

# Modern Transit Society

moderntransit.org

P.O. Box 5582, San Jose CA 95150

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November 8, 2010

Hans Larsen, Director of Transportation  
City of San Jose  
200 E. Santa Clara Street; San Jose, CA 95113

Subject: Meeting request; repeal of San Jose Municipal Code 11.32.070

Dear Sir:

Municipal Code 11.32.070 prohibits people from walking on sidewalks, using bus stops, walking on pedestrian paths or on safe shoulders along any road where the name was changed from 'Avenue' or 'Road' to 'Expressway.' It also prohibits transit patrons from using the Capitol Expressway Light Rail station unless they drive a car to the park-and-ride lot. One of our members was prohibited from using light rail because he did not own a car. The prohibitory signs were removed from the entire length of Capitol in 1997 by the County, which had agreed with us that San Jose was in violation of State law by illegally prohibiting pedestrians, and that Capitol was not a freeway as staff had claimed for years.

Can I meet with you to make a presentation on repeal of Ordinance 11.32.070 ? I will show with detour maps how this ordinance has greatly increased crash risk for pedestrians by forcing needless intersection crossings, often including two expressway crossings. Typically, 10 extra intersections have to be crossed for a detour route caused by prohibiting the shortest, most direct route, with the least number of crossings, just because the road was renamed "expressway." Pedestrian fatalities on expressways occurred while crossing or at intersections, and none while walking along the expressway.

There are 5 "County" expressways in San Jose. Pedestrians often use shoulders on these, as well as on other arterial roads. MTS has fought to remove "pedestrians prohibited" signs, and due to our efforts, only 1.75 miles of expressway in San Jose still remains with "pedestrians prohibited" signs on both sides of the road. These are on San Tomas. Yet, San Tomas has paths and/or wide shoulders. These shoulders are 9-foot typically, wider than those of Almaden or Montague which never had prohibitions.

Repeal is important for another reason: County highway staff has destroyed sidewalks and other pedestrian facilities when adding traffic lanes — I have 4 examples with photos — and have cited this ordinance to justify their actions. Two force pedestrians to walk in the 45 mph traffic lane.

The San Jose Bicycle-Pedestrian Advisory Committee (SJ BPAC), by a unanimous vote, requested the City Council to repeal this ordinance on Nov. 20, 2006, but this matter never went before City Council.

I am available to meet any time and have prepared a slide presentation, including photos of the unsafe locations with simple corrections. Please contact me at [see email] or call 408 221 0694.

Sincerely,

Akos Szoboszlay  
Vice-President  
Modern Transit Society