

CLA MEMORANDUM

April 17, 2006

TO: Honorable Members,
Intergovernmental Relations Committee

FROM: Gerry F. Miller *GFM by AMK*
Chief Legislative Analyst

Assignment No: 06-04-0638

SUBJECT: Bicycle in Crosswalk Legislation

CLA RECOMMENDATION: Include in the City's 2005-06 State Legislative Program, by adoption of the attached Resolution, SPONSORSHIP or SUPPORT of legislation to authorize a local ordinance to regulate the use of bicycles in pedestrian crosswalks at intersections, as recommended by the Department of Transportation.

SUMMARY

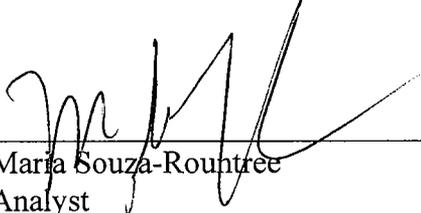
In the 2003-04 Session of the State Legislature the City supported AB 1408 (Wolk) concerning the operation of bicycles and sought amendments to authorize local ordinances regulating the use of bicycles in pedestrian crosswalks (03-0002-S104), as originally recommended by the Department of Transportation. The amendments sought by the City were supported by several other groups in the State but the amendments were dropped due to the lack of endorsement by the bicycling community. This lack of endorsement was based on details of the language to be added to statute. Since 2004, the California Bicycle Advisory Committee (CBAC) has agreed on language that can now be pursued. It would be appropriate for the City to again support this amendment, and to be sponsor of it, if need be.

DOT reports that the cities of San Francisco, San Diego and Berkeley also see the need for this amendment and are willing to support the proposal. This proposal now appears to be a consensus issue which should be acceptable to the omnibus transportation bill that is routinely considered each year. State Senator Jack Scott appears to be a supporter, according to DOT.

DOT's memo urging the support of this amendment attaches language developed last November by Alan Wachtel, the Chair of CBAC and legislative director for the California Association of Bicycling Organizations (CABO). The seven page report by Mr. Wachtel presents the arguments why bicycling is deemed authorized on sidewalks on the one hand, and why it is deemed prohibited on the other. He then presents the law on bike paths, crosswalks and various traffic rules, along with proposed legislative changes. DOT believes that clarification is urgently needed as the City continues to develop sidewalks and bicycling paths, both of which routinely cross city streets and some uniformity of law is needed to guide traffic officials in enforcing the law for the safety of both bicyclists and pedestrians, as well as motorists.

A resolution is attached to reflect the legislative intent as recommended above by DOT.

DEPARTMENT AFFECTED: DOT



Maria Souza-Rountree
Analyst

Atch: 1. DOT memo
2. Alan Wachtel report
3. Council file 03-0002-S104

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RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the California Vehicle Code does not allow for, or prohibit, the use of crosswalks by bicycles; and

WHEREAS, different sections of the Vehicle Code treat bicycles differently in conflicting circumstances, with little guidance as to what controls a bicycle in an intersection's crosswalk; and

WHEREAS, in 2003 the City supported legislation to authorize local jurisdictions to enact traffic rules for bicycles in crosswalks, but this failed to move due to lack of endorsement by the bicycle community; and

WHEREAS, the California Bicycle Advisory Committee (CBAC) and the California Association of Bicycling Organizations (CABO) have reached general consensus on legislative language which is in agreement with the City's Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2005-06 State Legislative Program SUPPORT/SPONSORSHIP of legislation to authorize jurisdictions to enact legislation to address traffic rules for bicycles in crosswalks.