

File No. 130601

Committee Item No. 2

Board Item No. 14

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date March 13, 2014

Board of Supervisors Meeting

Date March 25, 2014

CMTE BOARD

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OTHER

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Completed by: Erica Major Date March 7, 2014

Completed by: Alisa Miller Date March 19, 2014

1 [Follow-Up Board Response - Civil Grand Jury Report - Are the Wheels Moving Forward? A
2 Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From
3 Confrontation to Conversation]

4 **Motion responding to the 2012-2013 Civil Grand Jury on the status of the Board of**
5 **Supervisors' responses to Recommendation Nos. 4.1 and 4.2 contained in the 2012-**
6 **2013 Civil Grand Jury Report, entitled "Are the Wheels Moving Forward? A Follow-Up**
7 **to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to**
8 **Conversation."**

9 WHEREAS, The 2012-2013 Civil Grand Jury Report published a report, entitled "Are
10 the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing
11 the Roadway: From Confrontation to Conversation" (Report) on June 10, 2013; and

12 WHEREAS, On September 12, 2013, the Board of Supervisors' Government Audit and
13 Oversight Committee (GAO) conducted a public hearing to hear and respond to the Report;
14 and

15 WHEREAS, On September 24, 2013, the Board of Supervisors adopted Resolution No.
16 338-13, reflecting the Board's responses to the findings and recommendations contained in
17 the Report; and

18 WHEREAS, The Board of Supervisors reported that Recommendation No. 4.1, which
19 states: "The Mayor and the Board of Supervisors should support SFPD efforts to successfully
20 enforce roadway laws by adopting a San Francisco Bicycle Enforcement Safety Agreement
21 that would pursue the goals of zero bicycle fatalities and a 50% annual reduction in bicycle
22 collisions," has not been implemented, but would be implemented within six months of the
23 publication of the Civil Grand Jury report, from June 10, 2013, to no later than December 10,
24 2013; and

1 WHEREAS, The Board of Supervisors reported that Recommendation No. 4.2, which
2 states: "Through collaboration with SFPD, BAG, and SFMTA the City should build an
3 Enforcement Safety Campaign around the goals in Recommendation 4.1 and alert the public
4 to the SFPD enforcement plan that will follow," requires further analysis for reasons as
5 follows: the Board would evaluate what collaboration with the SFPD, Bicycle Advisory
6 Committee, and SFMTA would look like; and Government Audit and Oversight Committee
7 would conduct this evaluation within six months of the publication of the Civil Grand Jury
8 report, from June 10, 2013, to no later than December 10, 2013; and

9 WHEREAS, All information related to the original Board proceedings regarding the
10 Report is on file with the Clerk of the Board of Supervisors in File Nos. 130601 and 130602,
11 which is hereby declared to be a part of this Motion as if set forth fully herein; now, therefore,
12 be it

13 MOVED, That the Board of Supervisors reports to the Presiding Judge of the 2012-
14 2013 City and County of San Francisco Civil Grand Jury that an additional public hearing was
15 held on March 13, 2014, by GAO to receive an update from City departments on the status of
16 the continued recommendations from the Report; and, be it

17 FURTHER MOVED, That the Board of Supervisors is in support of Recommendation
18 4.1, but it will not be implemented by the Board for reasons as follows: The recommendation
19 is not within the scope of the Board's authority, and the Board defers to the reported efforts
20 being coordinated by the Police Department and the Municipal Transportation Agency, and
21 encourages the Mayor to cause the implementation; and, be it

22 FURTHER MOVED, That the Board of Supervisors is in support of Recommendation
23 4.2, but it will not be implemented by the Board for reasons as follows: The recommendation
24 is not within the scope of the Board's authority, and the Board defers to the reported efforts
25

1 being coordinated by the Police Department and the Municipal Transportation Agency, and
2 encourages the Mayor to cause the implementation of the recommendation in 2014; and, be it

3 FURTHER MOVED, That the Board of Supervisors urges the Mayor to cause the
4 implementation of the accepted recommendations through his/her department heads and
5 through the development of the annual budget.

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SF Civil Grand Jury Recommendation 4.2 – Enforcement Safety Campaign

120601
Submitted
7/1/2011
by
SFPD

Recommendation 4.1:

The Mayor and the Board of Supervisors should support SFPD efforts to successfully enforce roadway laws by adopting a San Francisco Bicycle Enforcement Safety Agreement that would pursue the goals of zero bicycle fatalities and a 50% annual reduction in bicycle collisions.

Recommendation 4.2:

Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 4.1 and alert the public to the SFPD enforcement plan that will follow. Outline of Proposed Components of Enforcement Safety Campaign:

From Recommendations of 2009-10 Civil Grand Jury

- Coordination between the SFBAC, SFMTA, & SFPD
- Expanded Bicycle Safety Education Program for bicyclists and the general public
- Revised training of SFPD employees with help of the bicycling community and POST
- Increased involvement of the SFPD in implementation of the San Francisco Bicycle Plan, as well as the overall Transportation Plan
- Plan to establish a policy to enforce traffic laws that reflect the greatest threat to safety, working in conjunction with partners
- Bicycle Citation Diversion Program (Traffic School)
- Establishment of a 'Redi-Ref' to provide clear interpretations of the CVC as applies to bicycle use
- Evaluation of citations for accuracy and usefulness in identifying unsafe and illegal actions for mitigation through education and enforcement
- Using citation data to track achievement of enforcement of "Zero Fatalities" goals

Additional specific BAC suggestions to achieve goals of "Confrontation to Conversation"

- Establishment of SFPD bicycle traffic enforcement officers using bicycles equipped with kinetic technology, electric assist propulsion, emergency lights, camera, and siren.
- Expand Redi-Ref into smart phone app for mass public distribution
- Provide information on fatalities for use in safety analysis and education programs
- Include distribution of headlight and reflectors in Citation Diversion classes for individuals cited for (21201) missing lights/reflectors

Actions

- Establishment of an Enforcement Safety Campaign Working Group
 - o Development of a Redi-Ref document that would identify most common and appropriate sections that apply to bicyclists, as well as a list of sections not generally intended for use as regards bicycles and bicyclists
 - o Establish an enforcement strategy plan for education of bicyclists, SFPD staff, and the general public in conjunction with enforcement policies being implemented
 - o Plan a Citation Diversion program that conforms to the CVC and Superior Court processes, which may require a change in state law
 - o Review the Law Enforcement section of the San Francisco Bike Plan
- Expand SFPD Training with the assistance of the bicycling community
 - o Improve understanding of bicyclists actions emphasizing safe practices
 - o Streamline the Citation process with use of smart phones and cloud technology
 - o Prioritize citations with regard to mitigating collisions and injuries
 - o Counsel officers in proper use of collision reports and establishing fault
 - o Improve the reporting system for tracking citations to achieve "Zero Fatalities"

V C Section 41501 Traffic Violator School Completion

Traffic Violator School Completion

41501. (a) After a deposit of bail and bail forfeiture, a plea of guilty or no contest, or a conviction, the court may order a continuance of a proceeding against a person, who receives a notice to appear in court for a violation of a statute relating to the safe operation of a vehicle, in consideration for successful completion of a course of instruction at a licensed school for traffic violators and pursuant to Section 1803.5 or 42005, the court may order that the conviction be held confidential by the department in accordance with Section 1808.7. The court shall notify a person that only one conviction within 18 months will be held confidential.

(b) Subdivision (a) does not apply to a person who receives a notice to appear as to, or is otherwise charged with, a violation of an offense described in subdivisions (a) to (e), inclusive, of Section 12810.

(c) This section shall become operative on July 1, 2011.

Added Sec. 12.5, Ch. 599, Stats. 2010. Effective July 1, 2011. Amended Sec. 311, Ch. 296, Stats. 2011. Effective January 1, 2012.

V C Section 42005.3 Diversion Program as Alternative to Procedure Required Under Code Prohibition

Diversion Program as Alternative to Procedure Required Under Code: Prohibition

42005.3. Operative January 1, 1993, no local authority may allow a person who is alleged to have committed a traffic offense in violation of this code or an ordinance or resolution adopted under this code, to participate in a driver awareness or education program or in any other diversion program as an alternative to the procedure required to be followed under this code for alleged violations of this code.

This section does not apply to diversion programs for minors who commit infractions not involving a motor vehicle for which no fee is charged.

Added Ch. 1199, Stats. 1992. Effective September 15, 1992.



