

STATE OF CALIFORNIA{PRIVATE }
DEPARTMENT OF TRANSPORTATION
CALIFORNIA TRAFFIC CONTROL DEVICES COMMITTEE

MEETING OF THE
CALIFORNIA TRAFFIC CONTROL DEVICES COMMITTEE

CALIFORNIA DEPARTMENT OF
FOOD AND AGRICULTURE HEADQUARTERS
AUDITORIUM
1220 N STREET
SACRAMENTO, CALIFORNIA

THURSDAY, APRIL 15, 2010

9:00 A.M.

A P P E A R A N C E S

Committee Members

John Fisher, Chairman

Jacob Babico, Vice Chairman

Hamid Bahadori

Wayne Henley

Jeff Knowles

Farhad Mansourian

Chief Robert Maynard

Deborah Wong

Caltrans Personnel

Devinder Singh, Committee Secretary

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1 aggressive agenda to do that, and then we will then have one
2 document that is good for California. There's always a
3 little bit of confusion when the fence issue there, it
4 revised MUTCD which they did in December. So we're hoping
5 to resolve the California MUTCD within a very short time and
6 we are on schedule to do that.

7 Now, yesterday we held a workshop over in the
8 Caltrans building, an all-day workshop, and it is one of
9 four workshops we've held to go over the chapters in the
10 Federal MUTCD and to see if there should be any differences
11 and changes in the California manual. And so far we're on
12 schedule, we got through our agenda yesterday. And I would
13 like to thank Johnny Bhullar and other Caltrans staff who
14 helped to make that possible. I think we stayed until
15 something close to six o'clock last night, so a number of
16 persons from the Caltrans staff, including Johnny, stayed
17 late to help us get through it and I really appreciate the
18 organization and dedication involved in helping us to do
19 that.

20 Also, there were six CTCD members there and I'm
21 glad there was such a high turnout so that when the matter
22 does become, does come before this Committee to take action,
23 those of us who were involved with it will be well familiar
24 with the issues when it comes forward.

25 Finally in that regard, since we do have an

1 aggressive schedule to review the chapters of the, for the
2 California MUTCD and to adopt it by the end of this year, we
3 will during the year have a busy agenda for the CTCDC. So I
4 would like to just stress to all my colleagues here on the
5 Committee that for any items you bring forth to the
6 Committee please make sure that it's been carefully
7 reviewed. Please make sure that another set of eyes have
8 looked at it. And please make sure that you get it to our
9 Secretary, Devinder Singh, well in advance of the absolute
10 deadline so that there's some time to review it and make
11 sure that by the time it's ready to be published for the
12 agenda that it's been well looked at and so that we don't
13 spend too much time here on this Committee trying to
14 wordsmith it and, you know, correct any oversights that may
15 have occurred.

16 Finally, during the last couple of months we've
17 been trying to formalize our working relationship with the
18 Bicycle Advisory Committee that advises Caltrans. And in
19 the past we hadn't had any formal working relationship. In
20 fact, many of us did not really know much about the other
21 committees that advise Caltrans. So there are bicycle
22 issues that come to this Committee, but there is also a
23 Bicycle Advisory Committee that properly needs to weigh in
24 on the issues that relate to bicycles, that ultimately may
25 come to this Committee.

1 So we've been trying to work together to have a
2 coordinated effort with the Bicycle Advisory Committee, and
3 Wayne Henley and Robert Copp have drafted an Understanding.
4 And basically the Understanding is that the Bicycle Advisory
5 Committee, as it relates to this Committee, needs to be
6 specially recognized. They aren't just an interested public
7 member when issues of bicycles come to this Committee. So
8 it is our intention to recognize them as another colleague
9 of ours that advises Caltrans and for any matter, then,
10 regarding bicycles that is to come to this Committee, the
11 Secretary of the CTCDC will forward that issue over to the
12 Bicycle Advisory Committee so that they can have an
13 opportunity to review it and take a position on that matter.
14 And certainly this Committee is going to value the position
15 that they take and carefully consider it when the matter
16 comes to us.

17 So what Wayne and Robert have done is they've
18 drafted a letter that spells out the understanding of the
19 working relationship between the CBAC and the CTCDC, and it
20 was included in one of the handouts over on the table here.
21 And I'm not going to read it all, but I am going to Devinder
22 that this be placed in the Minutes of our meeting, and it
23 spells out our working relationship. And I would just like
24 to acknowledge and recognize the Vice Chairman of the
25 Bicycle Advisory Committee, Jim Baross. Thank you for being

1 here today. And yesterday at our workshop meeting we also
2 had the Chairman of the Bicycle Advisory Committee there
3 when we reviewed the chapter on bicycles. So we would like
4 to have your input and we welcome you here today.

5 With that said, I would like to then have each
6 member of the CTCDC introduce him or herself and state your,
7 who you represent. Thank you. Starting with Deborah.

8 COMMITTEE MEMBER WONG: Deborah Wong with AAA,
9 Northern California.

10 COMMITTEE MEMBER MANSOURIAN: Good morning.
11 Farhad Mansourian. I represent the counties of Northern
12 California, CSAC.

13 COMMITTEE VICE CHAIRMAN BABICO: Good morning.
14 This is Jacob Babico. I work of the County of San
15 Bernardino. I represent CSAC, Southern California.

16 COMMITTEE CHAIRMAN FISHER: And I'm John Fisher.
17 I work for the City of Los Angeles, Department of
18 Transportation. I represent the League of California Cities
19 for the southern half of the state.

20 COMMITTEE SECRETARY SINGH: Devinder Singh. I'm
21 Secretary for the Committee.

22 COMMITTEE MEMBER HENLEY: I'm Wayne Henley with
23 Caltrans Traffic Operations. I'm Wayne Henley with
24 Caltrans Traffic Operations and I'm the Caltrans
25 representative.

1 COMMITTEE MEMBER BAHADORI: Hamid Bahadori, I am
2 representing the Automobile Club of Southern California.

3 CHIEF MAYNARD: Robert Maynard, representing the
4 California Highway Patrol.

5 COMMITTEE MEMBER KNOWLES: Jeff Knowles, the
6 traffic engineer for the City of Vacaville, and I represent
7 the League of California Cities, Northern Section.

8 COMMITTEE CHAIRMAN FISHER: Thank you for that.
9 And one other housekeeping item, for those persons at the
10 table here, with the microphones we have you can press it
11 in the off mode at times when you don't wish to speak or
12 put it in the on mode when you're ready to speak. It's
13 especially helpful if you want to make an informal comment
14 to your colleague sitting next to you and you don't want
15 everyone to hear it. So be sure to press the button if
16 you need to.

17 And for those of you who come up to the podium
18 during the meeting, be sure to state your name, spell it,
19 and state your affiliation so that it is on the record.

20 COMMITTEE SECRETARY SINGH: Audience introduction.

21 COMMITTEE CHAIRMAN FISHER: Okay, thank you, and
22 thanks for that reminder, Devinder.

23 We've introduced the members of the Committee
24 here. We'd like to have those in the audience introduce
25 themselves as well, and we'll start with Jim. Just stand

1 up, just stand up.

2 (Thereupon the members of the audience
3 introduced themselves)

4 COMMITTEE CHAIRMAN FISHER: Thank you, all. At
5 this point in the meeting we would welcome public comments
6 on any matter that is not on the agenda. If you want to
7 speak to a matter that is on the agenda, wait at that time.
8 But if there are any comments you wish to make on something
9 not on the agenda, please come forward to the podium, state
10 your name and affiliation.

11 MR. PRESTON: Terry Preston with WALKSacramento,
12 T-E-R-R-Y, P-R-E-S-T-O-N.

13 COMMITTEE CHAIRMAN FISHER: Thank you.

14 MR. PRESTON: Thank you for your time and for
15 attention. I'm speaking on behalf of WALKSacramento and the
16 coalition here in Sacramento under allies in just an
17 advocacy role.

18 I'd like to pick up on what has been discussed
19 already, and that's the composition of the CTCDC. We
20 request that the advisory committee consider expanding its
21 membership to be much more inclusive. The CTCDC website
22 says that the Committee is a vehicle by which the Department
23 fulfills its obligations to consult with local agencies and
24 the public before adopting rules and regulations prescribing
25 uniform standards and specifications.

1 We feel that the, that the Board, as it is
2 currently (indiscernible). I proudly display my Plus
3 Membership in AAA, but it is not consistent current policies
4 around the state. Caltrans has taken reasonable steps to
5 implement its policies, the DD64 and other state law that
6 also requires counties and cities adopt these standards as
7 well. And we know and we recognize and are thankful that
8 the Advisory Committee works with (indiscernible). Many
9 stakeholders still remain excluded from the process. Those
10 are defined under state policies as all users, not just
11 (indiscernible) Advisory Commission should be able to
12 correct that. It's inconsistent with current principles to
13 not have this party represented. (Indiscernible) in having
14 an important role, specifically with the adoption of the
15 agency's (indiscernible) for this year and there's a very
16 important webinar being asked today on bicycle and
17 pedestrian facility upgrades (indiscernible).

18 So urge that you think about (indiscernible).
19 Thank you.

20 COMMITTEE CHAIRMAN FISHER: Thank you for your
21 comments. Any other public comments?

22 (No response)

23 COMMITTEE CHAIRMAN FISHER: Okay. I'd like to go
24 back to item number two, approval of the Minutes of our
25 January 21st meeting.

1 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman, I move
2 approval and thanks to Devinder; another great job.

3 COMMITTEE CHAIRMAN FISHER: Do I have a second?

4 COMMITTEE VICE CHAIRMAN BABICO: I second it. I
5 second it.

6 COMMITTEE CHAIRMAN FISHER: Any discussion on the
7 Minutes?

8 (No response)

9 COMMITTEE CHAIRMAN FISHER: Okay. All in favor of
10 adoption of the Minutes say "aye."

11 MULTIPLE SPEAKERS: Aye.

12 COMMITTEE CHAIRMAN FISHER: So adopted.

13 Okay, now we're going to go into our items that
14 are under consideration and we're going to have a public
15 hearing. And prior to any adoption of rules or
16 regulations for prescribing traffic control devices, the
17 -- Caltrans is required to consult with local agencies and
18 hold public hearings. So this is in satisfaction of
19 Section 21400 of the Vehicle Code to make sure that there
20 is consultation with local agencies and a public hearing
21 as to how any matter that we might adopt or discuss would
22 affect them.

23 So our first item in that regard it Item 8-18,
24 which involves a matter that we've heard before at the
25 Committee, the no idling of commercial vehicles and school

1 buses and signage for that. That's on pages 7 through 26 of
2 your agenda and I'd like to call on Wayne Henley to give us
3 a briefing on that.

4 COMMITTEE MEMBER HENLEY: California, of course,
5 is interested in improving its air quality any way it can
6 and one of the ways it can is by reducing diesel engine
7 particulates. And so there was laws passed back in,
8 actually at least 2007, maybe before then, that made it
9 illegal to idle certain vehicles. And we have today Nancy
10 O'Connor, a manager from the Heavy Diesel Enforcement
11 Section of the Air Resources Board, and she's going to
12 present her proposal and then we have our sign person here
13 with some alternate, or signs that we might use to get the
14 fact that that law is in effect and people shouldn't be
15 idling vehicles in certain spots.

16 MS. O'CONNOR: Good morning, everybody. Thank you
17 for hearing this again from the California Air Resources
18 Board, N-A-N-C-Y, O-apostrophe-C-O-N-N-O-R. And I'm here
19 today to give you our proposal of what we are requesting, is
20 that Caltrans work with us and assist us in influencing "No
21 Idling" signs throughout the State of California. We are
22 asking to have these signs, or assist us with the designing
23 of the signs. We've gone through some mockups with Caltrans
24 personnel and we would like to place these signs on state
25 properties such as (indiscernible) facilities and scale

1 stations, at highway rest areas, on state parks and
2 university campuses, community colleges, state buildings
3 such as the Capitol building, some freeway onramps and off
4 ramps, and many other locations that we determine could use
5 a sign to stop idling.

6 I remember the last time I was here there were
7 some issues that the Board brought up and I am prepared to
8 address those. I remember one, in particular, was somebody
9 had a question regarding whether or not -- well, AB 233 was
10 the statute that was passed in 2007 that requires that we
11 place the signs, so this is something that's been put in
12 statute. And there was a question last time whether AB 233
13 specifically called for signs to be placed only on state
14 property or throughout the state. So I went back to our
15 legal department and I had then re-read the language of AB
16 233 and I had them review any other authority that could be
17 involved in this. And their conclusion was that the signs
18 can be placed throughout California on state or county and
19 city property.

20 We contacted the City of Sacramento and the County
21 of Placer. These are two -- this is a city and a county
22 that already has its own anti-idling ordinance separate from
23 the state's, and we asked what they would require if they
24 were going to put signs and they said they could put them up
25 wherever they wanted them in their jurisdictions. So I know

1 it's possible to put these up in other areas aside from
2 state property.

3 I believe in the other proposal that we had
4 submitted last time said specifically state property, but at
5 the time I believe we felt that since we were working with
6 Caltrans that it would involve working with state property
7 with regard to Caltrans. So we've revised our proposal and
8 resubmitted it and that language has been revised.

9 There was some concern about vehicles that are
10 subject to the regulation. There was the commercial vehicle
11 idling regulation and the school bus idling regulation, and
12 they both applied to commercial vehicles, and commercial
13 vehicles meaning any diesel vehicle over ten thousand pounds
14 for both regulations. But for the school bus regulation
15 there were some other vehicles that are also included in
16 addition to diesel fuel commercial motor vehicles.

17 For a school bus there were -- this also applies
18 to school buses, transit buses, paratransit vehicles, and
19 school pupil activity buses, youth buses, and all, any other
20 commercial vehicles. Now, those other vehicles, they can be
21 of any fuel type. So I believe last time there was a
22 concern about putting the word diesel on the sign, but since
23 the school bus idling regulation also applies to vehicles of
24 all fuel types, and the only vehicle that's exempt in that
25 regulation is a zero-emission vehicle, we thought it would

1 be better to leave that information off the sign.

2 Then there was another question about the
3 authority to cite for idling. We may have answered that on
4 the last meeting, but I'd just like to reiterate that right
5 in the regulation it provides authority for California
6 Highway Patrol and local city and county police officers,
7 and in addition to air district inspectors, also these air
8 inspectors. So those were the four groups. And also anyone
9 that qualifies as a peace officer can also enforce this.
10 And, for example, that would include someone from, say, the
11 Department of Pesticides. Their inspectors are actually
12 full-fledged peace officers who carry firearms. They would
13 actually be allowed by the law to enforce this regulation if
14 they should ever have a need for it. I don't know why they
15 would, but just to give you an example that's what the
16 authority covers in the regulation.

17 There was a question about how much outreach we
18 had done on this regulation, that you didn't want to just
19 rely on the sign to do all this for you. And I just wanted
20 to review some of the outreach that we've done.

21 First of all, when the regulation was put out, we
22 had workshops on it and this goes on for sometimes a year
23 before the regulation is finalized. This gives members of
24 the regulated community and the public an opportunity to
25 speak about the language of the regulation, and they'll have

1 a number of workshops before the regulation is passed, and
2 that is what occurred. That was the first thing. Then
3 there were advisories that we put together that went out.
4 They were mailed to IRP, which I believe is the Interstate
5 Reciprocity Registration Program, where (indiscernible) dual
6 registration in the State of California and in other states.
7 And we sent out mailings to everyone in that program, I
8 believe, in Arizona and Oregon and maybe Nevada. But they
9 sent out pamphlets to people, anyone that was cited for a
10 diesel violation got information with their package about
11 the idling regulation. We wrote it up on page 8 of the
12 Commercial Vehicle Drivers Handbook. We published numerous
13 articles in trade magazines. We spoke at numerous trucking
14 events and meetings, such as the California Trucking
15 Association and the American Trucking Association meetings.
16 Let's see -- and this has continued. This wasn't something
17 that we did just when the regulation passed. This has been
18 ongoing.

19 The school bus idling regulation passed in 2003.
20 The commercial vehicle idling regulation was passed in
21 2005. But we have made a continuing effort right up until
22 today to get the word out. We've got website information,
23 the regulations are available there, anyone can go and look
24 at them, and we've got a special page in there just for
25 idling.

1 So we've done quite a bit of outreach. However,
2 we still hear from people who've been cited that say they
3 weren't aware of the regulation. And whether they really
4 did or not is hard to say, but I think these idling signs
5 would be extremely helpful in getting the word out, and
6 would probably stop some people from unnecessary idling.

7 That's all I really have to say. Do you have any
8 other questions?

9 COMMITTEE CHAIRMAN FISHER: Before we have the
10 Committee discuss that, I would like to have an opportunity
11 for members to ask her any question they may have.

12 COMMITTEE MEMBER BAHADORI: Jim?

13 COMMITTEE CHAIRMAN FISHER: Yes.

14 COMMITTEE MEMBER BAHADORI: (Indiscernible).

15 COMMITTEE CHAIRMAN FISHER: Say again?

16 COMMITTEE MEMBER BAHADORI: Just a couple of
17 questions in terms of the standards that you have developed,
18 I understand, with Caltrans. So Air Resources Board will be
19 responsible for the installation of all the signs in
20 California and maintaining them; is that what the standard
21 says? Is that your understanding? My understanding is that
22 then any jurisdiction, a city, a county, a state, campus
23 university, if they want to install the sign the Air
24 Resources Board will actually pay for the sign installation
25 and maintenance.

1 MS. O'CONNOR: Well, we will be definitely paying
2 for, with any signs put on state property.

3 COMMITTEE MEMBER BAHADORI: That's not what the,
4 that's not what the standard says. So that's a question I
5 have then. The standard, just look at that, the standard is
6 once we make the standard and it becomes one of those
7 shallow statements and goes into the manual --

8 MS. O'CONNOR: Okay.

9 COMMITTEE MEMBER BAHADORI: -- and people will
10 have questions, so we try to sort them out before it makes
11 it to the manual.

12 Just a minor editorial before I go back. Also it
13 says that the having jurisdiction, the last line on the
14 standard, it says, "The agency having jurisdictions off the
15 roadway." You may want to change it to "the property,"
16 because a lot of places that you're going to be installing
17 these signs, they're not going to be roadways, they're going
18 to be like rest areas and truck stops and things like that.

