

# Response to Grand Jury Report

Report Title: **2.1 Crosswalks**

Report Date: **June 2, 2014**

Response by: **Howard Dashiell, Director, Mendocino County Department of Transportation**

**Response MUST be submitted, per Penal Code §933.05, no later than 60 days or August 1, 2014**

## Findings

I (we) agree with the findings numbered:

I (we) disagree wholly or partially with the findings numbered: 1-7

*See Attach statement specifying the findings and comment.*

## Recommendations

Recommendations numbered have been implemented.

*Attach a statement describing the implement actions.*

Recommendations numbered have not yet been implemented, but will be implemented in the future.

*Attach a statement with the schedule for implementation(s).*

Recommendations numbered require further analysis.

*Attach an explanation, and the scope and parameters of the analyses or studies, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.*

Recommendations numbered 1-7 (#6 missing) will not be implemented because they are not warranted or are not reasonable.

*Attach an explanation.*

Printed Name: Howard Dashiell

Title: Director, Department of Transportation, County of Mendocino

Signed: 

Date: 7-22-14

Number of pages attached: 4

## **MCDOT STATEMENTS:**

NOTE: the following acronyms are used in these comments:

*Mendocino County Department of Transportation - MCDOT*

*Manual of Uniform Traffic Control Devices California supplement - CA MUTCD*

*California Vehicle Code – CVC*

## **FINDINGS**

F1. Countywide, the markings of crosswalks are inconsistent in appearance and condition.

***MCDOT Response, Disagree partially:** Countywide (including the cities), crosswalks have the same visual look because every agency has adopted the position that such crosswalks marking will be consistent with the CVC and the CA MUTCD. Crosswalks are painted in white but if marked within a school zone they must be painted in yellow. Differences in style – perpendicular lines or parallel bars are discretionary per CVC and the CA MUTCD so either is acceptable. This style is a choice – color is prescribed.*

F2. Crosswalk conditions affect pedestrian safety as well as driver safety.

***MCDOT Response, Disagree partially:** CVC chapter 5 “Pedestrians’ Rights and Duties” - too long and detailed to quote here - yet it suffices to say the main point is vehicles must “exercise due care for the safety of any pedestrian upon the roadway.” Pedestrians have a right to be there and if pedestrians have to cross the road without a “marked cross walk,” pedestrians must yield to vehicles. If there is a marked crosswalk then vehicles must yield to pedestrians. That being said, MCDOT does not have all our crosswalks marked with signage on each side. We are upgrading to make crosswalks more visible to drivers by installing consistent signage all around to protect pedestrians.*

F3. Pedestrian assumption that a crosswalk is safe is not true.

***MCDOT Response, Disagree partially:** Two painted lines do not provide protection against an oncoming vehicle. The real burden of safety has to be on the vehicle drivers, and pedestrians need to be alert and cautious while crossing any street. As stated above: CVC chapter 5 “Pedestrians’ Rights and Duties” - vehicles must “exercise due care for the safety of any pedestrian upon the roadway.” Pedestrians have a right to be there and if pedestrians have to cross the road without a “marked cross walk,” pedestrians must yield to vehicles. If there is a marked crosswalk then vehicles must yield to pedestrians.*

F4. The increased use of electronic devices by pedestrians and drivers creates an additional distraction reducing the safety of everyone.

***MCDOT Response, Disagree partially:** Driver distraction is a leading factor in many crashes, and cell phone use and texting are two of the most common distractions. There are laws to address these behaviors for drivers and maybe they should pass laws for pedestrians using crosswalks or any street.*

F5. The lack of consistent or visible signage in many locations contributes to unsafe crosswalks.

**MCDOT Response, Disagree partially:** *The lack of consistent or visible signage does not contribute to unsafe crosswalks; no factual evidence has been presented from CHP collision reports to document a reoccurring problem in our crosswalks. Installing signage in compliance with state and federal standards increases visibility. Drivers and pedestrians need to remain safe, alert, and courteous.*

F6. The default timing of traffic lights is insufficient for safe crossing in crosswalks especially for physically challenged, elderly, and very young pedestrians.

