

To: VTA BPAC members
From: Akos Szoboszlay
Date: June 3, 2024

Subject: Censoring County Expressway Plans indicates County Roads may again try to eliminate bicyclists, pedestrians and transit patrons.

Hello VTA BPAC Members,

About 3 months ago, I requested three County Supervisors to achieve compliance with the 2003 and 2008 County Expressway Plans. This was referred to County Roads. Instead of taking steps to comply, County Roads censored these Master Plans, removing them from the County website. The “Bicycle Accommodation” document (part of the 2003 Plan) was censored. Sidewalk Maps for each expressway (part of the 2008 Plan) were censored. I spoke to the County BOS, twice, at their meeting, to restore these Plans. At first, County Roads claimed restoring these documents was “not feasible”, then that they are “obsolete”, as told to Supervisor’s Aides. I stated that these are valid today — see my speech, link below — and are even recognized to be Master Plans by MTC, in their regional T2030 Plan. Then, County Roads admitted these Plans are not obsolete and restored them to the County website.

For each of the last three transportation Master Plans of the County, the initial draft proposed by County Roads eliminated pedestrians and transit patrons. Also eliminated, for the T2010 Plan in 1991, were bicyclists. These travel modes are in the Plans today because County Roads lost all the votes. Censoring these Master Plan documents indicates that County Roads may try to substitute their *own* Plan and *re-impose* discrimination and police harassment, as they tried repeatedly before. [For details: See the history of how County Roads lost all the votes, at: ModernTransit.org/expy/ped-element.html]

In 1988, at the effort I led, the BOS rejected County Roads request to seek legislation in Sacramento to re-impose bicycle prohibitions by over-ruling city’s repeal of bicycle prohibitions. I lead the effort to repeal bicycle prohibitions from 1987 to 1991, and all “bicycles prohibited” signs were removed by 1991. In 1989, the BOS required bike lanes on expressways. (Bike lane details were added in the 2003 Plan.)

I then continued with repeal of prohibitions against pedestrians and transit patron. In 1991, the County BOS, at my request, required, and fully funded, pedestrian paths along the “entire expressway system”. County Roads never

complied in creating these paths as their political strategy. Most elected officials would consider prohibiting use of paths, sidewalks and bus stops to be absurd. Creating paths would have ensured a vote loss for County Roads in the 2003 and 2008 Expressway Plans. County Roads lost all votes none-the-less, in their attempt to eliminate pedestrians, paths and sidewalks from the Plans.

Rather than use “political strategy” as County Roads’ reason to not comply with the BOS path requirement, County Roads cited city prohibitory ordinances as a false excuse for their refusal to comply with the BOS order to create paths, by stating “that would encourage pedestrians to violate the city ordinance.” The fact is, that the BOS made *no exception* to path creation, or whether a city may or may not prohibit their use. Yet, it was County Roads who fought me before city councils to keep their prohibitory ordinances, by contradicting the BOS’, so they can continue using ordinances as a ruse to avoid compliance with the BOS orders and policies.

My recent requests to the Supervisors are simple:

- 1) To: Supervisor Otto Lee: **That the BOS write cities with remaining prohibitory ordinances, to repeal them.** Today, 3 cities prohibit bicycles and 7 prohibit pedestrians from expressways. County Roads was forced to remove most signs — despite ordinances — by myself and VTA BPAC because County Roads violated State law that only enabled (“authorized”) prohibiting from freeways. But ordinances continued to be used by County Roads as a false excuse to avoid complying with BOS’ requirements.
- 2) To: Supervisor Ellenburg: **Restore 2.1 miles of destroyed paths on San Tomas Expy.** that were plowed up by County Roads for political purposes, in 2007, when they were fighting against sidewalks in the draft 2008 Plan. County Roads lost all the votes. For the remainder of San Tomas, use the Sidewalk San Tomas map: **Where sidewalks are shown but not implemented, remove shrubs that are in the way of unpaved paths, which are the first phase in creating a sidewalk.** Unpaved paths are very inexpensive, and are both *required* by the Board and *fully funded*, in 1991.
- 3) To: Supervisor Chavez: **Remove signs prohibiting transit patrons walking to Capitol LRT Station. Remove shrubs,** planted by County Roads, that are **blocking the path** used by transit patrons walking to **Eastridge Transit Center.**

Considering the censorship, County Roads may want a new County Expressway Plan. I merely asked that County Roads *comply with* these Plans, not to *change them*. County Roads initial proposals for the last three transportation Plans tried

to eliminate pedestrians and transit patrons (and also, bicyclists for T2010 Plan in 1991). I was informed that County Roads plans to bring their proposals to VTA BPAC. Therefore, **I request the VTA BPAC to *not approve* changing the County Expressway Plans; but instead, to *help implement the existing 2003 and 2008 County Expressway Plans, by approving the following items:***