19 MS. O'CONNOR: Yes, correct.

20 COMMITTEE MEMBER BAHADORI: Just focusing -- so I
21 needed a couple of clarifications, mostly from you and
22 Caltrans, in terms of who will be responsible for installing
23 and maintaining the signs because (indiscernible) now is
24 that Air Resources Board will be responsible for all the
25 signs in California. That's the way it reads, that you

1 install it and you maintain it.

2 And then my thought was that, well, if there are
3 like hundreds of these requests from all the counties and
4 the cities, then do you have a priority system where you
5 have to honor all of them? And then the other one was that
6 it's clear, but you may want to further clarify it, it says
7 that you will not install the signs without prior, without
8 written approval from the people who have jurisdiction. So
9 what if the other way, if there is a request and the Air
10 Resources Board does not agree, like if there is a request
11 from a community that comes through a city council or a
12 county board and they ask for a no-idling sign, who will be
13 the ultimate arbiter who will make the decision if these
14 signs are going to go at certain locations or not?

15 So those two, three minor points of clarification,
16 if you can make sure that the way that -- this is a very
17 good effort, this is the way that you're doing this in
18 California. It's just that I have -- as a traffic engineer
19 working for a city, I say oh, okay. So this is not bad. I
20 can send like 20 requests to Air Resources Board for my city
21 and they have to come install the signs and maintain them in
22 perpetuity. So these --

23 MS. O'CONNOR: So these are very good concerns.
24 These are very good issues that you raised and I can see
25 where it's not clear, so we can fix that.

1 COMMITTEE MEMBER BAHADORI: Yeah, because if you
2 can fix it in the language, and I don't know what the policy
3 decision is going to be but if, once the policy decision is
4 made between you and Caltrans, if you want to say that you
5 are responsible only for the state property, then this has
6 to say it clearly so that the cities and the counties know
7 that you are not paying for their signs, then, they're going
8 to have to pay for their own.

9 COMMITTEE CHAIRMAN FISHER: Any other questions?

10 COMMITTEE VICE CHAIRMAN BABICO: As long as I have
11 this, on the sign itself, on page 14, we have sign number
12 one, options A and B, would be -- the message of these no-
13 idling, does that (indiscernible)?

14 MS. O'CONNOR: Yes, all vehicles then are subject
15 to the regulation.

16 COMMITTEE VICE CHAIRMAN BABICO: But the bill says
17 only for buses, school buses and commercial vehicles.

18 MS. O'CONNOR: Buses and trucks are the vast
19 majority. They're over ten thousand pounds. Nothing under
20 ten thousand pounds will be subject to the regulations, so
21 that would exclude automobiles.

22 COMMITTEE VICE CHAIRMAN BABICO: But the message
23 on putting them on public roads for sign one covers
24 everything in the --

25 MS. O'CONNOR: Okay, I'm sorry. Yeah.

1 COMMITTEE VICE CHAIRMAN BABICO: So I don't know
2 how we can apply this.

3 The other question I have, sign number two which
4 is the symbol sign, and that requires the (indiscernible)
5 approval. Is that --

6 COMMITTEE SECRETARY SINGH: No, they are existing
7 symbols.

8 COMMITTEE VICE CHAIRMAN BABICO: Oh, they are?

9 COMMITTEE SECRETARY SINGH: Yeah.

10 COMMITTEE VICE CHAIRMAN BABICO: Oh.

11 COMMITTEE SECRETARY SINGH: We can ask Steve, you
12 know.

13 COMMITTEE CHAIRMAN FISHER: Any other questions
14 for -- yes, Deborah.

15 COMMITTEE MEMBER WONG: Are tour buses included?

16 MS. O'CONNOR: Yes.

17 COMMITTEE MEMBER WONG: Okay.

18 COMMITTEE CHAIRMAN FISHER: If there are no other
19 questions, I'd like to ask a couple.

20 Just an observation, the Air Resources Board is
21 the entity that is most familiar with these various laws.
22 Correct?

23 MS. O'CONNOR: Correct.

24 COMMITTEE CHAIRMAN FISHER: And how they apply
25 and to which vehicles they apply. The Air Resources Board

1 also knows the priority of where the, probably the biggest
2 problems are with idling trucks. I think we need to be
3 real careful, then, the way we craft the language here that
4 goes into the California MUTCD because the traffic engineer
5 in an average city, who usually refers to the MUTCD and the
6 Vehicle Code, is not going to be able to completely
7 understand how these laws apply, since these laws do not
8 derive from the Vehicle Code but from other documents. It
9 also gets into the area of air quality control and
10 sometimes it's out of the purview of the city traffic
11 engineer.

12 So just an observation, I think it is very
13 important that the Air Resources Board take the lead in
14 managing this effort. So I think we need to think through
15 very carefully who's responsible for this program, who's
16 responsible for signing it, who's responsible for
17 maintaining the signs, who's going to enforce this, and is
18 the primary focus for off-street use at major off-street
19 trucking facilities or is an emphasis also going to be on
20 the streets as well.

21 MS. O'CONNOR: It will actually be both. You
22 know, we work with a lot of environmental justice
23 communities and there are a lot of streets just right there
24 in their neighborhoods where a lot of trucks will just park
25 and sit and idle, exposing them to a higher percentage of

1 these pollutants. So, yes, it will be that. It will also
2 be on trucking facilities, but not private property.

3 COMMITTEE CHAIRMAN FISHER: All right. And then
4 it might be important that the Air Resources Board consider
5 being involved in that effort to sign it and enforce it,
6 otherwise you're kind of putting the responsibility onto the
7 city traffic engineer and the community groups and the
8 council member that's under pressure to do something. And I
9 think, you know, we just need to make sure that it is
10 coordinated through the entity that has the most knowledge
11 of how to apply the law and how to enforce it.

12 So just, those are just some observations that I
13 had.

14 MS. O'CONNOR: Okay.

15 COMMITTEE CHAIRMAN FISHER: Okay. If there are no
16 further -- yes?

17 CHIEF MAYNARD: Just one more point. John brings
18 up a good point where you're talking about how you're going
19 to do it, making sure that ARB is taking the lead and is
20 coordinating efforts to post signs. Sometimes in the
21 documents, for instance the State Capitol is referred to,
22 and I would assume that what we're talking about is posting
23 on Tenth Street in front of the capitol where buses normally
24 stop. But state jurisdiction doesn't actually start until
25 the lawn. So the parkway, the sidewalk, and the roadway on

1 Tenth all belong to the City of Sacramento.

2 So if we're talking about the State Capitol and
3 the signs would actually be posted on city property, and
4 then you'd have some coordinating with the City of
5 Sacramento to make sure that they were (indiscernible).

6 MS. O'CONNOR: Correct, thank you.

7 COMMITTEE CHAIRMAN FISHER: Farhad?

8 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman, I
9 think before we open the public hearing, we need to be clear
10 on what the proposal is so public comments, they're all on
11 the same page.

12 My reading of the proposal, page 11 of 65, is very
13 clear that the Air District is proposing, the State Air
14 Board is proposing that this be only on state properties.
15 That's your proposal, correct?

16 MS. O'CONNOR: No, it is not. Well, we were
17 working with Caltrans, yes, but we are intending on placing
18 these signs on non-state property.

19 COMMITTEE MEMBER MANSOURIAN: You have no
20 jurisdiction.

21 MS. O'CONNOR: That's correct. We would have to
22 work with the county and the city who has the jurisdiction.

23 COMMITTEE MEMBER MANSOURIAN: But your proposal,
24 page 11, is very clear what you're proposing is on state
25 properties. I want to make sure what we're discussing

1 today, what we're going to vote, is clear because as a road
2 commissioner for a county, you'll have no jurisdiction
3 wanting to put any signs if the county road commissioner
4 says no. And that will pit us against each other, because
5 you're going to come in as the state saying this is what I
6 want to do, then the county road commissioner is going to
7 say no. It's not the question of who pays for a few signs.
8 It's the questions of, you know, 11-hundred miles of roads
9 and communities.

10 So I think we need to clarify this, at least for
11 me, before I decide whether this is good or bad. When we
12 started all of this, it was very clear that you were going
13 to only do this on state properties. That's how this
14 experiment started.

15 MS. O'CONNOR: Okay. Actually, that was an error
16 that never should have stated state property only. I
17 thought we were advised of that and that it doesn't say that
18 anywhere.

19 COMMITTEE MEMBER MANSOURIAN: Well, on page 11 --

20 MS. O'CONNOR: I don't have page 11 right here.
21 I'm looking at my own proposal.

22 COMMITTEE MEMBER MANSOURIAN: Do you mind,
23 Mr. Chairman, if I show her --

24 MS. O'CONNOR: Please.

25 COMMITTEE MEMBER MANSOURIAN: And this is what is

1 in front of us.

2 MS. O'CONNOR: Please.

3 COMMITTEE MEMBER MANSOURIAN: So page 11, while
4 she's reading, Committee Members, that's what I'm reacting
5 to. That's in front of us.

6 MS. O'CONNOR: Okay. All right. Well, it was
7 only because we were dealing with Caltrans. We figured that
8 Caltrans could only place signs on state property, and
9 that's the only reason why this only refers to state
10 properties. But we do plan on working with cities and
11 counties individually. But that, we didn't feel that would
12 involve Caltrans, working with the cities and the counties,
13 other than the sign itself.

14 COMMITTEE MEMBER MANSOURIAN: Just as an error or
15 clarification, we're glad that you did come through Caltrans
16 on this matter. Whatever we adopt in California MUTCD will
17 apply to all jurisdictions, so we are both have to make sure
18 that we clarify what the action is, if it's exclusive to
19 state property or how it might apply to local jurisdictions
20 as well.

21 MS. O'CONNOR: Okay. Maybe that wasn't understood
22 well in the past. But, yeah, we can make that more clear.

23 COMMITTEE MEMBER BAHADORI: Mr. Chairman, one
24 question is a comment. I think you clarified that your
25 legal counsel has advised you that AB 233 is a statewide

1 law.

2 MS. O'CONNOR: That's correct.

3 COMMITTEE MEMBER BAHADORI: So the signs legally,
4 the state legislature has decided the signs legally can be
5 installed at any public property, city, county, or state --

6 MS. O'CONNOR: That's correct.

7 COMMITTEE MEMBER BAHADORI: So at least now, so
8 that question I think we settled when we followed on what
9 Mr. Mansourian commented. So that question's settled.

10 Now the question becomes who has the authority to
11 install the signs where and Air Resources Board does not
12 have authority to install a sign on Capitol property --

13 MS. O'CONNOR: That's correct.

14 COMMITTEE MEMBER BAHADORI: -- they're a different
15 state agency. So you still have to work with Caltrans
16 process.

17 MS. O'CONNOR: That's correct.

18 COMMITTEE MEMBER BAHADORI: So within the same
19 analogy it would extend to the county and cities that if you
20 want to do that, then I think, at least the standard on page
21 13 tells what it says, that you have to get original
22 approval from the jurisdiction but --

23 MS. O'CONNOR: That's correct, and we may ask to
24 place them someplace and --

25 COMMITTEE MEMBER BAHADORI: But the ultimate

1 decision, but the ultimate jurisdiction and the ultimate
2 authority rests with the local agency that owns that
3 property.

4 MS. O'CONNOR: That's correct.

5 COMMITTEE MEMBER BAHADORI: So in the case that
6 (indiscernible), you have to get a permit from the City of
7 Sacramento, otherwise you wouldn't be able to put up the
8 signs.

9 MS. O'CONNOR: That's correct.

10 COMMITTEE MEMBER BAHADORI: So I think that it's
11 not -- now that, I think, the conversation, it makes it a
12 lot more clear that the language in the standards is not as
13 clear, I understand.

14 MS. O'CONNOR: Yeah, we can work on that.

15 COMMITTEE MEMBER HENLEY: Mr. Chairman, I have a
16 question. You know, the ARB or the California ARB is sort
17 of a -- you know, this is a policy-setting organization in
18 Sacramento and a lot of the nitty gritty of enforcing air
19 quality or improving air quality is that the local air
20 quality management districts -- how do they fit into this,
21 or do they?

22 MS. O'CONNOR: Well, the air quality management
23 districts are charged with stationery sources.

24 COMMITTEE MEMBER HENLEY: Okay.

25 MS. O'CONNOR: And the Air Resources Board has

1 local sources, consumer products, and fuels. We do have
2 some oversight over the air districts with regard to
3 stationery sources, but that is mostly what they're charged
4 with. However, they can, as air district inspectors,
5 enforce any air pollution law be it federal, state, or a
6 local county. I know, because I was an air district
7 inspector and every now and then we did have a law that came
8 through from the feds that we had to enforce, or something
9 in state law.

10 COMMITTEE MEMBER HENLEY: Thank you.

11 COMMITTEE CHAIRMAN FISHER: Okay. At this point
12 I'd like to open it up for further discussion by the
13 Committee.

14 COMMITTEE MEMBER BAHADORI: Mr. Chairman, I think
15 on the principle on the thing, at least I am clear what the
16 policy, what the law is and what the jurisdictional issues
17 are. But I don't feel comfortable with language that's used
18 to explain it in the standard and, more importantly, in the
19 support section as well. It is a lot of work to clarify the
20 issues that we just discussed and address the issue that
21 Mr. Mansourian brought up also.

22 But I'm clear on the policy and application, but
23 the language doesn't say what my understanding is at this --

24 COMMITTEE CHAIRMAN FISHER: Any other Committee
25 Members?

1 COMMITTEE MEMBER MANSOURIAN: I have comments, but
2 let's hold the public hearing. Maybe when we come back we
3 can discuss.

4 COMMITTEE CHAIRMAN FISHER: Yes, so Jeff?

5 COMMITTEE MEMBER KNOWLES: My question would
6 simply be as a city traffic engineer if somebody came to me
7 and complained about idling trucks near their apartment, I
8 don't see anything in this that prohibits me from installing
9 the sign at, you know, by the city. It's simply if I use
10 the sign this is what it needs to look like. Is that
11 correct? You're not the only agency or the only party
12 that's allowed to install that sign?

13 MS. O'CONNOR: That's correct.

14 COMMITTEE MEMBER KNOWLES: Okay.

15 COMMITTEE CHAIRMAN FISHER: Well, then I've got
16 some questions. If the traffic engineer from any given
17 city, to satisfy constituent complaint, installs the signs,
18 doesn't the Air Resources Board want to know about that so
19 that they can monitor it for what's going on?

20 MS. O'CONNOR: I don't know that that's necessary.
21 I don't know if we need to track every single sign in the
22 state that's there. Probably there are already some that
23 have been put up by some cities and counties, or at least in
24 Placerville and maybe in Sacramento. I haven't actually
25 seen any. But they do do this with or without our

1 permission.

2 COMMITTEE CHAIRMAN FISHER: You're saying
3 currently local jurisdictions have the authority to install
4 and enforce these signs?

5 MS. O'CONNOR: Yeah.

6 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman?

7 COMMITTEE CHAIRMAN FISHER: Yes.

8 COMMITTEE MEMBER MANSOURIAN: I think I agree with
9 her. The answer is yes because of the state law that has
10 passed. What we're discussing is what should the sign look
11 like and so we all follow the same thing. And that's why I
12 wanted to clarify.

13 And I want to say I'm really in support of this
14 because we have lots of situations and I just want to make
15 sure that the Air Resources Board understands by
16 volunteering to do this you're dealing with 58 counties,
17 460-some cities. You need an army if you want to start
18 doing this.

19 I'd kind of like to go along with other Board
20 Members said. I think we need to work on the language on
21 page 13. I'd like to have the authority as local to install
22 these signs, not go through the state when we want them. If
23 the state brings it to our attention, I mean we're all
24 having financial crisis, but I think putting up ten signs or
25 20 signs, I speak for ourselves, it not going to be an

1 issue. But I think we need to concentrate on fixing page 13
2 so we all know what is the standard, what is the option, and
3 then pick one or two signs that would make the best case for
4 us. And go one, after the public hearing, maybe we can come
5 back, spend a few minutes, and pick some of these two
6 things.

7 MS. O'CONNOR: Thank you.

8 COMMITTEE CHAIRMAN FISHER: Okay. Let me ask this
9 question then. If a constituent complaint, let's say the
10 bus is idling too much, the local traffic engineer can put
11 up a sign saying no idling. Can the local police department
12 then enforce that? Is there a code that they can cite?
13 Usually it is a Vehicle Code section.

14 MS. O'CONNOR: Right. We have a legislative
15 change proposal to make it easier. There is a code that
16 they can use. I believe there's something in the Health and
17 Safety Code, and I'm not a police officer so I don't know
18 exactly what it is or how they would do it. But there is a
19 way for them to do this. I believe in San Bernardino County
20 some of them have written citations for idling down there.

21 Unfortunately, when they write these tickets they
22 don't necessarily let us know, so it's hard for me to know
23 exactly how and how often they do this.

24 COMMITTEE CHAIRMAN FISHER: Any other discussion?

25 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman,

1 following that, maybe on page 14 and 15, 13 CCR would have
2 that part under the sign and I will ask Chief Maynard is
3 this something police officers can use and cite.

4 CHIEF MAYNARD: We can cite CCR, yeah.

5 COMMITTEE MEMBER MANSOURIAN: Is it you only, or
6 can all peace officers?

7 CHIEF MAYNARD: You know, I don't really answer
8 for sure. I would assume that all peace officers that have
9 the authority of the Penal Code would be able to enforce a
10 state code within their jurisdiction. Because it's the
11 jurisdiction that really determines where officers can cite.

12 And when we're talking about other agencies such
13 as San Bernardino or wherever else we're talking about, we
14 have seen these signs posted. They're not uniform by any
15 means, but they very well also could be referring to a local
16 ordinance that was passed.

17 MS. O'CONNOR: They could, yeah.

18 CHIEF MAYNARD: So the local agencies could be
19 citing local ordinance as well and not necessarily the state
20 law that we're talking about right here.

21 COMMITTEE CHAIRMAN FISHER: One comment before I
22 let the public come up. If we're now changing what is
23 printed on page 13 where local jurisdictions may install
24 these and enforce these without necessarily coordinating
25 with the Air Resources Board, do we want to then consider

1 any guidance language that would guide us as to where these
2 signs should be considered or most helpful.

