

### **Members Present**

Richard Klepner	OHS
Linda Osiecki	DelDOT
Tina Shockley	DOE
Todd Webb	DelDOT
Lauren DeVore	DNREC
Matthew Cox	DSP
Peter Haag	DelDOT
Darlene Cole	DHSS

### **DelDOT Support Staff**

Sarah Coakley	DelDOT
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### **Members Absent**

Brian Clarke	DelDOT
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### **Guests**

Jim Lardear	AAA Mid-Atlantic
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## **I. CALL TO ORDER**

The meeting was called to order at 10:00 am by Co-Chair Richard Klepner.

## **II. INTRODUCTIONS**

All members, staff, and guests introduced themselves.

## **III. REVIEW AND APPROVAL OF THE SEPTEMBER 27 MEETING MINUTES**

Mr. Klepner asked if there were any changes to the minutes. Ms. Tina Shockley made a motion to approve the minutes. Lt. Matthew Cox seconded the motion and it was approved by all subcommittee members in attendance. Ms. Linda Osiecki and Mr. Todd Webb were not present yet.

## **IV. NEW BUSINESS**

### **Discussion of future topic points for next year's Subcommittee meetings**

Mr. Klepner opened this topic for discussion first, to allow for the White Cane Law discussion to take place once Ms. Osiecki arrived. Mr. Klepner reminded the subcommittee that Drivers' Education will be on the agenda for after the New Year, as the Department of Education staff person who handles the program is retiring, so the subcommittee will want to meet with the new staff person to continue discussions.

A topic suggested for future consideration is dealing with pedestrians walking while under the influence. Office of Highway Safety currently provides posters that may be placed in liquor stores. Mr. Webb and Ms. Osiecki arrived to the meeting. Ms. Osiecki stated that harsh consequences are provided for driving under the influence and asked about ticketing pedestrians under the influence. Lt. Cox said that enforcement can be done more easily if the person is within the street right-of-way, but becomes more challenging if they are on private property. He said that drunk driving has taken decades to get where it is in terms of being reduced. He said that walking under the influence is a local issue, in that people are more often than not walking on local short trips. Mr. Klepner said it seems there is the perception that people think walking under the influence only affects themselves, but that is not the case. There are always societal and familial costs. Lt. Cox

said enforcement is not as simple as enforcing vehicles in the roadway. He said the monetary hit to pedestrians who have to walk is pretty big. Law enforcement prefers to focus on educational efforts. Mr. Klepner said that small blitzes tend to be effective. Lt. Cox confirmed that these target and reach more people at a time. Mr. Klepner said that these blitzes typically involve 2 officers working together for one day, such as an upcoming effort this weekend. He asked about the potential to increase to 4 patrols with 8 officers. Lt. Cox said he believes this would be more effective, especially if it's done in the same area, as it would increase visibility. He said for the areas of troops 2 and 7, where people cross improperly, it is the same pedestrian population every day. He said word of the enforcement would spread and suggested a 2-mile length. Ms. Osiecki asked if educational materials are also given out. Lt. Cox shared that they give out reflective back packs and ankle lights. Mr. Klepner said that OHS can no longer use federal funding for giveaways. This is a new rule per the National Highway Traffic Safety Administration (NHTSA). Ms. Osiecki said it sounds like a recommendation is needed to secure funding for safety-related giveaway items. Ms. Coakley shared that the Pedestrian Council funding could be used for this purpose if approved by the Council. Discussion took place regarding how to secure funding. Ms. Osiecki made a motion, seconded by Mr. Webb, to recommend that state funding be provided in the annual budget for the Office of Highway Safety for pedestrian safety and educational materials. The recommendation was approved by all members in attendance, with the condition that OHS must be able to accept and use such funding for this purpose. (After the meeting, information was provided that OHS would not be able to use state funding for this purpose. The recommendation will be discussed and potentially revised at the December Council meeting to allow for a different entity to use funding for this purpose).

Mr. Peter Haag suggested partnering with DATE (Division of Alcohol and Tobacco Enforcement) to do enforcement along key corridors. Delaware State Police handles enforcement within the roadway and DATE handles private properties. He suggested that at least an educational effort be conducted. Ms. Osiecki suggested Safe Routes to School be offered to schools in the same areas. Lt. Cox said John Yeomans is the DATE Director and DATE handles things such as dealing with people being overserved. He said good data is needed on where people are coming from. Mr. Haag said that DelDOT Traffic has coordinated with DATE on at least 3 recent crashes related to specific establishments. Mr. Klepner stated that we need to make sure we are specifically addressing the pedestrian behavior. Lt. Cox said that DSP is letting DATE know about pedestrian issues ahead of time. Ms. Darlene Cole asked if information on establishment is collected on tickets. Lt. Cox said it is hit or miss. He said such information is to be entered when a breathalyzer test is given, but it is not included on the IDR impaired driving report. Mr. Klepner asked how difficult increased enforcement would be. Lt. Cox said many law enforcement officers are signing up for other jobs and it probably would not be difficult for one or two patrols per day. Five per day might be difficult. Lt. Cox said that if arrests are not made, it should be okay, but they get negative comments and it is frowned upon to sit outside bars.

