

Dear Select Board Members,

I live on Cochran Road so I drive and recreate on the road literally every day. For the most part, motorists are very respectful of people running, rollerskiing, walking and biking on the roadway and that is one of the many things I love about living in Richmond.

I share the concerns of my neighbors about increased traffic due to the construction project on Route 2 and the public safety risks this presents. I understand that the Town is working on traffic calming measures and I appreciate and support that.

Vermont law provides for coexistence of vehicles and people on the roads. It says, abridged...

"The operator of a motor vehicle approaching or passing a vulnerable user ... shall ... reduce speed and increase clearance to a recommended distance of at least four feet..., and shall cross the center of the highway ... as provided in section 1035

Section 1035

A vehicle shall not (cross the centerline) in overtaking and passing another vehicle or vulnerable user ... unless the left side is clearly visible and free of oncoming traffic"

Having been passed by thousands of cars while walking my dog, exercising, or visiting with neighbors I can relay that without a physical barrier, a clearance of four feet between a car and a person is grossly insufficient to convey a sense of safety to me, the vulnerable user. When driving a vehicle I always yield with 8-10' of clearance, and / or slow down, and I encourage others to do the same. This effectively means crossing entirely into the other lane, or coming to a stop when an oncoming car makes it unsafe to pass the vulnerable user.

I ask for leadership from the Select Board to support a common understanding of how our roads harmoniously may be used by different types of users and how to apply Vermont's statutes. I propose the Select Board adopt a non-binding resolution to the effect that:

1. Pedestrians and cyclists using the roads should wear high visibility clothing including bright colors. Personal lights should be used from one hour before sunset to sunrise.
2. Pedestrians should travel on the left side of the roadway facing oncoming traffic. Cyclists should travel on the right side of the roadway, with vehicle traffic.
3. Richmond encourages drivers to yield to vulnerable users with a minimum of eight (8) feet of clearance.
4. Crossing a double yellow line is permitted in the presence of a vulnerable user, provided the other side of the road is not occupied by a vulnerable user or an oncoming vehicle.
5. The only way to safely pass both a vulnerable user and an oncoming car or a vulnerable user in the oncoming lane is to come to a stop until one of the parties has passed.
6. The duty to yield rests entirely with the operator of the motorized vehicle. Vulnerable users have an equal right to use public roads. The responsibility is not on the vulnerable user to remove themselves from the road in the presence of a motor vehicle, but instead it is the duty of the operator of the motor vehicle to yield to the vulnerable user per state law.

Thank you for your consideration and for your service to our community.

Sincerely,

Nicholas Ponzio
Cochran Rd
Richmond, VT

For your reference - Vermont Statute See 23 V.S.A. § 1033
<https://legislature.vermont.gov/statutes/section/23/013/01033>

"Approaching or passing vulnerable users. The operator of a motor vehicle approaching or passing a vulnerable user as defined in subdivision 4(81) of this title shall exercise due care, which includes reducing speed and increasing clearance to a recommended distance of at least four feet, to pass the vulnerable user safely, and shall cross the center of the highway only as provided in section 1035 of this title. A person who violates this subsection shall be subject to a civil penalty of not less than \$200.00.

Subdivision 4(81):

A vehicle shall not be driven to the left side of the center of the roadway in overtaking and passing another vehicle or a vulnerable user proceeding in the same direction unless authorized by the provisions of this chapter and unless the left side is clearly visible and free of oncoming traffic