3 MS. O'CONNOR: AB 233 specifies that it should be
4 anywhere where there's high truck traffic and that's
5 something that would have to be determined, you know. We
6 get multiple complaints in an area, you know, if one truck
7 idling somewhere once in a while isn't going to be worthy of
8 a sign, but if it's something that's continually happening
9 in a neighborhood and we get a number of complaints on it,
10 then maybe we might want to look at that.

11 COMMITTEE CHAIRMAN FISHER: Okay. I just thought
12 that might be helpful to consider some kind of language,
13 because I can see local jurisdictions getting complaints at
14 any given bus stop to address a problem there. I think
15 certainly these signs need to be used, but they need to be
16 used with some discretion.

17 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

18 COMMITTEE CHAIRMAN FISHER: Yes, Hamid?

19 COMMITTEE MEMBER BAHADORI: Mr. Chairman, I'm glad
20 you brought that up. So this applies to the public transit
21 operators also, so it's like Metro in L.A. or MTD or
22 whatever, you know, because they have places that buses be
23 there in neighborhoods for, like, sometimes 15 minutes and
24 they're idling.

25 MS. O'CONNOR: Right. That's why I have actually

1 issued tickets for those.

2 COMMITTEE MEMBER BAHADORI: Okay.

3 COMMITTEE CHAIRMAN FISHER: And one other item, my
4 understanding is these signs are not necessary to enforce
5 the law. They are just there to remind violators of the
6 law. Correct?

7 MS. O'CONNOR: That's correct.

8 COMMITTEE CHAIRMAN FISHER: Okay. At this point
9 I'd like to invite any members of the public to come up and
10 comment on this issue.

11 MR. ROYER: David Royer, Consulting Traffic
12 Engineer. The only concern I have over the sign and the
13 state law is that the sign -- from my understanding, this is
14 any place in the State of California you can't idle there
15 over a certain, 15 minutes I think is the --

16 MS. O'CONNOR: Five.

17 MR. ROYER: Five minutes is the period of time.
18 See, I didn't even know that. One, the sign doesn't tell
19 you that and the sign doesn't tell you this is applicable
20 any place in the State of California.

21 If I was a truck driver from Texas coming in the
22 State of California, saw no signs really on the freeway or
23 understood what they meant, I pulled up in front of this
24 sign I'd go, oh, I can't idle here and I'd drive around the
25 corner and idle my truck, so you really don't have it.

1 It really, the sign should really say that this is
2 applicable throughout the entire State of California if
3 you're going to use these signs. And really these signs
4 should be concentrated periodically on all the truck routes
5 and obviously the freeway system, some cities have truck
6 routes specifically designated in their cities, they should
7 be there.

8 I could see why the truck driver doesn't
9 understand this. It's not in the California Vehicle Code.
10 This is a hidden code to truck drivers so it should be more
11 of an advertising campaign for the poor truck driver so that
12 he knows that this is a law throughout the State of
13 California and that it is a five-minute law, and such as
14 that.

15 COMMITTEE CHAIRMAN FISHER: Questions? Thank you.

16 MR. OLEA: Good morning. My name's Ricardo Olea,
17 O-L-E-A, and I work with the City and County of San
18 Francisco, our Transportation Engineering Division.

19 We do support the need for uniform signage for
20 this problem. We are one of the cities that have had to
21 install these signs primarily to address tour buses parking
22 in tourist areas. This is a way of informing those
23 companies that they can't idle for more than five minutes.
24 Our sign actually is just a regulatory sign, black lettering
25 that says "No idling commercial vehicles, five minute time

1 limit."

2 I do have concerns with the signs that are being
3 proposed. Sign option one is a little vague. Sign option
4 two, the picture of the bus that says that it's just for
5 schools I think could be misinterpreted in our case because
6 we need it to be clear that it also applies to transit
7 agencies and tour buses or commercial buses. And the same
8 problem with sign option three, the specific mention of
9 school buses I think confuses our issue, which is that we
10 need it primarily for commercial buses.

11 So I think that's something that could be worked
12 on. Whether the time limit is mentioned on the signs I
13 think is probably optional, you know. If you start
14 mentioning the weight limit and the time limit, I think it
15 would become a very lengthy sign.

16 I do agree that sometimes we put up signs and
17 people think that the sign is required for enforcement. Our
18 goal is primarily to put it only where we have documented
19 severe complaint about buses. It could also be used for
20 truck areas, but we have not had that problem in San
21 Francisco.

22 So we do support (indiscernible). We also second
23 all the other discussions that a city should be allowed to
24 put up these signs with their own resources if necessary.
25 Thank you.

1 COMMITTEE CHAIRMAN FISHER: Any other, any other
2 comments from the public?

3 MR. PYBURN: Good morning. My name is Steve
4 Pyburn, I'm with Federal Highway Administration here in
5 California. Last name is spelled P-Y-B-U-R-N.

6 I want to first state for the Commission and for
7 the applicant that the changes to the California MUTCD have
8 to be reviewed and approved by Federal Highway
9 Administration for substantial conformance with the national
10 MUTCD. So approval by this Board doesn't automatically get
11 you into the California MUTCD. There's additional process.

12 Number two, I have significant concerns based on
13 safety about Air Resources Board installing signs in public
14 right-of-way and furnishing the signs. The signs that need
15 to be placed have to be of substantial quality in
16 reflectivity materials, et cetera. That comes with a
17 significant cost. We have no objection to the placement of
18 the signs for Air Quality purposes or other reasons in
19 general, but ARB furnishing the signs and then installing
20 the signs there are certain safety practices that must be
21 maintained while people do work in the public right-of-way.
22 That's better left to the cities and counties who are tasked
23 with and are liable for installation of those signs.

24 Number two (sic), I think that the -- I echo the
25 comments on the signs previously stated. Number one is not

1 specific enough to the targeted vehicles. Number two is
2 ambiguous in that it does exclude all buses. I also think
3 that no idling and no buses and trucks is somewhat
4 ambiguous. It sends a dual message that should be, that's
5 not really clear. It could be subject to interpretation in
6 the way the signs (indiscernible). When the truck symbol is
7 used, we would prefer the standard truck symbol shown on R2-
8 6 be used.

9 The same comment on sign three about the school
10 buses, excluding tour buses and transit buses.

11 And that is the extent of the comments. Thank
12 you.

13 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

14 COMMITTEE CHAIRMAN FISHER: Yes?

15 COMMITTEE MEMBER BAHADORI: May I ask of question
16 of Mr. Pyburn?

17 COMMITTEE CHAIRMAN FISHER: Yes.

18 COMMITTEE MEMBER BAHADORI: Steve, just a
19 question. You raised something that as a matter of
20 principle, without getting into the details of these
21 specific ones. I understand the symbol science but on the
22 text sign (indiscernible) exaggerate a kind of a case to
23 make my point. If California decides to say no red cars on
24 public streets on Wednesdays and it's the state law and we
25 want to adopt a sign that uses only text to say no red cars

1 on public streets on Wednesday, why would that sign need to
2 go through official approval?

3 MR. PYBURN: I didn't say that sign did. I said
4 changes to the MUTCD. And, for example, the standard text
5 being ambiguous, saying that ARB must furnish and install
6 the signs where have you --

7 COMMITTEE MEMBER BAHADORI: I understand. No, I
8 extend my example, as silly as it may be, if we want to have
9 something in the California MUTCD to document that, and say
10 this is how we doing this state law in California and it's
11 not a federal issue and we don't do any changes to the
12 federal manual, why would that section of California MUTCD
13 need official approval?

14 MR. PYBURN: As long as it meets the requirements
15 of substantial conformance, we wouldn't have an issue.

16 COMMITTEE MEMBER BAHADORI: But this is something
17 that, it is something that's unique to California and the
18 federal manual doesn't even talk about it, and we only had
19 it as a single page in California MUTCD. Why would that
20 need official pre-approval?

21 MR. PYBURN: Again, the requirements of
22 substantial conformance. The Federal MUTCD is required by
23 federal law. We allow states to adopt their own MUTCD if
24 they are in substantial conformance and you, I would assume,
25 understand what the definition of substantial conformance

1 is.

2 COMMITTEE MEMBER BAHADORI: Yes. So you're saying
3 that regardless, any change in the California MUTCD, even if
4 it addresses only California law and it's not even included
5 in the national manual, still needs to go through a review
6 by --

7 MR. PYBURN: Yes.

8 COMMITTEE MEMBER BAHADORI: I just want to
9 understand that.

10 MR. PYBURN: It must, it must pass the substantial
11 conformance test. And, in fact, the question might be
12 raised again in your head when we talk about the bike locks
13 in a few minutes.

14 COMMITTEE MEMBER BAHADORI: No, the reason I ask
15 is that not only for this specific one, and I share your
16 concerns about the sign and text and all that. As a matter
17 of principle I was wondering if the California legislature
18 passes a law only for California and the federal manual
19 doesn't even talk about it, and you want to insert a page in
20 the California MUTCD about a California law, you're saying
21 that still you need to see the -- I just want to be clear
22 for future.

23 MR. PYBURN: It must go through the substantial
24 conformance review.

25 COMMITTEE MEMBER BAHADORI: Thank you.

1 COMMITTEE CHAIRMAN FISHER: Any other questions
2 for Mr. Pyburn? I have one, Steve.

3 We were told that these signs may be used to
4 remind one of a statewide law. So my question is, is there
5 a particular sign format that that suggests? For example,
6 there are only a handful of signs that are used to remind
7 people of a statewide law. One in particular is the
8 pedestrian panel that says state law -- to pedestrians, it's
9 got a symbolic yield and a symbolic pedestrian. And my
10 understanding is the state law flag was put up above just to
11 make sure that the rule is not exclusive to conditions --
12 anyway, that the rule is not exclusive to conditions
13 involving where the sign is posted, but it applies even if
14 the sign isn't there, just to remind that it's a statewide
15 law.

16 So, since this no idling for certain types of
17 trucks for a period over five minutes is a statewide law,
18 would it be your advice that we have that word on the top,
19 "state law?"

20 MR. PYBURN: Well, I think the placard, the 13
21 CCR, is adequate in that regard. Federal Highway has a lot
22 of leeway or flexibility when it comes to word messages with
23 regard to substantial conformance.

24 What struck me about the comment about this as a
25 reminder is the question that popped in my mind, should it

1 be a regulatory sign or a warning sign, which dictates the
2 color of the sign. Obviously it's an enforceable state law,
3 puts it clearly in the white category. Whether you say it's
4 state law or not, it would be my opinion, as a traffic
5 engineer, that that be reserved for certain circumstances,
6 and I think that safety is one of those circumstances that,
7 above all else, safety has to be (indiscernible). But
8 safety is held in a very high regard and the risks of not
9 reminding people of the state law are much higher in that
10 case than they are in this case.

11 But certainly citing 13 CCR tells the person
12 looking at the sign that there's a potential penalty.

13 COMMITTEE CHAIRMAN FISHER: Well, thank you. Any
14 other questions for Steve? Okay, I'd like to call Johnny
15 Bhullar.

16 MR. BHULLAR: Johnny Bhullar with Caltrans. Last
17 name B-H-U-L-L-A-R. I just have a -- been way interesting
18 discussions so I don't have anything to add so I'm not going
19 to add any comments to the discussion that has gone on.

20 I just have one request and a couple of minor
21 comments. My request is, first of all, that as you may have
22 noticed in the past that once the recommendation comes from
23 this Committee I would really like to see a final, final
24 policy text because otherwise it does get cumbersome, as
25 I've noted this morning with the discussions, just a slight

1 change in the wording how much it changes the fact of the
2 policy itself. So what we would like to get, at least from
3 the Committee, is something very close to final policy text
4 so that at least it becomes easier for us to carry it into
5 the California MUTCD. So that's my request.

6 Now then, a couple of minor comments. Just be
7 aware, as is already being discussed, and the experience
8 that we have had in the past is if we go with the symbol
9 signs, we do want to still make sure that we will be going
10 to (indiscernible) and checking with them, and if there are
11 any slight divisions, we will have the liberty to either
12 modify them or work back to probably what message sign on
13 that.

14 And then one last comment, if I may respond to
15 Hamid's question regarding substantial conformance -- okay.
16 The way it works, at least with myself and FHW's
17 understanding and Steve Pyburn's understanding is even if
18 it's a new sign, new policy, and we are perfectly allowed in
19 California to come up with one message sign, however when we
20 pay the policy and put it into the book we still need to
21 make sure that the California (indiscernible) agrees with
22 that because there could be some inherent conflicts with
23 some existing signs or policies that they have elsewhere in
24 the manual. So we still have to run it through the process.
25 And even though we have the right, they cannot argue, we can

1 create our own word message sign, but they might have some
2 issues with the policy or the conflicts.

3 COMMITTEE CHAIRMAN FISHER: Yes, Hamid.

4 COMMITTEE MEMBER BAHADORI: Thank you, Johnny, for
5 bringing it up. So if that's going to be the process from
6 now on, even on the California law and even for the signs
7 that apply under the California legislation, then shouldn't
8 all the signs and the proposed policies that come to this
9 Committee first should have received an officially
10 substantial conformance? Because, otherwise, these signs
11 and these policies come here and we spend good time going
12 over details and wordsmithing and deciding about half an
13 inch here, the size of a letter here and there, and then
14 goes for official review and if, as a matter of substantial
15 conformity, they have a problem with the policy, then why
16 have we spent out time. Like in this case, if they come
17 back and they say hey guys, by the way, there's a no idling
18 sign on page 255 of the federal manual and this is in
19 conflict with that one, then what are we doing
20 (indiscernible)?

21 I'm not talking, for this case might be vague, but
22 if this is the new procedure that we're going to apply, then
23 at a minimum shouldn't we have an official review on
24 substantial conformity of all the new signs and new policies
25 that they come in front of us?

1 MR. PYBURN: Yes. Actually I agree with that and
2 that's what I really speaking we should be doing. However,
3 I'm not going to speak for FHW on their behalf. Of what I
4 was told by Steve's predecessor, Matt, at that time was that
5 first they would like to have the states to have the
6 flexibility to develop whatever policies they are doing, and
7 after that then it comes to the desk, rather than trying to
8 nip it in the bud and then discourage local agencies as well
9 as the state to start developing these signs and policies.
10 But I'm not going to speak for them. I'll let them decide.
11 But I merely speaking I would love to have that.

12 COMMITTEE SECRETARY SINGH: I just want to add
13 what I'm really saying is not (indiscernible). So the way
14 you saying is when you stop the bus too long
15 (indiscernible).

16 COMMITTEE CHAIRMAN FISHER: Okay. I'd like to
17 call on Farhad.

18 COMMITTEE MEMBER MANSOURIAN: Johnny, please. You
19 know, as I sit, I was under the impression this is for state
20 facilities. And now that we're discussing them statewide,
21 questions that I didn't ask before comes to my mind.

22 One of them, Johnny, is Assembly Bill 233, and I
23 will read you one sentence of this. I've never seen this
24 and I never seen it or practice it, so I'm puzzled in how
25 we're going to do it. And it basically -- Assembly Bill

1 233, if you want to follow this, this is on page 8 of 65.
2 It requires that ARB is mandated to place signs, and here is
3 where my question comes, "in multiple languages." How do we
4 -- I've never known that we install signs in other than
5 English. How do we comply with this part of state law given
6 our own rules and the federal rules? How can we comply with
7 this?

8 MR. BHULLAR: All right. I think on top of my
9 head the only thing that comes to my mind is that we have
10 discussed in the past with FHW on a couple of related issues
11 and what comes to my mind is in San Diego area at our
12 district level in the past we have used some guidance that
13 has been offered as to the language in Spanish that have
14 been promulgated. But they have not been formalized into
15 any government. So there are French and Spanish
16 translations of some of the traffic control device
17 terminologies that are available from FHW's Washington D.C.
18 staff, but they're not in the formal documents. That's the
19 only thing I can think of that might come close to what we
20 are trying to accomplish, if that's the route we take.

21 But we don't have anything in California indicates
22 that currently that does have any terminology or allowing
23 other languages.

24 COMMITTEE CHAIRMAN FISHER: Thank you.

25 COMMITTEE MEMBER BAHADORI: Mr. Chairman, you're

1 using all kinds of safety regulatory signs all over
2 California that are text signs. So if a driver cannot read
3 those, not being able to read the no idling signs is the
4 least of your worries. That's not a serious violation
5 compared to do not enter or no left turn or anything like
6 that, that would --

7 COMMITTEE MEMBER MANSOURIAN: No, Hamid, that
8 wasn't the point. The point is the state law is mandating
9 different languages.

10 COMMITTEE MEMBER BAHADORI: That's why I'm
11 questioning the mandate. What's the point of the mandate if
12 you can't read the English language and you're driving a
13 commercial vehicle in the state? You're posing a lot more
14 serious threat compared to idling a few minutes on the
15 roadside.

16 COMMITTEE CHAIRMAN FISHER: Any other questions
17 for John? Okay, seeing none I'd like to bring this back to
18 the Committee and I'd like to offer some observations and
19 then let others speak to the issue.

20 There are some questions regarding the sign and it
21 seems appropriate that we present a sign to this Committee
22 that is likely to receive some approval from the FHWA. So I
23 observed that meeting, you know, we can coordinate behind
24 the scenes where we coordinated in advance of this meeting.
25 Their observation is -- see, they're bringing questions

1 about the sign, there were some questions about the text
2 that was recommended to us.

3 And I just want to again emphasize to the
4 Committee Members that when we bring something to this
5 Committee, it needs to be well scrutinized. Because for us
6 to try to reroute this during Committee time may be done to
7 hastily. And, again, I'd just like to encourage everyone on
8 this Committee to make sure that we have gone through this
9 as best as we can before we bring it to the Committee.

10 The other observation is I think Dave Royer
11 brought up a very good point, and that most of the things
12 that we are involved with have some basis in the Vehicle
13 Code, and this isn't even in the Vehicle Code. It's some
14 other code that many of us are not familiar with. It would
15 seem, and if anyone wants to help us understand why, it
16 would seem that there should be something in the Vehicle
17 Code that regulates how you operate a vehicle, and it's not
18 there for some reason and it's not clear why.

