

STAFF REPORT

DATE: March 21, 2017

TO: City Council

FROM: Brian Mickelson, Assistant City Engineer/Transportation Manager
Brian Abbanat, Senior Transportation Planner

SUBJECT: Response to Draft California Bicycle & Pedestrian Plan

Recommendation

Approve Resolution supporting existing language in the draft State Bike & Ped Plan to explore alternate methods to setting and enforcing speed limits, and including new language in the draft State Bike & Ped Plan Funding section that initiates legislation empowering local agencies to establish fuel excise taxes.

Fiscal Impact

No fiscal impact.

Council Goal(s)

This plan is consistent with the Council Goals to 1) Ensure Fiscal Resilience; 2) Pursue Environmental Sustainability; 3) Fund, Maintain, and Improve Infrastructure; and 4) Ensure a Safe and Healthy Community.

Background and Analysis

The California Department of Transportation recently completed its draft Bicycle & Pedestrian Plan titled, "Toward an Active California: State Bicycle & Pedestrian Plan." The purpose of this staff report is to formalize two key position statements on the plan to address critical challenges related to safety and funding for non-motorized transportation.

Setting and Enforcing Speed Limits

The issue of setting and enforcing speed limits has been a contentious topic in our community and deliberated at length within the Bicycling, Transportation, and Street Safety Commission (BTSSC). The current state-required methodology for establishing speed limits is accompanied by two primary drawbacks.

First, while there are conditions under which speed limits can be reduced to 7 mph below the "critical speed" – the speed at which 85% of drivers travel below - when subsequent engineering studies measure a critical speed above this threshold, the street segment becomes non-compliant and may no longer be enforced by electronic radar.

Second, to enable enforcement, 1) The speed limit must increase to within the aforementioned threshold, or 2) Traffic calming measures must be applied (e.g. speed humps, speed tables) or the street must be redesigned to naturally reduce vehicle speeds. Strong opposition to the former has

been expressed by the BTSSC and citizens due to the belief it encourages higher speeds, and resources are insufficient to accomplish the latter for all non-compliant street segments.

The Resolution supports the existing language in the draft State Bike & Ped Plan to explore alternate methods for setting and enforcing speed limits.

Establishment of Local Fuel Excise Taxes

Achieving the goals of the State Bike & Ped Plan as well as the City's Bicycle Action Plan will be challenging with existing funding stream. Staff proposes language in the State Bike & Ped Plan to initiate legislation empowering local agencies to establish fuel excise taxes. Given the state's ambition for active transportation, this proposed language fills a missing piece in the State Bike & Ped Plan Funding section which is currently silent on addressing local funding deficiencies for active transportation. Such legislation would enable local agencies the option to assess fuel excise taxes at their discretion for local transportation purposes such as active transportation, while ensuring locally generated tax dollars are invested locally.

The Resolution does not imply endorsement or intent to exercise this option in Davis, only support for legislation allowing the possibility at a future date.

Attachment:

1. Resolution
2. State Bike & Ped Plan Letter #1: Setting and Enforcing Local Speed Limits
3. State Bike & Ped Plan Letter #2: Establishing Local Agency Fuel Excise Taxes

RESOLUTION NO. 17-XXX, SERIES 2017

**RESOLUTION SUPPORTING FEEDBACK ON THE
CALIFORNIA BICYCLE & PEDESTRIAN PLAN**

WHEREAS, the California Department of Transportation has completed their draft Bicycle and Pedestrian Plan, “Toward an Active California: State Bicycle & Pedestrian Plan” (State Bike & Ped Plan); and

WHEREAS, the State Bike & Ped Plan identifies policies and actions that Caltrans and its partners will take to achieve its goals and improve the safety and comfort of pedestrians and bicyclists throughout the State, making walking and biking an appealing option for many everyday trips; and

WHEREAS, the State Bike & Ped Plan complements local and regional active transportation plans being developed across the state, supporting agencies as they undertake their own efforts to improve the walking and bicycling environment in California; and

WHEREAS, Caltrans exerts considerable influence on bicycling and walking facilities on local roads through funding programs, design, and design guidance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davis to hereby resolve to support letters of recommendation to Caltrans staff which: 1) Supports existing language in the draft State Bike & Ped Plan to explore alternate methods to setting and enforcing speed limits, and 2) Proposes inclusion of new language in the draft State Bike & Ped Plan Funding section that initiates legislation empowering local agencies to establish fuel excise taxes.