**MCDOT Response, Disagree partially:** *The design and operation of traffic control signals should take into consideration the needs of pedestrians. Where pedestrian movements regularly occur, pedestrians should be provided with sufficient time to cross the roadway by adjusting the timing to provide sufficient crossing time every cycle. The CA MUTCD 2012, Section 4E.06, states that “the pedestrian clearance time should be sufficient to accommodate the walking speed of the 15<sup>th</sup> percentile pedestrian, meaning that 85% walk faster. A walking speed between 3.5 and 4 feet per second may be used for the pedestrian clearance time if an engineering study at a representative location documents that it is sufficient to accommodate the walking speed of the 15<sup>th</sup> percentile pedestrian.” However, this same section also states that “where older or disabled pedestrians routinely use the crosswalk, a walking speed of 2.8 feet per second may be used in determining the pedestrian clearance time.” All traffic control signals are different and their default times vary according to pedestrian walking speeds.*

*As stated above - CVC chapter 5 “Pedestrians’ Rights and Duties” - vehicles must “exercise due care for the safety of any pedestrian upon the roadway.” Pedestrians have a right to be there and if pedestrians have to cross the road without a “marked cross walk,” pedestrians must yield to vehicles, even if the light changes while crossing slower than average. Again, drivers and pedestrians need to be safe, alert, and courteous.*

F7. All possible ways to cross at intersecting roads are not always marked.

**MCDOT Response, Disagree partially:** *Not all possible ways to cross at intersecting roads are marked. Crosswalks are marked only where necessary for the guidance and control of pedestrians, to direct them to the safest of several potential routes.*

*Pedestrians can still cross at unmarked locations - CVC chapter 5 “Pedestrians’ Rights and Duties” – if pedestrians have to cross the road without a “marked cross walk,” pedestrians must yield to vehicles. If there is a marked crosswalk then vehicles must yield to pedestrians.*

## RECOMMENDATIONS

The Grand Jury recommends that:

R1. Crosswalks within any governmental jurisdiction have the same visual look although they may be painted in different colors to designate proximity to schools. (F1, F5, F7)

***MCDOT Response:** Crosswalks do have the same visual look because every agency has adopted the position that such crosswalks marking will be consistent with the CVC and the CA MUTCD. Crosswalks are painted in white but if marked within a school zone they must be painted in yellow.*

R2. If even one crosswalk at an intersection is designated by markings, then all possible ways to cross that intersection should be painted and marked. (F7)

***MCDOT Response:** Crosswalks are marked **only** where necessary for the guidance and control of pedestrians, to direct them to the safest of several potential routes. Not all possible ways to cross that intersection should be painted and marked.*

R3. Crosswalks be made as visible as possible to drivers and crosswalks be marked by center line signage to indicate the presence of crosswalks as resources become available. (F2, F3, F5, F7)

***MCDOT Response:** Crosswalks should be made as visible as possible to drivers and crosswalks may be marked by center line signage as determined based on context.*

R4. Center line signage installation be prioritized as follows: (F1, F2, F3, F5, F7)

- School mid-street crosswalks
- School intersection crosswalks
- Other mid-street crosswalks
- Intersections without stop signs
- Intersections with stop signs
- Light-controlled intersections

***MCDOT Response:** The order of priority for center line signage as stated is a good idea and could be used as determined based on context.*

R5. Timing of traffic lights be evaluate and adjusted regularly at intersections with high pedestrian traffic by the responsible agency. (F2, F3, F6)

***MCDOT Response:** Timing of traffic lights should not be evaluated and adjusted regularly at intersections with high pedestrian traffic by the responsible agency, and instead it is more reasonable to check only if an issue is brought to the attention of our department.*

NOTE: R6 –blank-

R7. Crosswalks be made more recognizable and visible to drivers by installing consistent

signage with a distinguishable and noticeable color. (F1, F5, F7)

***MCDOT Response:** Current CA MUTCD standards want local agencies to start installing yellow green fluorescent crosswalk signs on school zones to make signs more noticeable. Upgrades are made as crosswalk facilities are replaced.*