19 But anyway, having made those comments, I'd like
20 to turn it over to the Committee for action.

21 COMMITTEE MEMBER BAHADORI: Mr. Chairman.

22 COMMITTEE CHAIRMAN FISHER: Hamid and then Farhad.

23 COMMITTEE MEMBER BAHADORI: One general
24 observation of the signs as we're discussing them, I think a
25 comment that was made by the gentleman from the City of San

1 Francisco that's a very valid comment that we have to
2 remember. I don't think, regardless of the final form of
3 the sign, there should be any mention of school because this
4 applies to all buses. So whether we go with the symbol or
5 with the text or a combination, I suggest that we just don't
6 make any distinction between different kinds of buses. But
7 these are all commercial vehicles and all buses.

8 COMMITTEE CHAIRMAN FISHER: Okay. Farhad?

9 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman,
10 Committee Members, here is my suggestion. First of all, I
11 really feel bad because Ms. O'Connor has come before us many
12 times and it seems like every time she thinks she's done it
13 and we move the goal post. And that's how it seems to me.
14 But it's partly because I think, at least for me, there was
15 this confusion as where this is apt to apply.

16 So I'd like to recommend, Mr. Chairman, you sit on
17 the subcommittee, a city, a county, I want to request Chief
18 Maynard, John Bhullar, and Caltrans we quickly get together
19 and rehash these and come back with the Committee with a
20 complete proposal. This involves cities, it involves
21 counties. We can't sit here and do the signs. I like your
22 idea about guidance. I mean it's correct on the standard,
23 it needs to be changed, but I don't want Ms. O'Connor to be
24 alone out there. She has a mandate from the state and needs
25 to do it, and we need to help her move on. And John will be

1 there helping us make sure the FHWA part that needs complied
2 to something else.

3 If it helps, I volunteer unless Jacob wants to do
4 the county. Just for us to get together, you know, two or
5 three hours right up here in Sacramento where most people
6 are and we'll just get back to you and put these as an
7 action item and get it over with. I really feel bad that we
8 keep going back.

9 So that's my recommendation so we can resolve this
10 stage on how we go on implementing. I'm requesting Chief
11 Maynard because to me it becomes an enforcement issue. I
12 can tell you five minutes after I put out these signs one of
13 my (indiscernible) authority where dozens of trucks all line
14 up idling before the quarry opens up. Everybody going to be
15 calling CHP and sheriff wanting this enforced and I want to
16 make sure that we put the right tools on the sign, whatever
17 that is, so it's done.

18 So that's why I'm suggesting just if we get
19 together and figure that out.

20 COMMITTEE CHAIRMAN FISHER: Okay. Well, that's
21 very interesting comment. I know we've used the opportunity
22 about task force to help us solve complex issues in the past
23 and that's been a very effective method of doing that.

24 I'd like to hear a few more comments on that idea
25 or any other comments that you may have. Jeff?

1 COMMITTEE MEMBER KNOWLES: As a potential user of
2 the signs it seems to me that -- I'll just state my
3 position, that I find sign number three to be very clear
4 because, for me, a tour bus is a commercial vehicle and the
5 reason we needed the distinction is school buses, operated
6 by school districts, aren't commercial vehicles. And so,
7 and because we're only educating people, a law already
8 exists. So I would be comfortable using sign three, option
9 A or B.

10 And then when I read the actual text that would be
11 inserted in the manual on page 13, I think that all the
12 language we need with almost no wordsmithing is there to
13 make it a universal sign. So I know one of the primary
14 users who's been tasked to use a sign like this is the ARB,
15 but we typically wouldn't spell that out within the manual.
16 So the option, as written, I find is very clear.

17 The first sentence of the standards is very clear.
18 Deleting the second two sentences so if it just says "If
19 used, no NO IDLING shall be placed in areas where idling
20 commonly occurs," period. And then support striking the
21 first sentence so that support begins, "California Code of
22 Regulations includes" blah, blah, blah, if you just stuck
23 with those you'd have a very universal standard that's very
24 clear for the use of this sign, as written.

25 COMMITTEE MEMBER BAHADORI: Mr. Chairman, I agree

1 with Mr. Knowles, except for the sign. I still think that
2 if you go and ask, you know, the operators what is the kinds
3 of bus, is it a commercial vehicle or is it a public
4 vehicle.

5 COMMITTEE MEMBER KNOWLES: Well, my only question,
6 do we have a word that would substitute? Is it "all buses?"

7 COMMITTEE MEMBER BAHADORI: All buses. It's all
8 buses. You say tour buses, public transit bus, it's a
9 school bus, there's no distinction. If you have a million
10 buses, I don't see why we need to have it clarifying they're
11 a school bus. I mean, just say it's buses.

12 COMMITTEE MEMBER KNOWLES: So with that comment, I
13 even think sign three, whether in its current form or in its
14 form except "all buses" instead of "school buses," would be
15 very clear to the typical city traffic engineer.

16 COMMITTEE CHAIRMAN FISHER: Okay. Is that your
17 motion?

18 COMMITTEE MEMBER KNOWLES: I'm not making a motion
19 at this time, just stating my position as a city traffic
20 engineer.

21 CHIEF MAYNARD: I would agree, but I think sign
22 number three the "school" needs to come off. I also think
23 that sign number two is fine, too, as long as removing
24 "school" from the front of that bus makes is an appropriate
25 symbol or an accepted symbol available to use. I think that

1 gets the point across very well, too.

2 As far as the code sections, a lot of the argument
3 or discussion at the last meeting focused around the,
4 besides educating the public, giving the officer that was
5 going to be enforcing the regulation a starting point on
6 where to look and what they were going to cite for. It is
7 enforceable. It's already on the books. Whether the code
8 section is on the sign or not, it's enforceable. And
9 because it is by and away in regulatory, that would be the
10 key to law enforcement, that it is enforceable.

11 I don't know, there's been no issues
12 (indiscernible). We spend a lot of time worrying about
13 that. I think that if we come up with the standard that the
14 engineers are agreeable to, that explains when and where
15 they can post them in a sign that meets FHWA's standards and
16 it gets the point across without excluding certain types of
17 buses, I think we can solve this pretty quickly actually.

18 COMMITTEE CHAIRMAN FISHER: Thank you, gentlemen.

19 COMMITTEE MEMBER HENLEY: Mr. Chairman, I'd like
20 to make a motion. I'd like to make a motion that we accept
21 Jeff Knowles' suggestion that we drop all but the first
22 section's section on the standard and to, under the support
23 section, drop the first sentence. Also for this motion, I'd
24 like to adopt Robert Maynard's suggestion that we remove the
25 word "school buses" or "school." Make "school" "all buses."

1 Yeah, delete the word "school" with all, on option three.
2 Take the word "school" off the bus in option two. That's
3 the extent of the motion.

4 COMMITTEE MEMBER KNOWLES: I would second the
5 motion.

6 COMMITTEE SECRETARY SINGH: Mr. Chairman,
7 clarification on the following. Could you then read, first
8 on the standard what is the motion?

9 COMMITTEE MEMBER HENLEY: Okay. The standard
10 would be: "If used, the NO IDLING sign shall be placed in
11 areas where idling commonly occurs," giving no indication
12 of --

13 COMMITTEE SECRETARY SINGH: And I need
14 (indiscernible).

15 COMMITTEE MEMBER HENLEY: No, there will be no
16 indication of responsibility, whether it's local government
17 or ARB or whoever.

18 COMMITTEE SECRETARY SINGH: So the entire standard
19 is where idling commonly occurs, period. Nothing else
20 below.

21 And then under support same thing?

22 COMMITTEE MEMBER HENLEY: Under support it would
23 start with "The California Code of Regulations includes the
24 following," blah, blah, blah, blah.

25 COMMITTEE MEMBER MANSOURIAN: So delete the

1 (indiscernible).

2 COMMITTEE SECRETARY SINGH: And then on the signs
3 is part of the motion sign two without the word "school"?

4 COMMITTEE MEMBER HENLEY: Yes, you know, where
5 they have --

6 COMMITTEE SECRETARY SINGH: So it's the symbol.

7 COMMITTEE MEMBER HENLEY: The symbol, yes.

8 COMMITTEE SECRETARY SINGH: Okay.

9 COMMITTEE MEMBER HENLEY: That, of course, would
10 be subject to FHWA (indiscernible).

11 COMMITTEE MEMBER BAHADORI: Mr. Henley, would you
12 consider also in your motion in the support of
13 (indiscernible) "Airborne Toxic Control Measure to Limit
14 School Bus Idling and Idling at Schools," to eliminate that
15 phrase in the (indiscernible). It says altogether -- I just
16 don't see what's the importance about the school bus.
17 There's a lot more kinds of buses that are idling than
18 school buses. So if the issue is to focus on the air
19 quality what's the distinction about the school bus? Yeah,
20 that's school buses and transit buses and they do less
21 travel and they do less idling.

22 COMMITTEE MEMBER HENLEY: I'm not -- that's what
23 section 2480 so I don't --

24 COMMITTEE MEMBER BAHADORI: That's fine but I
25 don't see why we need to confuse the issue. They show air

1 quality, all buses equally.

2 COMMITTEE MEMBER HENLEY: Well, it's up to your
3 suggestion.

4 COMMITTEE MEMBER BAHADORI: I'm just suggesting.

5 COMMITTEE CHAIRMAN FISHER: So do you accept that
6 as a amendment to strike the word "school" in the fourth
7 line from the bottom of this support statement?

8 COMMITTEE MEMBER HENLEY: Yes.

9 COMMITTEE CHAIRMAN FISHER: So it would read,
10 "Airborne Toxic Control Measure to Limit Bus Idling and
11 Idling at Schools"?

12 COMMITTEE MEMBER BAHADORI: Just say "bus idling."

13 COMMITTEE CHAIRMAN FISHER: Okay. And then this
14 further clarification in the option statement would read as
15 is except it would eliminate the word "school" and insert,
16 instead, the word "all," or do you just want it to say
17 "vehicles and buses."

18 COMMITTEE MEMBER BAHADORI: I'm going to say
19 "vehicles and buses."

20 COMMITTEE CHAIRMAN FISHER: Okay. Robert, is that
21 accepted as a friendly amendment? By the way, it was
22 Wayne's motion, right?

23 COMMITTEE MEMBER HENLEY: Yeah, it was my motion.

24 COMMITTEE CHAIRMAN FISHER: Okay. Okay, Robert?

25 CHIEF MAYNARD: Just looking at section 2480, 2480

1 is specifically talking about idling at schools. It's
2 specifically about school buses and at school. And then
3 2485 talks about idling in general.

4 So if you're defining in parentheses 2480, you do
5 need schools, because it's not applying to transit buses
6 everywhere, it's applying to transit buses at schools, and
7 the other section would apply to transit buses everywhere.

8 COMMITTEE MEMBER BAHADORI: No, I'm just, what I'm
9 saying is that what is the point of even mentioning 2480 in
10 California MUTCD. If the issue is regulating idling of
11 commercial vehicles and buses in general, there are a lot
12 more kinds of buses than school buses. They do a lot more
13 travel, they do a lot more idling. So you want to include
14 them as well, you don't want to misguide the reader and the
15 user by thinking that it focuses only on school buses. Or I
16 agree with the gentleman from San Francisco where a lot of
17 the problems aren't generated by the school buses.

18 CHIEF MAYNARD: No, I agree. So maybe I was
19 misunderstood. So are we leaving section 2480 in or just
20 striking that whole thing?

21 COMMITTEE MEMBER BAHADORI: I'm just saying
22 there's no point in mentioning 2480 specific in the support
23 paper.

24 CHIEF MAYNARD: So we're striking that.

25 COMMITTEE CHAIRMAN FISHER: So then you want to --

1 COMMITTEE MEMBER WONG: 2480 is mentioned in the
2 sign so they're referencing the regulations that are being
3 enforced.

4 COMMITTEE MEMBER KNOWLES: I do want to sustain my
5 second as modified, but I do still recommend use of the word
6 "all," because I think we need the distinction we start out
7 saying commercial so nobody interprets this to say
8 commercial vehicles and commercial buses. Thereby,
9 inserting "all" it becomes clear that it's commercial
10 vehicles and all buses so that transit, so that school
11 district buses, transit district buses that aren't
12 commercial are still covered. So I still strongly recommend
13 including "all."

14 COMMITTEE CHAIRMAN FISHER: Okay. So, Wayne, do
15 you accept that?

16 COMMITTEE MEMBER HENLEY: Yes, I do.

17 COMMITTEE CHAIRMAN FISHER: Okay. So there's
18 still some clarification needed.

19 In the support statement when we mention section
20 2480 and then in the parentheses we mention to what it
21 applies, it's my understanding that it applies to school
22 buses. So the question would be, what section then applies
23 to all other buses?

24 COMMITTEE MEMBER HENLEY: That's a good question.

25 COMMITTEE MEMBER BAHADORI: I think that may be a

1 question --

2 COMMITTEE CHAIRMAN FISHER: Okay. Then you might
3 want to consider in your motion, then, in the parentheses
4 after 2485 to mention buses.

5 COMMITTEE MEMBER HENLEY: Commercial motor
6 vehicles and buses.

7 COMMITTEE MEMBER MANSOURIAN: Isn't it best to
8 leave that part alone, the way the original text was leave
9 the California Code of Regulations, from that point on leave
10 it alone because it describes what 2480 is and it describes
11 what 2485 is. Let's not rehash what the state law is. As
12 Devinder pointed out, we're saying what these are as a
13 placard on the signs. I think we should leave it alone.

14 COMMITTEE CHAIRMAN FISHER: No, I would argue that
15 for the user who needs information, they know how to apply
16 this, he needs to know what section allows you to limit the
17 idling of regular buses.

18 CHIEF MAYNARD: Why couldn't we just leave the
19 sections, section 2480 and section 2485, and just strike
20 everything in the parentheses --

21 COMMITTEE MEMBER BAHADORI: I agree.

22 CHIEF MAYNARD: -- using the reference to go back
23 and look?

24 COMMITTEE MEMBER BAHADORI: I agree. That's a
25 good point. This is getting into an issue of the law and

1 what it says, and let people interpret the way they want it.
2 Don't (indiscernible) in the process, just say CCR.

3 COMMITTEE CHAIRMAN FISHER: Okay. I need to ask
4 Wayne if he wants to accept that as a friendly amendment.

5 COMMITTEE MEMBER HENLEY: I probably should just
6 restate the whole thing here.

7 COMMITTEE MEMBER MANSOURIAN: When we're finished
8 we got to go through it one more time, make sure we all have
9 -- the question I have is, and this is maybe to
10 Ms. O'Connor, is this also, through the Chair, is this
11 applicable to pickups that are on diesel engine that idle as
12 well?

13 MS. O'CONNOR: No.

14 COMMITTEE MEMBER MANSOURIAN: So only buses or --

15 MS. O'CONNOR: The regulation says commercial
16 vehicles and it's as defined in the Vehicle Code, so it
17 would be anything with a Class A and Class B license
18 required.

19 COMMITTEE MEMBER MANSOURIAN: Thank you.

20 COMMITTEE VICE CHAIRMAN BABICO: Mr. Wayne's
21 motion was, he didn't mention anything about the sign one.

22 COMMITTEE CHAIRMAN FISHER: Is he excluding it
23 or --

24 COMMITTEE MEMBER HENLEY: Yes.

25 COMMITTEE CHAIRMAN FISHER: Excluding sign one?

1 COMMITTEE MEMBER HENLEY: Yes.

2 COMMITTEE CHAIRMAN FISHER: Okay. So which sign
3 has been proposed for adoption? Is it sign three, option A,
4 with the word "school" struck or is it --

5 COMMITTEE MEMBER MANSOURIAN: The motion is sign
6 two with the word "school" --

7 COMMITTEE MEMBER HENLEY: The motion was sign two
8 and sign three, so there was an option, you could go with
9 symbol or the word.

10 COMMITTEE MEMBER WONG: And is that option A and B
11 or just B?

12 COMMITTEE CHAIRMAN FISHER: Yeah, either way.

13 COMMITTEE MEMBER WONG: Several, two for each.

14 COMMITTEE CHAIRMAN FISHER: Well, I would think
15 they'd want to adopt one format, either the applicable
16 sections are on the sign or they're on a separate sign. I
17 think there's value in having it on the sign itself.

18 COMMITTEE MEMBER HENLEY: From an installation
19 standpoint, I would think option A would be less --

20 COMMITTEE MEMBER WONG: I have a question about
21 that. If we're trying to create a uniform sign to be used,
22 some cities could they have their own?

23 COMMITTEE CHAIRMAN FISHER: I've got a real
24 question on that. I'm not sure local jurisdiction has any
25 authority under the Vehicle Code to establish their own city

1 ordinance in that regard. You can only do what the Vehicle
2 Code delegates to local agencies what they're allowed to do.

3 And so I think these are the codes, 2480 and 2485.
4 I don't -- Robert, you can correct me, but I don't know that
5 local agencies alone can do something unless there's a state
6 legislation that enables an agency to do something. And
7 that legislation appears to be 2480 and 2485.

8 Okay. So as I understand the current motion --

9 COMMITTEE VICE CHAIRMAN BABICO: Mr. Chairman?

10 COMMITTEE CHAIRMAN FISHER: Yes.

11 COMMITTEE VICE CHAIRMAN BABICO: Just to what you
12 said, any fees imposed in the County of San Bernardino
13 should be by ordinance and that ordinance has to be in
14 compliance to the state (indiscernible). But we have to
15 have our own code to apply the fines. So there must be a
16 local ordinance or Board resolutions to state the fine,
17 otherwise you cannot fine them. Like the no parking/tow
18 away zone, we do have our own code but that code is based on
19 the Vehicle Code and the Board of Supervisors has to
20 establish that code based on the establishing or developing
21 it on this.

22 COMMITTEE MEMBER BAHADORI: But, Jacob, does that
23 apply to the state laws or things like that?

24 COMMITTEE VICE CHAIRMAN BABICO: No, we need an
25 ordinance, local ordinance to reflect the state code.

1 COMMITTEE MEMBER BAHADORI: So you're saying that
2 if someone runs through a red light you need to have a local
3 ordinance to give them a ticket?

4 COMMITTEE MEMBER MANSOURIAN: No, a fine, it does.

5 COMMITTEE VICE CHAIRMAN BABICO: In certain cases
6 we do issue ordinances. I don't know the whole thing,
7 especially when it comes to the --

8 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman?

9 COMMITTEE CHAIRMAN FISHER: I think that is
10 correct. You have to have an ordinance, adoption of your
11 fees and I guess each jurisdiction will have to have an
12 adoption of fees.

