Pop-ups, politics, NIMBYs & legitimacy; lessons from failed bus lanes, Curitiba and Clarendon St

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Real-world transport policy-making is influenced by political, institutional and other non-rational factors[1]. Even though bus lanes, parkets or other non-automobile-focused uses of limited road space and intersection time might be better for everyone overall, NIMBYs[2], politics and similar often limit progress. However, recent research[3] has identified nine pragmatic strategies[4] for legitimising transport system changes and implementing improvements that might not (initially) receive public, political or institutional support.

Why do bus or bike lanes, parkets and other non-car-focused uses of public road space succeed in some places, but not others? As engineers and planners we are taught to rationally apply standards and technical analysis to decide what should be built, but sometimes politics, institutional factors or public opposition can result in the failure and/or removal of otherwise appropriate or warranted changes to transport systems. What we might sometimes forget or not realise is that transport decisions are often made in council chambers, ministers' offices or by voters (most of whom are drivers), rather than just planner-and-engineer-only policy arenas.

Legitimacy is a topic in political science and organisational institutionalism, but it underlies engineering and planning too. It comes in many forms[5]: standards and laws state what 'should' be done and who 'shall' give way; outputs of capacity analysis software are trusted; and many impact assessment reports conclude that 'the proposal can be reasonably accommodated on the existing road network.' But sometimes technically appropriate transport improvement proposals are delegitimised, or projects are built but later removed for non-engineering or planning-related reasons: Mayor Rob Ford of the Toronto declared that the "war on the car is over"; Melbourne's East-West link was cancelled and bus lanes in Stud Road were removed after elections in accordance with political promises.

The findings described here emerged from case study research, which generated a simple, two-axis framework (see margin figure) for understanding legitimacy and implementation. The x-axis indicates the amount of transit priority that is legitimate, while the y-axis denotes the amount that exists. The framework's underlying premise is that, in the long-term, x and y converge[6].

[1] Greg Marsden and Louise Reardon. Questions of governance: Rethinking the study of transportation policy. *Transportation Research Part A: Policy and Practice*, 101:238–251, 2017. doi: https://doi.org/10.1016/j.tra.2017.05.008

[2] Not In My BackYard

[3] James Reynolds. *A framework and pragmatic strategies for transit priority implementation*. PhD thesis, Monash University, Melbourne, VIC, Australia, 2020. URL `https://bridges.monash.edu/articles/thesis/A_framework_and_pragmatic_strategies_for_transit_priority_implementation/13377680`

[4] These are: (A) legitimisation before implementation through (A1) technical enquiry, (A2) transport planning, (A3) public processes; (B) avoiding impacts through (B1) grade-separation, (B2) additional capacity or (B3) subservience; and (C) legitimisation through implementation using (C1) bottom-up and incremental implementation, (C2) pop-ups and (C3) formal trials.

[5] Including normative or sociological legitimacy; through consent, trust or reasonableness; as an unconditional duty or as part of conditional normative support (which is essentially just a fancy word for NIMBYism).

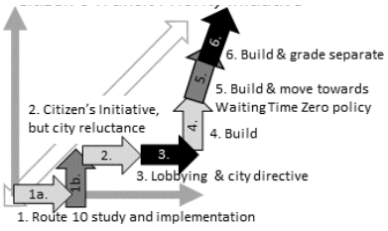


Figure 1: Mapping transit priority legitimacy and implementation in Zürich

[6] Indicated by the outline arrow where x = y

LEGITIMACY BEFORE IMPLEMENTATION is what is shown in Figure 1 as having occurred in Zürich. In part this was through a **A1. technical report** that built legitimacy for prioritising tram route 10 (1a). Importantly, this technical enquiry influenced broader public debate about transport in Zürich, in a similar way to how the City of Toronto provided results in a manner that was understandable to (and about things that mattered to) the public during the King Street Pilot.

It also helped in Zürich that when they adopted a **A2. Transport Plan** it was based on a vision for buses and trams to "travel along their lanes or tracks virtually as fast as is technically possible"[7]. Curitiba's famous Bus Rapid Transit (BRT) network was similarly led by a vision-based plan[8], for the city's transport and land-use to develop along linear 'Structural Axes'. This contrasts to the partially-removed Stud Road bus lanes here in Melbourne, for which the plan was objective-led[9]. The final pragmatic strategy for building legitimacy before implementation is **A3. Public Processes**, again perhaps best demonstrated by Zürich's Citizens' Transit Priority Initiative, which was narrowly passed in a public ballot[10]. However, this research found cases were council meetings, environmental assessment hearings and other public processes (including even court hearings) have successfully legitimised transit priority implementation.