- 1) Support *complete* repeal of *all* remaining city ordinances that prohibit bicyclists and/or pedestrians on expressways.
- 2) Support restoration of 2.1 miles of destroyed paths on San Tomas Expy. that were plowed up by County Roads in 2007.
- 3) Where sidewalks are shown on the Sidewalk Maps of the 2008 Plan, but are not yet implemented, remove shrubs that are in the way, which is the first phase of sidewalk construction.
- 4) The highest priority of item (3) is where transit patrons are forced to needlessly cross the expressway, sometimes twice, to access transit stations. Crossing expressways is, by far, the highest fatality risk to them.
- 5) Items (2), (3) and (4) must be without regards to prohibitory ordinance(s) because *none* of these ordinances prohibit paths, sidewalks, bus stops or bike lanes; they merely prohibit *people* from *using* these facilities.
- 6) County Roads *must not* go to City Councils to oppose allowing bicyclists, pedestrians and transit patrons, as they have in the past, by pretending they are speaking on behalf of the BOS, when actually they were contradicting the BOS' policies and orders. For example, despite the BOS vote (in 1988) to "support" bicycles on expressways, County Roads continued opposing bicyclists before the City Councils of San Jose (1989) and Santa Clara (1991 repeal), but again lost the votes.
- 7) County Roads *must stop* using fake "accident statistics" and other false safety claims. Their latest claim is that "roadway departure" — where a vehicle runs off the road and kills a pedestrian who just happens to be at the exact same spot on the sidewalk or path — results in "60%" of pedestrian fatalities on expressways. This was told to Santa Clara City Council, in 2006, to oppose allowing use of the *existing* sidewalks on Lawrence Expy. County Roads' 60% fatality figure was for *motorist* fatalities on *national highways*, *not pedestrian* fatalities. However, County Roads would not reveal its data source until *after* the Council vote, to make rebuttal *impossible* before the vote. A 2014 County Roads document** reveals the real reason for this fake claim: County Roads wants to *destroy the sidewalks and bike lanes* and use the existing right-of-way of pedestrians, Lawrence Caltrain Station patrons, and bicyclists for *more car traffic*. The City ordinance continues to prohibit use of existing sidewalks on Lawrence Expy. See details of what occurred in Appendix F in letter to Supervisor Otto Lee, link below.

My letter to Supervisor Otto Lee documents the above facts, contains an overview, history, many photos, and has these appendices:

Appendix A: 2008 Expressway Plan's Map of pedestrians facilities (overview) is a merging of the detailed Sidewalk Maps.

Appendix B: List of cities with **prohibitory ordinances**

Appendix C: Bridge proves prohibiting pedestrians is dangerous

Appendix D: County Roads violates BOS' path policies, destroyed paths

Appendix E: **Quotes of cited BOS actions**

Appendix F: County Roads staff contradicted, opposed the BOS before the City Council of Santa Clara. Read **County Roads' fake "roadway departure" argument** that applies to eliminating bicyclists, pedestrians and transit patrons.

Appendix G: Inexpensive action needed at Capitol Expy. transit stations.

Here is the link to letter to Supervisor Otto Lee: (Next page has more links):

ModernTransit.org/2024/repeal.pdf

Sincerely,

—Akos Szoboszlay

Contact:

Akos Szoboszlay (at right, being ticketed \$149 for using the bike lane on San Tomas Expy.)

phone: 408-221-06-ninetyfour

email:

expressway ["at" symbol] [akos.us](mailto:akos@akos.us)



Links

This letter to VTA BPAC: [ModernTransit.org/2024/VTABPAC.pdf](https://www.moderntransit.org/2024/VTABPAC.pdf)

My speech to the BOS to restore censored documents (on 5/13/2024):
[ModernTransit.org/2024/speach2.pdf](https://www.moderntransit.org/2024/speach2.pdf)

10 BOS policies and orders regarding pedestrians: See page 2 of above link.

County Expressway Plans, process and history; by Akos Szoboszlay
[ModernTransit.org/expy/ped-element.html](https://www.moderntransit.org/expy/ped-element.html)

County website link to County Expressway Plans, then scroll to near bottom of this linked page:

<https://roads.santaclaracounty.gov/projects-and-studies/planning-studies/expressway-planning-activities>

Links requesting compliance with the 2003, 2008 County Expressway Plans

Letter to County Supervisor Otto Lee, to **repeal prohibitory ordinances**:
[ModernTransit.org/2024/repeal.pdf](https://www.moderntransit.org/2024/repeal.pdf)

Letter to Supervisor Ellenburg, to **restore 2.1 continuous miles of destroyed paths**: [ModernTransit.org/2024/SupEllenburg.pdf](https://www.moderntransit.org/2024/SupEllenburg.pdf)

See before-and-after photos of destroyed pedestrian paths along San Tomas:
[ModernTransit.org/st/destroyed-paths/destroyed-paths.html](https://www.moderntransit.org/st/destroyed-paths/destroyed-paths.html)

Letter to Supervisor Chavez, to remove new **signs prohibiting transit patrons** walking to Capitol Light Rail Station; **remove shrubs that block the path** to Eastridge Transit Center:

[ModernTransit.org/2024/SupChavez.pdf](https://www.moderntransit.org/2024/SupChavez.pdf)

Links for repeal of prohibitory ordinances

Expressway Topics, Links page by Akos Szoboszlay, Modern Transit Society:
[ModernTransit.org/expy](https://www.moderntransit.org/expy)

Timeline of expressway events, by Akos Szoboszlay, Modern Transit Society:
[ModernTransit.org/expy/#timeline](https://www.moderntransit.org/expy/#timeline)

**Title is *Lawrence Expressway Grade Separation Concept Study, 2014.*