13 COMMITTEE MEMBER MANSOURIAN: I have two
14 questions. I think what Jacob is saying is then it can
15 easily be taken care of -- I'm thinking out loud at you,
16 that if we also go option B then if County of San
17 Bernardino, as an example, wishes to have a placard and it's
18 saying County Ordinance 1234, not only you have the state
19 law you have that.

20 So my request is, if you don't mind, maker of the
21 motion, once we all understand start from page 13. Let's
22 read exactly what the proposed language is, what the signs
23 two and three are, so we all are on the same page. We have
24 too many amendments and I want to keep track of exactly
25 where I'm going.

1 COMMITTEE MEMBER HENLEY: Okay. Let's start with
2 the Option: "The NO IDLING sign may be placed to remind
3 drivers that idling is prohibited of commercial vehicles and
4 all buses for a duration greater than five minutes (refer
5 to --)," blah, blah, blah.

6 COMMITTEE CHAIRMAN FISHER: Is that "of commercial
7 vehicles" or "for commercial vehicles"?

8 COMMITTEE MEMBER BAHADORI: Mr. Chairman, you
9 know, if you're wordsmithing that language, I thought, is so
10 misleading because it says the no idling sign can be placed
11 to remind drivers. They're not reminding anybody of
12 anything. You're giving a ticket. So reminding is just a
13 warning sign or a guide sign or something. This is a
14 regulatory sign.

15 COMMITTEE CHAIRMAN FISHER: Yeah, but I think that
16 the distinction, Hamid, is that it's already state law. You
17 can ticket them without the sign so it's just there to put
18 more emphasis to the law.

19 COMMITTEE MEMBER BAHADORI: That's fine. Just
20 remind me is that oh, I say okay, this is a suggestion.
21 It's not a suggestion; they're actually giving tickets.
22 Sorry, what I think.

23 COMMITTEE MEMBER HENLEY: Shall we do it one
24 paragraph at a time?

25 COMMITTEE CHAIRMAN FISHER: Yes, please.

1 COMMITTEE MEMBER HENLEY: Okay. The standard
2 would be, "If used, the NO IDLING sign shall be placed in
3 areas where idling commonly occurs."

4 The support statement would be, "The California
5 Code of Regulations includes the following regulations
6 designed to limit unnecessary idling of commercial vehicles:
7 Section 2480 and Section 2485. These regulations prohibit
8 the idling of commercial vehicles for a duration greater
9 than five minutes."

10 MS. O'CONNOR: Can I say something?

11 COMMITTEE MEMBER KNOWLES: I'd like to make a
12 friendly amendment to that.

13 COMMITTEE CHAIRMAN FISHER: Yes, Jeff.

14 COMMITTEE MEMBER KNOWLES: In the very last
15 sentence of support I would recommend saying, inserting "and
16 all buses" simply for the reason that if we say these
17 regulations prohibit the idling of commercial vehicles for
18 the duration of greater than five minutes, and we don't say
19 all buses. I'm getting arguments with my school district
20 about those school buses.

21 COMMITTEE MEMBER HENLEY: I was thinking about
22 that as I was reading it, so I accept.

23 Okay. Moving on to the signs, it sounds to me
24 like we want to have the option of using the state law or
25 maybe if you have local ordinance, so it would be option 2B

1 on page 14 of 65, but the bus would not have a "school"
2 written on top of it. It would just be a standard bus
3 symbol.

4 And then on page 15 of 65, the second option would
5 be sign option B; 3B, sorry.

6 COMMITTEE MEMBER BAHADORI: Taking the word
7 "school" out and replacing it "all"?

8 COMMITTEE MEMBER HENLEY: Yes.

9 COMMITTEE CHAIRMAN FISHER: Okay. I have a
10 concern with having a separate plate that cites the
11 applicable CCR sections. I'm concerned that a separate
12 plate which, I don't know, 6 by 24, can easily be displaced
13 or taken off much more readily than the large sign can. I
14 think it would be advisable to have the applicable CCR
15 sections in the sign itself.

16 COMMITTEE MEMBER KNOWLES: Could I ask a question
17 of the county? If we went with option A and you had a local
18 ordinance, couldn't you post that below? Because my
19 maintenance people, under cost reasons, it's much less
20 expensive to buy the one sign, you know, and a lot less
21 vandalism because it's really easy to bend those little
22 placards. So if I had one solid sign it reduces my
23 installation costs.

24 COMMITTEE MEMBER MANSOURIAN: Option A works for
25 us because if we want to add a local placard we have that

1 authority.

2 COMMITTEE CHAIRMAN FISHER: Just a clarification.
3 There can be no local ordinance; it's a statewide law. The
4 only thing the local ordinance applies to is the fee
5 schedule. There's an ordinance regarding no parking any
6 time, there's an ordinance for no parking/street cleaning.
7 We don't normally cite those on the sign itself.

8 COMMITTEE VICE CHAIRMAN BABICO: Even the speed.

9 COMMITTEE CHAIRMAN FISHER: Right, and yeah,
10 there's an ordinance covering the fee for exceeding the
11 speed limit. So that's in a local ordinance I thought we
12 were talking about. Robert?

13 CHIEF MAYNARD: I can't speak to the legality of
14 having a local ordinance where there's also a state law in
15 the CCR or any other code. The Vehicle Code says that you
16 cannot establish a local ordinance to cover a traffic laws
17 that aren't covered in the Vehicle Code, and those fee
18 schedules are established by judicial council every year.

19 So there are some cities that have been citing a
20 locally created ordinance for speed violations and red light
21 violations within their city jurisdiction, but I believe
22 that is going to be handled by the legislature to make it
23 clear that that's not allowable. And it's specifically
24 prohibited for traffic safety laws.

25 This is not a traffic safety law, so I can't speak

1 to that. But when you're talking about citing for separate
2 city ordinance or county ordinance that sets the fine for
3 speeding violation, that is not allowable.

4 COMMITTEE MEMBER BAHADORI: Mr. Chairman, just to
5 what Chief Maynard was saying, a case in point, the City of
6 Oakland the Vehicle Code is very specific, it says that once
7 the state regulates the operation of vehicle in any shape,
8 manner, or form you cannot come and regulate that any
9 further. So this is already covered in 2480 and 2485, is
10 already talking the no idling. I don't see why we need to
11 even (indiscernible) but I note there may be a reason.

12 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman, sign A
13 is fine with us for the counties. If there is a legal
14 authority, they can always add it by there. So it works for
15 us.

16 COMMITTEE MEMBER HENLEY: Some type of --

17 COMMITTEE MEMBER MANSOURIAN: We changing, we
18 changing the word "school" to "all," yeah.

19 COMMITTEE MEMBER HENLEY: Okay. Since I was in
20 the process, let me get back to starting with signs there
21 would be four options. It would be option -- sign two,
22 option A, which makes a lot of sense for installation and
23 vandalism perspective, and option sign 2B for the
24 communities or counties that want have their own little
25 plaque underneath there. And also both those options, sign

1 twos would strike the word "school" from the bus.

2 COMMITTEE MEMBER BAHADORI: No, it will just say
3 -- it will be a bus, it will be a standard bus symbol.

4 Then going on to sign three, we have sign three,
5 option A, and sign three, option B. It would be -- instead
6 of "school buses" it would be "all buses."

7 COMMITTEE CHAIRMAN FISHER: Wayne, I guess I
8 didn't understand the rationale for having option B.

9 COMMITTEE MEMBER HENLEY: I was hearing some of
10 the Members of the Committee saying that they would like to
11 have that little plaque underneath there for whatever
12 reason.

13 COMMITTEE CHAIRMAN FISHER: There was some
14 discussion about a local ordinance, but that was clarified
15 that the local ordinance only applies to the fee schedule
16 and you have those for all regulatory signs. So I'm just
17 concerned then with vandalism.

18 COMMITTEE MEMBER HENLEY: Oh yeah, I wouldn't put
19 the -- yeah, option B. I was hearing somebody wanted to.
20 If that's not the case --

21 COMMITTEE MEMBER KNOWLES: Maybe we should clarify
22 exactly. I think for the cities we definitely prefer the
23 option of A's, and then we heard from the county was option
24 A's work for them, too.

25 COMMITTEE MEMBER HENLEY: Then we don't need

1 option B in either case. So we're talking sign two, option
2 A, and sign three, option A.

3 COMMITTEE CHAIRMAN FISHER: Okay. I'm just going
4 to -- I think we're getting real close. And I'm going to
5 ask if you want to consider as a friendly amendment a little
6 bit of other wordsmithing, and that would be in the option
7 when you say that idling is prohibited of commercial
8 vehicles and all buses, that you consider the word
9 "prohibited for commercial vehicles and all buses."

10 COMMITTEE MEMBER HENLEY: Fine.

11 COMMITTEE CHAIRMAN FISHER: Okay.

12 COMMITTEE MEMBER HENLEY: I can live with that,
13 yes.

14 COMMITTEE CHAIRMAN FISHER: Okay. And then on the
15 support statement it's a little awkward in that we have a
16 colon and then we say section 2480 and 2485. I think it
17 would read better if we said, if the sentence for the
18 support statement read, "Sections 2480 and 2485 of the
19 California Code of Regulations is designed to limit
20 unnecessary idling of commercial vehicles." And then say --

21 COMMITTEE MEMBER HENLEY: 2480 pertains to buses,
22 schools buses. We couldn't say that.

23 COMMITTEE CHAIRMAN FISHER: Oh, okay. Let me try
24 again. "Sections 2480 and 2485 of the California Code of
25 Regulations includes regulations designed to limit

1 unnecessary idling of commercial vehicles and buses, and all
2 buses."

3 COMMITTEE MEMBER WONG: John?

4 COMMITTEE MEMBER MANSOURIAN: For more than five
5 minutes.

6 COMMITTEE CHAIRMAN FISHER: For more than five
7 minutes.

8 COMMITTEE MEMBER WONG: I have a friendly --

9 COMMITTEE CHAIRMAN FISHER: Okay, a friendly --

10 COMMITTEE MEMBER WONG: What about, "Section 2480
11 and section 2485 of the California Code of Regulations
12 prohibit idling of commercial vehicles and all buses for a
13 duration greater than five minutes."

14 COMMITTEE CHAIRMAN FISHER: Thank you. What do
15 you think, Wayne?

16 COMMITTEE MEMBER HENLEY: I think that was the
17 best one.

18 COMMITTEE CHAIRMAN FISHER: Okay. So, are we
19 clear on --

20 COMMITTEE MEMBER MANSOURIAN: Are you going to
21 read one more time, please, from the beginning.

22 COMMITTEE MEMBER HENLEY: From the top.

23 The option, "The NO IDLING sign may be placed to
24 remind drivers that idling is prohibited for commercial
25 vehicles and all buses for a duration greater than five

1 minutes (refer to CCR Title 13, 2480 and 2485).

2 Standard, "If used, a NO IDLING sign shall be
3 placed in areas where idling commonly occurs."

4 Support -- could the secretary read the sentence
5 that Deborah proposed?

6 COMMITTEE CHAIRMAN FISHER: "Sections 2480 and
7 2485 of the California Code of Regulations limit unnecessary
8 idling of commercial vehicles and all buses for a duration
9 greater than five minutes." Is that correct, Deborah?

10 COMMITTEE SECRETARY SINGH: (Indiscernible).

11 COMMITTEE CHAIRMAN FISHER: So, I'll tell you
12 what. If there's a word here and there I think we can
13 editorially correct it with Devinder during the break.

14 COMMITTEE MEMBER WONG: Okay.

15 COMMITTEE CHAIRMAN FISHER: I think it was close
16 anyway.

17 And then I think then part of the motion is to
18 adopt sign two, option A, and sign three, option A. Is that
19 correct?

20 COMMITTEE MEMBER HENLEY: Yes.

21 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman?

22 COMMITTEE CHAIRMAN FISHER: Yes, Farhad?

23 COMMITTEE MEMBER MANSOURIAN: I think you got it.

24 Before we vote may I ask you consult with Ms. O'Connor, make
25 sure we didn't move anything around that is -- after all,

1 this is their project.

2 MS. O'CONNOR: Thank you very much. I do have an
3 issue with the five minutes and the reason is because the
4 school bus idling regulation applies to school zones and you
5 put five minutes -- at schools right now, when they pull in,
6 they are required by law to shut off the engine immediately.
7 They don't get five minutes. And they have to leave within
8 30 seconds of starting the vehicle.

9 COMMITTEE MEMBER MANSOURIAN: So is it best if we
10 just not mention five minutes?

11 MS. O'CONNOR: Yes.

12 COMMITTEE MEMBER BAHADORI: And just a question,
13 I'm curious. (Indiscernible) within 30 seconds of starting
14 your vehicle. It is really tough to enforce these things.
15 You're going to need hundreds of inspectors throughout
16 California to enforce these laws. You need hundreds of
17 enforcers.

18 MS. O'CONNOR: The compliance rate for school bus
19 idling is actually very high.

20 COMMITTEE MEMBER BAHADORI: You educate them.
21 It's not reinforcement, you educate them, you tell them it's
22 a good, do it.

23 MS. O'CONNOR: Well, it's required in the required
24 in the regulation that they review this regulation once a
25 year.

1 COMMITTEE CHAIRMAN FISHER: Okay. Wayne, do you
2 accept then as a friendly amendment striking the words "for
3 a duration greater than five minutes" in the support
4 statement?

5 COMMITTEE MEMBER HENLEY: Well, you know, I don't
6 have a problem with that, but then we do talk about the
7 greater than five minutes up there in the option section, so
8 do we need to strike both? I hate to complicate this.

9 COMMITTEE MEMBER MANSOURIAN: That's why it's
10 close.

11 COMMITTEE CHAIRMAN FISHER: For clarification, the
12 five minutes applies to commercial vehicles?

13 MS. O'CONNOR: Yes. The five minutes actually
14 applies to all the vehicles, the commercial vehicles, the
15 school buses, the transit buses, coach buses when they are
16 not in a school zone.

17 COMMITTEE MEMBER BAHADORI: Mr. Chairman, I want
18 to make a motion. Why don't we just get rid of the five
19 minutes. Anyone who's interested can go read 2480 and 2485.

20 COMMITTEE MEMBER MANSOURIAN: That makes it tough.

21 COMMITTEE CHAIRMAN FISHER: And that sounds -- No?

22 COMMITTEE MEMBER KNOWLES: Well, I guess it
23 depends on how much information you want to have at the
24 engineers' fingertips. It's really nice to have that. This
25 would apply to our commercial buses that are idling and, as

1 you're saying, we want to make the language as simple as
2 possible. I don't know that this is really going to
3 complicate things in the real world application if we leave
4 that in there. In fact, it makes the engineers' jobs a lot
5 easier in trying to explain it to typically the commercial
6 driver and to the local politicians.

7 I think the five minutes causes less problems to
8 have it in there than --

9 COMMITTEE MEMBER BAHADORI: But, Mr. Chairman, may
10 I?

11 COMMITTEE CHAIRMAN FISHER: Yes.

12 COMMITTEE MEMBER BAHADORI: It's not -- the thing
13 is that with the school buses, that's not the issue of
14 idling, period. Ms. O'Connor said as soon as you pull in
15 you have to shut down.

16 COMMITTEE MEMBER KNOWLES: Right. But the sign
17 isn't mentioning --

18 COMMITTEE MEMBER BAHADORI: I know that through
19 the whole thing, the details, if you want to get into those
20 details then technically in the school zone you don't need
21 these signs, period, because in the school zone you're not
22 allowed to have your engine running even for one minute
23 after you arrive or one minute after you turn it on. It's
24 upon the arrival you have to shut it down; 30 seconds after
25 start you have to leave.

1 So these signs don't even apply to school zone.

2 COMMITTEE MEMBER KNOWLES: Right. We don't need
3 these signs at all to enforce the law. But primarily where
4 we have problems, and usually that would be an idling tour
5 bus or transit bus, or idling commercial vehicles. That
6 would be the primary application of these signs.

7 COMMITTEE CHAIRMAN FISHER: And those buses have
8 the five minutes, right?

9 COMMITTEE MEMBER MANSOURIAN: I think both Hamid
10 and Jeff are right, that the reason is -- Hamid is right for
11 not wanting to complicate it, Jeff is right because the five
12 minutes gives locals an idea of what is it we're trying to
13 enforce. It's not a ten second, you know, a neighbor
14 complaining against neighbor.

15 So the best way is to then clarify, follow this
16 sentence, clarify of what the rules are for the school
17 zones. So first we're saying these regulations provide,
18 prohibit idling of commercial vehicles and all buses for the
19 duration greater than five minutes, period. Now we can add
20 a sentence that says idling is prohibited in all school
21 zones, something to that so we can qualify.

22 COMMITTEE CHAIRMAN FISHER: And that would be, you
23 know, so far as stating -- I'm almost inclined at this point
24 to recommend that rather than trying to patchwork this, and
25 I thought we're getting close but obviously there are things

1 we overlooked. Try to patchwork this in, we have, maybe we
2 just ought to have Caltrans and the ARB come back at the
3 next meeting and give us a complete text that has been all
4 worked out and clarified through the support statement how
5 each rule is applied to the different types of modes.

6 Should we continue to work on this and patch it up
7 here at this Committee or do we want it to come back all
8 cleaned up for us?

9 COMMITTEE MEMBER HENLEY: I would like to suggest
10 we try to push this over. We spent the last half hour or 45
11 minutes on it. Let's try to get this put to bed if we can.
12 And I would think that in the support we could have it then
13 saying that idling in school zones -- in school zones, is
14 that what they call it?

15 MS. O'CONNOR: Yeah, it was in a school zone and
16 then if you want to get really technical it depends on the
17 type of vehicle.

18 COMMITTEE MEMBER HENLEY: I don't want, you know,
19 we're getting too technical.

20 MS. O'CONNOR: Why don't we just go with the five
21 minutes, just go with it.

22 COMMITTEE MEMBER HENLEY: Then my motion is to
23 stay the way it was, go with the five minutes.

24 COMMITTEE CHAIRMAN FISHER: I'm sorry. You want
25 to keep the motion as it read with the end of the support

1 statement saying for a duration greater than five minutes?

2 COMMITTEE MEMBER HENLEY: I'm willing to add one
3 more sentence to that saying that no idling -- no, leave it
4 that way, it gets too complicated. It's way too
5 complicated.

