

Violated Board (BOS) policies and orders (printed version with attachments)

1. 1991 Board Action: Ordered staff to create pedestrian paths on *all* expressways.

“Approve the proposed new program to **provide pedestrian pathway facilities along the expressway system** at the annual level of \$75,000.”

[See Quote 1 from attached page 1 of August 20, 1991 action] Note: Murdter opposed existing path use in violation of this Board action at Santa Clara City Council (June 20, 2006).

2. Staff report for that Board Action: “ [The predecessor] Transportation Agency’s position is that **it will take several years [from 1991] to remove all obstacles [basically, “cut back brush”] in the buffer area [between curb and property-line] from the entire expressway system.**”

[See Quote 1 from attached page 3.] If they would have complied, there would be no conflict today!

3. 1991 Board Policy: “It is the [Board approved] Policy ... **to encourage cities to repeal pedestrian prohibition ordinances, except where ... the ... area (between the curb and property line) is impeded by obstacles.**” [See Quote 3 from attached page 2 of 1991 policy.]

Photos (below) show where Murdter opposed repeal of the pedestrian ban even where paths exist.



Left photo: San Tomas from Monroe to Cabrillo (west side)

Center photo: Cabrillo to El Camino (east side, 1/2 mile path was created in June in one day at MTS’ request.)

Right photo: Typical prohibited path, Williams to just before Winchester.

Below photo: Saratoga to Pruneridge (east side).



San Tomas description: There is 12 feet (typically) between the curb and the property-line fence in Santa Clara. Paths exist at many blocks but are prohibited in addition to banning shoulder use. Details, detour maps, links, etc. are at: moderntransit.org/expy/st

4 and 5. The 2003 Board Policy (usually called the *County Expressway Master Plan*, formerly titled *Comprehensive County Expressway Planning Study Implementation Plan*, added shoulder use:

“ **[Wide] shoulder or path facilities can serve ... for occasional pedestrian use.**” [Quote 4]

San Tomas pedestrian map (see excerpt in Quote 5) is from page 9 of the San Tomas Expressway section (a separate pdf file) of this *Master Plan*.

6. Board ordered staff (1/10/06) to seek repeal of SB 1233 that eliminated the right of bicyclists and pedestrian to use public roadways. [See Quote 6 and 6b and the attached Vehicle Code 21960 changes.]

Quotes 7, 8 and 9 (next page) would be moot if County highway staff would have complied with Quote 1. They have not complied in 15 years – despite quote 2 stating “several years” to implement. While redundant now, historically, Quotes 7, 8 and 9 preceded Quotes 1 and 2. All are violated.

7. Both the 1991 and the 2003 policy require creating pedestrian paths at intersections areas. The better-worded 2003 policy also opposes walking in the traffic lane, and states:

"Landscaping needs to be kept trimmed back at intersection areas and along the travel way so pedestrians do not have to enter the travel lane." [Source: same paragraph as Quote 4]

Note: Quote 7 needs to have the **highest compliance priority** due to a somewhat higher accident risk at intersection areas, and an even higher risk where shoulders were eliminated and people are forced to walk in the traffic lane.

8. "Expressway crossings of barriers (freeways, rivers, and railroads): A **sidewalk/path on at least one side** of the expressway will be provided to the adjacent public street intersection in both directions from the barrier." [Source: same page as scanned Quote 3]

9. "It is the policy ... to **not eliminate existing sidewalks/pathways/informal paths.**" [Source: 1991 Policy page 3]

More violations: The above are just the violated policies and orders of the County Board of Supervisors (BOS). See the *State and Federal violations* by Murdter and the County Roads Department at: moderntransit.org/st

Conclusion

It is imperative, for both pedestrian safety and for efficiency of walking and transit use in hierarchical street pattern areas – that's where expressways are located – **that pedestrian-expressway policies and orders of the Board of Supervisors be retained.** County highway staff will try to change that in 2007, with the "update" to the County Expressway Master Plan.



Pedestrians must step from the sidewalk into the traffic lane after walking on the sidewalk built by Caltrans. County highway engineers eliminated the pedestrian facility – the shoulder – in 2002 when adding more traffic lanes. The sidewalk ends where the roadway becomes County owned. Location is Montague near Freeway 880 crossing. This act is a violation of quotes 7, 8, 1, and 2.



Pedestrians paths are cheaply and quickly built – half a mile per day – as shown by this path [center] created by trimming brush [left] on San Tomas for an entire block (Cabrillo to El Camino) by maintenance staff. Path is even wider than path used by Caltrain patrons [right] along 40 mph De La Cruz bridge in Santa Clara.

The web page version of this page details violations, has scans of original document pages, a history about these quotes, and lists recent false statements by County staff:

moderntransit.org/quote

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