



Emerging Active Transportation Policies that Promote Equitable, Safe Mobility

Policy Statement

July 2023

American Heart Association Position

The American Heart Association (AHA) is committed to promoting evidence-based, equity-focused active transportation policies that improve pedestrian and bicyclist safety infrastructure and reach historically under-resourced communities.

Innovative and grassroots-driven policies that promote equitable and safe mobility are emerging across the country and are often rooted in the lived experiences of communities. Acceptance of these policies is growing. The American Heart Association advocates for pilot opportunities to conduct robust implementation and outcome evaluation on these new policies to assess the health, safety, and equity impact. These issues should also be coupled with a commitment to active transportation infrastructure investment.

Ensuring equitable, safe mobility for all is an AHA priority with the goal to provide the positive effects of physical activity, access to essential community resources, less traffic congestion, and positive environmental and economic benefits.

Introduction



Emerging Active Transportation Policies that Promote Equitable, Safe Mobility

Yet, disparities persist and additional solutions are needed. People in under-resourced



Charles T. Brown, a leading equitable mobility advocate and Equitable Cities CEO, points out that nearly 1 in 5 Black households lacks access to a car and Black people are more likely to live in communities with poor infrastructure, such as missing or inadequate sidewalks. This can force pedestrians to walk in the street and unknowingly break traffic rules — subjecting them to enforcement encounters.¹⁰

Jaywalking and other pedestrian walking and biking-related traffic laws were initially passed in the name of safety. Yet the impact on safety is questionable. A 2021 study that looked at disproportionately high rates of bicycle citations issued to Black and Latino cyclists in Chicago found little correlation between locations most dangerous to bikers (where many bike injury crashes occur) and where most citations were issued (Black and Latino neighborhoods). This suggests “bicycle tickets are only weakly associated with safety needs, if at all.”¹¹ A Department of Justice report looking at bicycle stops and citations in Tampa Bay had similar findings.¹² Without clear data showing that these traffic laws improve safety, and with growing evidence of racialized enforcement, it’s reasonable to consider repealing the laws.

Several states and cities have repealed or amended their jaywalking laws in recent years:

In 2021, Virginia eliminated jaywalking as a primary offense so law enforcement officers could no longer stop pedestrians. It’s now a secondary offense, meaning a person can only be charged if police stop them for something else first.¹³

Later in 2021, Kansas City eliminated jaywalking from its criminal code.

Nevada then reduced jaywalking from a misdemeanor to a civil infraction.¹⁴

In 2022, California passed the “Freedom to Walk” bill, which allows pedestrians to cross the street at places other than an intersection as long as it is safe to do so; they may be ticketed only if there is an immediate danger of collision.¹⁵

In January 2023, Denver repealed its jaywalking laws.¹⁶

During the 2023 legislative session, advocates tried to get jaywalking laws in Washington state repealed, but the bill didn’t pass.¹⁷ They’ll continue their efforts in the 2024 session.

Given that these laws recently passed, there are little data or evaluation showing the impact on pedestrian safety and encounters with law enforcement. However, in 2022 America Walks analyzed pedestrian safety data following passage of Virginia’s repeal and found no significant effect on safety numbers.¹⁸ Further evaluation is needed.

Advocates may find it necessary to take a multi-phase approach. Some states have preempted municipalities from repealing jaywalking laws, necessitating first an effort to repeal preemption and then moving on to city or county-level repeal.

Emerging Active Transportation Policies that Promote Equitable, Safe Mobility

It's important to couple the repeal of jaywalking and other policies with complementary policies, including additional investment in the built environment to make up for historical underinvestment that has resulted in inadequate biking, walking, and mobility infrastructure. Improved street design (slower speeds, protected sidewalks) that prioritize the safety of all users is also important.¹⁹

Lower Speed Limits

Despite ongoing efforts to improve active transportation infrastructure, pedestrians continue to suffer injury and death at alarming rates. Between the first half of 2019 and 2022 pedestrian deaths increased 18%.²⁰ Lowering speed limits could significantly reduce these rates.