6 COMMITTEE CHAIRMAN FISHER: Okay. So can you read
7 your support statement as you propose it.

8 COMMITTEE MEMBER HENLEY: Okay. "The California
9 Code of Regulations includes the following regulations
10 designed to limit unnecessary --"

11 COMMITTEE CHAIRMAN FISHER: No, you changed that.

12 COMMITTEE MEMBER HENLEY: That was changed and
13 somebody has written it.

14 COMMITTEE CHAIRMAN FISHER: It started to read
15 "Sections 2480 and 2485 of Title 13 of the California Code
16 of Regulations" -- correct me if I'm wrong, Roberta --
17 "limit unnecessary idling of commercial vehicles and all
18 buses." Okay. And then was there a second sentence?

19 COMMITTEE MEMBER HENLEY: No.

20 COMMITTEE CHAIRMAN FISHER: Roberta, would that be
21 legally inaccurate to limit that statement as we have?

22 MS. O'CONNOR: I'm sorry, I was having a sidebar.
23 I did not hear when you said that. I apologize.

24 COMMITTEE MEMBER KNOWLES: No, she wanted the five
25 minutes.

1 MS. O'CONNOR: Yeah, I was just going to just let
2 it go with the five minutes at this point, as long as it
3 doesn't appear anywhere on the sign and it's only going to
4 be in the support document, which the vast majority of what
5 this applies to is the five minutes. It's not five minutes
6 only when you're in a school zone and only for certain types
7 of vehicles.

8 So we're getting too technical here and I'm
9 willing to just go with the five minutes.

10 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman, I
11 think we had it right. It said "Section 2480 and 2485 of
12 the California Code of Regulations includes," right, and I'm
13 sorry, "Section 2480 and 2485 of the California Code of
14 Regulations," and then we jumping and it says, that
15 includes, "is designed to limit unnecessary idling of
16 commercial vehicles and all buses."

17 COMMITTEE MEMBER KNOWLES: No. There was the end
18 of the sentence "for a duration in excess of five minutes."

19 COMMITTEE MEMBER MANSOURIAN: Right, but I'm
20 saying we were adding that.

21 COMMITTEE MEMBER KNOWLES: Right.

22 COMMITTEE MEMBER MANSOURIAN: And then we're
23 adding "These regulations prohibit idling of commercial
24 vehicles and all buses for a duration greater than five
25 minutes."

1 COMMITTEE MEMBER KNOWLES: That works, to.

2 COMMITTEE MEMBER MANSOURIAN: Yeah, or however
3 version of it.

4 COMMITTEE MEMBER KNOWLES: Yeah, they were to run
5 both of those sentences together.

6 COMMITTEE SECRETARY SINGH: What we will do with
7 them along the drafts we making before we finalize?

8 COMMITTEE MEMBER MANSOURIAN: I mean, we have the
9 concept right and we can improve it and then we can
10 wordsmith it through e-mail, but these are the concepts.
11 Mention 2480, 2485, and the five minutes in the support
12 statement.

13 We agreed on the option, we agreed on the standard
14 language, we agreed that it's 2A and 2B on the signs.

15 COMMITTEE CHAIRMAN FISHER: No, 2A and 3A.

16 COMMITTEE MEMBER MANSOURIAN: And 3A, sorry.

17 COMMITTEE CHAIRMAN FISHER: I'm just trying to
18 confuse you. Okay, Roberta, is the -- I'm sorry, Nancy. I
19 apologize. Is it Title 13 of the California Code of
20 Regulations, sections 2480 and 2485? How is that supposed
21 to read?

22 MS. O'CONNOR: Like that. You can say it that way
23 or you can say 13 CCR 2480 and 2485, but it is under Title
24 13. You can put Title 13 of the California Code of
25 Regulations, section 2480 and 2485.

1 COMMITTEE CHAIRMAN FISHER: Okay. Well, I'll ask
2 the secretary then to leave those editorial changes and I'd
3 like to bring the matter to a vote. Any final comments?

4 COMMITTEE MEMBER MANSOURIAN: Yeah. Wayne
5 motioned it and Jeff seconded.

6 COMMITTEE CHAIRMAN FISHER: Okay.

7 COMMITTEE MEMBER KNOWLES: I was asking if we had
8 a motion.

9 COMMITTEE CHAIRMAN FISHER: Yes, it's been
10 amended. Every member clear on the motion before us?

11 (No audible response)

12 COMMITTEE CHAIRMAN FISHER: All those in favor say
13 "aye."

14 MULTIPLE SPEAKERS: Aye.

15 COMMITTEE CHAIRMAN FISHER: Any opposition?

16 (No audible response)

17 COMMITTEE CHAIRMAN FISHER: Any abstention?

18 (No audible response)

19 COMMITTEE CHAIRMAN FISHER: Okay.

20 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman, one
21 question.

22 COMMITTEE CHAIRMAN FISHER: One question?

23 COMMITTEE MEMBER MANSOURIAN: Can the cities or
24 counties start using these signs tomorrow or does it need to
25 appear first?

1 COMMITTEE SECRETARY SINGH: Officially not.

2 COMMITTEE CHAIRMAN FISHER: Caltrans hasn't
3 adopted it yet.

4 COMMITTEE MEMBER MANSOURIAN: That's true. It has
5 to go, it has to be issued by the Director.

6 MR. BHULLAR: Yeah. Johnny Bhullar of Caltrans.
7 Normally once the recommendation comes from this Committee
8 we have to issue a Doc D (phonetic) to make it effective
9 immediately and, of course, we'll be taking it to Steve
10 Pyburn's office before we do that.

11 COMMITTEE MEMBER MANSOURIAN: Okay, thank you. We
12 can try to tackle the next item or it is -- do you want a
13 break right now. Why don't we take a ten minute break, be
14 back at 11:10.

15 (Thereupon, a recess was held off the record.)

16 COMMITTEE CHAIRMAN FISHER: I'd like to call the
17 meeting back to order and we're now on item number 10-4,
18 Request for Experimentation with the bike box at signalized
19 intersections. And for this discussion I'd like to invite
20 the Vice Chairman, Jim Baross, to come and sit at the table
21 to participate in the discussion on this bicycle-related
22 issue. And I'd like to call upon Wayne Henley then to
23 present the item, and this item is on pages 27 through 41 of
24 your agenda.

25 COMMITTEE MEMBER HENLEY: As you recall at the

1 last meeting in January, Dario Senor in District Five office
2 in San Luis Obispo did a very good job of presenting the
3 project and the experiment that they had planned. And it's
4 basically an intersection, it's a T intersection and they
5 have a lot of traffic at the intersection, and most of the
6 traffic coming in at the base of the T makes a left turn,
7 but the traffic can go straight and go into a parking lot.
8 Any bicycle that's following along that roadway, like most
9 of the cars, wants to make a left turn. And, of course, if
10 they do that when somebody's trying to go straight they wind
11 up getting basically hooked.

12 And so one of the solutions to a hooking problem,
13 and it's typically for right turns, is what they call a bike
14 box. And I know they experimented with them in Portland,
15 Oregon, and I'm sure other places throughout the United
16 States, and we've got a couple of them in California that we
17 really haven't reviewed here at the CTCDC.

18 Anyway, the District wants to experiment with this
19 configuration in this particular one intersection. They
20 made the presentation and somebody brought up the fact that
21 it looks like there's going to be two limit lines and that
22 that would be illegal. And so I, at that point, thinking
23 somebody could get hurt and it might be illegal, I went
24 through the Request for Experimentation.

25 Subsequently we've discussed it with our legal

1 department and there's been a lot of other discussions about
2 it. We decided that it's really not, you know, the two
3 limit line issue isn't really there because the bicycles
4 really don't confront two limit lines. And so what I would
5 like to do is -- in the meantime, I had presented the
6 proposal one more time to our Caltrans Bicycle Advisory
7 Committee and basically told them, you know, the status of
8 it, and they made a number of suggestions. And mainly, you
9 know, there are some people in the community that don't like
10 boxes at all and they're allowed to do. And I think you see
11 on a lot of the support statements some of the anti-bike box
12 statements that are in the package of information we've
13 gotten.

14 Well anyway, the District wants to go ahead with
15 that experiment. Okay. Well, in the meantime we've gotten
16 a number of good recommendations of things they suggested
17 get added to the experiment and those were attempted by
18 District Five, and so I would like the Committee just to
19 say, recommend that Caltrans proceed with this experiment
20 the way it has been proposed by District Five and including
21 some suggestions that were made by the California Bicycle
22 Advisory Committee.

23 COMMITTEE CHAIRMAN FISHER: Thank you, Wayne. And
24 we'd now like to call on Jim Baross.

25 COMMITTEE MEMBER MANSOURIAN: Question. Wayne,

1 the California Association of Bicycle Organization has
2 submitted a number of additions and changes and requests for
3 the experimentation. Is that acceptable to Caltrans? This
4 is their letter of March 9th.

5 COMMITTEE MEMBER HENLEY: Those were filtered. I
6 think they were filtered somewhat by CBAC, and CBAC came up
7 with about five suggestions and the District was agreeing to
8 accept those suggestions.

9 COMMITTEE MEMBER MANSOURIAN: So everything that
10 has come from CBAC on April 13 is acceptable to Caltrans?

11 COMMITTEE MEMBER HENLEY: Yes.

12 COMMITTEE MEMBER MANSOURIAN: Okay, thank you.

13 COMMITTEE CHAIRMAN FISHER: Okay. I'd like to
14 call on the Vice Chairman of CBAC, Jim Baross.

15 MR. BAROSS: Thank you. And thank you for
16 changing the procedure to allow me to participate.

17 COURT REPORTER: Mr. Baross, could I get you to
18 spell your last name for the record?

19 MR. BAROSS: Sure. B- as in Boy A-R-O-S-S. You
20 can call me Jim.

21 I'd like to call your attention to the letter that
22 was most recently provided April 13th from CBAC based on a
23 meeting, Bicycle Advisors meeting of April 8th. I don't
24 think I need to read it into the record, but I'll make a
25 couple of comments about the vigorous discussion that

1 occurred there and in two previous meetings where the issue
2 was discussed.

3 The end result was unanimous approval from the
4 Committee that an experiment is in order. It was
5 recommended, however, that the proposal be amended to
6 include elements specified in the California MUTCD section
7 1A10, Interpretations, Experiments, Changes in Interim
8 Approvals, that they either be collected and analyzed to
9 address the following key questions proposed by the City of
10 San Luis Obispo and one other addition. Those three items
11 were how effectively (indiscernible) the current motor
12 vehicle/bicycle conflicts currently observed at the
13 location, will the bicycles position themselves more
14 centrally in the lane while queuing and traveling through
15 the intersection, will motorists comply with the setback
16 behind the box stop line therefore allowing bicycles to
17 queue in front of them. And one addition, will bicyclists'
18 movements toward or into the bike box create any conflicts
19 that were not present previously. Those were the positions
20 of the California Bicycle Advisory Commission.

21 I'd like to add some information about the
22 extended discussion and some of the issues that were raised,
23 many of which you may raise on your own.

24 First, as was discussed earlier today, the
25 relationship of this experimental process and the result

1 that might occur for the California MUTCD, will this or will
2 this not require FHWA approval or is the proposal in
3 substantial compliance. We couldn't answer that question;
4 we didn't know. We're hoping and expecting that an
5 experiment and its result will be more valuable if the
6 evaluation is provided by an objective evaluation team.
7 Potentially the students at the local San Luis Obispo
8 University could participate, and I understood that might be
9 a possibility.

10 We wanted to reaffirm, as is state in the
11 proposal, this is not a typical intersection. This
12 intersection does not allow right turns at this portion of
13 the intersection, and most of the applications of bike boxes
14 that we've seen around the world are attempting to deal with
15 the potential right hook conflicts, and this one doesn't
16 have those same conflicts.

17 The alternatives that were proposed here and at
18 CBAC of using shared lane markings where the bikes may use
19 full lane sign seem to some to be a more appropriate
20 application to address the specific issues at this site, and
21 would have had the additional value of providing an
22 opportunity to experiment in California on items which are
23 in the Federal MUTCD. The Federal MUTCD is proposing
24 inclusion of a bikes may use full lane sign where a lane is
25 too narrow to share, and the shared lane markings in

1 locations where there is not on the street parking. We
2 wondered why those were not considered.

3 Just four more items. The bike box, from the
4 perspective of the instructors of the legal (indiscernible)
5 bicyclists who provide training for bicyclists and motorists
6 about how to interact, we're not sure how the California
7 Vehicle Code or appropriate practice is going to be trained
8 or encouraged for bicyclists at this location because it
9 seems to add some potentials for conflict, and we're not
10 sure, for instance, if a bicyclist is approaching the
11 intersection in the travel lane with motorists if they
12 should stop at the first stop line or the second stop line.
13 If, during the various phases of the traffic signal, when
14 it's appropriate to enter this bike box, for instance on a
15 red light when everybody's stopped it certainly would be
16 easier for cyclists to move up on the right in the bike lane
17 and then shift to the left in front of motorists. But at
18 the other phases, we're not sure what the cyclist would be
19 expected to do and who would have right of way. For
20 instance, at a green light if the bicyclist approaches the
21 intersection in the bike lane and waits until they come to
22 the area of a bike box, isn't that too late to merge into
23 the straight through position, shouldn't they have merged
24 sooner.

25 Also, at a yellow light, when they're approaching

1 the intersection to the right, the light changes to yellow,
2 the bicyclist would like to move into the bike box but many
3 motorists seem to think that a yellow means step on the gas,
4 get through the intersection. Inappropriate, of course, but
5 that -- we're concerned with those and hope that the
6 experiment goes forward, we'll take a count and give some
7 direction about how people are supposed to do that.

8 Finally, though, the members of CBAC and I want to
9 congratulate the City of San Luis Obispo and Caltrans for
10 bringing forward in a proper manner a request to experiment.
11 There are many cyclists and those interested in mixing up
12 travel mixed with non-motorized travel, wishing to bring
13 forward innovative treatments, signs, markings, and other
14 innovations. And we've seen them occur in other places
15 around the state without this level of review. It's
16 difficult to bring anything here. We've just sat through
17 two hours of discussion of something that many thought would
18 be an easy one. It's important to have this level of
19 review. We want to provide for the safety as well as
20 innovation. So I want to thank Caltrans and the City of San
21 Luis Obispo, any other advocates, for helping push this
22 forward in an orderly fashion.

23 I'm available for questions.

24 COMMITTEE CHAIRMAN FISHER: Are there any
25 questions for either Wayne or Jim before we discuss the

1 matter further?

2 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

3 COMMITTEE CHAIRMAN FISHER: Yes, Hamid.

4 COMMITTEE MEMBER BAHADORI: Jim, on the question,
5 on the yellow. What are your personal thoughts, because I
6 value your opinion as someone who's on the road and dealing
7 with the situations every day. You chose the yellow when it
8 goes yellow, and that's an unfortunate social fact. As you
9 said it, some people see yellow and to them it means they
10 step up on the gas. So the driver is stepping up on the gas
11 and the bicyclist is approaching. You say oh, okay, it's
12 time for me to get in the box. Isn't that like kind of
13 actually creating more hazardous or more potential for
14 accidents at that point?

15 COMMITTEE MEMBER HENLEY: The short answer is yes.
16 The League of American Bicyclists train our instructors to
17 tell bicyclists and motorists is that there's generally two
18 ways to approach an intersection, and one is vehicularly
19 when it's safe and conditions allow scanning behind,
20 signaling, and waiting for an opening to enter the lane of
21 traffic that offers the destination you wish to achieve, is
22 an appropriate approach, the vehicular approach. That often
23 doesn't work because of the conditions, conditions of high
24 overtaking speeds of motorists, large queues of motorists
25 that don't offer an opening, environmental conditions, it's

1 too dark, there's fog. There's many reasons that that can't
2 work. There's also the reasons of bicyclists being unsure
3 or timid or not ready to take that big of an approach. In
4 those situations we teach cyclists that they have an option
5 that motorists don't have. We could get off our bikes and
6 become pedestrians, and that's to move to the right, take a
7 position on the curb, cross the intersection as a
8 pedestrian. That means off your bike. That's the two
9 general approaches.

10 The concern that the bicycle instructors have is
11 that if you're going to make those determinations, you need
12 to make them pretty early. You need to decide to make your
13 scan, merge decision early, in some cases before the bike
14 lane dashes or is dropped. If the bicyclist is encouraged
15 to stay to the right, and conditions are appropriate, the
16 light is red and the bike box is clear, then it's going to
17 be easy and convenient for the bicyclist to move over and go
18 through straight. But in the situations where they've been
19 encouraged to stay to the right, into the intersection and
20 it's green, it's too late to merge over. Or it's yellow,
21 it's too late to merge over. So we're not sure what the
22 cyclist or the motorist are going to do in that situation.
23 We generally teach cyclists in that situation move to the
24 corner, cross as a pedestrian. That's why we need to
25 experiment, I guess.

1 COMMITTEE MEMBER BAHADORI: Thank you.

2 COMMITTEE CHAIRMAN FISHER: Any questions for Jim
3 or --

4 COMMITTEE VICE CHAIRMAN BABICO: Yes, I have a
5 question and a follow-up.

6 As you know that we have an exclusive left turn
7 lane and a shared through and left. Now, let's take the
8 option or the case when a motor vehicle on lane number two
9 at the red light, he will come in the bike box because he
10 has to stop at the nearest the limit line. And there is a
11 bicyclist on lane number one approaching the exclusive left
12 turn. Is he supposed to be stay there or he's supposed to
13 be in the bike box?

14 MR. BAROSS: Is it possible to project page 33,
15 because it might make it easier to discuss this. So the
16 question is where does the bicyclist belong?

17 COMMITTEE VICE CHAIRMAN BABICO: When it's red.
18 If the bicyclist is on lane one, left lane, turning lane,
19 and there is a car on the lane number two, is that legal or
20 is that kind of --

21 MR. BAROSS: We teach bicyclists two main, general
22 rules about approaching an intersection. One is to choose
23 the right-most lane that offers your destination. The
24 right-most lane that offers a left turning opportunity is
25 lane number two, the lane nearest the curb. The left-most

1 lane or number one lane we don't recommend taking that
2 position. Now, that's like a double left turn lane. The
3 first rule we teach these folks is to take the right-most
4 lane that offers your destination, because we're typically
5 slower than motor vehicles. So, if I got that right, I
6 would not be recommending or expect a bicyclist to be in the
7 number one lane, the lane nearest the center.

