



**BPAC Executive Council Meeting
November 17, 2021 11 am to 12 pm
Zoom Online Meeting**

Executive Council:

Leigh Ann Von Hagen (VTC) (chair) | Elise Bremer-Nei (NJDOT) | Cassidy Boulan (DVRPC) | John Boyle (BCGP) | Jen Buison (NJT) | Mike Viscardi (NJT) | Debra Kagan (NJBWC) | Eric Heitmann (DHTS) | Keith Hamas (NJTPA) | Alan Huff (SJTPA) | Karen Alexander (VTC) | Linda Rapacki (RideWise) | Janna Chernetz (TSTC)

Other Attendees:

William Riviere (NJDOT) | Susan Blickstein (SGB) | Siennah Yang (SGB) | Jim Hunt (NJBWC) | Lauren Rushing (NJBWC) | Peter Kremer (MBI) | Jessica O'Connor, Esq. (NJMVC) | James Sinclair (VTC) | Samuel Rosenthal (VTC) | Corey Hannigan (VTC)

Summary:

The meeting was brought to order by **Leigh Ann Von Hagen**, who shared the agenda with all participants.

First Order

Elise Bremer-Nei welcomed everyone and prompted each attendee to introduce themselves.

Second Order

Susan Blickstein updated members on edits made to the BPAC By-laws, followed by a discussion of details and a simple up-down vote to confirm, led by **Leigh Ann Von Hagen**.

Third Order

Debra Kagan explained the significance of the new 4-foot passing law, and **Jim Hunt** prompted the group with questions about education, outreach, and inter-agency coordination, followed by a brainstorming discussion.

Fourth Order

Leigh Ann Von Hagen concluded the meeting with proposed next-steps and confirmation of timing for the next meeting on Dec 1st at 9:30am.

Long Notes:

The meeting was brought to order by **Leigh Ann Von Hagen**.

Susan Blickstein provided an overview of the updates to the BPAC By-laws:

- The revisions are a year and a half in the making. SGB conducted interviews and focus groups with current and former Exec Council members, chairs with various committees, and regular BPAC attendees. They also conducted best-practice research on BPACs around the country. They are working on expanding membership to address the advocate community and provide additional seats for NJDOT.
 - Best practices are to clarify the BPAC purpose and mission, sharpen alignment between BPAC activities and the Strategic Highway Safety Plan and Bike-Ped Master Plan. We need to make an annual work plan that identifies priorities and resources, and structure the Annual Work Plan so it doesn't overwhelm subcommittee chairs' time. Bylaws should be flexibly updated and maintained, not static.
 - Mission and responsibilities had three rounds of edits over the last year and a half, with connections now better threaded through membership. There is a focus on integrating equity, public health and resiliency. We also must strengthen the connection between executive, sub-council, and committee membership.
 - Bylaw edits are as follows:
 - Eliminating deaths and serious injuries for vulnerable road users added to goals, tying more directly to overarching policy goals.
 - Term limits have been updated. It has been a challenge as a newly constituted group to have static two terms of office for council members. We needed more flexibility, as people have served longer than two years.
 - Edits were made that focused on better integration with public health and sustainability, but also economic benefits.
 - Core mission was updated to better capture the topics of equity, public health, and micro-mobility, with a stronger focus on coordination and collaboration.
 - Secondary missions were updated to integrate the Bike-Ped Master Plan and Strategic Highway Safety Plan.
 - Membership was updated, adding up to 6 seats for other departments or NJDOT.
 - Executive council and subcommittees were modified so that tasks flow directly from the annual work plan and priorities. This allows for better understanding across subcommittees who is working on what, leading to better synergies and collaboration.
 - Meeting frequency was updated to allow for 4-6 meetings per year.
 - Work plan was updated to reflect NJDOT's focus on Strategic Highway Safety Plan implementation actions, with a section to allow the council to identify "Additional Priorities".
 - Template updates should be discussed at the next BPAC meeting for moving ahead into 2022.
- Attendees discussed feedback regarding the changes:
 - **Janna Chernetz** suggested adding "equity" to 2.2(5). **Cassidy Boulan** agreed.