PASSED AND ADOPTED by the City Council of the City of Davis on this 21st day of March, 2017 by the following vote:

AYES:

NOES:

ABSENT:

Robb Davis
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk



23 Russell Boulevard – Davis, California 95616
530.757.5686 – FAX: 530.758.4738 – TDD: 530.757.5666
cityofdavis.org

Dear Ms. Frost and Mr. Forsythe,

The City of Davis is pleased to submit comments on the recently completed draft Toward an Active California: California State Bicycle & Pedestrian Plan (State Bike/Ped Plan).

We are pleased to see many forward-thinking strategies toward active transportation that reflect values Davis has embraced for decades. With a continually increasing population and goals for improved active transportation mode share, the potential for increased collisions and conflicts between automobiles and more vulnerable active transportation users has potential to proportionately increase. The State Bike/Ped Plan sets forth a coherent roadmap for addressing some of the existing and future challenges facing active transportation in California.

An issue of particular interest to the City of Davis is the topic of funding. To effectively improve safety and comfort for active transportation, large investments will be required to retrofit legacy auto-centric street designs to contemporary multi-modal standards. The State of California has taken national leadership by increasing funding for active transportation through Senate Bill 99 and Assembly Bill 101. However, despite this infusion of funding, active transportation infrastructure needs statewide exceed existing resources by orders of magnitude. The vast oversubscription to the Active Transportation Program merely hints at the overall need.

To its credit, the State Bike/Ped Plan identifies opportunities for active transportation funding. Local agencies such as Davis will also need to invest more in this area. However, the State Bike/Ped Plan funding proposal is unlikely to result in the revenue generation required to achieve its goals; a local revenue tool is needed.

The City of Davis requests inclusion of language into the funding section of the State Bike/Ped Plan that initiates legislation empowering municipalities to establish local fuel excise taxes. This will allow local agencies the option to address many of the transportation infrastructure deficits we face while ensuring locally generated revenue is invested locally. Like other taxation forms, communities themselves would control whether to exercise this option, perhaps substituting it for less equitable revenue sources such as sales taxes for transportation. Local fuel excise taxes will restore user-fees to local transportation revenue and is more stable than sales taxes often used for transportation purposes due to the relatively inelastic demand for travel.

Thank you for the opportunity to comment on the State Bike/Ped Plan.

Sincerely,

Robb Davis, Mayor
City of Davis



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An issue of particular interest to the City of Davis is relates to exploring alternate methods to the 85th percentile approach to setting and enforcing speed limits (S.4.4). The City agrees with State Bike/Ped Plan's conclusion that *"This limits the ability of local municipalities to respond to local conditions and to set and enforce lower speed limits..."* and to *"...evaluate policy changes that would allow municipalities to establish reduced maximum speeds on certain roadways (such as bike boulevards and pedestrian-oriented streets) and to enforce these limits without conducting engineering and traffic studies."*

Davis is a compact university host-city with large volumes of bicycles and pedestrians. However, many of our street segments are out-of-compliance with local speed limits, limiting the available traffic enforcement tools available to our Police Department. Additionally, our community recognizes the close correlation between vehicle speeds and severity of injury/fatality rates of collisions with active transportation users, and has expressed vocal opposition to increasing local speed limits simply for traffic enforcement purposes. While the City enthusiastically agrees updated street design and engineering solutions are critical, the magnitude of cost required to retrofit our streets to contemporary multi-modal standards is much greater than our resources allow; new tools are needed.

The City of Davis encourages Caltrans Division of Research, Innovation and System Information to propose policies enabling local agencies to establish maximum speeds, post-haste.

Sincerely,

Robb Davis, Mayor
City of Davis