8 COMMITTEE VICE CHAIRMAN BABICO: But it's not
9 illegal.

10 MR. BAROSS: It's not illegal.

11 COMMITTEE VICE CHAIRMAN BABICO: Then what's the
12 purpose of the bike box there in that incident, that
13 sequence?

14 MR. BAROSS: The bike box -- in this situation the
15 number two lane is an option lane, left or straight.

16 COMMITTEE VICE CHAIRMAN BABICO: Right, but --

17 MR. BAROSS: Okay. And the problem to be
18 addressed is that bicyclists approaching the intersection
19 are confronted with, in many cases, a queue, a line of
20 motorists lined up in the number two lane waiting to go
21 either left or straight. The bicyclists have wanted a way
22 to enter the stream of traffic going left. They felt that
23 it's easier to pass motorists on the right, in the bike
24 lane, and have an opportunity to move to the left into the
25 bike box to thereby be in the lane stream of traffic making

1 a left turn and avoiding the conflict of motorists in a
2 sense going straight but sort of turning right into the, I
3 think it's a motel, business area.

4 Does that answer your question?

5 COMMITTEE VICE CHAIRMAN BABICO: Well, I'm trying
6 to find out what is the value of the bike box for this
7 sequence. I mean, is occupied by a motor vehicle, it's
8 covered, the bicyclist behind it will not see it.

9 MR. BAROSS: The proposal is that the motorist
10 will stop at the first one. The proposal and expectation
11 and hope is that the motorist will stop at the first
12 encountered stop line.

13 COMMITTEE VICE CHAIRMAN BABICO: On lane number
14 two.

15 MR. BAROSS: On lane number two.

16 COMMITTEE VICE CHAIRMAN BABICO: Right. And the
17 bicyclist is behind them.

18 MR. BAROSS: The bicyclist is, in some cases if
19 approaching the intersection as a vehicle operator they
20 would be either behind or in front of the motorist.

21 COMMITTEE VICE CHAIRMAN BABICO: Right.

22 MR. BAROSS: If they're approaching the
23 intersection as we think they're being encouraged to do, to
24 the right of the motorist, they would be passing the
25 motorist that's stopped and then moving over in front of the

1 motorist --

2 COMMITTEE VICE CHAIRMAN BABICO: I see.

3 MR. BAROSS: -- getting to take cuts.

4 COMMITTEE VICE CHAIRMAN BABICO: Thank you.

5 COMMITTEE MEMBER BAHADORI: Since they are the
6 (indiscernible) is a one-year evaluation after installation
7 due back to the Committee March 2011, one of the criteria --
8 in the problem statement there's no factual data presented
9 to document the problem. But then how would that be
10 measured? Like if you're saying effectiveness, acceptance,
11 those things like that, these are like very qualitative kind
12 of statements. But how are you going to measure the success
13 of this experiment March 2011, based on what? And on the
14 problem statement I can understand the perceived problem and
15 it is actually more than perceived, it's a real problem.
16 But then you don't have any factual information to, I mean
17 in terms of accidents or thins like that. What is the
18 methodology that you propose to show us that this is a
19 successful experiment?

20 COMMITTEE MEMBER HENLEY: You're right. The
21 proposal did not have much or any detail at all on actually
22 the experimental design, what variables they're trying to
23 look at. I know that there will be a lot, there have been a
24 lot of observations of that intersection already, and after
25 they reconfigure it a little bit they'll make a lot more

1 observations. I know they have a significant training or an
2 education, or an outreach program planned. I'm sure there
3 will be follow-up with some kind of questionnaires, but I
4 don't know the details.

5 COMMITTEE MEMBER BAHADORI: Yeah, the reason I'm
6 asking is that again it might be something for CBAC to
7 consider also. Because when the experiment, we want the
8 experiment to have some value to the dollar of some
9 statewide --

10 COMMITTEE MEMBER HENLEY: Let me explain a couple
11 of other things, though. This is not going to be a
12 definitive study of bike boxes in California. This is a
13 unique -- not a totally unique, but I mean it's a --

14 COMMITTEE MEMBER BAHADORI: Okay, so that's where
15 I'm going.

16 COMMITTEE MEMBER HENLEY: Getting the letter that
17 came from CBAC added, and these are the questions it's going
18 to answer, how effectively will the bike box remove the
19 current motor vehicle/bicycle conflicts currently observed
20 at the location.

21 COMMITTEE MEMBER BAHADORI: See, what I'm pointing
22 to is that typically we do experiments not for unique
23 situations. Unique situations have unique solutions. But
24 typically we do an experimentation request when there is a
25 problem identified that we think is prevalent or it has

1 several applications, several locations, many, many
2 locations in California, so we want to come up with a new
3 standard to address that problem.

4 So, first of all, how widespread is something like
5 this and, second, if this is not going to be like, as you
6 said, not a definitive or even not a close to definitive
7 answer to bike boxes in California, what -- again, I'm
8 trying to struggle to see March 2011, what are you going to
9 prove. Are you going to say that bike boxes in California
10 are good, they are allowed? Are they allowed under
11 conditions when you have two lanes, where the number two
12 lane is a left and through? What is it that they're trying
13 to get out of this experiment, what is the ultimate standard
14 that you want to adopt from this experiment?

15 COMMITTEE MEMBER HENLEY: We want, you know, we
16 want the bicyclists' concerns to be addressed, we want it to
17 be safe.

18 COMMITTEE MEMBER BAHADORI: Yeah, but March 2011
19 what are we approving, are we approving the use of bike
20 boxes in California?

21 COMMITTEE MEMBER HENLEY: I don't, I don't think
22 we're going to have, it will be a universal approval of bike
23 boxes in California based on this one study. I would
24 encourage cities and counties and other places with Caltrans
25 byways if there's, you know, a situation that would benefit

1 from a bike box to maybe try them and do some additional
2 experimentation. And it may be another couple of years
3 before we get enough data or enough experience to say yes,
4 bike boxes are just another tool that we could always use,
5 you know, in the toolbox. But this is --

6 COMMITTEE MEMBER BAHADORI: Yeah, now it is more
7 clear because the March 2011 we may get to that point, this
8 study might be conclusive enough that by 2011 you come back
9 and say any location where you have a two lane configuration
10 with number two as a through and left turn, bike box. But
11 is that --

12 COMMITTEE SECRETARY SINGH: March '11 date of
13 (indiscernible) previous meeting of December 9th.

14 COMMITTEE MEMBER HENLEY: It's going to slip a
15 little bit.

16 COMMITTEE MEMBER BAHADORI: Because usually we do
17 authorize experimentation with intent of approving a
18 standard to make it into the California MUTCD. That's the
19 purpose of experimentation, to come up with a new tool in
20 the old configuration for striping and new signage,
21 something new, and we say okay, this is something good,
22 let's approve it and make it into the California MUTCD.

23 I don't get the sense that that's the purpose of
24 this experimentation here.

25 COMMITTEE MEMBER HENLEY: Well, I think in one of

1 the letters it was regarding this experiment, one of the
2 cities said they had like three or four locations within
3 that one city that has the same situation and they would,
4 you know, certainly like to see the outcome of this
5 experiment. Now, again, if this experiment does come up
6 with a problem, I mean if it seems to be addressing the
7 issues, you know, maybe somebody we could pose, you know, an
8 addition to the MUTCD saying with these conditions this is
9 one way you can address it.

10 There are other ways. I mean, let's face it, the
11 whole, you know, the idea of share and take the lane, and
12 those are other ways of dealing with it. They may be as
13 good if not better and time will tell.

14 COMMITTEE CHAIRMAN FISHER: Okay. I'd like to
15 allow other people to ask a question of either Wayne or Jim.
16 We haven't yet asked one, but I think Jim wanted to respond
17 to one of the comments.

18 MR. BAROSS: On the discussion that's going on
19 right now, I suggest that we encourage the City of Long
20 Beach, which is apparently going forward with experiments
21 with bike boxes approval to get involved with discussions
22 here to address a more widespread application potential in
23 the MUTCD.

24 COMMITTEE MEMBER HENLEY: I was also thinking, you
25 know, the City of San Francisco, I think, has at least one,

1 maybe more than one, bike box. Something like that would be
2 a classic situation where a graduate student, as part of a
3 class, could go out there and look at what's going on and
4 develop a report.

5 COMMITTEE CHAIRMAN FISHER: I had a question of
6 you. Normally things have what being an experiment to
7 advise a national standard would go through the federal
8 process first and then basically get concurrence from this
9 Committee to test it in the State of California. Is that
10 what we envision for this proposal?

11 COMMITTEE MEMBER HENLEY: I'm not sure. I think,
12 you know, they say if this works this could, you know, be
13 ahead of the federal government. You know, again it depends
14 on whether they buy into what we're doing so I can't say for
15 sure.

16 COMMITTEE CHAIRMAN FISHER: Well, I'm not talking
17 about adoption, I'm just talking about the request to
18 experiment. California uses bike lane designs very similar
19 to what's in the federal manual. So if the bike box is some
20 sort of an extension of the bike lane, what would that
21 require then that there be a federal experiment approval
22 with CTCDC concurrence to comply in California.

23 COMMITTEE MEMBER HENLEY: Probably so, yeah.

24 COMMITTEE CHAIRMAN FISHER: Okay.

25 COMMITTEE SECRETARY SINGH: At this point just

1 (indiscernible) to get approved from the FHWA but
2 (indiscernible) they have a lot of planning.

3 COMMITTEE CHAIRMAN FISHER: Oh, okay.

4 COMMITTEE CHAIRMAN FISHER: I'm just going to add,
5 I think that's something this Committee would consider. I
6 have a question for Jim. Do you consider the bike box to,
7 in effect, be an extension of the striped bike lane?

8 MR. BAROSS: I don't know.

9 COMMITTEE CHAIRMAN FISHER: Okay. Let me ask
10 this. Where a striped bike lane is provided, bicyclists are
11 obligated to stay in that lane except to make a left turn in
12 a conventional situation. So under the Vehicle Code they're
13 required to stay in that lane and that's how, in my mind, I
14 can justify they have to enter the bike box because they
15 are, in effect, staying in the bike lane but just shifting
16 over very subtly.

17 MR. BAROSS: Let me provide a little
18 clarification. My understanding, and I think I've got
19 shared understanding with the California Highway Patrol,
20 there are exceptions to when a bicyclist is required to stay
21 in a bike lane. The left turn or -- and there are other
22 exceptions, for instance when I'm traveling faster than
23 moving traffic.

24 That was one of my concerns, that if this is an
25 extension of the bike lane and I, as a bicyclist, am

1 required to be in it, am I precluded from -- I'm sorry, this
2 is behind you. If I'm approaching here and I'm supposed to
3 be in the bike lane, without a bike box I am allowed to
4 scan, signal, and merge when it's safe into the straight
5 through lane anywhere along here currently. With the
6 implementation of a bike box, I'm not sure if that changes.
7 Okay? I just don't know. I hope that I'm not precluded
8 from making the scan, signal, merge as I'm currently allowed
9 to do. I hope I'm not required to stay over here and then
10 make my merge only in this situation, which in certain
11 circumstances is way too late to do safely.

12 Am I addressing the question? I just don't know.

13 COMMITTEE CHAIRMAN FISHER: I think you've
14 addressed it, but I think it raises the issue if we don't
15 know what we expect the bicyclists to do with some
16 certainty, and we're going out here with an experiment and
17 there's an accident and it comes to court, we're supposed to
18 be in a position to state clearly the bicyclist is required
19 to do this when there's a bike box, or required to do this
20 when there's just a striped lane, and I think we need to be
21 able to answer that question at some point. If we're going
22 to put a device out there, what does the motorcycle need to
23 do, what is a bicyclist often needed to do. We need to be
24 clear as to what action bicyclists are supposed to take.

25 MR. BAROSS: Maybe Wayne knows or Dario knows. We

1 weren't able to answer that question at CBAC.

2 CHIEF MAYNARD: I don't know why adding a bike box
3 changes what the bicycle is allowed to do. If that bike box
4 was not there, then the bicyclist would be able to move out
5 of that bike lane into the travel lane to make a left turn
6 because they could move from the bike lane to make that left
7 turn.

8 So in my mind the bike box, or requirements,
9 whichever way you want to look at it, only come into play
10 depending on whether the light is green or red, because
11 without the bike box the bicycle would be required to stop
12 at the limit line whether they were making a left turn or
13 not if the limit line crossed the path of travel. So with
14 the addition of the bike box, you've still got that limit
15 line. If the light was red the bicycles would technically
16 not be allowed to cross that limit line to get into the bike
17 box. They would be entering the bike box from the bike lane
18 and that bike lane allows them that access to the bike box
19 would put them in the same position in front of the cars.

20 So I don't know that the bike box changes the
21 requirements or duties of the bicyclist. I think the
22 determining factor is whether the light is green or red and
23 the same rules apply.

24 COMMITTEE CHAIRMAN FISHER: So if I understand you
25 correctly, you're saying that with the bike box it allows

1 the bicyclist to enter the bike box area on red, but during
2 a green he can either move into the lane and stop, or is he
3 allowed to enter the bike box on the green?

4 CHIEF MAYNARD: I'm confused by the "and stop."
5 On a green you wouldn't be stopping, you'd be going. So the
6 bicyclist would be able to move from the bike lane into the
7 travel lane to make that left turn whether the bike box is
8 there or not.

9 COMMITTEE CHAIRMAN FISHER: Okay. And would he be
10 allowed to enter the bike box on a green?

11 CHIEF MAYNARD: On a green he's traveling through
12 the intersection, everybody's going through the bike box,
13 the cars and everybody else are traveling through the bike
14 box on a green.

15 COMMITTEE CHAIRMAN FISHER: Okay. I mean he's in
16 the bike lane. At some point does he have to enter the bike
17 box before reaching -- I guess what I'm asking is, well,
18 does the bike -- on a green, is the bicyclist expected to
19 enter the adjacent vehicle lane or is he expected to travel
20 all the way to the first vehicle limit line and then enter
21 the bike box after passing the first limit line on green?

22 CHIEF MAYNARD: On a green, the safest thing to do
23 would be to enter that travel lane before the bike box as
24 the bicycles are currently doing without the bike box. If
25 they're being as safe as they can, they're not trying to

1 make that left turn from the bike lane when you've got the
2 potential of the traffic going straight. I think that's the
3 problem with this intersection. But, as Jim has pointed
4 out, not all riders are professional riders, they're not all
5 riding fast, they're not all confident. You have people
6 that are very uncomfortable in making left turns on a
7 bicycle anyway. So I think it's hard to predict what any
8 individual bicyclist is going to do at any intersection when
9 they're making a left turn.

10 But I don't see why adding that bike box changes
11 what the bike is allowed to do.

12 COMMITTEE CHAIRMAN FISHER: Okay. So they are an
13 attempt to educate bicyclists -- correct me if I'm wrong --
14 to enter the bike box from the bike lane on red, but during
15 the green to try to enter the vehicle lane prior to arriving
16 at that point. Is that correct?

17 MR. BAROSS: Or making a pedestrian crossing.
18 Yeah, the green, the movement into the bike box during a
19 green or a yellow is too late, right, and so we wonder
20 what's going to happen and that's why an experiment should
21 happen before these things are applied all over the place.

22 COMMITTEE MEMBER BAHADORI: Mr. Chairman, I was
23 still concerned what are we going to get out of this. I'm
24 looking at the letter from Mr. Baross on March 9th. I think
25 he has some excellent suggestions in that letter in terms of

1 modifying the Request for Experiment. At least we want to
2 get something out of it, because we're just going to put a
3 bike box there and then somebody's going to go and take a
4 look at it and, you know, and then they're going to come
5 back and they're going to say yeah, people are going into
6 the bike box. And, you know, unfortunately, (indiscernible)
7 accident also but you don't know what contributed to the
8 accident. I hope that doesn't happen, pedestrian out there.

9 So what are we going to get at the end of the
10 experimentation? At least I'm referring to Mr. Baross's
11 letter that's not coming from CBAC, that's from California
12 Association of Bicycling Organizations, March 9th, and he
13 has some very specific elements to be introduced into the
14 RTE into their Request for Experiment.

15 That's what I'm saying. Without those things,
16 what are we getting at the end of this experiment; that's my
17 question.

18 COMMITTEE SECRETARY SINGH: Mr. Hamid, the second
19 letter proceed the first letter, (indiscernible) supersede
20 that letter. But whatever they put in that letter is
21 (indiscernible).

22 CHIEF MAYNARD: In tagging on to what Hamid is
23 saying, not talking to the specific value of this particular
24 experiment, but it's a point that I've raised several times
25 in the last year and a half, is we have all these

1 experimentations going on. You're presented with another
2 one in a couple meetings ago regarding a warning sign to
3 through traffic on a road that traffic was entering from the
4 T; a number of Request for Experiment there. And what they
5 provided was that they had had one crash at that
6 intersection in the last five years, or whatever it was, and
7 it was DUI driver that caused the crash.

8 So there was no problem and that was the point I
9 made then. And I'm kind of echoing what Hamid is saying, if
10 we're going to experiment with something it seems to me we
11 should an identified problem, which I don't we do. The
12 problems really should be supported by data and then we
13 should be able to have something to measure at the end of
14 the experiment, and that should all be laid out and that's
15 what an experiment should be. That's not talking
16 specifically about this, but it's the general statement
17 about what is an experiment that we're approving and what
18 are the requirements that should be followed when anybody
19 wants to request an experiment.

20 COMMITTEE CHAIRMAN FISHER: Wayne?

21 COMMITTEE MEMBER HENLEY: Yeah, when I presented
22 this to CBAC we had a similar discussion and I said there's
23 more than one way to skin a cat and there's a lot of ways to
24 deal with this issue. This is one of them and we wanted to
25 experiment and see if this was going to work. That's the

1 bottom line.

2 There are other ways to deal with this and, you
3 know, the people in San Luis Obispo, the City of San Luis
4 Obispo in our district got the evidence that this is what we
5 want to try and they've gotten support from a lot of other
6 people throughout the country. I think we ought to let them
7 go ahead and try it and then come back in a year or a year
8 after they get it installed and tell us what they found out.