- **Janna Chernetz** also asked “is there anyone from the disability sector? Just thinking about the CS bill right now in the legislature made me think of it.”
 - **James Sinclair** answered that “Larry was our disability rep, Karen is representing his seat today.”
- **Cassidy Boulan** suggested adding economic benefits to 2.3-4 as well, since they were added to 2.2-5.
- **Susan Blickstein** suggested approving the bylaws as-is, and updating as we go, perhaps even updating every three months.
- **Alan Huff** asked: “What is our objective with the term limits? We have a number of members who have not turned over in many years - myself, Elise, Jennifer Buison, Betsy Masatglio, Janna Chernetz, Keith Hamas (non-voting), etc. Most of the membership and most who have left, did so because they left their organization or were promoted. This is because presumably the MPOs, NJTransit, NJDOT, etc. are sending the most appropriate person and they are not necessarily seeing a lot of internal turnover. Is the objective to turn more of these positions over within BPAC?”
 - **Jessica O’Connor** and **Debra Kagan** seconded the issue regarding term limits.
 - **Susan Blickstein** said that past chairs have all been executive council members. She added, “we could implement simplified language Alan provided if there is group consensus. I suggest we adopt bylaws as is, or with addition that addresses equity and diversity goals of membership in exec council, and then we revisit in a few months to perfect. But we need the ability to have an exec commissioner present, more upper-level mgmt., more accountability from DOT. Let’s not wait for “perfect.”
 - **Cassidy Boulan** pointed out that term limits might be a blend of multiple issues. “Equity is a part, but also there have been several people (like myself) who have been working with BPAC for years. Term limits could push them out. Is it “up to a single 2-year term” and then allowing for extra terms? Staff might not be turning over; I’m assuming we all think that’s fine.”
 - **Alan Huff** agreed that the faces on the council haven’t really changed. “That might be because organizations are sending the ‘most appropriate person,’ but I wasn’t sure if the language needed to say something like ‘only if you don’t have alternate people.’ I shared all of the language, but my main question was about if we really want to circulate people out, or if not, and the language needs to be tweaked.”
 - **Susan Blickstein** answered, “There are bylaws and practices, and the bylaw wording may never be perfect. How would we clarify it?”
 - **Leigh Ann Von Hagen** suggested that we can just tweak the language.
 - **Peter Kremer** added, “I think the point of term limits is to rotate in people with different perspectives/skills. We need to treat agency people differently due to their role and bench limits.”
 - **Susan Blickstein** agreed that it’s fine to add as long as there aren’t letters going back and forth to clog it up. The equity piece can be worked on later.
 - **Alan Huff** added: “We are actually looking at this now for our Community Outreach and Engagement Committee, which will be established next year. We are working on bylaws now. We wanted terms to allow ourselves the opportunity to circulate people out, but were not comfortable with term limits,

as we wanted the opportunity to retain members in a manner that best suits the needs of the committee. Much like BPAC, the membership will generally be organizations that serve or represent various demographics within the community, so we want them to send the most appropriate or most interested person.”

- **Leigh Ann Von Hagen** suggested some language shared from SJTPO “The _____ strives to represent the racial, ethnic, cultural, gender, age, ability, geographic, and economic diversity of the region, with members from the southern New Jersey region bringing their own individual experiences to the planning table. At the end of the term, members interested in serving an additional term will be considered through the regular application process and will be considered based on interest in maintaining a representative, active, and productive committee.”
- **Leigh Ann Von Hagen** led the group to vote on approving the revisions as-is for the time being.
 - **Susan Blickstein** reminded the group that TMAs are not voting members due to organizational reasons.
 - **Jessica O'Connor** commented that she believes she is also not a voting member.
 - Regular up-down vote on accepting revised bylaws passed by unanimous consensus.
 - **Jennifer Buison** asked if the updated bylaws only affect the executive council, not chairs.
 - **Leigh Ann Von Hagen** confirmed that is correct.

Debra Kagan, Janna Chernetz, and Jim Hunt presented and led a discussion regarding the Team4Safe Passing’s new “Four-Foot Passing Law.”

- **Debra Kagan** provided an overview and update. The law was passed by overwhelming majority in the legislation. The effort was led by Jim Hunt with the Team for Safe Passing and supported by TSTC, BCGP, Safe Families Safe Streets and NJ Vision Zero Alliance. It is the strongest safe passing law in the country and covers instructions on cautious approach to vulnerable users (e.g., passing with 4ft or slowing down to lower, safer speed to pass closer).
- **Janna Chernetz** explained the circumstances around education and outreach. The law goes into effect March 5th, seven months after it was passed, to allow time for the education campaign. Considering BPAC’s new bylaws, we should discuss what questions and conversations to have with different agencies. **Jim Hunt** has collected some questions, which were shared before the executive council meeting. We need to make sure the law doesn’t seem “unenforceable.” We have one shot to get the initial outreach and education right.
 - **Debra Kagan** pointed out that there have been problems in other states where the law is passed but not implemented. Don’t want it to just be words. Signage, enforcement, education campaigns will be critical. Perhaps this can be handled by one of the subcommittees.
- **Jim Hunt** led a discussion regarding questions that need to be answered and coordination between agencies. “There is tremendous energy now thanks to this law, and the Hudson-Essex Greenway. Things aren’t slowing down. The Senate co-sponsor is looking at broader implementation of Complete Streets. Some of the legislature is showing similar interest. We need to nail down which agency is going to take the lead, and do what? Another question –

What's already existing? What form does it take? We need to get our hands around what needs to be changed (not just driver's manuals). Can BPAC answer these questions?"