DEPARTMENT BULLETIN

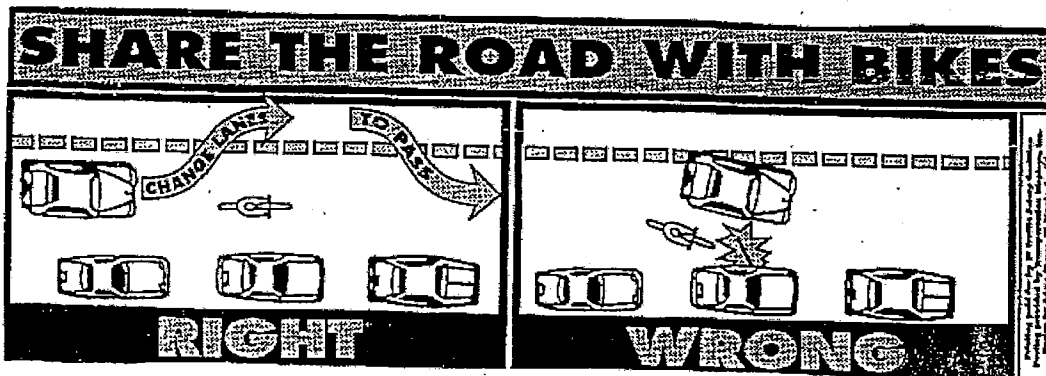
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2/28/98

BICYCLE RIDING IN LANES OF TRAFFIC

Members of the uniform patrol force shall review CVC Section 21202, as reproduced below:

(a) Any person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at that time shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

- (1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.
- (2) When preparing for a left turn at an intersection or into a private roadway or intersection.
- (3) When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right-hand curb or edge, subject to the provisions of Section 21656. For the purpose of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.
- (4) When approaching a place where a right turn is authorized.
- (5) Any person operating a bicycle upon a roadway of a highway, which highway carries traffic in one direction only and has two or more marked traffic lanes, may ride as near the left-hand curb or edge of that roadway as practicable.



(Over)

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
7 MAR -7 PM 12:05

March 7, 2014

Angela Calvillo, Clerk of the Board of Supervisors
Attn: Government Audit and Oversight Committee
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Dear Ms. Calvillo:

Attached please find a consolidated summary of the status of recommendation updates for the following 2012-13 Civil Grand Jury recommendations:

- "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report *Sharing the Roadway: From Confrontation to Conversation*," Recommendation 4.2.
- "Building a Better Future at the Department of Building Inspection," Recommendations 1.1, 1.2, and 5.1.
- "Log Cabin Ranch: Planning for the Future, a Continuity Report," Recommendations 3 and 4.2.
- "Optimizing the Use of Publicly-Owned Real Estate: Achieving Transparency, Momentum, and Accountability," Recommendation 3.

This status of recommendations report should be included in the official legislative file for consideration at the Government Audit and Oversight Committee.

Sincerely,

A handwritten signature in black ink, appearing to read "Kate Howard".

Kate Howard
Mayor's Budget Director

California Penal Code Section, 933.05 (b), requires the responding party to report for each recommendation of the Civil Grand Jury one of the following actions:

<p>1. Recommendation Implemented</p> <ul style="list-style-type: none"> - Date Implemented - Summary of Implemented Action 	<p>2. Will Be Implemented in the Future</p> <ul style="list-style-type: none"> - Anticipated Timeframe for Implementation 	<p>3. Requires Further Analysis</p> <ul style="list-style-type: none"> - Explanation - Timeframe <p><i>(Not to exceed six months from date of</i></p>	<p>4. Will Not Be Implemented: Not Warranted or Not Reasonable</p> <ul style="list-style-type: none"> - Explanation
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For each recommendation below, indicate one of the four actions you have taken or plan to take in the "Action Plan" column and provide the required explanation in the "2014 Response Text" column.

CGJ Year	Report Title	Recommendation	Response Required	Action Plan	2014 Response Text
2012-13	Are the Wheels Moving Forward?	4.2. Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 10 and alert the public to the SFPD enforcement plan that will follow.	Mayor	Recommendation to be implemented in 2014	<p>In response to the recommendations contained in the "Are the Wheels Moving Forward?" Civil Grand Jury report, the Mayor's Office asked the SFMTA, in conjunction with the Department of Public Health, to convene a working group comprised of city agencies focused on bicycle crash analysis and solutions. As mentioned in the SFMTA response, "This group aims to establish the locations where data demonstrates the highest number and/or severity of traffic collisions involving bicyclists, and make recommendations for engineering, education, enforcement and evaluation actions. This effort parallels the analysis and planning work that has already been done for pedestrian crashes through the Pedestrian Safety Task Force." This March, the SFMTA will convene a larger steering committee to review the analysis and assemble the recommendations.</p> <p>Additionally, the Mayor, along with SFMTA, SFPD, and the Fire Department announced a new "Be Nice, Look Twice" public awareness campaign. Launched last month, the campaign will remind all road users to not only slow down and pay more attention to their surroundings, but also help and care for one another as we all travel San Francisco's streets and sidewalks. In addition to the new public awareness campaign, the SFPD will increase enforcement on City streets. The SFPD will target 50 intersections Citywide, leveraging the latest City data to identify and target hotspots. All 10 district stations will participate in the increased enforcement.</p>
467 2012-13	Are the Wheels Moving Forward?	4.2. Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 10 and alert the public to the SFPD enforcement plan that will follow.	SFMTA	Recommendation will be implemented in 2014	<p>Last November, the SFMTA in conjunction with the Department of Public Health convened a working group comprised of city agencies which is focused on bicycle crash analysis and solutions. This group aims to establish the locations where data demonstrates the highest number and/or severity of traffic collisions involving bicyclists, and make recommendations for engineering, education, enforcement and evaluation actions. This effort parallels the analysis and planning work that has already been done for pedestrian crashes through the Pedestrian Safety Task Force. In March, we plan to convene a larger steering committee to review the analysis and assemble the recommendations.</p> <p>In addition, the Board of Supervisors also urged the City to convene a working group comprised of the City Administrator's office, the SFMTA, San Francisco County Transportation Authority, the Department of Public Health, the Police Department, the Department of Public Works, the Transbay Joint Powers Authority, Walk San Francisco, the San Francisco Bicycle Coalition and stakeholders representing trucking companies and drivers, including the teamsters and the California Trucking Association, to create a standardized baseline for driver education and mandatory driver safety curriculum for all CCSF employed drivers and drivers that contract with the City and identify and implement programs that increase the safety of efficient goods and commuter movement by all large vehicles utilizing city streets with the goal of implementing training and safety programs by 2015.</p> <p>The SFMTA convened the first working group to create a driver education and safety curriculum on January 28, 2014. The SFMTA will continue to lead this group to create programs and identify responsible agencies and departments to increase the safety of efficient goods and commuter movement by all large vehicles with the goal of implementing this training program by 2015.</p>

(1) "-" Department did not respond with one of the four required actions.