Mr. Klepner summarized that the subcommittee has Drivers' Education and Enforcement as 2 topics for next year and asked if there are any additional ideas. Ms. Osiecki asked about public service announcements. Mr. Webb stated that he has seen posters at the outlets in Rehoboth Beach. Mr. Klepner suggested inviting someone from the News Journal or Delaware State News to a future meeting. Mr. Webb asked about the use of digital media. Mr. Klepner said Office of Highway Safety has sponsored posts on Facebook and he thinks they may use Twitter as well. Mr. Klepner suggested moving forward with the video contest idea and perhaps requesting the Pedestrian Council to sponsor a \$500 scholarship for the submitter of the winning video. The contest could be open to high school and college students.

## V. OLD BUSINESS

### **Review of White Cane Law recommendations and make necessary changes for possible re-approval.**

Mr. Klepner reviewed the White Cane Law recommendation that was made and explained that the Council had tabled it, seeking more information on determining who is in charge of all educational programs relating to Drivers Ed and Pedestrian Safety to make sure that all groups are educated uniformly throughout the state and that all entities are reached. Ms. Cole said that people with visual impairments are already informed on the White Cane Law and that the real problem is that no one else is. She said there is a White Cane Day in October each year, but that the White Cane Law is not in the Drivers' Manual.

Mr. Klepner asked if law enforcement is aware of the White Cane Law. Lt. Cox shared that it is not in the rules of the road section 41 of state code, so it is probably not well known. It is more likely that careless driving citations are given out in these types of motor vehicle and pedestrian crashes. Mr. Klepner asked if crossing guards are aware of the law too. Ms. Cole gave the example of crossing guards at George Read Middle School and said she is reinforcing that they should be using the pedestrian push button to cross students. Lt. Cox said the White Cane Law is in Title 16, Section 9503. Mr. Klepner asked about what other states have crossing guard training. Ms. Coakley answered that she believes Texas, New Jersey, and Florida have state specific crossing guard training programs. Ms. Osiecki said it sounds like there is the potential to make a recommendation in this area. Lt. Cox said a good place to start is with the Delaware Police Chief's Council and also to have the Legislative and Policy subcommittee come up with ideas for legislative changes to improve the White Cane Law provisions in Delaware Code.

A recommendation that the Delaware Police Chief's Council provide ongoing education and awareness of the White Cane Law found in Title 16, Section 9503 and the importance of its enforcement to its agencies' officers was discussed. Mr. Haag asked about education and awareness of the law for others, such as DART and Division for the Visually Impaired (DVI). Ms. Osiecki said that this recommendation would handle the enforcement aspect of the law. Mr. Klepner said that the subcommittee would probably need to make two different recommendations. Lt. Cox said that he didn't know if Title 16 includes any penalties. Mr. Klepner said that he wants to have the Legislative and Policy Subcommittee review the existing laws. He asked for an explanation of what the travel trainers do. Ms. Cole said that it originated from people applying for Paratransit who are not eligible but needed additional education in order to use the fixed-route system. She said they train people on how to use the public transit system. DVI handles the training for those with visual impairments and DART does training in schools, such as the REACH program, for others who cannot drive. Mr. Haag said he sees holes in these areas but that the big picture is that no one knows about the White Cane Law. He asked how we get the information to all people and suggested having someone from DART attend a future meeting. He said he thought the recommendations should be general to include everyone. Ms. Cole suggested more publicity in October to the general public for White Cane Law Day. Lt. Cox looked up section 9503 and said the end includes a \$100 fine for violations. However the section also talks about housing and other issues and he is not sure what a violator would be charged with. He said perhaps they are charged under Title 41 for not yielding, but the law does not seem clear. Mr. Klepner asked about the vulnerable users law and said that he would consider those with visual impairment as always being a vulnerable user. Mr. Haag said he is inclined to table the White Cane Law recommendations until the Legislative and Policy Subcommittee reviews it. He asked if anyone knew why the law is where it is in the state code. Ms. Cole said that Division for the Visually Impaired is under Department of Health and Social Services so that may be why the law is where it is. Mr. Klepner said the recommendations under White Cane Law would be tabled for now. Mr. Lardear said he

would make sure it gets on the agenda for a future Legislative and Policy Subcommittee meeting.

**VI. PUBLIC COMMENT**

Mr. Klepner opened the floor to public comment. None were received.

**VII. ADJOURN**

Ms. Osiecki made a motion to adjourn the meeting. Ms. Shockley seconded the motion. All subcommittee members present were in favor of the motion, no members were opposed, the motion passed. The meeting adjourned at 11:32 a.m.

Meeting Minutes reported by:  
Sarah Coakley, AICP

Draft minutes distributed December 1, 2016