

Comments on Proposed Speed Bump Policy

I was a member of the Ad hoc Speed Hump Committee in 2010 and therefore have considerable experience of our neighbors' feelings in the matter of speed bumps. The current Village policy on this issue, unlike the proposed policy, was the result of extensive comparison by the committee of policies in similar communities, and evaluation of those policies in the context of the Village. Further, the 2010 policy was the subject of considerable discussion, both within the Ad Hoc Committee and in the Village as a whole. The proposed changes originate with a single individual and do not reflect careful work on the level of that performed by the Committee.

The suggested changes in the current policy might well injure neighborly relations in the Village, and are, in part, illogical.

The proposed rule on abstention has the effect of forcing neighbors to vote. Forcing neighbors to vote is injurious to neighborly relations because it forces a choice in a situation in which indifference (classical abstention) might be a politic move. For example, my neighbor, parent of a toddler, might think that my vote against a speed bump be an expression of personal frustration with my own child? Or, my neighbor might think that my vote for a speed bump was an expression of a feeling that his collection of classic cars was a nuisance. As the 2010 committee found, speed bumps can be an emotional issue, and eliminating abstention might well lead to increased friction.

Further the proposed rule on abstention tips the balance in any vote in favor of installing a speed bump. Presumably someone on a street has initiated a request for a bump, and might well have lobbied for the support of neighbors. Therefore, a certain number of votes in favor of a bump is assured. The sometimes-politic device of abstention, or even the use of abstention as a form of indifference, thus tilts the vote.

Second, the proposed rules eliminate a requirement that any speed data be furnished. That is illogical because the purpose of a speed bump is to slow speed. Placement of a speed bump on a short and visibly dead-end street, for example, would be superfluous, yet possible under the proposed rules.

The fact that speed bumps represent a sensitive issue in the Village, a fact obvious to the 2010 Committee, leads to the conclusion that any change in the existing policy be as carefully formulated as it was in 2010. The independently proposed changes in policy

do not seem to reflect any community desire to have the well-discussed current rules changed, so one wonders about the motivation for this proposal. Have the rules not worked for the last seven years?

Jeffrey Frey

5511 Center Street

April 5 2017

From: Parisi, Gregory F. <gregory.parsi@hoganlovells.com>
Sent: Wednesday, May 03, 2017 4:33 PM
To: Davis-Cook, Shana
Subject: Comments for May 8 Hearing on Proposed Revisions to Speed Hump Policy

Dear Shana,

I have read the "*Proposed Revisions to Speed Hump Policy – March 2017*" (the "**Proposed Revisions**"), the "*Traffic Committee Speed Hump Comments on Proposed Amendments*" (the "**Comments**") and other material posted on the Village website related to the upcoming May 8 public hearing regarding the Proposed Revisions to the Village's speed hump policy. As I am unsure if I will be able to attend that meeting, I wanted to share my thoughts on this matter for consideration by the Board and Committee. Accordingly, please pass this along to them.

I support the Proposed Revisions to the speed hump policy and strongly disagree with the Committee's conclusion in paragraph 5 of the Comments related to the proposal to eliminate the speed criterion. Moreover, I believe that the Committee is doing itself and the Village a disservice by being so dismissive of that portion of the proposal without further examination. I note that the Proposed Revisions do not eliminate speed as a factor to be considered in the determination of whether a speed hump should be installed, but rather as a gating "qualification" requirement for Village residents to have a speed hump proposal considered.

The speed criterion in the existing policy requires that in order for an application to qualify, a minimum of 300 vehicles must traffic the applicable street segment per day and the 85th percentile speed must exceed 25 m.p.h. by at least 5 m.p.h. While that language could be clearer, I believe it means that at least 15% of cars trafficking the street segment per day must reach a speed of at least 30 m.p.h. There are a number of issues with this aspect of the speed hump policy that warrant its elimination or alteration:

- It fails to account for volume. If an otherwise qualifying street segment has the policy-minimum 300 daily vehicles of traffic, 45 cars must travel at least 30 m.p.h. per day for a speed-hump proposal regarding that segment to qualify. Setting the criterion as a fixed percentage of vehicles trafficking the segment completely ignores safety hazards posed by greater volumes of traffic in residential neighborhoods. For example, my understanding is that the 100 block of Grafton Street has over 700 cars of daily traffic. In effect, the additional traffic on the 100 block Grafton Street results in the policy requiring 105 cars to reach 30 m.p.h. each day for an application for a speed hump on that street segment to qualify. Are children safer with 100 speeding cars traversing Grafton per day due to the additional non-speeding traffic than they would be with only 45 speeding cars and less non-speeding traffic? The current policy suggests that is the case and therefore needs to be modified in accordance with the Proposed Revisions.
- It fails to account for topographical and situational factors. The existing policy says that in considering an application, the Committee "may also consider any topographical features unique to the designated block or street segment which could significantly increase the threat

to pedestrians and/or residents of the block or segment by traffic.” However, in order for such information to be considered, the application for the speed hump must “qualify” and as described above an application for a speed hump will not qualify unless the speed criterion is met.

- For example, I have observed that on the 100 block of Grafton Street, the majority of traffic (particularly speeding traffic), comes from Dorset on the other side of Wisconsin Avenue. After traversing the block of Dorset that leads to the Wisconsin Avenue intersection, which has multiple speed humps including one just twenty yards or so prior to the traffic light (as well as a lower speed limit than Grafton Street), and then navigating the non-perpendicular crossing of Wisconsin Avenue into Grafton Street, the 100 block of Grafton Street presents those drivers with a straight, un-humped thoroughfare in which to accelerate quickly to the posted speed limit of 25 or beyond, before having to quickly decelerate for the stop sign at the end of the block (which many drivers fail to do completely). I believe these circumstances and the related rapid vehicular acceleration increases the risk to pedestrians and vehicles on Grafton Street in a way that is not demonstrated by the 85th percentile speed test. Under the current policy, such factors cannot reach the Committee for consideration.
- Similarly, forcing an application to meet the 85th percentile test prior to considering topographical features fails to permit consideration of features that affect the percentile test itself. Again using the 100 block of Grafton Street as an example, the speed concern and the need for a speed hump is driven primarily by east-bound traffic. West-bound cars are not permitted to exit onto Wisconsin Avenue. As a result, most west-bound cars are residents of the 100 block approaching their homes and driveways, or confused drivers cautiously approaching the exit to Wisconsin Avenue. It is likely that, if such traffic is included in calculating the 85th percentile speed test, the true danger of east-bound speeding traffic is further masked by the nature of the percentile test and the inability to adjust the test in consideration of this feature of the street segment.

The Committee noted in the Comments that after six years with the current policy in effect, “To our knowledge there have been no applications for speed humps since the policy’s adoption and hence no trial of the existing process. Further, no applications are pending.” The Committee also noted that “A recent ‘petition’ was made directly to the Board, proposing to waive the entire policy for a specific installation; it was not consistent with the application process outlined by the existing policy and was subsequently withdrawn without consideration by the Board. Hence, there is no experience with or evidence about the performance of the existing process. Thus, the urgency of waivers and of these proposed amendments proved puzzling to the TC.”

I submit that the Committee should consider whether the lack of applications is due to the fact that the existing policy, and particularly the speed criterion, create such an impediment to achieving a “qualifying” application that Village residents are effectively blocked from applying for speed humps. Indeed, it seems that the policy may as well be “We will not allow any new speed bumps.” Such a policy would also have resulted in zero applications over the last six years.

The Proposed Revisions would not eliminate vehicle speed as a consideration for determining whether a proposed speed hump should be installed, but merely remove that criterion as an impediment to residents being able to have speed hump applications “qualify” for consideration in the first place. Please do not wait to change the policy and permit reasonable applications to be considered until a child is injured in a traffic accident on a street segment where residents have

sought to apply for a speed hump to address legitimate safety concerns but were unable to meet the speed criterion necessary to submit a qualified application.

Thank you for your time and consideration.

Sincerely,

Greg Parisi
138 Grafton Street

About Hogan Lovells

Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

CONFIDENTIALITY. This email and any attachments are confidential, except where the email states it can be disclosed; it may also be privileged. If received in error, please do not disclose the contents to anyone, but notify the sender by return email and delete this email (and any attachments) from your system.