Status of the Recommendations
by the Civil Grand Jury
2012-13

CGJ Year	Report Title	Recommendation	Response Required	Action Plan	2014 Response Text
2012-13	Are the Wheels Moving Forward?	4.2. Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 10 and alert the public to the SFPD enforcement plan that will follow.	SFPD	Agree - Partially implemented. Will be implemented in the future	<p>The SFPD has initiated numerous enforcement operations to address transit safety in the City. Those operations have been data driven. Our primary enforcement effort is entitled "Focus on the Five" which directs our resources to the top five problematic intersection in each of the 10 police districts. This effort also directs our officers to focus their efforts on observing and issuing citations for the top five traffic violations that are the primary cause of traffic collisions (speeding, red light running, stop sign violations, drivers that fail to yield to pedestrians in crosswalks and failing to yield while making left or u-turns).</p> <p>The SFPD and SFMTA have distributed reports to the public that identifies the most problematic areas of the city as it relates to traffic collisions. The SFPD district stations regularly inform their respective communities of enforcement efforts. We routinely coordinate enforcement efforts with the media in an effort to use these enforcement operations as educational opportunities. Through these collaborative efforts with the media, we highlight the problematic behavior as it relates to transit safety, showcasing the enforcement efforts which will ultimately change behavior.</p> <p>The SFPD regularly attends BAC meetings and advise of our enforcement efforts. In January 2014, the SFPD representative attended a meeting of BAC to address concerns on enforcement efforts. A collaborative "Enforcement Safety Campaign" with input from BAC is still in the works.</p>
2012-13	Building a Better Future at the Department of Building Inspection	<p>1.1 The DBI management should retain a consultant to update the 2007 BPR findings and recommendations and present the findings to BIC and the DBI Director.</p> <p>1.2 The BIC and DBI Director should develop a detailed action plan with firm due dates for implementing BPR report recommendations that the consultant identifies as not completed.</p> <p>5.1. The Board of Supervisors shall hold a hearing within six months of the release of this report by the 2012-2013 Jury to see if BIC has taken action on the issues raised.</p>	BIC and DBI Director	Recommendation Implemented OR Will Be Implemented in the Future	<p>DBI, with BIC agreement, sent out bid requests for a qualified consultant on February 4, 2014, with a closure date of February 18, 2014. These bid requests, with the detailed scope of work, were sent to a total of six consultants listed upon the City-approved vendor list, including: AECOM Technical Services, Inc.; Landrum & Brown Incorporated; Inspiration Quest, Inc.; EPC-CM West JV; Leighfisher Inc.; and MOORE IACOFANO GOLTSMAN.</p> <p>DBI received zero responses from the above firms, excepting only Inspiration Quest, Inc., which responded only to say the firm was too busy currently to bid upon this requested scope of work. DBI will provide language to achieve this scope of work to the City Attorney within the next week and is submitting it for a full Request for Proposal (RFP) that will be posted on the City's OCA web site. We hope to receive competitive bids from qualified firms within two-three weeks of the OCA web site posting of this RFP, and will move immediately to finalize a contract, and to fulfill both the GAO/Board of Supervisors' recommendations, and the Civil Grand Jury recommendations, in order to complete implementation of the Business Process Reengineering (BPR) recommendations.</p>
2012-13	Log Cabin Ranch: Planning for the Future	3. Fund a master plan for Log Cabin Ranch to determine the programmatic and capital requirements for a viable facility.	Mayor	Recommendation implemented	<p>The Juvenile Probation Department sought a master plan in its FY 2012-13 budget and was provided funding for a portion of that master plan - a needs assessment intended to identify the needs of San Francisco's youth as an input to a master plan to address those needs. The needs analysis was conducted and a preliminary draft plan developed. However, at this time, due to the complexity of the project and departmental turnover the needs assessment is still incomplete. A completed needs assessment will inform the development of the master plan, which is currently funded as part of the base FY 2014-15 budget. The City Services Auditor has expressed an interest in assisting the Juvenile Probation Department with completion of the needs assessment. The City and County of San Francisco FY 2014-15 and FY 2015-16 budget will officially be adopted July, 2014.</p>
2012-13	Log Cabin Ranch: Planning for the Future	4.2. Examine collaboration with regional counties to develop programs to address the needs of high-risk and at-risk youth.	Mayor	Recommendation implemented	<p>In recent years, the JPD has reached out to former Probation Chiefs in both Alameda and San Mateo Counties regarding regional strategies designed to work with high-risk offenders.1. Discussions with other counties have been initiated to explore the possibility of joint initiatives supported by intergovernmental agreements. While these discussions are in their infancy, preliminarily they have been positive and fruitful. San Mateo County maintains and operates a ranch for adjudicated minors about a half mile from Log Cabin Ranch. The two facilities coordinate sporting events together and have extended mutual aid in past years. This aid has included allowing LCR to use shower facilities and LCR allowing Camp Glenwood to utilize its gymnasium. In those instances where youth have AWOL'd from either facility, communications between the two have helped increase awareness, vigilance and cooperation between the two sites. The ability to share a single physical location could prove mutually beneficial to both counties and lead to overall fiscal efficiency for these two Bay area counties and the youths and families they serve. Efforts to explore possible agreements will continue.</p>

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(1) "-" Department did not respond with one of the four required actions.

CGJ Year	Report Title	Recommendation	Response Required	Action Plan	2014 Response Text
2012-13	Optimizing the Use of Publicly-Owned Real Estate	3. The Board of Supervisors should amend Chapter 23A of the Administrative Code to include an incentive for City Departments to identify and dispose of surplus and underutilized properties and to broaden the purposes for which surplus and underutilized properties may be used.	Mayor	Will not be implemented; not warranted	Since this recommendation is directed to the Board of Supervisors it cannot be implemented by the Mayor. Legislative clean up of Chapter 23A of the Administrative Code is awaiting input from the community engagement process now being led by City Planning, the Office of Economic and Workforce Development and the City Administrator's Real Estate Division relative to public site development. Any proposed changes beyond legislative clean up must be reviewed and approved by the Board of Supervisors. Current City policy directs surplus property to be developed as affordable housing.

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(1) "-" Department did not respond with one of the four required actions.

Are the Wheels Moving Forward?

**A Follow-Up to the 2009-2010 Civil Grand Jury Report
*Sharing the Roadway: From Confrontation to Conversation***

May 2013



**City and County of San Francisco
Civil Grand Jury, 2012-2013**

MEMBERS OF THE 2012-2013
CIVIL GRAND JURY
CITY AND COUNTY OF SAN FRANCISCO

Martha Mangold, Foreperson
Fred A. Rodríguez, Foreperson Pro Tem
Leslie Finlev, Recording Secretary
Maria Martínez, Corresponding Secretary

Jon Anderson
Jennifer Angelo
Jeanne Barr
Paul Cheng
Jerry Dratler
Hülida E. Garfolo
D. Peter Gleichenhaus
Shelly Hing
Corinna Kaarlela
Daniel Kreps
Hilary Pedigo
Theresa Sabella
Suzanne Tucker
Thomas Walker
Stuart Williams

THE CIVIL GRAND JURY

The Civil Grand Jury is a government oversight panel of volunteers who serve for one year. It makes findings and recommendations resulting from its investigations.

Reports of the Civil Grand Jury do not identify individuals by name. Disclosure of information about individuals interviewed by the jury is prohibited. California Penal Code, section 929

STATE LAW REQUIREMENT California Penal Code, section 933.05

Each published report includes a list of those public entities that are required to respond to the Presiding Judge of the Superior Court within 60 to 90 days, as specified.

A copy must be sent to the Board of Supervisors. All responses are made available to the public.

For each finding the response must:

- 1) agree with the finding, or
- 2) disagree with it, wholly or partially, and explain why.

As to each recommendation the responding party must report that:

- 1) the recommendation has been implemented, with a summary explanation; or
- 2) the recommendation has not been implemented but will be within a set timeframe as provided; or
- 3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or
- 4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

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Issue

The *San Francisco Bike Plan* is a comprehensive roadmap designed to promote and increase safe bicycle use. The 2009-2010 Civil Grand Jury report, *Sharing the Roadway: From Confrontation to Conversation*, identified conflict and misunderstanding among bicyclists, motorists, and the general public and discussed how those sentiments impede the successful implementation of the City's Bike Plan. The Jury focused its attention on two of the plan's overall goals: educating the public about bicycle safety and improving bicycle safety through increased targeted enforcement.

As bicycle ridership in the City continues to increase the time is ripe to evaluate if the 2009-2010 Jury recommendations have been implemented and whether San Francisco is better positioned to accommodate a burgeoning bicycle population.

Summary

San Francisco streets are evolving as miles of bike lanes, sharrows, and other bike-friendly infrastructure are added and roadway users are called upon to adjust to these changes. Observe the City's many neighborhoods at any hour and witness the spectrum of citizens riding their bicycles: folks commuting to work, children headed to school, enthusiasts exploring Golden Gate Park and even women in high heels pedaling past the San Francisco Civic Center. Many of the City's departments, agencies and citizens are paving the way for a town that welcomes and fosters bicycling on the City's streets.

In its report, the 2009-2010 Civil Grand Jury made the following recommendations:

- The *San Francisco Bike Plan* should be amended to include a comprehensive program to distribute safe-cycling education materials to the public as well as cyclists.
- By January 1, 2011, the Traffic Court should establish a Bicycle Court Traffic School option as a tool for education.
- By January 1, 2011, the San Francisco Police Department (SFPD) should update training materials related to bicycles in a joint effort with the bicycle community and the California Commission on Peace Officer Standards and Training (POST). Updated materials should include California Vehicle Code (CVC) and Traffic Code (TC) enforcement in alignment with the current San Francisco Municipal Transportation Agency (SFMTA) Bike Guide.
- The SFPD citation form should be reformatted to include a bicycle category.
- There should be an overall citywide policy about how the existing CVC and TC codes will be implemented so police have the direction and support they seek and deserve.¹

The 2012-2013 Civil Grand Jury learned that bicycle education classes, materials and outreach programs continue to be available and coordinated most notably through the San Francisco Bike Coalition (SFBC). SFBC bicycle education programs are designed to appeal to bicyclists of all ages, levels and backgrounds. Its programs are similar in scope to those offered by cities nationally recognized as bicycle leaders by the Alliance for Biking and Walking. The current Jury applauds these efforts and encourages City leaders to support these programs further. As the previous Jury discovered, greater effort must be made to promote and extend these valuable programs to reach the general public, in addition to bicyclists and motorists.

