



LEAGUE OF MICHIGAN BICYCLISTS

Bicycle and Trail Advocacy Day Priorities

1. Enact Legislation to Protect Vulnerable Roadway Users

Support **SB 617** (McCann), **SB 618** (Klinefelt), **HB 5223** (Rogers) and **HB 5224** (Schuette). These will create enhanced penalties for drivers who injure or kill a vulnerable roadway user (VRU), including people who bike, walk, or use wheelchairs. Many Michigan drivers who kill a bicyclist in a crash are only charged with a misdemeanor, “Moving Violation Causing Death.” With the current state of Michigan law, prosecutors are faced with incredibly difficult decisions on appropriate charges when a motorist injures or kills a bicyclist.

2. Create Incentives for E-Bike Purchases

Support **HB 4491** (Rogers) and **\$2.95 million House Transportation** budget allocation. Michigan can join several other states, including Colorado and Minnesota, investing in the transformative potential of e-bike incentives. By lowering the upfront cost, incentives can make e-bikes accessible to the people who benefit most from more affordable transportation.

3. Establish a New Mobility Asset Management Council

Support **SB ____** (Shink). It will establish the New Mobility Asset Management Council (NMAMC) within the Michigan Infrastructure Council, extending the successful TAMC model to New Mobility asset classes including non-motorized and motorized recreational trails, Electric Vehicle charging stations, clean alternative fuels stations, on-road bicycle lanes, sidewalks, side paths, micromobility stations, aeromobility, and V2X infrastructure.

4. Support Community Bike Repair Programs

Support **\$200,000** budget allocation for community bike repair programs. For some Michiganders, bicycling serves as a safety-net transportation option, especially low-income folks, refugees, the homeless, and kids. Community bike repair programs fill a key role but may **struggle to find operating funds for parts and supplies**, to operate programming and to compensate instructors. The League of Michigan Bicyclists can sustainably address this need through an expansion of its successful Micro-Grant (now Better Bicycling Grant) program to include a **community bike repair fund**.

5. Open Funding Opportunities to Mountain Bike Nonprofits

Support additional state funding opportunities to directly support mountain biking trail construction and maintenance, either by allowing nonprofits to apply for development grants through the Michigan Natural Resources Trust Fund (MNRTF) or by identifying new sources of dedicated land conservation and trail funding through a more holistic solution – “growing the pie” rather than slicing it differently.

Contact Matt Penniman – matt@LMB.org – cell: 517-410-5499 – with any questions.



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1. Enact Legislation to Protect Vulnerable Roadway Users

In Oct. 2023, a bipartisan, bicameral group of lawmakers (Sen. McCann, Sen. Klinefelt, Rep. Rogers and Rep. Schuette) introduced **SB 617**, **SB 618**, **HB 5223** and **HB 5224**. These bills built on past efforts in 2009, 2011, 2013, 2015 and 2021. SB 617 and 618 were referred **unanimously** by the Senate Civil Rights and Judiciary committee on May 8. The House Transportation committee is expected to vote on HB 5223 and 5224 at their May 14 meeting.

Issue

Some states have passed legislation to protect vulnerable roadway users (VRU) including people who walk, bike, ride horses, or use wheelchairs. These laws create enhanced penalties for drivers who injure or kill a person who is not protected by a motor vehicle in a crash.

Current Michigan law provides for a felony punishable by up to 15 years imprisonment and/or a fine of \$7,500 or both for a moving violation causing death to a person operating “an implement of husbandry” (i.e. farm equipment.)

These bills would extend this felony to all vulnerable roadway users, define “vulnerable roadway user”, and create an additional felony punishable by up to 5 years imprisonment and/or a fine of \$5,000 for a moving violation causing serious injury (requiring inpatient treatment at a hospital or rehab facility) to vulnerable roadway users and individuals operating an implement of husbandry.

Key Points

- Many Michigan drivers who kill a bicyclist in a crash are only charged with a misdemeanor, "Moving Violation Causing Death." As former LMB board member Bryan Waldman wrote in 2017, "given the current state of Michigan law, when a motorist injures or kills a bicyclist, the prosecutor is left with an almost impossible decision regarding the appropriate charge for the crime and it is damn near impossible to obtain a meaningful conviction."
- With input and feedback from LMB, the proposed bills will provide enhanced tools to law enforcement officers and prosecutors to seek appropriate penalties when drivers choose to drive recklessly and injure or take a life as a result.
- Everyone deserves the choice to bike or walk safely. We already have increased penalties in Michigan for drivers who hit and kill road workers or police officers, and these bills follow the same principle.
- While road design and vehicle regulations are important parts of a Safe System approach to reducing traffic crashes and loss of life, safer decision-making and driver accountability are also key ingredients.
- “12 states – Colorado, Connecticut, Delaware, Florida, Hawaii, Maine, Maryland, Oregon, Utah, Vermont, Virginia, and Washington – have VRU laws that define a set of road users as vulnerable and provide specific processes and penalties for actions directed at those users.” *Source: <https://bikeleague.org/bike-laws/model-legislation/model-vulnerable-user-law/>*



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2. Create Incentives for E-Bike Purchases

Supporting HB 4491 (Rogers) and the \$2.95M House Transportation budget allocation.

