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VENTURA COUNTY
"Citrus Capital of the World" GRAND JURY

City of Santa Paula

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August 19, 2015

The Honorable Donald D. Coleman
Presiding Judge of the Superior Court
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93009

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VENTURA COUNTY SUPERIOR COURT

AUG 27 2015

OFFICE OF THE
PRESIDING JUDGE

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8/27/15

Dear Judge Coleman:

On June 1, 2015, the Ventura County Grand Jury issued its report entitled "Countywide Bicycle Safety." The Report focuses on the effectiveness and enforcement of bicycle laws in reducing injuries and death, as well as the need to create a safer cycling environment throughout the County. At the conclusion of the Report, the Grand Jury requested a response from the City to Findings FI-01, FI-02, FI-03, FI-05, FI-08, FI-10, and FI-11, and Recommendations R-01, R-02, R-03, and R-04. We provide the following responses to these Findings and Recommendations in accordance with Penal Code §933.05.

Finding:

FI-01 *Throughout the County, law enforcement personnel rarely enforce helmet laws. They do not enforce bicycle licensing ordinances.*

The City partially agrees with this finding. The City of Santa Paula has in effect a bicycle licensing ordinance (*see* Santa Paula Municipal Code section 73.15), which requires bicycle registration and licensing with the City's Police Department. Enforcement of the City's Municipal Code is shared among the City's Police Department, Fire Department, and other persons designated by the City Manager. As nearly every violation of the Municipal Code is designated as a misdemeanor, the City works to initially achieve compliance through the least restrictive means possible. Therefore, as it is common practice for officers to speak with individuals who are in violation of helmet laws (especially children) and bicycle licensing ordinances without initially issuing a citation, the exact number of enforcement stops for these violations is not calculable.

FI-02 *Licensing or registering bicycles with the police assists in the return of lost or stolen bicycles to owners, thereby reducing the number of unclaimed bicycles.*

The City agrees with this finding. The City of Santa Paula has in effect an entire chapter within its Municipal Code relating to the licensing and registration of bicycles. (See Santa Paula Municipal Code Chapter 73.) The purpose of Chapter 73 is to (1) ensure that bicycles are inspected and licensed by the City's Police Department; and (2) maintain accurate records of ownership in the event of loss or theft. Likewise, the City's Municipal Code also requires the existence of adequate bicycle parking for certain developments in order to discourage theft.

FI-03 *Bicycle helmet laws for children are not routinely complied with nor enforced.*

The City neither agrees nor disagrees with this Finding. The Santa Paula Police Department has no data to confirm that children do not routinely comply with helmet laws. However, it is accurate that few citations are issued for helmet violations. As noted above, enforcement encounters relative to bicycle helmet laws are typically resolved through counseling.

FI-05 *Of all the factors contributing to bicyclists' deaths and injuries, motor vehicle driver error is the most prevalent. Rear-ending of cyclists is the most common error.*

The City neither agrees nor disagrees with this Finding. The City has not recently conducted a comprehensive evaluation of bicycle collisions in the City which have resulted in injury. Currently, the City has in place an Ordinance prohibiting cycling upon a freeway (section 71.005); and regulations that afford cyclists every right they are due from motorists when riding upon a highway (section 70.04). The City also has bike lanes in place along several of its major roadways. Furthermore, to encourage and promote safety for those who wish to cycle recreationally, the City opened a three mile bike trail in 2012 extending from 12th street to Peck Road.

FI-08 *Salmoning places cyclists at a greater risk as motor vehicle drivers are not expecting riders to be coming directly toward them. Many people are unaware that salmoning is illegal in the State.*

The City agrees that riding a bicycle in the street against the flow of traffic is illegal. Most bicyclists are unaware of the risks associated with riding against traffic. Indeed, riding against traffic is the most common cause of bicycle-vehicle traffic collisions.

- *Offer safety education and bike rodeos for children*
- *Provide liaison between city councils, transportation agencies, and the community on bicycle-related issues and concerns*
- *Assist in the development and dissemination of educational materials related to bicycle laws and safety*
- *Review and comment on private development plans that include bicycle facilities or have an impact on bicycle safety and access*
- *Review and promote the enforcement of city and State laws related to bicycle safety*
- *Encourage the public to register bicycles and keep a record of the serial numbers to facilitate the return of stolen or lost bicycles.*

In accordance with this recommendation, the City currently encourages its law enforcement personnel to become familiar with all City ordinances relating to bicycle safety. Currently, the City has in place an Ordinance prohibiting cycling upon a freeway (section 71.005); and regulations that afford cyclists every right they are due from motorists when riding upon a highway (section 70.04). The City also has bike lanes in place along all of its major roadways, including Harvard Boulevard and Santa Paula Street. Furthermore, to encourage and promote safety for those who wish to cycle recreationally, the City opened a three mile bike trail in 2012 extending from 12th street to Peck Road.

Additionally, periodic bicycle rodeos will be held by the Bike Patrol Unit of the City's Police Department in order to educate elementary and high school aged children of the importance of bicycle safety.

The City of Santa Paula recognizes the importance of the Grand Jury's recommendations regarding bicycle safety and educating motor vehicle operators as well as and cyclists as to the rules of the road. In addition to implementing all existing procedures, the City will strive to implement additional programs.

R-03 *The Grand Jury recommends the County Board of Supervisors and the City Councils of all cities within the County, continually promote bicycle laws and safety to people of all ages, concentrating on school-age children through events such as bike rodeos, bicycle rallies, and other educational activities.*

In accordance with this recommendation, periodic bicycle rodeos will be held by the Bike Patrol Unit of the City's Police Department in order to educate elementary and high school aged children of the importance of bicycle safety. Additionally, the City's School Resource Officer will work to develop additional programs that can be implemented at the local schools.