


Office of the City Manager

INFORMATION CALENDAR  
October 19, 2004

To: Honorable Mayor and  
Members of the City Council

From:  Phil Kamlarz, City Manager

Subject: Pedestrian Right-of Way Enforcement

INTRODUCTION

Pedestrian safety is a subject of concern for the City Council, staff, and the residents of Berkeley. The purpose of this report is to provide Council with information regarding pedestrian right-of-way enforcement and education action by the Police Department.

CURRENT SITUATION AND ITS EFFECTS

The Police Department seeks to reduce the number and severity of traffic collisions in general, and injury collisions in particular. Collisions involving pedestrians almost always results in a serious injury to the pedestrian, and sometimes a fatality. So far this year, three pedestrians have died after being struck by a motor vehicle on Berkeley streets. In one of those fatalities, the motorist violated the right-of-way of the pedestrian.

The principal methods used by the Police Department to reduce injury collisions are the enforcement of traffic laws, and education of the public. Enforcement is done by traffic officers on motorcycles, and patrol beat officers. Drivers are better educated when they see other drivers receiving citations for traffic violations, and via press coverage of traffic enforcement activities. Traffic officers work citywide to enforce traffic laws, and to investigate injury and fatal traffic collisions. Patrol beat officers work within their assigned beats as first responders to all calls for service to the Police Department, as well as performing self initiated patrol activity, which includes traffic enforcement.

In July 2001, the Traffic Bureau of the Police Department conducted the Department's first pedestrian right-of-way enforcement operation. Since that time, 22 similar operations have been done at 16 different intersections, resulting in citations for a total of 974 violations, 95.62% of which were for violation of the right-of-way of a pedestrian in a crosswalk (VC 21950a), or for passing a vehicle that was stopped for a pedestrian (VC 21951). The operation locations were chosen because they were either the scenes of injury or fatal collisions involving a pedestrian, or neighborhood residents complained about motorists failing to yield to pedestrians in crosswalks there. Each operation lasts approximately two hours, and involves a police officer in civilian clothes, and four to five traffic officers on motorcycles. The officer in civilian clothes steps into the crosswalk when it is safe and legal to do so, and begins to walk across the street. Traffic officers observe the pedestrian officer, as well as uninvolved civilian pedestrians, and issue citations to motorists who fail to yield the right-of-way to the pedestrians.

Many times during each of those operations, motorists and pedestrians observing the operations thank the officers. Some community members have written letters of thanks to the Police Department, and the officers involved. A spreadsheet that lists the various operations is attached. (See attachment A)

#### BACKGROUND

Berkeley is a densely populated urban city, with a large university, and probably a much higher number of pedestrians than other cities of comparable population. During 2003, 123 pedestrians were injured on Berkeley streets as a result of traffic collisions, and two of those were fatal injuries. The Police Department has chosen to use Pedestrian Right-of-Way Enforcement operations as the principal tool to reduce violations by motorists that result in injury or death to pedestrians.

#### POSSIBLE FUTURE ACTION

The Police Department will continue to vigorously enforce pedestrian right-of-way laws, through enforcement operations by traffic officers, routing citywide enforcement by individual traffic officers, and by traffic enforcement by patrol beat officers.

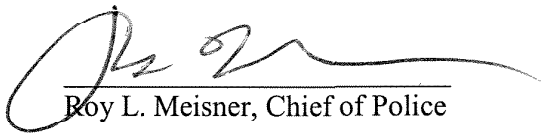
#### FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

All of the pedestrian right-of-way enforcement is done by traffic officers and patrol beat officers during their regular work hours, thus not resulting in the expenditure of any overtime. Improving pedestrian safety is the goal of enforcement, not generating revenue.

#### CONTACT PERSON

Lieutenant Bruce Agnew, Police Traffic Bureau, 981-5983

Approved:



Roy L. Meisner, Chief of Police

## PEDESTRIAN RIGHT-OF-WAY ENFORCEMENT OPERATIONS 2001-2004 SUMMARY

Activity #	Date	Time	Location	Total Time	# of Ofcs.	Total Cites	Total Viol	4000a	4454	5200	12500a	12951a	14602	16028	21950a	21951	21954a	21955	22101d	22350	24603	27315	Misc
1	7/26/2001	1600	Addison/MLK	2:00	6	44	47					2		1	37	5			1		1		
2	9/12/2001	1130	Telegraph/Oregon	2:00	5	36	50	4		1			8	8	31	4			1				
3	11/1/2001	1545	Telegraph/Oregon	1:45	4	30	36	5	1				2	2	24	4							
4	1/3/2002	1100	Dwight/Acton	2:15	4	38	49	5	1			3	2	2	29					1		6	2
5	7/16/2002	1315	Adeline/Fairview	1:45	4	24	31	1		1			4	4	14	10						1	
6	8/29/2002	1300	University/Grant	2:45	3	17	21	1					2	2	15	1					1		2
7	9/5/2002	1015	Adeline/Fairview	1:30	6	34	47	3	1			2	1	7	29	3							
8	10/2/2002	0930	MLK/Oregon	1:15	5	13	18	1	1				2	2	12	1						1	
9	10/24/2002	0930	Shattuck/Virginia	2:00	5	29	35		1				5	5	24	5							
10	11/12/2002	1000	Shattuck/Parker	1:30	4	27	28					1	1	1	22	4							
11	2/25/2003	0940	Bancroft/Elsworth	2:00	4	40	51			1		1	2	2	37	3					2		3
12	4/15/2003	1400	Sacramento/Oregon	1:15	4	25	28						3	3	22	3							
13	7/22/2003	1010	Shattuck/Woolsey	1:30	3	21	30	3					3	3	20	4							1
14	1/21/2004	1115	University/McGee	1:30	7	52	60					2	2	5	43	8				1			1
15	2/12/2004	1530	Fairview/Adeline	1:30	4	30	32						2	1	25			2					
16	7/15/2004	1000	MLK/Prince	2:00	5	65	65				4		10	10	57	6						2	
17	7/21/2004	1330	MLK/Addison	2:00	6	47	58						2	2	38	7						3	8
18	7/29/2004	1000	Shattuck/Virginia	2:00	5	53	60			1			3	3	46	3						4	3
19	8/4/2004	1100	Telegraph/Oregon	2:00	6	56	65					3	7	7	50	1					2	1	1
20	8/12/2004	1000	San Pablo/Bancroft	2:00	5	49	60					1	6	6	47	2					1	3	
21	8/19/2004	1100	Solano/Ensenada	2:00	6	42	46			1		1	2	2	38	1						2	1
22	9/2/2004	1100	Shattuck/Berkeley	2:00	6	50	57			1		1	1	3	48	3							1
<b>TOTALS</b>					<b>107</b>	<b>822</b>	<b>974</b>	<b>20</b>	<b>4</b>	<b>4</b>	<b>10</b>	<b>16</b>	<b>6</b>	<b>81</b>	<b>708</b>	<b>78</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>7</b>	<b>23</b>	<b>24</b>

**% of Tickets for Ped Violations: 95.62**

**Legend:**

4000a - No registration; 4454 - Reg not in possession; 5200 - No plates/one missing; 12500a - Driver unlicensed; 12951a - DL not in poss.; 14602 -