Issue

Electric bicycles (e-bikes) are affordable and efficient for many transportation needs.

They combine the health and air quality benefits of a bicycle with the comfort and convenience of a motor assist for carrying cargo and passengers, while producing less congestion and putting less wear and tear on roadways than cars. E-bikes are more expensive than pedal bikes, but much less than EVs.

Although growing in popularity, e-bike adoption can be accelerated through state action. Several states, including California, Colorado, Connecticut, Massachusetts, Minnesota, New York, Oklahoma, Washington, and Vermont, have introduced or passed legislation creating incentive programs. Existing programs range from \$200 to \$1,200 for flat-rate rebates. Many are scaled based on income to provide more assistance to low-income households.

Key Points

- **E-bikes can replace car trips more effectively than pedal bikes.** With an electric assist, peak effort (such as on hills) is reduced while speed and comfort are increased, but the health benefits of moderate-intensity activity are retained. A 2018 study surveyed 1,755 e-bike riders and found the top three barriers to bicycling were hills, long distances to desired destinations, and not wanting to arrive sweaty. E-bikes reduced all these barriers.
- **E-bikes can travel 500 miles on \$1 of electricity.** A typical e-bike range is about 40 miles. E-bike batteries can be charged from a regular home outlet, and typically last about 1,000 charging cycles before a drop in capacity. Replacement batteries are about \$300-600.
- **E-bike price points** average \$1,000-\$3,000 for commuter/leisure and \$2,000-\$6,000 for cargo e-bikes, with maximum speeds of 20 or 28 mph.
- **Denver started offering an e-bike purchase incentive in 2022.** Since then, more than 8,000 residents have used the incentive, and the city has found:
 - Per-mile, e-bikes cost 40% less to operate than EVs and nearly 75% less than ICEVs.
 - Cumulative annual savings of over \$1 million (conservatively) from the program.
 - E-bikes emit **3% of the CO₂e emissions as EVs and 1% as ICE vehicles.**
 - 71% of survey respondents reported using their gas vehicles less often.
 - 67% of the program funding went to income qualified residents.
- Based on recently-completed research on incentive effectiveness, LMB recommends an incentive of **\$300** for all e-bike purchasers, with an additional **\$300** for low-income, as a point-of-sale discount available at Michigan retailers with a minimum 1-year warranty and battery safety certification requirements. At least 50% of the annual incentive budget should be reserved for low-income households. A state agency should administer the program, distribute incentive vouchers to qualified residents, and invite eligible bicycle retailers to register. Once registered, the retailers would provide point-of-sale discounts to people with vouchers and submit the data for reimbursement. The agency should partner with academic institutions for tracking, survey, and data collection; with local organizations to identify and connect with participants; and with local bike shops for outreach, access to service, and test rides.

Links and references at [LMB.org/ebike](https://lmb.org/ebike)



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3. Establish a New Mobility Asset Management Council

Supporting SB ____ (Shink.)

Issue

Improving life through bicycling means building a state where everyone has safe places to ride. But Michigan currently doesn't have an **inventory of multimodal facilities [i.e. bike lanes, paths, sidewalks, multi-use trails, etc.]**. This was one of the needs expressed in the active transportation portion of MDOT's long-range transportation plan for 2045:

"Currently, with more than 600 road agencies and thousands of townships and parks departments all involved in building out the [active transportation] network, having these various entities track and report their inventory has not been possible. Therefore, there is not a means to estimate the inventory that exists for these facilities by type, as a policy does not exist requiring asset management and inventory of multimodal facilities at statewide, regional, or local levels." (p. 19)

SB ____ will establish a new asset management council within the Michigan Infrastructure Council (MIC). The **New Mobility Asset Management Council (NMAMC)** would join the Transportation Asset Management Council and the Water Asset Management Council in carrying out the MIC's mission to "define a vision for Michigan's infrastructure that provides the foundation for public and environmental health, economic prosperity, and quality of life."

The NMAMC would focus on New Mobility asset classes whose condition – or even existence – is not currently monitored or inventoried in a comprehensive statewide approach, such as non-motorized and motorized recreational trails, Electric Vehicle charging stations, clean alternative fuels stations, on-road bicycle lanes, sidewalks, side paths, micromobility stations, aeromobility (e.g. drone ports), and V2X infrastructure (e.g. connected roads.)

Key Points

- **New Mobility** refers to the evolving concepts and technologies that are reshaping transportation and mobility systems. It encompasses innovative approaches to transportation that aim to improve efficiency, accessibility, sustainability, and user experience.
- With statewide asset inventory, condition reporting, and other data collected through the NMAMC, the state would be better poised to make data-driven strategic decisions regarding these assets.
- The NMAMC will compile and maintain a comprehensive inventory of New Mobility assets across the state, develop performance goals within each asset class, monitor regional and statewide progress towards achieving these goals, and develop data-driven recommendations for statewide strategies.
- By tracking progress, the NMAMC would help assess the effectiveness of initiatives related to New Mobility assets.
- A system-level approach provides a holistic understanding of New Mobility conditions and identifies areas that require attention. By assessing the condition and identifying gaps in New Mobility infrastructure, the state and its local partners can develop data-driven strategies to complete the systems, attract New Mobility companies to invest in Michigan, and pursue federal and state grant opportunities.