BUT, WHY NOT SIMPLY AVOID IMPACTING those who might oppose implementation. This approach has been successful for the Eglinton Crosstown LRT in Toronto, some of which is **B1. Grade-separated** so as not to impact traffic. While expensive, in the context of Mayor Rob Ford's declaration that "the war on the car is over" putting the trams underground was the only way to get them out of traffic. Similarly, the Stud Road bus lanes here in Melbourne were only removed where they had been converted from a traffic lane. Parts where they had been built as **B2. Additional Capacity** through road widening remain in place to this day. **B3. Subservient priority** similarly seeks to limit opposition by doing everything that can be done to help transit, but without impacting motorists, and is the genesis of Curibita's famous tubular bus stops and a reason for the retention of hook turns here in Clarendon Street.

LEGITIMACY THOUGH IMPLEMENTATION relates to the idea that "if they had a chance to actually see it, everyone would love it", as stated by Curitiba's Mayor, Jamie Lerner [11]. With **C1. bottom-up and incremental implementation** successive small changes are made, building on initial successes as in Curitiba. The gradual addition of tram separation kerbing in the Melbourne CBD over the last 20 years provides another example. **C2. Pop-ups** and **C3. Trials** provide other ways in

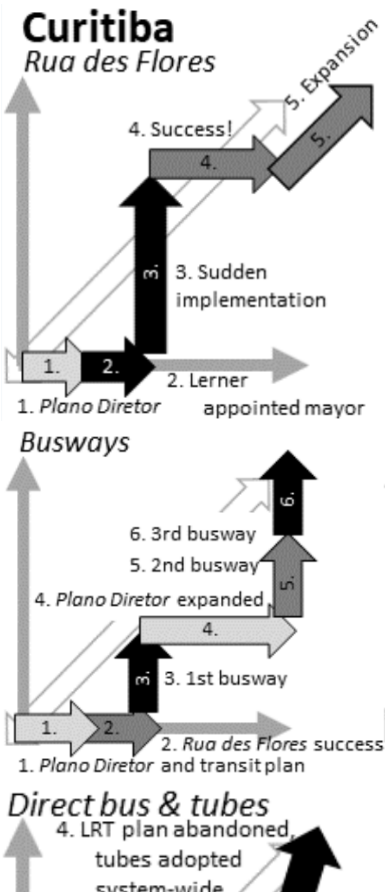
Figure 2: City of Toronto monthly dashboard during King Street Pilot, see thesis p.274

[7] Andrew Nash and Ronald Sylvia. Implementation of zürich's transit priority program. Technical report, Mineta Transportation Institute, San José State University, 2001

[8] The Plano Diretor, thesis chapter 8.

[9] Namely, that there should be bus lanes along all of Stud Road.

[10] 51% for, 49% against. See Nash and Sylvia (2001) and thesis ch.7



which people can see what changes might look like in the real-world, without having to commit to permanence first. For Jamie Lerner, it might help that he had the support of the military dictatorship ruling Brazil at the time his team converted central Curitiba into a pop-up pedestrian mall, but the guerrilla bike lanes of Seattle[12] provide an example within democracies. At the least, as shown by Clarendon Street[13], temporary implementations can be used to find out which measures actually are legitimate.

This two-page handout is not quite enough space to adequately squeeze in a 4-5 year PhD, 4 cases and an entire framework based on concepts from public policy analysis. Hopefully, though it might give you a start on some strategies for successfully improving transport systems in the real world of politics, NIMBYs and the other non-technical aspects of implementation.

[12] Tom Fucoloro. Guerrilla road safety group 'politely' installs illegal bike lane protectors on cherry street, 2013. URL https://www.seattlebikeblog.com/2013/04/04/guerrilla-road-safety-group-politely-installs-ille

[13] Dan Silkstone. Clarendon street tram stop trial gets the hook, 2005. URL http://www.theage.com.au/news/National/Clarendon-Street-tram-stop-trial-gets-the-hook/2005/06/07/1118123842189.html

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