Although the Traffic Court did not establish a Bicycle Court in 2011, a *Bicycle Citation Diversion Education Program* will be launched in 2013.

The 2009-2010 Jury concluded that bicycle education is also important for the San Francisco Police Department. While SFPD receives training regarding California Vehicle Code and Traffic Code related to bicycles, training could be structured with an even greater focus on bicycling.

The 2009-2010 Jury concluded that traffic enforcement is often lax. The 2012-2013 Jury found that, although traffic citations issued by SFPD have increased since 2009, enforcement continues to be a problematic and charged issue because perspectives regarding implementation differ; SFPD officers who were surveyed reported that bicycle enforcement is not well supported by our City leaders and community. In contrast, the broader population and some of the bicycle community demand more proactive, targeted enforcement. These opposing sentiments highlight the need for a more collaborative enforcement approach where goals are defined, expectations are publicized, and greater support from the community is extended to support these efforts.

Based on its investigation, the 2012-13 Jury has four recommendations for improving bicycle safety in San Francisco:

- Bicycle safety education should be continued, expanded, and extended to non-cyclists and motorists. SFMTA should actively promote bicycle safety education classes through aggressive outreach and publicity efforts, incentives for participation in bicycling workshops, and availability of bicycle training classes for businesses.
- SFPD should expand officer training related to bicycle safety and enforcement.
- SFPD should update its citation form to include bicycle infractions.
- City leaders should lend support to SFPD in its efforts to successfully enforce roadway laws and should adopt a San Francisco Bicycle Enforcement Safety Agreement that targets two key goals: zero bicycle fatalities and fifty percent annual reduction in bicycle collisions.

San Francisco should and can do more to maximize safety for its roadway users. Let us not wait until the next bicycle-related accident makes headlines. Let us plan and address these concerns now.

Background

The *San Francisco Bike Plan* (Bike Plan) is a 97-page guide with eight goals and over 80 actions that was created to facilitate an appealing, healthy, and safe transportation option for bicyclists. It was completed in 2005 by the San Francisco Municipal Transportation Authority (SFMTA) with input from other City departments and agencies. The 2009-2010 Jury report focused on education and enforcement and directed its recommendations to SFMTA, SFPD, the Bicycle Advisory Committee (BAC), the Mayor's Office, and the Board of Supervisors. In 2006, the Coalition for Adequate Review and 99 Percent obtained an injunction² to prevent implementation of the Bike Plan and requested greater City review to determine potential impacts to the flow of traffic, the availability of street parking, and public transit. The injunction was lifted in 2010 and, as a result, bicycle infrastructure projects (bicycle lanes and paths) throughout the City have moved forward and bicycle activity has increased.

The 2009-2010 Jury advocated for amending the Bike Plan to incorporate education and enforcement recommendations; however, SFMTA and other City departments found that was not feasible, due to the injunction and the substantial costs associated with a revision. In fact, implementing the recommendations did not require an amendment and could be addressed within the framework of the existing Bike Plan. This continuity report by the 2012-2013 Jury addresses the results of these efforts.

It is apparent from articles in local newspapers and bicycle blogs that bicycling continues to be a charged issue among motorists, pedestrians, and bicyclists in San Francisco. Statements in the "Letters to the Editor" section of the San Francisco Chronicle include:

- "Sharing the road means sharing the responsibility of mutual safety, and that means following all the rules, not just some of them."³
- "My muscles tense as I walk the streets of San Francisco and witness many bicyclists not obeying traffic laws."⁴
- "Please, we all need to find patience and common courtesy for each other again."⁵ (A San Francisco resident, frustrated by the lack of respect she observes, appeals to both motorists and bicyclists.)

There is often palpable tension on the City's streets between bicyclists, pedestrians and motorists. Bicyclists are frustrated and threatened by the actions of aggressive motorists, and many feel unsafe and at risk having to share the road with careless motorists. Meanwhile, some pedestrians and motorists perceive bicyclists as law-breaking renegades who are a nuisance on the roadways. These opposing sentiments indicate that the mission of the Bike Plan to create and foster a safe bicycling environment for all San Franciscans continues to face challenges.

The key players that can help San Francisco meet those challenges to achieve the Bike Plan mission are SFMTA, SFPD, SFBC and BAC. SFMTA's role is to provide a safe and appealing transportation experience. In creating the Bike Plan, SFMTA collaborated with the Planning Department, SFPD, BAC, SFBC and other community members to formulate a comprehensive plan for its mission. SFPD plays an important role enforcing roadway laws. SFBC, a non-profit advocacy group, promotes, educates and encourages bicycling for everyday transportation. BAC is an eleven-member City organization appointed by the Board of Supervisors (BOS) to provide various perspectives on bicycle projects and policies.

Even though conflict and frustration continue to exist among bicyclists, motorists and pedestrians, bicycling on the City's streets continues to increase. According to SFMTA's 2012 *State of Cycling* report, 3.5 percent of all trips are taken by bicycle. San Francisco is third behind Portland, OR and Seattle, WA in bicycle commuter ridership.⁶ In October 2010, the Board of Supervisors unanimously passed a resolution to reach a 20 percent bicycle "mode share" goal by 2020.⁷ (Mode share refers to the percentage of travelers using a particular type of transportation.) In January 2013, SFMTA released a draft of its Bicycle Strategy report that outlines new directions and policy goals to integrate bicycling more fully into the fabric of city life. SFMTA has projected that an eight to 10 percent bicycle mode share is a more likely goal by 2018-2020.⁸ Both goals will require collaboration from all of the City's roadway users.

Investigation

1. *Bicycling & Education: Building Awareness for Safer Streets*

A bicyclist surveyed in SFMTA's *San Francisco Bicycle Study Report* shares his thoughts on bicycle education:

"Let's teach motorists and cyclists the traffic rules about how to share the road. I believe there's a lot of ignorance."⁹

Chapter 4 of the Bike Plan outlines actions that address education and safety issues. Bicycle safety education is valuable for teaching cyclists and non-cyclists the bicycling rules of the road, how to navigate streets safely and how to share the road with others. While motorists are required to pass a written exam that tests their knowledge of traffic law, no such requirement is made of bicyclists. Formal bicycle education, although available, is not required in San Francisco.

National Trends in Education and Training

According to the Alliance for Biking & Walking *2012 Benchmarking Report*, San Francisco scored fifth out of 31 cities surveyed regarding adult residents who participate in bicycle education, while Minneapolis, Seattle, Tucson and Washington, D.C. ranked

higher.¹⁰ San Francisco placed seventh out of 28 for residents under the age of 18, while Seattle had the highest value for youth bicycle participation, with 20,600 attendees.¹¹ While these trends are encouraging, the 2012 *San Francisco State of Cycling* report indicates that the City has more work to accomplish. According to its report, only 35 percent of bicyclists are aware of cyclist safety training classes and only nine percent of non-cyclists know about them.¹² Based on these statistics, increased awareness for these programs is needed (Appendix 1).