- **Eric Heitmann** mentioned he was contacted by colleagues about what can be done, and he doesn't have a great answer. "Right now, social media is the only thing we have control over. We have 4000 followers. The grant process will start up again soon but won't be until next federal fiscal year."
- **Janna Chernetz** asked, "What was the process for the Stop and Stay Stopped law? Is it worth it to duplicate the procedural efforts? They should be comparable."
 - **Leigh Ann Von Hagen** believes there is a page on it. She added that there was some funding to do an enforcement program (called "Cops in the Crosswalk"), same as the "Pedestrian Decoy Program". Revitalizing that safety education program is in discussion, so maybe the Safe Passing law could be incorporated. She shared the url: <https://www.nj.gov/oag/hts/pedestrian.html>
 - **Janna Chernetz** asked if there was a strategic rollout for the Stop and Stay Stopped law.
 - **Leigh Ann Von Hagen** wasn't sure but offered to confirm with Ranjit from CEC who was part of the rollout.
 - **Keith Hamas** mentioned that there was a rollout of a device that could actively measure passing, and officers on bikes. That could answer the enforcement issue. We could also utilize the annual motor vehicle registration renewal process.
 - **Linda Rapacki** and **Alan Huff** agreed, adding that would hit a large percent of the population, especially drivers.
 - **Susan Blickstein** said she worked with Ranjit on that and can share it to **Jim Hunt**.
- **Jim Hunt** pointed out that we have a good relationship with law enforcement and need to give them this info. We also need clearer definitions of terms like "due caution," "personal conveyance," etc. We should identify what is or isn't well defined when we go through Title 39 or any other statute. If there is an agency that can help with that it would be huge. Is there any agency without a social media arm? Those tools will be useful as we move forward.
 - **Elise Bremer-Nei** answered, "We have had issues with Title 39 in the past but the agencies can't be the ones pushing for that change. It needs grassroots push and legislators." She offered to discuss with Mike Russo and FHWA. "We need to develop material so that when news goes out in March, the reporters have the right info. I can send it up the chain right now if need be."
 - **Janna Chernetz** emphasized, "Each entity plays a specific role in the roll out of this law. What would be helpful so that we can organize and target this effort, we list all the groups that play a role and when we expect their actions to be. This will help with consistency."
 - **Debra Kagan** added that it will also help with co-ordination.
 - **Linda Rapacki** reminded everyone that we only have 4 months. "We could look at Title 39, but we need to focus clearly on getting the message right first. We have a large outreach, not just social media. There has to be a way not just to do

outreach, but to coordinate messaging. As Janna posted in the chat, each entity has different role to play.”

- **Jim Hunt** emphasized that “the basic messaging is in place. We can do a draft on top of that. For example, changing name from “Four Foot Law” to “NJ Safe Passing Law.” Title 39 certainly could be updated, but that is tangential. What is more critical for us is clarifying “due caution” and “personal conveyance”. If we identify what we want to do, we have great probability of implementing good legislation. If Elise could identify where best practice exists, that would be great. But also, where is the funding going to come from?”
 - **Janna Chernetz** answered, “As a lawyer, some of those things will be objective and some are subjective. Sometimes there is existing case law.”
- **Linda Rapacki** was concerned that “NJ Safe Passing Law” sounds too similar to the “NJ Move Over Law,” which could lead to confusion. She asked what subcommittee can take this, Legislation? Or do we need to re-establish an Education subcommittee?
- **Jim Hunt** mentioned that the upcoming World Day of Remembrance in Newark could be a great opportunity to address these issues.
- **Leigh Ann Von Hagen** drew the conversation to a close as the hour reached its end but offered that the way to move forward would be for members to share their thoughts and any relevant info via email. She confirmed the next BPAC General Meeting date and time for December 1st at 9:30am.
 - **Susan Blickstein** shared some links to BPRC reports on Education & Enforcement, and Title 39 issues:
 - Education & Enforcement: http://njbikeped.org/wp-content/uploads/Final-Report-for-Web_Small.pdf
 - Title 39 issues: http://njbikeped.org/wp-content/uploads/BSEE-Survey-Analysis-Report_FINAL.pdf
 - **Leigh Ann Von Hagen** shared emails for members to send relevant info and ideas to Jim Hunt and Deb Kagan:
 - Jim Hunt freewheeljim@gmail.com
 - Deb Kagan: kagan@njbwc.org
 - **Lauren Rushing** shared a link to the Facebook event for World Day of Remembrance for Road Traffic Victims:
 - WDoR: <https://www.facebook.com/events/861301664534257?ref=newsfeed>

The meeting was adjourned by **Leigh Ann Von Hagen**.