Davis-Cook, Shana

From: David Winstead <dlwinstead@comcast.net>
nt: Thursday, May 04, 2017 2:39 PM
To: David Allen
Cc: david.winstead@chevy Chase Villagemd.gov; Shellymoskwa (shellymoskwa@gmail.com)
Subject: Re: Village speed hump policy

David
Thanks for your input on the Village Roll Hump Policy, and we are having a hearing on Monday night. I have cc our Village Manager, to insure that your input reached the other Board members as well . Hope to see you Monday night, thanks, David Winstead

Sent from my iPhone

On May 4, 2017, at 11:23 AM, David Allen <davidallen1@gmail.com> wrote:

Dear Mr. Winstead:

We are writing to ask you to please support the proposed changes to the Village Speed Hump Policy.

We are parents of three boys aged 5, 8, and 10. We live on the middle block of Grafton Street (between Cedar and Kirkside), along with many other families with young children. Grafton street gets hundreds of cars a day but there are no speed humps at the west end of the middle block of our street.

While we believe the current speed hump policy was well-intentioned, its practical effect makes it virtually impossible for new speed humps to be approved, even on streets like ours where there is heavy traffic, many young children, and a sizable majority of households in favor of speed humps.

Please consider the following points:

- 1) Accounting of household approval, disapproval, abstention, and non-response is biased against new speed humps.
 - The existing Speed Hump Policy imposes unfair and arbitrary hurdles on households that wish to express support for new speed humps, while placing no similar requirements on those who disapprove. Among the requirements placed on those who support speed humps: Supporters must agree to participate in a "traffic and street safety workshop" if they have children, and they must agree to accept a speed hump in front of their own house. We agree that attending a safety workshop is a positive thing, and we believe that no household should get a speed hump that does not want one. But the real-world effect of these requirements is to introduce a one-sided burden on households that support new speed humps, which could potentially cause some to withhold their support in an effort to avoid one or both of these requirements, rather than out of genuine opposition.

- Under the existing Speed Hump Policy, households that abstain or fail to express a preference on new speed humps are counted as disapproving. There is no evidence to support the assumption that households that abstain from offering an opinion desire to be counted among those households that disapprove. A much safer assumption is that an abstention represents a genuine feeling of ambivalence, deferring to those other households that have an opinion. Therefore it is appropriate to treat abstentions as abstentions, and exclude them from the tally of household opinion.

2) The existing speed criteria has the unintended consequence of preemptively blocking consideration of speed humps on our most dangerous streets.

- After a speed hump application is submitted, the Police Department must undertake a survey to determine the traffic volume and the speed of every vehicle. But under the existing Speed Hump Policy, if the data collected does not reach an arbitrary threshold, then the Traffic Committee and the Board of Managers would not even be given the opportunity to consider the data or render a decision. Of particular concern is the requirement that the 85th percentile of vehicles must be traveling at speeds greater than 30 mph. It is not apparent why the parameters of 85% and >30 mph were chosen.
- The 30 mph speed threshold seems higher than it ought to be. According to the US Department of Transportation, a car traveling between 31 and 35 mph results in a pedestrian fatality rate of 12.5%. For comparison, a vehicle traveling between 26 and 30 mph has a fatality rate of 6.1%. A car traveling less than 20 mph has a fatality rate of 1.1%. (Source: <https://one.nhtsa.gov/people/injury/research/pub/hs809012.html>) If a specific mph threshold is required it should be based on potential harm to pedestrians rather than by simply adding 5 mph to the posted speed limit. The primary intention of adding a speed hump is not to "catch" or "deter" speeders, it is to slow traffic through a heavily traveled area, and to cue drivers to have a heightened awareness of his or her surroundings as they travel through a sensitive residential area. Many drivers use Grafton as a cut-through from Wisconsin to Connecticut and have no connection to the neighborhood, nor awareness of the high volume of children who engage in outdoor play on the street.
- The 85th percentile threshold has the unintended effect of blocking speed humps in places that are objectively more dangerous than other places where they are permitted. To understand this issue, consider two hypothetical streets: Street One gets 300 total cars per day, including 45 speeding cars, while Street Two gets 1000 total cars per day, including 100 speeding cars. Under the existing Speed Hump Policy, only Street One would be eligible for a new speed hump, even though Street Two -- with more cars overall and more speeding cars -- is obviously the more dangerous of the two. We doubt the rule was intended to create such a nonsensical outcome.

Obviously, the total number of cars and the speed of those cars are both important pieces of information that can help the Traffic Committee and the Board of Managers to make an informed decision. It should be collected. But this information should not be used to create arbitrary roadblocks that short-circuit the process and subvert the legitimate concerns of a sizable majority of residents.