A correlation can be made between a city's safety record and its bicycle safety programs. According to the Alliance for Biking and Walking *2012 Benchmarking Report*, San Francisco is the sixth safest city for bicycling, while Honolulu is the safest. The Hawaii Bicycling League (HBL) provides a host of bicycle education classes that includes *Commuter Cycling 101*, taught by League of American Cyclists certified instructors. This course begins in a classroom, where the focus is on cyclists' rights, rules of the road, equipment safety checks, etc. The second part of the class involves a group ride through the community, where skills learned in the classroom are applied on the road. HBL acknowledges that educating bicyclists is only one side of roadway safety. The other side involves motorists and pedestrians, and thus HBL offers a *Walk, Bike, Drive* program that teaches drivers how to share the road safely around bicyclists and pedestrians.¹³

Washington, D.C., which is ranked the fourth safest city for bicycling¹⁴ provides bicycle education programs similar to those offered in San Francisco. The Washington Area Bicyclist Association features a commuting seminar for bicyclists interested in acquiring skills and tips that will help them bicycle to work safely. *Confident City Cycling* covers topics such as vehicle cycling principles, roadway positioning and lane changes. Other classes include *Traffic Skills, Group Riding and Confident City Cycling Evaluation*, a module that evaluates a student's knowledge of the *Confident City Cycling* material.¹⁴

Portland is America's leader in bicycle culture.¹⁶ It is ranked the fifth safest bicycle city and focuses its bicycle education on students and teachers. Portland's Bicycle Transportation Alliance (BTA) offers custom programs to educate students, train teachers, and encourage students and families to bicycle to school. A parent whose child participated in the program recalls how her daughter came home after a bike safety class, taught the family to use hand signals and had the whole family out on bikes the following weekend. She explained, "Now I feel comfortable allowing her, and myself, really, to ride for fun and transportation."¹⁵

San Francisco Bicycle Coalition Education Programs

In 2011, SFMTA selected SFBC to lead the bicycle education effort by conducting bicycle safety courses through 2014. SFBC has 12,000 members, is the primary resource for bicycle education and has earned a 4.5 out of 5 star rating on Yelp, an online business review website.

From a Yelp review of the San Francisco Bike Coalition:

Are the Wheels Moving Forward?

"I just started riding my bike to work and the SFBC styled me out with all the info I needed to get from home to work and back again ... maps, laws, tips, etc. More than I even knew."¹⁶

SFBC offers free classes designed for San Francisco's diverse population. These popular programs, held in over 50 city locations, are often filled to capacity; in 2012 SFBC educated approximately 5,000 people¹⁷ about .01 percent of the City's population.

A total of 4,866 participants attended SFBC workshops in 2012. The following is a list of the SFBC bicycle education courses:

- **Urban Bicycling Workshops - 917 attendees**
 - These courses are designed for a broad range of citizens and include the following:
 - ❖ *Introduction to Safe Bicycling* - one-hour classroom instruction on bicycling in San Francisco
 - ❖ *Traffic Skills 101* - four-hour classroom instruction on safe bicycling techniques
 - ❖ *On-Road Streets Skills* - After completing a four-hour *Traffic Skills* course that meets the requirements of the League of American Bicyclists' curriculum, as well as a one-hour *Intro to Safe Bicycling*, bicycle students are able to advance to the next level, the City's streets. Certified instructors teach bicyclists to navigate alongside motor vehicles in these personalized classes. Classes are limited to fifteen students.
 - ❖ *Adult Learn to Ride* - SFBC teachers work one-on-one to teach the basics of balancing, starting, stopping and steering a bike, as well as how to properly fit a bicycle helmet.
- **Freedom From Training Wheels - 206 attendees**
 - These classes are held at Sunday Streets, the SFMTA-sponsored event held on a series of Sundays when roads are closed to vehicles, thus helping families learn the thrill of balancing, pedaling, and biking. (206 attendees)*
- **Safe Routes to School - 2,128 attendees**
 - SFBC partners with other City agencies to educate youngsters and their parents.
- **Family Biking**
 - SFBC offers a four-part class: *Biking Pregnant, Biking with Your Baby & Toddler, Freedom From Training Wheels* and *Practice Training: On Road With Your Children*.
- **City Employee Bike Fleet Courses - 130 attendees**
 - Classes contracted by the Department of Environment to encourage City employees to adopt sustainable practices.
- **Muni Driver Training**
 - SFBC is "helping Muni drivers learn the ways to safely share the road with people on bikes."¹⁸

- Taxi Driver Training - 1,000 attendees
SFBC provides bicycle safety instruction to new taxi drivers, similar to its programs for Muni drivers to help foster a road-sharing environment.
- Employer Bicycle Safety Presentation - 268 attendees
- P.E. Middle School Program (YMCA) - 217 attendees

In addition to free classroom and street workshops, SFBC provides bicycle education tools online (www.sfbike.org) with its *Rules of the Road* brochure, available also in Spanish and Cantonese. The *Rules of the Road* and other educational tools and promotional material can also be found at numerous bicycle-related events (e.g., Bike to Work, Sunday Streets). Connecting with a broader audience, SFBC distributes its flyers at non-bicycle events, where SFBC representatives provide bicycle valet services (e.g. at events such as SF Giants games and ACT plays). In 2012, SFBC estimates it reached over 30,000 people with its online presence and print media.

Because funds for bicycle education and outreach programs are scarce, SFBC depends on contracts, contributions, and grants for its programs (Appendix 2). SFBC work is sustained by its members and supporters. SFBC employs a staff of 15 and is supported by over 1,200 volunteers, 250 of whom focus their attention on bicycle education activities.¹⁹ In 2011, 41 percent of the funding for Portland’s bicycle advocacy group, BTA, came from government grants and contracts, compared to 27 percent for SFBC. The Active Trans Advocacy group of Chicago obtained 39 percent of its revenue from contracts and 16 percent from grants and contributions.²⁰

	Percentage Government Funded
Portland BTA	41%
Chicago ATA	39%
S. F. Bicycle Coalition	27%

Increased Efforts to Make Biking Safe

The 2012-2013 Jury applauds SFMTA’s report *Draft Bicycle Strategy Goal 3*, which seeks to “normalize riding bicycles through media, marketing, education and outreach.” Objective 3.3 *Bicycle Education* proposes the introduction of bicycle education at SF Unified School District schools and bicycle education courses in each SF supervisorial district through a Bicycle Ambassador program. The proposed implementation date for these programs is 2014 and funding will increase incrementally until 2018.²¹ Educating the City’s young people will not only encourage them to ride bicycles safely, but also will motivate them to be respectful of bicyclists when they begin to drive.

Both the Bike Plan (Action 4.4) and the 2009-2010 Jury report called for the creation of a Bicycle Traffic School / Traffic Court “fix it” ticket option for cyclists. This program

would allow bicyclists who violate traffic laws to attend traffic school in lieu of paying a fine, with the additional benefit of receiving traffic law education. In 2013, SFPD will launch the *Bicycle Citation Diversion Education Program* with SFMTA. According to Leah Shahum, Executive Director of the SFBC, "You're not going to get everyone in a class, we know that, but if you do teach enough people to behave nicely, it becomes the norm and it'll affect the small, albeit visible, minority of bike riders whose actions give the rest of us a bad name."²²

The 2009-2010 JURY recommended that education efforts extend to SFPD. Reasoning that police officers need to understand the laws they enforce, the Jury recommended that SFPD update training materials related to bicycles in a joint effort with the bicycle community and the California Commission on Peace Officer Standards and Training. It suggested that updated materials cover CVC and TC enforcement in alignment with the current SFMTA *Bike Guide*. SFPD agreed, stating that its current training materials only "reflect the intricacies of bicycle patrol, not enforcement of laws pertaining to bicycles." The Department hoped to complete an update by mid-2011.

The current Jury reviewed two SFPD training documents. The first, *SFPD – 24 Hour Basic Bicycle Patrol*, dated November, 2012, was designed for bicycle patrol officers. The 18-page document addresses bicycle inspection guidelines, bicycle maintenance, and riding techniques. The second document is an outline of a three-day course for training bicycle patrol officers. It features history, equipment, and maintenance of bicycles, as well as a discussion of laws.

The 2012-2013 Jury has found that SFPD did not update training documents as requested by the 2009-2010 Jury. However, interviews with officers at the SFPD Training Academy revealed that new recruit officers do receive some instruction on bicycle enforcement during their training for traffic enforcement. The mandated training includes 20 hours of classroom instruction related to CVC and 40 hours of accident investigation instruction.

The current Jury also reviewed a 2004 SFPD *Roll Call Training* lesson entitled *Bicycle Rights and Responsibilities*. This four-page tutorial included a three-question pretest, two bicycle-related scenarios, discussion of critical issues and the Vehicle Code as related to the two scenarios and related ethical considerations regarding when to take action.²³ The *Roll Call Training* lesson may be initiated by an officer at his/her discretion, is approved by the SFPD Chief, and is implemented by the department Training Division.

The nine-minute training video *Bikes Belong in Traffic*, created by SFPD in conjunction with SFBC in 2007, was reviewed by both Juries. This video, available on YouTube (<http://www.youtube.com/watch?v=o7M-ueoU2E>), highlights a bicyclist's legal rights and explores three scenarios: "dooring" (drivers opening doors in the path of approaching bicyclists), motorist intimidation of bicyclists, and filing police reports. It also reviews four California Vehicle Code sections. The video is not utilized by the SFPD for new Recruit Officer training.

