Public Comment is currently open as part of MDOT's initiative to update the Strategic Highway Safety Plan (SHSP) and Vulnerable Road User Safety Assessment (VRUSA).

We support Michigan's transition to the Safe System Approach (SSA) as it recognizes the importance of safe travel for all, and especially for VRUs like pedestrians and bicyclists. Unfortunately, preliminary 2025 data shows that Michigan saw a double-digit increase in the rate of pedestrian fatalities, well above the national trend.

This brings into focus Michigan's urgent, unmet need to address roadway safety in a way that is human-centered, and requires stronger alignment between operating speeds, human injury tolerance, and roadway designs. Michigan cannot achieve its goals under the statewide Toward Zero Deaths initiative without addressing the systemic conditions created by speed setting, roadway design, and exposure that continue to produce severe outcomes across the state. As discussed below, strengthening statutory alignment, and prioritizing engineering discretion and community-informed safety improvements in VRU-sensitive corridors are essential steps toward a safer transportation network for all Michiganders.

We appreciate the opportunity to provide this input and look forward to continued collaboration as the State advances a more consistent, transparent, and safety-focused approach to roadway design and management.

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1. Assessment of Previous Plans (2023–2026 SHSP and 2023 VRUSA)

The following observations summarize where the previous plans' framing and strategies fall short of Safe System Approach (SSA) principles and effective VRU risk reduction.

1.1 Lack of Clarity on Strategy Effectiveness

- Most, if not all of the two dozen recommendations MDOT offered were previously proposed and implemented, and it's not clear how some of the proposed strategies would affect VRU safety, if at all.
- There is a larger focus on non-SSA tactics, such as "education."

1.2 Limited Integration of Safe System Approach

- Under an SSA, the impact of a crash on the human body should not result in fatality or serious injury; road design and management should encourage safe speeds and manipulate appropriate crash angles to reduce injury severity.
- It is not clear from either document how SSA is influencing changes to MDOT's engineering approaches.

1.3 Framing of Crash Data Obscures Systemic Issues

- The SHSP presents data in a manner that emphasizes categorical groupings, such as pedestrian actions or driver behaviors, instead of acknowledging underlying conditions that are present in all groupings. This led to strategies that targeted individual behaviors while leaving fundamental risk factors unaddressed.
- Of note:
    - Limited emphasis on speed as the defining factor in crash severity, despite the role it plays in pedestrian injury severity.
    - The distribution of pedestrian fatalities across locations (mid-block vs. intersection) obscures the fact that risk is systemic and should be addressed through system design rather than a single behavior (e.g., pedestrian compliance).
    - Emphasis on behavioral categories over system conditions, obscuring the role of roadway design, speed, and exposure in producing severe outcomes across all categories.

1.4 Insufficient Alignment Between VRU Risk and Design Response

- The plan does not consistently translate established VRU risk into proven design strategies that reduce exposure and conflict, such as increased crossing frequency, reduced lane widths, or lower target speeds in high-activity corridors.
- The use of rural vs. urban comparisons narrows the problems scope. Although the disparity is significant, focusing on it alone overlooks the fact that most fatalities occur on urban roads and that key risk factors span both rural and urban contexts. A Safe System approach demands system-wide changes, not geographically siloed efforts.

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2. Recommendations:

The following recommendations align MDOT policies with SSA requirements by focusing on the universal underlying conditions that lead to severe VRU outcomes and by doing more to fully align its policies with the requirements of an SSA.

2.1 Strengthen pedestrian and bicyclist safety by closing gaps in current law, like amending section 628 of the Motor Vehicle Code (MVC) to modernize speed-setting and to incorporate common sense solutions:

- PA 33 of 2024 has had the unintended effect of constraining, rather than supporting, local traffic safety efforts, and has created a regulatory catch-22 for local municipalities seeking relief. To make matters worse, MDOT implemented an extra-statutory requirement that acts to discourage the use of the new flexibility touted under PA 33, by punitively imposing conditions not authorized by, and extending beyond the authority granted under the statute. Key concerns regarding PA 33 include:
    - **Constrained local authority:** Narrowly defined relief mechanisms and required resolutions limit municipalities' ability to respond to documented safety risks.
    - **Rigid reliance on speed percentiles:** SSA principles are built on the understanding that human tolerance to crash forces is limited, and that survivability declines rapidly as speeds increase. However, Michigan's use of the 50th and 85th percentile speeds as de facto floor and ceiling thresholds fails to account for:
        - Enforcement history and current conditions
        - Pedestrian exposure and surrounding land use (i.e. Proximity to K–12 schools and the ineffectiveness of education-only approaches)
        - Serious injury and fatality risk
        - Crash and near-miss history
        - The underlying statutory safety purpose
    - **Normalization of noncompliance:** This framework legitimizes existing speeding behavior and creates a mechanism for indefinite incremental increases in operating speeds over time.
    - **Chilling effect on safety measures:** Under the MMUTCD, countermeasures requiring a speed study may expose communities to higher posted speeds, thus discouraging proactive interventions.
    - Taken together, this approach, now codified in state law, directly conflicts with guidance and principles established by the Federal Highway Administration, the MUTCD, the Safe System Approach, provisions under the Michigan Vehicle Code itself, including the State's Complete Streets Policy, and the Toward Zero Deaths initiative.

2.2 Administrative Solutions to Immediately Mitigate VRU Risks:

- In addition to initiating a statutory change to improve Michigan's speed-setting methodologies, MDOT should issue guidance that:
    - Explains how existing engineering discretion and best practices can be consistently applied with the above-mentioned federally endorsed best practices for VRU-sensitive corridors under existing state traffic safety law, with particular emphasis on integrating vulnerable road user safety measures that are developmentally appropriate for children.
    - Removes from all MDOT guidance including FAQs, forms, and regional correspondence templates, any mention of MDOT's extra-statutory requirement that a local government pass a resolution promising to abide by the decision made by MDOT and MSP based upon the results of the study. This requirement appears to be *ultra vires*, as it imposes conditions not authorized by, and extending beyond the authority granted under the statute. In fact, it may conflict with the provision within the law itself that allows a local government to no longer move forward with the speed study.
- Importantly, the state must align its speed-setting methodology with its commitment to interagency collaboration affirmed in the State's Complete Streets policy, as well as federal MUTCD guidance and SSA principles that prioritize meaningful partnerships with local governments, as their input is integral to designing and deploying effective VRU-focused improvements.

2.3. Directly Address VRU Safety Disparities

- Prioritize Proven VRU Safety Initiatives in Funding and Project Selection.
    - While VRU crashes declined in total since 2013, fatalities have risen for pedestrians. Among all fatal and serious injury crashes, pedestrians are overrepresented by almost 14×. Bicyclists are overrepresented by almost 6× their share of total crashes.
    - MDOT's strategies should implement the changes needed to make VRU safety a key requirement for road project funding prioritization. This effort must include the identification and evaluation of existing projects and strategies that do not meaningfully improve or are a barrier to improving VRU safety.
    - Implement the Toward Zero Deaths National Strategy in program design by promoting VRU best practices in the prioritization of safe transportation

facilities at trunkline crossings and the improvement of non-motorized infrastructure across Michigan.