The proposed changes to the Speed Hump Policy address all of these concerns in a fair and thoughtful way, and make the process for approving new speed humps fairer and easier to navigate, while maintaining important safeguards to insure that we don't get a proliferation of

unnecessary speed humps on streets where they are not wanted. We hope you will support them.

Thank you for taking the time to consider our concerns.

Sincerely,

David Allen and Shelly Moskwa
120 Grafton St

Davis-Cook, Shana

From: VICTORIA SEVCIK <victoriasevcik@me.com>
Sent: Friday, May 05, 2017 11:33 AM
To: Davis-Cook, Shana
Cc: Jesse Sevcik
Subject: Please support changes to the Village Speed Hump Policy

Dear Ms. Davis-Cook,

We are writing to ask you to please support the proposed changes to the Village Speed Hump Policy.

We are parents of four children, ages 9, 7 5 and 9 months. We live on the middle block of Grafton Street (between Cedar and Kirkside), along with many other families with young children. Grafton street gets hundreds of cars a day, many of which do not stop at the stop sign at Grafton & Kirkside and only accelerate until they reach the first speed bump on the east end of the block. Because there are no speed humps at the west end of the middle block of our street, the acceleration from the stop sign only heightens the possibility of danger for our children who often play outdoors in the front yards. We welcome an additional speed hump closer to our home at the west end of the block to slow down traffic on our block for the safety of our children.

While we believe the current speed hump policy was well-intentioned, its practical effect makes it virtually impossible for new speed humps to be approved, even on streets like ours where there is heavy traffic, many young children, and a sizable majority of households in favor of speed humps.

The proposed changes to the Speed Hump Policy address all of these concerns in a fair and thoughtful way, and make the process for approving new speed humps fairer and easier to navigate, while maintaining important safeguards to insure that we don't get a proliferation of unnecessary speed humps on streets where they are not wanted. We hope you will support them.

Thank you for taking the time to consider our concerns.

Sincerely,

Victoria and Jesse Sevcik
124 Grafton St

May 5, 2017

Dear Members of the Chevy Chase Village Board of Managers,

We write in support of the proposed changes to the Speed Hump Policy to be considered at the Board meeting on May 8, 2017. Unfortunately we cannot attend the meeting because we will be out of town.

We live on the middle block of Grafton Street, between Cedar and Kirkside, with two sons, aged 3 and 6. When we tell acquaintances in the DC area that we live on Grafton, they frequently reply, "That's a beautiful street – I use it as a shortcut to get to work." We enjoy the convenience of direct access to both Connecticut and Wisconsin Avenues, but commuter traffic is a serious danger to us and our children.

We are grateful for the Traffic Committee's careful consideration of the proposed policy changes, and we agree with its endorsement of several changes in its April 4, 2017 memorandum. But the additional changes in the proposal that the Committee opposes are needed as well.

Counting Questionnaires. When counting the householders approving and disapproving of a proposed speed hump, the Village should count only the householders who express a view. There is no reason to assume that abstaining householders disapprove. Requiring advocates of a proposed speed hump to obtain the support 70 or 75 percent of all householders imposes an unnecessary burden on both the advocates and their neighbors who may simply want to be left alone.

Speed Requirement. The Village should not require that an arbitrary percentage of drivers exceed the speed limit by an arbitrary margin before the Board will even consider a proposed speed hump. The current policy wisely allows the Board to consider many factors in approving or rejecting a speed hump, including topographical features; the Village budget; and input from the Traffic Committee, police, rescue, and ambulance services, and nearby residents. The Board can and should consider the speed of drivers in the designated area, along with all other relevant factors, in evaluating a proposed speed hump. But there is no reason to bar the Board from reviewing some applications because they do not meet a predetermined speed requirement.

Thank you for your consideration.

Respectfully submitted,

Andrew Goldsmith and Miriam Fishman
126 Grafton Street

Davis-Cook, Shana

From: Sarah <coopersarah@aim.com>
Sent: Friday, May 05, 2017 12:22 PM
To: Davis-Cook, Shana
Subject: village speed hump policy

Hi Ms. Davis-Cook:

I want to register my support and agreement with the position raised by David Allan and Shelly Moskwa in their letter to you on May 4, 2017. Please include my email in the materials distributed to Board members prior to Monday's meeting.

Thank you.

Sarah Cooper
119 Grafton Street