The Portland Police Department created a similar ten-minute video in 2010 (<http://www.youtube.com/watch?v=xKmwKP5ZRtQ>) to educate police officers about Portland's *Transportation Policy* and to remind them of Portland's bicycle traffic laws. The video reviews five laws and states that "reminders are valuable."²⁴

The Chicago Police Department 2010 13-minute *Traffic Enforcement for Bicycle Safety* video includes short interviews of motorists, cyclists, and police officers. It discusses ten laws that directly apply to motorists and cyclists, it includes a clear explanation and visual representation of how to complete a citation form.

2. Enforcement: Monitoring City Streets

"I often hear from friends that they are afraid to bike because of cars, but cyclists should also obey laws and [the laws] should be enforced."²⁵

"The City needs to turbo charge their plan to make biking safer,"²⁶ said a San Francisco resident.

A concerned bicyclist asks for "...safer conditions so I don't feel like I'm taking my life into my hands every time I ride."²⁷

The 2009-2010 Jury investigated traffic law enforcement. After field investigations and interviews, the 2012-2013 Jury agrees that an increase in police enforcement is important. Current Jury members accompanied SFPD officers on two "ride-alongs" and witnessed bicyclists disregarding traffic rules and regulations on main City arteries. The Jury learned that police officers are often reluctant to issue citations to cyclists, citing a need for stronger support from community leaders for enforcement. However, some cyclists believe that sting operations conducted on non-dangerous streets target them unfairly. Bicyclists also believe that motorists should be held accountable when they endanger lives by driving aggressively or tailgating bicyclists.

The 2009-2010 Jury reviewed 2009 enforcement data from the San Francisco Superior Court. The current Jury reviewed the comparable Superior Court enforcement data for 2010, 2011, and 2012²⁸ and found the following:

	<u>2009</u> ²⁹	<u>2010</u>	<u>2011</u>	<u>2012</u>
Total Citations Issued	204,673	180,716	167,803	154,634
Total Bicycle Citations	1,968	1,260	1,565	1,959
% of Total Citations	.96%	.70%	.93%	1.3%

While the overall number of citations issued to all roadway users (motorists, bicyclists and pedestrians) has decreased since 2009, the percentage of total citations issued to bicyclists has increased. SFPD has reported that its officers do not issue citations for

every infraction they witness, so the statistics for the number of citations issued under-represent the actual number of violations. Interviews with SFPD officers of varying ranks revealed the following sentiments: [citing bicyclists is] “not a priority,” “prefer to admonish” [rather than cite] and enforcing “the spirit of the law, not the letter of the law” is at times appropriate.

The 2009-2010 Jury requested that SFPD reformat its citation form to include a designation for bicycle related violations. SFPD agreed with the recommendation, but it has not been implemented as of this report. If a bicycle-related citation is written but is recorded incorrectly, the ticket is at risk of being dismissed; in addition, inaccurately reported information hinders the accumulation of the data required for bicycle safety strategies.

A 2011 *SF Bicycling Study Report*, prepared by survey consultants Corey, Canapary & Galanis for SFMTA, assessed San Franciscans’ sentiments about bicycling. It determined that, after bicycle street infrastructure, “more stringent enforcement of existing laws or new licensing standards” would motivate San Franciscans to bicycle more frequently.³⁰ Nineteen percent of 1,063 non-cyclist residents interviewed³¹ agreed that stricter enforcement or new licensing standards would encourage them to ride a bike.³²

The 2011 *SF Bicycling Study Report* asked San Francisco residents to rate how they felt about the following statement: “Most cyclists obey traffic laws”. Although this survey question measures a perception only, the mean score of 2.46 (5 point scale; 5= strongly agree, 1= strongly disagree) for frequent bicyclists who agree with this statement suggests that they may observe or engage in unlawful road behavior.³³ The same report asked survey takers to rate the following statement: “Most motorists respect the rights of cyclists.” The mean response of 2.74 suggests that greater enforcement of motorist traffic laws is also necessary.

As bicycling has increased on San Francisco streets, so have injury collisions:

<u>Year</u>	<u># of Injuries</u>
2009	531
2010	599
2011	630

The 2011 *Bicycle Injury Collision Report* cited 630 incidents with fault fairly evenly split: 325 where the bicycle rider was likely at fault vs. 305 where the motorist was likely at fault³⁴ (Appendix 3). An increased number of bicyclists might explain this trend; nonetheless, setting a goal to reduce the total number of collisions is important.

In 2011, San Francisco recorded four fatal collisions involving bicycles, the highest loss in the past ten years.³⁵ SFBC’s summer 2012 newsletter, *Tube Times*, features Chicago Mayor Rahm Emanuel and discusses his ambitious target of zero traffic fatalities annually within 10 years. The *Chicago Bike Plan* also strives to reduce the number of bicycle injuries by fifty percent. Among Chicago’s strategies is a commitment to

improve the city's most dangerous traffic collision sites by analyzing corresponding collision data annually and through effective police enforcement.

The 2012 *State of Cycling* report states that SFMTA is collaborating with SFPD on bicycle enforcement because 17 percent of survey respondents said they might bicycle more frequently if there were greater enforcement of traffic laws pertaining to motorists (who put bicyclists at risk). According to SFMTA, and in line with the prior Jury's recommendation, "enforcement efforts should be publicized so both motorists and would-be bicyclists know they are occurring. The efforts could also help to decrease bicycle collisions."³⁶ The current Jury has not identified an enforcement program with a corresponding City campaign to alert roadway users.

In its summer 2012 *Tube Times* newsletter, SFBC appeals to SFPD to focus attention on dangerous roadway behavior in a data-driven manner. SFPD has access to collision data that includes the most prevalent CVC violations, as well as data showing the street locations of high collision activity (Appendix 4). While this data provides a tool for targeted bicycle enforcement, the feedback that SFPD receives from the community is not always supportive of enforcement efforts.

SFPD welcomed the 2009–2010 Jury's recommendation to establish an "overall citywide policy about how the existing California Vehicle Code and Traffic Codes will be implemented so police have the direction and support they seek and deserve." The Mayor and BOS should announce these efforts and alert the City's residents that they are supporting SFPD's renewed enforcement. Without consistent enforcement, many bicyclists may perceive that the traffic laws do not apply to them and that any behavior is acceptable. Safe motorist behavior, in relation to bicycles, is equally important and should be included in the citywide policy.

According to the Alliance for Biking & Walking *2012 Benchmarking Report*, Portland has the highest share of workers commuting by bicycle at 5.5 percent³⁷. Portland is recognized as a national leader for its innovative multi-mode transportation strategies, made possible by its commitment to collaborate with city departments, organizations and community members.

Portland has developed a comprehensive "Community Policing Transportation Safety Agreement"³⁸ that outlines objectives to improve the city's response to traffic related issues and to encourage harmonious behavior from all road users. This agreement is reviewed and signed annually by the Portland Police Bureau, the Portland Bureau of Transportation, and the Bicycle Transportation Alliance.

Conclusions

San Francisco's streets are evolving. Miles of additional bicycle lanes, increased bicycle parking, car-free events and the commitment of many City departments and other agencies contribute to a developing, bicycle-friendly community. San Francisco needs to embrace the growing bicycle movement and better position itself to reach the Board of

Supervisor's 20 percent mode share goal by 2020. The City has made great strides to encourage bicycling by connecting neighborhoods with bike lanes, announcing a pilot bike-share program in 2013, and providing education and outreach programs. Each day, citizens are reaping the benefits of these improvements. However, more can and should be done. Extending and promoting these programs should be a top priority. Traffic laws for all roadway users must be articulated, respected, and enforced to make everyone feel safe. SFPD needs support from the community and its leaders to enforce traffic laws that minimize collisions and prevent fatalities.

Findings and Recommendations

Education

Finding 1:

San Francisco is well-served by the San Francisco Bike Coalition bicycle safety education efforts. SFBC bicycle education materials and classes are comparable to bicycle education programs in other U.S. cities known for their safe streets.

SFPD and SFMTA will launch a Bicycle Citation Diversion Education Program this year (2013); this satisfies the previous Jury recommendation to establish a Bicycle Court Traffic School option as a tool for education.

In 2012, the San Francisco Bike Coalition educated 4,866 people in its Street Safety Education classes, or approximately .01 percent of San Francisco's population. As the biking movement grows and evolves, more education will be needed. With the goal of a 20 percent mode share, efforts must be substantially increased to educate both bicyclists and motorists.

