cars are not at fault in most of the accidents, but the pedestrians are not crossing at crosswalks or wearing reflective gear.

Speaker Schwartzkopf emphasized lighting up the highway so motorists have more reaction time. People will cross to get from point A to point B in the fastest way possible. Tourists are coming from all different states with all different pedestrian laws.

Lt. Nelson agreed with the Speaker that lighting the roadway is important. State Police visibility tests have shown totally dark areas between Five Points and Dewey Beach. The speed limit is also a factor, and enforcement is difficult on Route 1. Mayor Cooper asked if speed was a factor in recent accidents. Lt. Nelson noted that it is difficult to tell without physical evidence how fast someone was really going. Committee members also acknowledged distracted driving as a serious safety issue affecting the whole country.

Roger Roy asked Sec. Bhatt about DelDOT's plan, unveiled at a meeting hours earlier, to increase pedestrian safety. DelDOT planner Mark Luszcz explained the plan is to put in continuous sidewalks from the Nassau Bridge to the Canal, add 14 pedestrian crosswalks, and 62 additional street lights. Construction would begin in the summer of 2014.

Speaker Schwartzkopf was not supportive of the plan. He suggested putting in multi-use blacktop paths in place of sidewalks allow the corridor to get bicycles off the road. Most bicyclists won't ride on the side walk since it is not allowed in the town. The 14 additional crosswalks will create serious traffic backup by DelDOT's own admission. The Speaker emphasized seeing the total package when trying to solve a problem. If traffic worsens significantly, tourists will not come back.

Sen. Lopez asked on behalf of a constituent if alcohol was a factor in the accidents. Lt. Nelson explained that in some cases, alcohol was a factor. He detailed the procedure for establishing sobriety check points. Lt. Nelson noted that he is trying to put together a task force with officers from different municipalities and jurisdictions next summer to deal with alcohol and safety through the Office of Highway Safety. Rep. Smyk added that Troopers do not control where the checkpoints are placed. The location is based on the concentration of offenses and determined by the Office of Highway Safety.

Leonard Read asked if increasing the number of police officers would alleviate problems. Speaker Schwartzkopf suggested doing more daytime enforcement and education in the beginning of the summer.

Rep. Smyk added that the State Police are dispersed by geography. He requested that the state makes sure the State Police are hitting their minimum staffing levels and believed that they were short 60 to 70 troopers.¹

Mayor Cooper said that this corridor needs a stronger reputation of speed enforcement in order to change behavior and cited Ellendale's reputation.

The committee highlighted the specific ways they want to explore to improve safety: improve lighting, install multi-use paths or sidewalks, increase Office of Highway Safety funding for police projects, reduce background lighting, review the speed limits, examine signage to reduce clutter while adding add variable speed signs or warning signs, establish a public awareness campaign, and create physical barriers to channel pedestrians to crosswalks.

Sec. Bhatt offered to organize a roadway safety audit after Labor Day to go out and drive the corridor with the committee members.

Bob Frederick asked the co-chairs of the Task Force to include a representative from the Tanger Outlets in future meetings. Roger Roy asked the committee to consider reaching out to other communities in the state that have dealt with these problems such as the City of Newark. Sec. Bhatt suggested a more analogous situation would be pedestrian safety improvements on Route 13 in Dover. DelDOT has worked with DSU to channel students to crosswalks using shrubbery and small walls.

Bob Frederick suggested trying to make the corridor look less like a highway by adding shrubbery to the median strips and developing public/private partnerships.

Speaker Schwartzkopf opened the meeting to public comment.

Dale Cooke expressed his frustration with the DelDOT meeting earlier that evening for not providing paper materials for the public to take home. He supported the idea of physical barricades on the sidewalks to prevent people from crossing anywhere.

Bruce Pell asked if the police coverage is based on the density of population and if the area gets more police during the summer season and suggested that bicycles ride against traffic rather than with traffic. Lt. Nelson noted that it is federal policy that dictates bicycles ride with traffic. Bruce also pointed out that the lines in turn lanes encourage people to use them as passing lanes. Sec. Bhatt and Mayor Cooper agreed that the lines should be reworked to provide more guidance to motorists.

Diane Hanson, Mayor of Dewey Beach, asked about enforcement on establishments where the alcohol was served to people who got into accidents. Sgt. Mendez explained that the State Police do follow up with establishments, but it is often difficult to determine where they were served. Delaware does not have 'dram shop' laws, which establish the liability of establishments for intoxicated persons.

Mable Granke asked the committee to not forget about the year-round residents when developing plans. She asked for improved bus transportation and better coordination between bus stops and crosswalks.

¹ The Delaware State Police confirmed on August 8, 2013 that they are required by law to have 660 troopers and that they are currently above that staffing minimum.

Chuck Quinlan noted problems with left turn lanes and suggested extending the green light time for left hand turns. Sec. Bhatt explained issues with left turns and suggested engineering 'Michigan lefts' where you remove some left hand turn lanes and make people pass their destination in order to make a left at a safer location. This limits traffic tie ups and is a part of access management.

Gwendolyn Jones supports barricades to provide visual breaks but noted that there are not enough crosswalks for people to cross properly. She suggested making bicyclists licensed so they have to take a mandatory bicycle safety problem like boaters.

Valerie Valeska suggested using landing zones in cross walks to stagger time for crossing between the northbound and southbound traffic.

Patrick Ogden pointed out that in many places the median is too small for people to stand and wait or the median is overgrown trees.

Karen Zakarian shared that her brother was killed while walking on Route 1 in June and she thanked the committee for doing something about this problem. She suggested an innovative safety campaign by marketing a positive family-first message. She requested that the committee include the forgotten mile in the plans and highlighted the state responsibility to get people safe options to travel in the corridor.

Scott Thomas with Southern Delaware Tourism acknowledged that they spend a lot of money to bring tourists to the region and they should do the same for safety. He wants to see local residents put less pressure on visitors.

Bruce Kauffman, a cyclist, noted that the bicycle lanes are not safe and they disappear in certain places. He wants to see the bike lane look more distinctive than the regular lanes and ensure lane maintenance.

Mr. Burke stated that pedestrian education needs to be pinpointed with out of the box advertising. Lt. Nelson added that most injuries happen to visitors, not locals, so educating visiting pedestrians is a key component to a safety plan.

Adele Haas shared her frustration with the speed people travel on Route 1. She can barely turn out of her community. She opposed the new transit center being put in her community. Sec. Bhatt explained that the transit center will be a park and ride for people coming from the north to the beaches.

Anna Legates, a Dewey Beach commissioner, noted that underage drinking is a huge problem with 25% of all violations in the state coming from Dewey. As a year-round resident she knows she can't leave her house on Saturday or Sunday because of the traffic.

Bob Kaplan suggested visual messages, landscaping, and painting to educate visitors because this is an unfamiliar place for tourists.

Charlie Mowday supported Speaker Schwartzkopf idea to put in multi-use paths made of black top. He suggested doing a test of the path in a small area to see if they were effective.

Bob Frederick thanked the co-chairs for hosting this meeting. Speaker Schwartzkopf adjourned the meeting at 9:55pm.

