



Memorandum

TO: RULES & OPEN GOVERNMENT COMMITTEE **FROM: Councilmember Sam Liccardo**

SUBJECT: PROHIBITION OF THE RIDING OF BICYCLES ON THE SIDEWALK WITHIN THE DOWNTOWN CORE **DATE: March 7, 2013**

APPROVED

Sam Liccardo
RH

3-7-13

DIRECTION

Refer to the April 8th Transportation & Environment Committee meeting, within the existing Bike Plan Update agenda item, a proposal to modify the San José Municipal Code to enact an ordinance prohibiting the riding of bicycles for anyone over the age of 12 on sidewalks within the area bounded by 11th Street to the east, Julian to north, Highway 87 to the west, and Interstate 280 to the north; or within an alternative boundary determined by staff.

DISCUSSION

We've long heard recurring complaints from pedestrians—particularly from the many seniors living in multifamily developments throughout the Downtown—about the risks posed by cyclists riding on sidewalks. Several have complained that they're afraid to walk on the sidewalks because adult men zip by at unsafe speeds, startling them with a series of "near-misses." In two cases, we've learned of collisions causing injury to the pedestrian.

Prohibiting the riding of bicycles on sidewalks in California is nothing new. State law allows municipalities to regulate the practice, and many large cities have already done so. Los Angeles, Oakland and Sacramento have outright prohibitions on riding a bike on a sidewalk. San Francisco prohibits such riding for anyone over the age of 13. In San Diego, riding on the sidewalk is allowed, except within designated business districts. Skateboarding on sidewalks in much of our Downtown is already prohibited.

Clearly, we lack the police staffing to routinely enforce an ordinance. Nonetheless, simple signage could put riders on notice that they can be stopped at any time for a violation. Signs could empower other pedestrians to nag violators sufficiently to discourage the practice. This would also provide law enforcement with a lawful basis for stopping cyclists posing hazards, or where cyclists creates a reasonable suspicion of more insidious forms of illegal activity, such as where they appear to be "casing" a house, or circling an area with high levels of drug dealing.

This proposal would substantially improve the walkability of our Downtown, with its high concentrations of senior affordable housing and high-density condos occupied by many "empty nesters." This becomes all the more imperative as we look to plan to add another 2,000 residents Downtown within the next two to three years, and as pedestrian activity increases.

What about the safety of cyclists? The recent emergence of enhanced bike lanes on 3rd, 4th, 10th, and 11th Streets provide a wider lane for riding, as well as a buffer between the bicyclist and vehicular traffic. Enhanced treatment is also planned or under construction on San Fernando, Park, and other downtown streets. One of several reasons for these improvements—beyond calming traffic and encouraging more cycling—was to encourage existing riders to use the street rather than the sidewalk. It's time to encourage cyclists to use what has been designed for them.