The bicycle safety education programs of SFBC are on the right track to reduce confrontations between bicyclists and motorists. However, in order to accomplish the goal mode share, more will be needed.

Recommendation 1.1:

Bicycle safety education should be continued, expanded and extended to non-cyclists and motorists.

Recommendation 1.2:

SFMTA should collaborate with SFBC to include SFBC flyers that promote and provide bicycle education in SFMTA Renewal Residential Parking Permit packets.

Recommendation 1.3:

Provide incentives to participants who complete SFBC Urban Bicycling Workshops in order to increase enrollment. Incentives could include SFMTA's City Pass, MUNI Passport or Clipper Card.

Recommendation 1.4:

Publicize classes and promote safe roadway behavior (share the road, obey traffic laws, etc.) on banners, billboards, and signs throughout the City, including MUNI bus stop shelters and the sides of MUNI vehicles.

Recommendation 1.5:

Offer bicycle-training courses to private San Francisco businesses.

Finding 2:

While current SFPD training relative to bicycle safety and laws is included in classroom instruction where new recruit officers learn about California Vehicle Codes and accident investigation, more bicycle-specific training also needs to be part of continuing education for police officers.

Recommendation 2.1:

SFPD should expand training related to bicycle safety and enforcement and implement the following:

Recommendation 2.2:

SFPD should establish a comprehensive bicycle safety training program for new recruit officers, as well as ongoing bicycle training in its continuing education program for police officers, i.e., a stand-alone class reviewing California Vehicle Code and Traffic Code provisions specific to bicycling

Recommendation 2.3:

SFPD should create an updated bicycle safety video modeled on Chicago's "Traffic Enforcement for Bicycle Safety" that includes all California Vehicle Codes and Traffic Codes related to bicycles.

Enforcement

Finding 3:

SFPD citation forms do not include a specific category for bicycle traffic violation; this omission inhibits awareness, data collection and enforcement efforts by the department.

Recommendation 3:

SFPD should update the citation form to include a category for bicycle infractions.

Finding 4:

SFPD needs the support of the City's leaders to enforce roadway laws effectively.

Recommendation 4.1:

The Mayor and the Board of Supervisors should support SFPD efforts to successfully enforce roadway laws by adopting a San Francisco Bicycle Enforcement Safety Agreement that would pursue the goals of zero bicycle fatalities and a 50% annual reduction in bicycle collisions.

Recommendation 4.2:

Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 10 and alert the public to the SFPD enforcement plan that will follow.

Response Matrix

Findings	Recommendations	Responses Required
<p>Education:</p> <p>1. As the biking movement grows and evolves, more education will be needed. With the goal of a 20 percent mode share, efforts must be substantially increased to educate both bicyclists and motorists. In order to accomplish the mode share goal, more will be needed.</p> <p>2. Bicycle-specific training also needs to be part of continuing education for police officers.</p>	<p>1.1 Bicycle safety education should be continued, expanded and extended to non-cyclists and motorists.</p> <p>1.2 SFMTA should collaborate with SFBC to include SFBC flyers that promote and provide bicycle education in SFMTA Renewal Residential Parking Permit packets.</p> <p>1.3 Provide incentives to participants who complete SFBC Urban Bicycling Workshops in order to increase enrollment. Incentives could include SFMTA's City Pass, MUNI Passport or Clipper Card.</p> <p>1.4 Publicize classes and promote safe roadway behavior (share the road, obey traffic laws, etc.) on banners, billboards, and signs throughout the City, including MUNI bus stop shelters and the sides of MUNI vehicles.</p> <p>1.5 Offer bicycle-training courses to private San Francisco businesses.</p> <p>2.1 SFPD should expand training related to bicycle safety and enforcement.</p>	<p>SFMTA</p> <p>SFMTA</p> <p>SFMTA</p> <p>SFMTA</p> <p>SFMTA</p> <p>SFPD</p>

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	<p>2.2 SFPD should establish a comprehensive bicycle safety training program for new recruit officers, as well as ongoing bicycle training in its continuing education program for police officers, i.e., a stand-alone class reviewing California Vehicle Code and Traffic Code provisions specific to bicycling</p> <p>2.3 SFPD should create an updated bicycle safety video modeled on Chicago's "Traffic Enforcement for Bicycle Safety" that includes all California Vehicle Codes and Traffic Codes related to bicycles.</p>	<p>SFPD</p> <p>SFPD</p>
<p>Enforcement:</p> <p>3. SFPD citation forms do not include a specific category for bicycle traffic violation; this omission inhibits awareness, data collection and enforcement efforts by the department.</p> <p>4. SFPD needs the support of the City's leaders to enforce roadway laws effectively.</p>	<p>3.1 SFPD should update the citation form to include a category for bicycle infractions.</p> <p>4.1 The Mayor and the Board of Supervisors should support SFPD efforts to successfully enforce roadway laws by adopting a San Francisco Bicycle Enforcement Safety Agreement that would pursue the goals of zero bicycle fatalities and a 50% annual reduction in bicycle collisions.</p> <p>4.2 Through collaboration with SFPD, BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in Recommendation 4.1 and alert the public to the SFPD enforcement plan that will follow.</p>	<p>SFPD</p> <p>Mayor, BOS. SFPD</p> <p>Mayor, BOS, SFPD, BAC, SFMTA</p>

Methodology

- The 2012-2013 Civil Grand Jury interviewed representatives of San Francisco City departments who stated that they would implement the recommendations offered by the 2009-2010 Civil Grand Jury, including the San Francisco Municipal Transportation Authority, the San Francisco Police Department, and the Bicycle Advisory Committee.

In addition, representatives of the San Francisco Bicycle Coalition were interviewed.

- The Alliance for Biking & Walking *2012 Benchmarking Report* was used to gain perspective on how the San Francisco bicycle environment compares to other U.S. cities.
- These reports were used to gather data and monitor trends related to bicycling:
 - SFMTA San Francisco Bicycling Study Report 2011, Draft Bicycle Strategy January 2013, and 2012 State of Cycling Report
 - 2010-2011 SFMTA San Francisco Collisions Report
 - 2010 and 2011 Superior Court Citation Data
- The San Francisco Bicycle Coalition provided literature and promotional handouts that promote its programs.

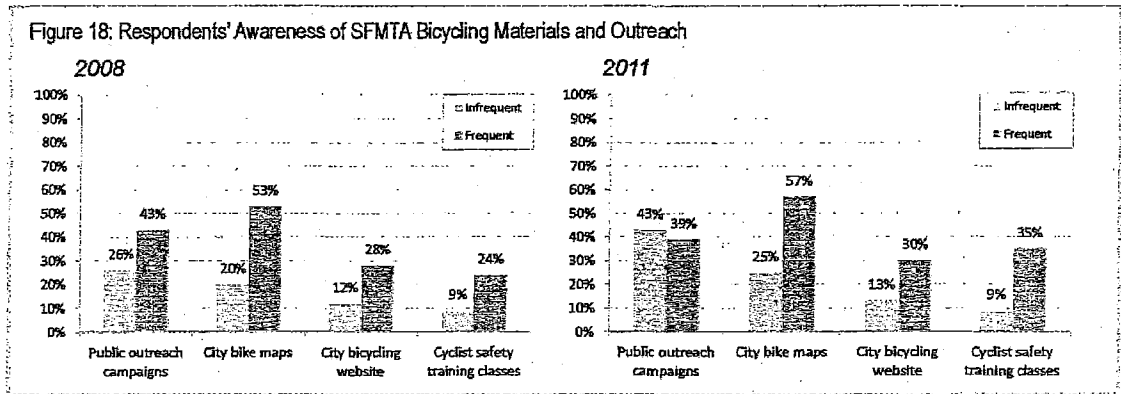
Internet blogs and newspaper articles were used to assess citizen perspectives on bicycling issues.

