

Another Legislative Attack on Cycling

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Interest in bicycling is at an all-time high, and steadily rising, as each year more people discover the benefits of a lifestyle that includes cycling. There are many converging reasons for bicycling's increasing popularity. Riding a bike is a way to stretch tight budgets in a time of prolonged economic downturn. In the midst of rising rates of obesity, bicycling counters the sedentary lifestyle and over-consumption of calories that lies at the root of the obesity epidemic. And of course, bicycling is an environmentally-friendly means of transportation through which individuals can reduce both their petroleum consumption and their carbon footprint. Did I mention that it's also just flat-out fun, whether riding solo, with family and friends, or with a club?

Yes, we have our detractors, who engage in "cars s. bikes" social warfare (and sometimes "cars vs. bikes" vigilantism), and long for a return to the time when motorists had finally pushed all other traffic off of the roads. But that supposed golden age they long for has long passed, and is distantly receding, never to return. The bicycle is back, more popular than ever, and here to stay.

But judging by the transportation legislation Congress has been working on this year, you'd never know that. The year began with Rep. Duncan Hunter's (R-CA 52) [efforts](#) to remove biking from "the federal purview of what the Transportation Committee is there for." As the [League of American Bicyclists](#) warned at that time, they were "monitoring and preparing for possible federal budget cuts that could attack biking and walking."

Now, some ten months later, the Senate's version of the transportation legislation is taking shape. Euphemistically termed the "Moving Ahead for Progress in the 21st Century Act," the Senate's legislation actually proposes to take America a step back toward that mid-twentieth century "golden age of transportation" when all other traffic had been pushed off the roads to make way for the automobile. The legislation is not exactly a complete de-funding of bicycling, as was first feared when Rep. Hunter [argued](#) that bicycling is "not the same as driving a car or flying an airplane."

Certainly not for lack of effort, though. First, Senator Tom Coburn (R-OK) [attempted](#) to strip all bicycle and pedestrian funding from the bill. That attempt failed. Senator John McCain (R-AZ) was next, with [an effort to restrict funding](#) in the Transportation Enhancements program. Senator McCain's attempt also failed. Then, in October, Senator Rand Paul (R-KY) made his own attempt [to remove all bicycle and pedestrian funding](#) from the transportation bill. Senator Paul's amendment [also failed](#).

The battle is still on, however. In the current version of the legislation, biking and walking programs have been combined into [one program](#), with disproportionate cuts in funding, newly-imposed competition with other unrelated (but worthy) programs such as wetland mitigation, and a provision that allows states to opt out of bike funding completely and redirect all federal funding to automobile-only infrastructure.

This attack on bike funding is not the only assault on bicycling in this transportation bill for “progress in the 21st Century.” There’s more—and it’s a direct assault on our right to the road. Under the guise of “Bicycle Safety,” the legislation **requires** Federal land management agencies to “prohibit the use of bicycles on each federally owned road that has a speed limit of 30 miles per hour or greater and an adjacent paved path for use by bicycles within 100 yards of the road.” In plain language, this means that if there’s a paved path nearby, it will be illegal to ride your bike on the road in national parks, national seashores, national historical parks, and other federal lands.

This doesn’t exactly remove you from all federally-owned roads—yet—but the impact is far from benign. Some examples: In [Rock Creek Park](#) in Washington DC—you will be prohibited from riding on the road anywhere within 300 feet of a multi-use path; get on the path and slow down, you’re riding with the joggers, strollers, kids, and dogs now. There’s more: [Grand Teton](#) National Park, [Valley Forge](#) National Historical Park, and [Cape Cod](#) National Seashore, are examples of popular cycling destinations with developed trail networks. All federally-owned roads are subject to this proposed law, and anywhere that a trail exists, or will be developed in the future, within 300 feet of a federally-owned road will affect your right to ride on that road.

If this legislation passes, it won’t be the end of the assault on bicycling, either, not by a long shot. You can count on more attempts to completely eliminate the bicycling program in some future transportation bill. They might even go really big, and decide to prohibit bicycling on all federally-owned roads, whether there are nearby sidepaths or not. If that happens, would “ban the bike” efforts in the states be far behind? Of course, legislation removing us from the roads altogether would raise constitutional issues, and lead to litigation, but one thing you can count on is that successfully removing us from the roads now will only lead to more attempts to erode our rights and remove us from the roads later. If your vision of 21st century transportation is different than the Senate’s mid-twentieth century vision, now is the time to [speak up and let your Senators know](#).

By Bob Mionske