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4. Support Community Bike Repair Programs

Issue

For some Michiganders, bicycling serves as a safety-net transportation option, especially low-income folks, refugees, the homeless, and kids. However, many bicycle repair options are geared toward recreational riders who can drive to a shop. Community bike repair programs fill a key role but may **struggle to find operating funds for parts and supplies**, to operate programming and to compensate instructors. The League of Michigan Bicyclists can sustainably address this need through an expansion of its successful Micro-Grant (now Better Bicycling Grant) program to include a **community bike repair fund**, in response to repeated and frequent requests from these groups that exceed currently available resources.

LMB has heard from many programs about the need for ongoing support. Upcycle Bikes said the road infrastructure is there – but to increase the diversity of who is using bike lanes, we need to get bikes to people. **99% of their bikes go to people who make less than \$25,000 annually**. It costs an average of \$50 in parts per bike to fix it up.

Key Points

- *“Through our operations, we give old bikes a new life and a new purpose. Independence and opportunity are what we are able to provide... Because of our reliance on volunteers, bike and parts donations, and relationships with parts wholesalers, we can keep our costs low. Although many of our bikes are quite old, we are proud of the quality we can create and provide.” – Upcycle Bikes, Grand Rapids*
- *“The Muskegon Area Bike Library provides community members with free access to sustainable, quality bike transportation [where] more than 50% of residents do not have access to a bike... we are going to expand and need funds for supplies to continue to fix our donated bikes for the program.” – MABL, Muskegon*
- *“PEAC works to empower the lives of individuals with disabilities through cycling, active transportation, and self-advocacy education. Our Mechanics Program provides hands-on skills building opportunities with a curriculum focused on applicable skills that can be used in both personal bicycle upkeep and in seeking employment. Participants learn how to completely deconstruct bicycles, perform minor repairs, and eventually rebuild bicycles with major component changes.” – PEAC, Ypsilanti*
- State appropriation to LMB would create a community bike repair fund that could be distributed through sub-grants over time.

Example Community Bike Repair Programs:

- Upcycle Bikes, Grand Rapids
- Muskegon Area Bike Library, Muskegon
- Lansing Bike Cooperative, Lansing
- Kids Repair Program, Lansing
- Re-Bicycle Lenawee, Adrian
- Cycle-Re-Cycle, Benton Harbor
- Recycle-A-Bicycle, Traverse City
- Armory Bike Union, Jackson
- Common Cycle, Ann Arbor
- Luki Bike Adventures, Detroit
- Free Bikes 4 Kidz, Detroit
- Back Alley Bikes, Detroit
- PEAC, Ypsilanti



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5. Open Funding Opportunities to Mountain Bike Nonprofits

Issue

In late 2021, the Michigan Department of Natural Resources released the 2022-2032 DNR Trails plan, with a vision for Michigan to "solidify its national recognition as the Trails State by providing diverse and sustainable trail experiences." The plan notes (p. 31): "As Michigan continues to expand the network of state-designated trails, greater emphasis is needed to ensure there is funding to complete the necessary upkeep to continue to provide quality experiences... While motorized trails currently have dedicated funding sources to support operations, no similar structure exists for nonmotorized trails."

Michigan needs a sustainable funding source for natural surface trail building and maintenance. We would like to identify lawmakers with a particular interest in one or both of the following topics:

1. Allowing nonprofits to apply for development grants through the Michigan Natural Resources Trust Fund (MNRTF), possibly with limits to the type of nonprofit or maximum dollar amount
2. Identifying new sources of dedicated land conservation and trail funding through a more holistic solution

Key Points

- Currently, the Michigan Natural Resources Trust Fund (MNRTF) only accepts applications from local governments or authorities composed of multiple governments. Allowing nonprofits to apply would create an opportunity for more projects to be shovel-ready faster, as nonprofits are often nimbler than government agencies to accomplish goals.
- In several cases, nonprofits are working with municipalities as partner organizations to complete deliverables for MNRTF grants. Removing the requirement for a city or county to serve as fiduciary would allow smaller projects to be completed more efficiently. Nonprofits are also often able to fundraise for match requirements more easily than municipalities.
- Studies find significant impact around the country from mountain bike tourism. In North Carolina, mountain bike visitors spend \$30.2 million per year in the Nantahala and Pisgah National Forests. Bicycling generates \$137 million annually in economic benefits to Northwest Arkansas. The Wisconsin bicycle industry brings \$556 million and 3,420 jobs to the state. An MDOT study released in the spring of 2015 estimates out-of-state participation in organized bicycle events contributes nearly \$22 million to the State economy. (More studies at <https://headwaterseconomics.org/trail/?use=mountain-biking®ion=midwest>)
- In Michigan, outdoor recreation (as a whole) annually generates \$26.6 billion in consumer spending, 232,000 direct jobs, \$2.1 billion in state and local tax revenue and \$7.5 billion in wages and salaries.