Bibliography

- 2009-2010 San Francisco Civil Grand Jury Report, *Sharing the Roadway: From Confrontation to Conversation*, May 2010
- Alliance for Biking & Walking, *2012 Benchmarking Report*
- *Community Policing Transportation Safety Agreement*, October 15, 2009, http://bikeportland.org/wp-content/uploads/2009/10/communitypolicingagreement_cleaned1.pdf
- Correy, Canapary & Galanis, *San Francisco Bicycling Study Report San Francisco Bike Crackdown: SFPD's Mass Ticketing of Cyclists Continues Unabated*, http://www.huffingtonpost.com/2012/05/16/san-francisco-bike-crackdown-continues_n_1519881.html.
- San Francisco Board of Supervisors, File No. 101316, Resolution No. 511-10, October 21, 2010
- San Francisco Chronicle, Letters to the Editor, November 13 & 17, 2012
- *San Francisco 2010-2011 Collision Report*
- SFMTA 2012 *State of Cycling* report
- SFMTA *Draft Bicycle Strategy*, January 2013
- SFMTA *Livable Streets* Facebook page
- SFPD *24-Hour Basic Bicycle Patrol*, 14-16 November, 2012
- SFPD *Bicycle Patrol Course*
- *This is Sunday Streets*, <http://www.sundaystreetsf.com/aboutus>.

Appendix 1

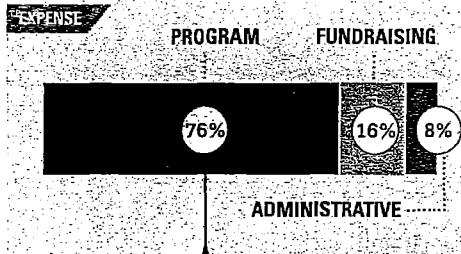
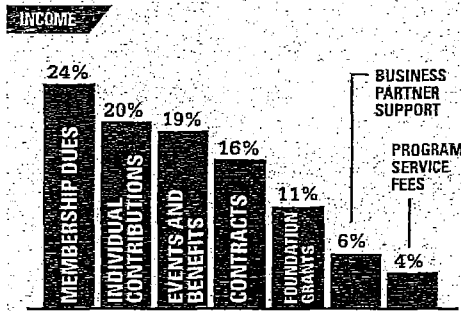
2012 San Francisco State of Cycling Report



Appendix 2

San Francisco Bike Coalition 2011 FINANCIAL SUMMARY

TOTAL INCOME	\$1,498,988
TOTAL EXPENSES	\$1,393,594
NET INCOME	\$105,394
BEGINNING NET ASSETS	\$658,412
ENDING NET ASSETS	\$760,762



Appendix 3

2010-2011 San Francisco Collision Report

Table 12 – 2011 Most Common Vehicle-Bicycle Injury Collision Factors by California Vehicle Code Violation Section when Bicycle Rider Could be at Fault

CVC Section	General Description of CVC Violation	
22350	Driving at unsafe speed given conditions of roadway	100
22450	Failure to stop at a STOP sign limit line	34
21453(A)	Violation of signal red light	32
21650.1	Failure to operate in same direction as other vehicles	26
22107	Changing lanes/turning unsafely or without signaling	13
21804	Failure to yield to cross traffic from driveway or alley	12
21658	Unsafe lane change	10
21755	Unsafe passing or overtaking of another vehicle	9
21201(D)	Insufficient lights or reflectors on bicycle	6
21657	Driving the wrong way on a one-way street	5
21950(A)	Failure to yield to pedestrian at a crosswalk	5
Unknown		19
Other Code		54
TOTAL		325

Table 13 – 2011 Most Common Vehicle-Bicycle Injury Collision Factors by California Vehicle Code Violation Section when Motorist Could be at Fault

CVC Section	General Description of CVC Violation	
22107	Changing lanes/ turning unsafely or without signaling	52
22517	Unsafe opening of vehicle door	49
21801	Failure to yield right-of-way when making left or U-turn	45
22350	Driving at unsafe speed given conditions of roadway	20
22106	Unsafe maneuver or backing after being parked	13
21802	Failure to yield after coming to a stop at a STOP sign	11
21658	Unsafe lane change	10
22101(D)	Disobedience to posted turn restriction signs	8
21451(A)	Failure to yield to pedestrians on green signal light	6
21804	Failure to yield to cross traffic from driveway or alley	6
22102	Failure to make safe U-turn in business district	6
21453(A)	Violation of signal red light	6
21750	Unsafe overtaking or passing maneuver to the left	5
22100(A)	Failure to make right turn as close as practical to curb	5
22450	Failure to stop at a STOP sign limit line	5
Unknown		15
Other Code		43
TOTAL		305

Appendix 4

2010-2011 San Francisco Collision Report

Highest "Motor Vehicle Involved with Bicycle" Injury Collision Intersections
7 or more injury reported collisions 2009-2011

Street A	Street B	2009-2011 Injury Collisions
Market Street	Octavia Boulevard	21
Market Street	Valencia Street	13
Fell Street	Masonic Avenue	12
Duboce Avenue	Valencia Street	8
Polk Street	Ellis Street	7

Endnotes

- ¹ 2009-2010 San Francisco Civil Grand Jury Report, Sharing the Roadway: From Confrontation to Conversation, May 2010.
- ² Gordon, Rachael, "Judge Puts City's Bicycle Plan On Hold." San Francisco Chronicle, page B-3, June 24, 2006
- ³ Letters to the Editor, San Francisco Chronicle, November 13, 2012.
- ⁴ Ibid., November 17, 2012.
- ⁵ Ibid.,
- ⁶ SFMTA 2012 State of Cycling Report, <http://www.sfmta.com/cms/rbikes/documents/StateofCycling2012AccessibleVersion.pdf> San Francisco
- ⁷ San Francisco Board of Supervisors, File No. 101316, Resolution No. 511-10, October 21, 2010.
- ⁸ Draft SFMTA Bicycle Strategy, January 2013.
- ⁹ Corey, Canapary & Galanis, San Francisco Bicycling Study Report 2011, page 21.
- ¹⁰ Alliance for Biking & Walking, 2012 Benchmarking Report, 116.
- ¹¹ Ibid., 118.
- ¹² 2012 San Francisco State of Cycling Report, page 23.
- ¹³ Hawaii Bicycle League Website, <http://www.hbl.org/commutercycling101>.
- ¹⁴ Washington Area Bicyclist Association Website, <http://www.waba.org/education/adult.php>
- ¹⁵ Bicycle Transportation Alliance Website, <http://btaoregon.org/get-involved/walkbike-education/>
- ¹⁶ Yelp, May 9th, 2006, <http://www.yelp.com/biz/san-francisco-bicycle-coalition-san-francisco?start=40>.
- ¹⁷ San Francisco Bicycle Coalition, 2012 Street Safety Education Summary.
- ¹⁸ San Francisco Bike Coalition Website, <http://www.sfbike.org/images/safety/muni-class.jpg>.
- ¹⁹ San Francisco Bicycle Coalition, 2011 IRS Forms 990.
- ²⁰ Active Transportation Alliance, Annual Report https://www.activetrans.org/sites/default/files/ActiveTrans_AR_FY2010-web.pdf
- ²¹ Draft SFMTA Bicycle Strategy, January 2013, page 28.
- ²² San Francisco Bike Crackdown: SFPD's Mass Ticketing of Cyclists Continues Unabated, http://www.huffingtonpost.com/2012/05/16/san-francisco-bike-crackdown-continues_n_1519881.html.
- ²³ SFPD Roll Call Training Lesson, January 2004.
- ²⁴ <http://www.youtube.com/watch?v=xKmwKP5ZRtQ>
- ²⁵ Alliance for Biking & Walking, supra at page 96.
- ²⁶ Corey, Canapary & Galanis, San Francisco Bicycling Study Report 2011, page 113.
- ²⁷ Ibid., 83.
- ²⁸ San Francisco Superior Court Citation Data, 2010, 2011, 2012.
- ²⁹ Sharing the Roadway: From Confrontation to Conversation, 2009-2010 Civil Grand Jury Report.
- ³⁰ Corey, Canapary & Galanis, supra at page 81.
- ³¹ Ibid., 3.
- ³² Ibid., 56.
- ³³ Ibid., 49.
- ³⁴ 2010-2011 San Francisco Collisions Report, August 28, 2012, page 24.
- ³⁵ Ibid., 23.
- ³⁶ 2012 State of Cycling Report, page 25.
- ³⁷ Alliance for Biking & Walking, supra at page 30.
- ³⁸ Community Policing Transportation Safety Agreement. October 15, 2009, http://bikeportland.org/wp-content/uploads/2009/10/communitypolicingagreement_cleaned1.pdf

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative

Sponsor(s):

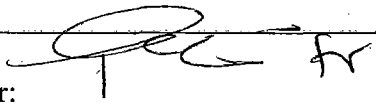
Clerk of the Board

Subject:

Hearing - Civil Grand Jury Report - "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation"

The text is listed below or attached:

Hearing on the recently published 2012-2013 Civil Grand Jury report entitled "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation."

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