Research published in 2016 showed that in a vehicle-pedestrian crash, a vehicle speed of just

Emerging Active Transportation Policies that Promote Equitable, Safe Mobility

Active transportation advocacy groups support lower speed limits, but efforts have yet to gain broad momentum. Street design remains



policing. Since then, Vision Zero has shifted to emphasize the criticality of centering equity in Vision Zero plans. This includes:

Prioritizing neighborhoods with disproportionately high rates of pedestrian and bicyclist injuries and fatalities (often neighborhoods with histories of systematic disinvestment or underinvestment).

Using an overlay of a city's high injury network and its communities of concerns to aid in prioritizing implementation.

Ensuring ongoing, authentic engagement with priority communities.

Moving away from traffic stops for enforcement to avoid over-policing.

Deploying automated enforcement tools, such as speed cameras, in an equitable way.

Considering graduated fines/fees that reduce the burden for low-income people.

Reemphasizing the need to design and redesign streets for all users so enforcement x

Emerging Active Transportation Policies that Promote Equitable, Safe Mobility

Generally, advocates are more focused on creating safer transportation infrastructure so all users can travel safely, rather than establishing additional punitive measures. However, it may also be helpful to promote additional driver education about existing traffic laws and the consequences of unsafe driving, including distracted or impaired driving.

Safe Routes to School State Coordinators

The Infrastructure Investment and Jobs Act established significant new levels of support for active transportation, including Safe Routes to School. It allows for new flexibility in numerous areas, including the ability to use a portion of the Transportation Alternatives Program funding for Safe Routes to School program staffing. This newly available funding could make it timely for states to hire a dedicated Safe Routes to School coordinator at their Department of Transportation. The Safe Routes Partnership has found that states, such as California, Massachusetts, New Jersey and Washington, with a dedicated coordinator(s) have some of the strongest, most effective programs. "Coordinators... play an important role in making sure that Safe Routes to School funding is accessible, liaising between school systems and transportation professionals, and providing technical assistance to schools and communities."³⁷

A state coordinator may also ensure that under-resourced communities are prioritized in grant-making and technical assistance. Advocates may wish to take advantage of current federal funding and pursue legislation to require a coordinator for their state's Safe Routes to School program.

Stronger Implementation of Active Transportation Policies

Communities have passed more than 1,700 Complete Streets policies in the United States, according to Smart Growth America.³⁸ Many communities have also adopted bicycle and/or pedestrian plans to improve safety and connectivity. Yet the enforceability and quality of policy implementation varies across communities.

Efforts are emerging to pass complementary policies that compel municipalities and states to implement stronger active transportation policies

Emerging Active Transportation Policies that Promote Equitable, Safe Mobility

	technical assistance are needed.	
Vision Zero	<p>Vision Zero wholly shifts the road design paradigm to maximize the safe systems approach⁴⁷ to achieve zero deaths.</p> <p>Momentum is growing, with 45 cities having formally committed to Vision Zero. State engineering guidelines or processes may make it difficult for municipalities and advocates to make changes to road design. Education for advocates would be helpful.</p>	

Acknowledgements

Thanks to our partners and policy experts for sharing their perspectives and experiences with these emerging policies:

Heather Devlin, Centers for Disease Control and Prevention

Marisa Jones, Safe Routes Partnership

Michael Kelley, BikeWalkKC

Mike McGinn, American Walks

Ken McLeod, League of American Bicyclists

Ken Rose, Centers for Disease Control and Prevention

Leah Shahum, Vision Zero Network

Their insights and guidance were invaluable to the development of this American Heart Association policy update.

Emerging Active Transportation Policies that Promote Equitable, Safe Mobility

References

¹ American Heart Association (2022). Life's Essential 8 (accessed online March 7, 2023 at <https://www.heart.org/en/healthy->

Emerging Active Transportation Policies that Promote Equitable, Safe Mobility

²⁵ Establishment of 25-miles-per-hour speed limit in thickly settled or business district in city or town; violation. Massachusetts General Law Part I Title XIV Chapter 90 Section 17C (2016)
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter90/Section17C>

²⁶ Hu, W and Cicchino, J.