9 COMMITTEE CHAIRMAN FISHER: Robert?

10 CHIEF MAYNARD: And the statement was made again
11 to see if it's going to work, but how do we know if it
12 works? What are we measuring against, how are we going to
13 gather the data, how do we know if it worked? And, again,
14 not talking to the specific issue, there's intersections
15 that in general --

16 COMMITTEE MEMBER HENLEY: You know, I also
17 reminded them that we had one of these requests to
18 experiment on the jake brake or the truck engine brake, and
19 remember they went off and studied it for a while and didn't
20 come back with anything worth pointing at, and so we didn't
21 act on it. And I think this is -- I told them, I admonished
22 them that this is the same situation. If they don't come
23 back with something that's useful to us, you know, they
24 wasted the year and we're not going to have anything to show
25 for it.

1 COMMITTEE CHAIRMAN FISHER: And I guess that's why
2 I was pursuing my line of questioning with you, Robert, and
3 you, Wayne, about what exactly is it that we want the
4 bicycles to do when the signal is red and the signal is
5 green. And I think you identified what actions we want them
6 to take.

7 I think, then, if we want to know if it's
8 successful we could measure those actions. We can measure
9 the action of does the bicyclist enter the vehicle lane on a
10 green in advance of the intersection, to what degree does he
11 do that. You can measure that. And to what degree, then,
12 does he enter the bike box only on red at the very end of
13 his travel approaching the intersection. I think those are
14 measurable things and I think if we could measure them, then
15 we could know how successful this has been.

16 And I would suggest if those are the desirable
17 actions for the bicyclists to take, that's what we need to
18 measure in the experiment. Again, we probably need to put a
19 sign or pavement marking or something to tell the bicyclist,
20 "bicyclists may use bike box on red," or something to that
21 effect, so that he knows he has that additional option there
22 that he didn't have before with conventional striping. And
23 that way we could -- you know, you've told them what you
24 expect them to do, him or her to do, are they doing it.

25 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

1 COMMITTEE CHAIRMAN FISHER: Yes, Hamid?

2 COMMITTEE MEMBER BAHADORI: I don't want to
3 belabor the point, but I don't want us to be here a year and
4 a half from now saying okay, gee, this is going to be the
5 only bike box in the whole State of California. That's not
6 a good experiment, or we don't have data to decide whether
7 even this stays or not. So what happens? Is this like
8 going to be a single application in the whole State of
9 California, the only bike box, or is it going to come up if
10 you are not going to adopt a uniform state standard?

11 So those questions we need to know. So along
12 those lines I would like to go over what Mr. Baross is
13 suggesting, that maybe we expand the experimentation and
14 there are other entities that are interested, a different
15 configuration, different locations, different traffic
16 conditions, different environment.

17 Because again, you know, a year and a half,
18 assuming that they really commit and deliver what they
19 promise, they're going to come back and at that point are we
20 willing to say that, okay, bike boxes are good to use, or is
21 this going to remain the only bike box, or are we going to
22 be in a position to even tell them no, you have to go out
23 and remove it.

24 Those are the questions that usually are not --
25 these are not unusual requests. We request the same things

1 from all people who come for experimentation. We say how
2 are you going to measure, what happens if it's not
3 successful. All those questions need to be addressed now
4 before we authorize the experimentation, I think.

5 COMMITTEE CHAIRMAN FISHER: Okay. Devinder, did
6 you want to --

7 COMMITTEE SECRETARY SINGH: I just want to remind
8 over the past three years we just make it through
9 (indiscernible) for a number of us in (indiscernible).
10 There's only one (indiscernible) and we end up without the
11 California MUTCD. So if you're not going to be adopted
12 statewide, maybe a certain location can profit from this.
13 It is when it's successful. If not successful, then we do
14 not (indiscernible), but we have done in the past through
15 outside limitations.

16 COMMITTEE MEMBER HENLEY: And Jim also mentioned
17 that there is another bike box experiment going on in Long
18 Beach. I don't know the particulars of it, but I'm sure
19 before this Committee moves we'd have to find out.

20 COMMITTEE CHAIRMAN FISHER: Okay. I think Deborah
21 and then Jeff.

22 COMMITTEE MEMBER WONG: When there is an
23 experiment, isn't there usually a control or, I mean, there
24 are different situations that could, you know, where the
25 bike box could be implemented in different situations. I

1 wonder if any would be prepared to maybe experiment at
2 different locations or if that would help, you know, provide
3 more conclusive results and have controls. I don't know how
4 you control without a bike box, have some kind of comparison
5 to different situations.

6 COMMITTEE CHAIRMAN FISHER: Jeff?

7 COMMITTEE MEMBER KNOWLES: I do encourage
8 experimentation. This reminds me of queue jumping that we
9 provide for transit vehicles and also medium walks for
10 pedestrians.

11 But as a Committee Member I would recommend
12 against this particular experiment at this location. I
13 would think with a new device like this, like Long Beach is
14 doing, they'd rather see it at less busy intersections where
15 there's less risk during an experiment. This wouldn't be
16 the first place I'd trying something this different.

17 But it does seem that -- we were actually shown
18 pictures of what Long Beach was doing and they were using
19 colored asphalt instead of the stripes. So it does seem
20 like we need information and comparative data between --
21 it's not just should we do a bike box, but exactly what are
22 the dimensions, exactly how is it striped, how does colored
23 pavement work compared to using 12-inch limit lines. Should
24 it be a 12-inch limit line and should it be a 6-inch bike
25 stripe, you know, how big is that particular legend.

1 And then like we do with pedestrians, I would
2 think we'd want before and after conclusion data. They
3 usually do video conflict monitoring, you do surveys so that
4 you get a feel for does the average cyclist understand the
5 message of the bike boxes, similar to what you were saying
6 about how do they use it.

7 And that's one thing you can't really do control
8 at this type of location because it's such an usual
9 configuration. It really is better at standard right-turn
10 locations where you can have monitored a dozen locations
11 where you've tried it, a dozen locations where you haven't,
12 and during the same period of time see exactly what kind of
13 safety record you have. You can monitor conflicts at both
14 locations.

15 So this really is a very poor location for an
16 experiment, especially because they've never had a bicycle
17 collision. It can only get worse. I mean, how do you ever
18 improve something at a location where there have been zero
19 bicycle collisions?

20 We should go with a list of criteria or data that
21 we want back from the experiment, but the bottom line is I
22 would like to see data and bike box experimentation, but I
23 do recommend against this location.

24 COMMITTEE CHAIRMAN FISHER: Okay. Do you we have
25 any additional comments before we hear public comments?

1 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

2 COMMITTEE CHAIRMAN FISHER: Yes, Hamid?

3 COMMITTEE MEMBER BAHADORI: I think, I'm so glad
4 we have Jeff Knowles on the Committee. He nailed it on the
5 head. We don't have a problem, how are you going to
6 identify the two that we're experimenting with as solve the
7 problem? That's what I'm trying to struggle with here.

8 It becomes very difficult and then again I'm so
9 glad you brought up the point that if you want to experiment
10 with something, you know what, experiment at the location
11 that's very unusual geometry, high speed, high traffic
12 volume, and subject more potential risk, so --

13 MR. BAROSS: If I could respond to that, I agree
14 that it would be helpful to have data about what's going on
15 beforehand. But I would disagree that it's only crashes or
16 fatalities that evidence a problem.

17 COMMITTEE MEMBER BAHADORI: Well, not crashes.

18 MR. BAROSS: Okay. Because as I told the FSP
19 groups there are other problems cyclists encounter, such
20 that they would avoid the intersection completely, never go
21 through it, it's so scary or dangerous that they just, they
22 avoid the situation completely. We have zero crashes, zero
23 fatalities, but we still have a problem.

24 I agree, though, that we need to identify and
25 provide data about what that problem is and then resolve

1 that problem, hopefully, or gain a new --

2 COMMITTEE MEMBER BAHADORI: I was not referring
3 to, like, accidents or crashes. You must have some
4 documented problem and then you measure the tools, see if it
5 has addressed the problem. I don't even see the
6 documentation of the problem here.

7 MR. BAROSS: We do have problems.

8 COMMITTEE MEMBER HENLEY: It's probably an
9 anecdote. I mean, you have to just get a few people -- in
10 fact, if you're really hooked, you know, you know what the
11 problem is and it makes you mad and it makes you want to
12 take action. And probably that's what happens, it is one or
13 two people get hooked and I say it can get real ugly real
14 quick.

15 COMMITTEE CHAIRMAN FISHER: Jacob?

16 COMMITTEE VICE CHAIRMAN BABICO: At this time can
17 Wayne or Jim state the problem to respond to all these
18 comments?

19 MS. MCLAUGHLIN: Since Mr. Fisher recognizes
20 "Roberta," Roberta McLaughlin, last name's
21 M-C-L-A-U-G-H-L-I-N, Office of Size Markings, Caltrans.

22 I just to make a few comments regarding the kinds
23 of things I see come into my office, requests or, you know.
24 This didn't necessarily start with my office. However,
25 they're trying to address a specific issue here, whether

1 it's perceived or documented, it is up for discussion.
2 However, they are going through a procedure that we've asked
3 them to go through and we do know there are other locations
4 that are doing this that haven't gone through our
5 procedures, so I don't know that we need to penalize or
6 whatever you want to call it this particular application to
7 experiment because it's trying to address a specific issue
8 and a specific condition.

9 I totally agree that we should have other
10 locations where we can evaluate this. Maybe the City of San
11 Luis Obispo would have some other locations in their
12 application from District Five. Under Evaluation
13 Procedures, I'm looking at page 30, "Other criteria and
14 procedures may evolve during the evaluation process." So I
15 think they're very open to some of the things that we're
16 considering and see that kind of very detailed information
17 that they would like to see evaluated.

18 The other comment I would like to make on a
19 national basis, there are other states. We know the City of
20 Portland uses some of these types of techniques and, again,
21 it's just another tool in our toolbox to address specific
22 issues. I think we need to get them the criteria of what
23 the bike symbol looks like, where the limit lines go and
24 such, and then educating the bike riders on how you use it.
25 This is part of their experimentation process with the City

1 of San Luis Obispo.

2 So with all that said, I don't believe there is a
3 documented problem, but there is a perceived problem and it
4 was actually the City of San Luis Obispo that came to
5 Caltrans, since this was a state highway.

6 And in addition to the bike box, if you'll notice
7 on the figure we have up here, there's some additional
8 markings that go on here, too. We don't have marked
9 crosswalks now so we'd have some marked crosswalks. So then
10 you'd have this other criteria, how do the marked crosswalks
11 enter into this whole experimentation type of thing,
12 possibly some video recording of what's existing and video
13 recording of afterwards.

14 But I don't think we want to get into the mode of
15 denying these experimentations not knowing what's going to
16 happen in a year, because we're going to see more and more
17 people trying their own things and saying I'm not going to
18 go back to the CTCDC because I know what happened before.

19 COMMITTEE CHAIRMAN FISHER: Roberta, I have a
20 question of you. Should this matter be going to the FHWA as
21 well for experiment?

22 MS. MCLAUGHLIN: I cannot answer that. I know the
23 City of Long Beach initially went to FHWA before coming to
24 us, before they started doing some things. So there is some
25 confusion out there from the professional representation

1 from the local agency as to what experimentation process
2 involves. This particular item, because California does
3 modify the manual and does allow for special situations,
4 whether that would be -- FHWA's often involved in the review
5 process, but as far as a separate experimentation process I
6 couldn't tell you if that's a formal thing that needs to be
7 done or is the experimentation problem good enough for both
8 California and FHWA.

9 COMMITTEE CHAIRMAN FISHER: Okay.

10 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

11 COMMITTEE CHAIRMAN FISHER: Yes?

12 COMMITTEE MEMBER BAHADORI: The cities and the
13 counties can do whatever they want. They can do any kind of
14 striping, they can put pink zigzag striping on the streets,
15 they can put a sign that says whatever in whatever shape and
16 size. There's nothing that Caltrans or the federal can do
17 to stop them. They have jurisdiction over their property.
18 They can do it. And then they have to go and explain it in
19 a book of law when they sue. You cannot stop them,
20 (indiscernible) cannot stop them.

21 Just because some people are doing it the wrong
22 way, without coming through the process, that's just saying
23 hey, relax our experimentation review here and maybe then
24 they come to us. Those who want to do it right is going to
25 come here. That's why we have all these experimentation

1 requests.

2 And so that's why I would like to encourage us to
3 approve these items, maybe contacting them, maybe, you know,
4 expand the limits of this experiment. So maybe go with the
5 San Francisco is doing something, we have gentleman from San
6 Francisco to answer, maybe Long Beach is doing it. So at
7 least we coming back in a year and a half from now we can
8 decide is this a good thing, what are the parameters,
9 because if we focus only on this thing I intuit myself a
10 year and a half from now we are going to just sit around
11 here, look at each other and say, so what, they didn't have
12 a documented problem, they couldn't prove that they improved
13 anything, this is a box you put in an intersection. So
14 (indiscernible) anybody else in California. That's what I
15 want.

16 COMMITTEE MEMBER KNOWLES: I had a similar
17 thought. I was wondering if Caltrans is going to be in the
18 experimentation business on the surface street, whether you
19 couldn't extend the tests say, you know, have ten
20 intersections along Higuera with right-turn bike boxes so
21 that those would be at very standard locations. There's the
22 same need because with the cyclists along the street they do
23 have that hooking problem with right turners.

24 So this would be part of a larger experiment you
25 could actually host along this route, which is a surface

1 street. It would give us a much better comparison data with
2 ten other locations where you haven't done it, so you could
3 be collecting collision data at the same time. And I agree,
4 that's why I mentioned you could document conflicts, so even
5 where you don't have collisions I've seen various pedestrian
6 studies where you do a conflict study so you just see where
7 does that pedestrian step off the curb, where does the right
8 turner stop. And they both, you realize a conflict just
9 occurred but one yielded to the other and so there was no
10 collision.

11 You could do the same kind of study here as long
12 as it's a formalized study that's conducted both here and
13 other locations where you don't have the bike boxes, so you
14 can start to clarify was there a material difference in
15 conflicts, collisions, volumes, whatever at a number of
16 different locations. But it seems like if you think is a
17 good idea to at least try, why not try it like Long Beach
18 did it at a number of shared through rights along the same
19 roadway so that we get a better sample. And that way this
20 is just part of a larger experiment that you can post on
21 this road.

22 COMMITTEE CHAIRMAN FISHER: Okay. If there are no
23 other comments on Committee Members, I'd like to ask for any
24 public comment. And I'd like also the FHWA to weigh in on
25 this matter as well.

1 Any public commenters? I'll ask Steve Pyburn to
2 speak on that.

3 MR. PYBURN: Hello, my name is Steve Pyburn,
4 Federal Highway Administration for California. Last name is
5 spelled P-Y-B-U-R-N.

6 I believe you would require an experiment,
7 although I can't say definitively yes or no. I'm looking at
8 part one of a Federal MUTCD, when to use traffic control
9 device.

10 Number one, you've got to fulfill a need. It's
11 been stated there's not a need. Bicyclists have to make a
12 decision of what's safe at that location given the traffic
13 conditions, their abilities, their skills, their confidence,
14 et cetera. The bike box doesn't take the decision away from
15 the driver, I mean for the bicyclist.

16 Number two that I'd like to point out for the
17 traffic control requirement is convey a clear and simple
18 meaning. Just the hour or so of discussion about what is it
19 conveying to the bicyclist, what is it conveying to the
20 driver, but what is the expectation of both. It's implying
21 that there's not a clear and simple message provided. The
22 ambiguity of what a bicyclist should do on a green light has
23 significant hazardous consequences to the bicyclist, whether
24 there's the bike box there or not.

25 Give adequate -- and then the third, a third

1 traffic control device requirement, give adequate time for
2 proper response. On the green light when vehicles are
3 moving through the intersection and a bicyclist is
4 approaching, when does he enter the bike box and what are
5 his rights, what are the driver's rights. That is not
6 clear. Does the bicyclist have time to make a decision when
7 the bike box starts or not?

8 Being an avid cyclist, I face this situation and
9 I'm concerned about the message it's sending to drivers and
10 the bicyclists. Confusion on either of their parts could
11 have potentially deadly consequences for the bicyclist, more
12 so if you're confusing the driver and they don't know what
13 to do in a situation when they approach this intersection.

14 There's not a clear, documented need. If there's
15 not an accident history the purpose, the usefulness of the
16 bike box is really suspect. When I first saw this, I
17 thought about the legality of what it means to the
18 bicyclist. Do they have to stop behind the first limit line
19 also? And why the ambiguity of two limit lines, I think,
20 could be minimized by not having the second limit line. The
21 bicyclists would have to stop behind the crosswalk. But it
22 does then send a clear message that the car must stop behind
23 the first limit line. But if they had a bike, the car is
24 stopping there and a bicycle comes up and moves in front of
25 that limit line, is really portraying to the bicyclist he

1 doesn't have to stop at the limit line. So there's a
2 plurality in the law of what the Vehicle Code says and
3 established by that limit line where a bicyclist can go
4 ahead.

5 The evaluation criteria is severely wanting in the
6 proposed experiment. Page 30 says they're going to evaluate
7 the effectiveness. What does that mean? If there's not a
8 problem being solved, there's not a need for the traffic
9 control device. And if there's not a documented problem,
10 how are they going to measure success? So we share the
11 concern that there is no effective measure of success other
12 than anecdotal evaluation by Caltrans, the city, and, the
13 evaluation criteria says, the San Luis Obispo Bicycle
14 Coalition. They're already on record. There's a letter to
15 this Committee saying they want it. It does not appear they
16 would be an objective party in the evaluation of the
17 effectiveness.

18 And with that I will be happy to take any
19 questions.

20 COMMITTEE CHAIRMAN FISHER: Any questions for
21 Steve?

22 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

23 COMMITTEE CHAIRMAN FISHER: Yes, Hamid?

24 COMMITTEE MEMBER BAHADORI: Not as much a
25 question, a comment on Mr. Pyburn brought up.

1 Neither (indiscernible) these experiments and
2 sometimes we even make it into the California MUTCD without
3 even the education part of it. We approved the flashing
4 yellow arrows at the (indiscernible) three years ago. We
5 made it into the manual. I've been working DMV people for
6 the last two years to get it in the California Driver's
7 Handbook, but still they haven't made it.

8 So the driver reaches the intersection and says,
9 okay, what is this supposed to mean, flashing yellow arrow,
10 what am I supposed to be doing here now. So the education
11 component, you shouldn't forget this. When you're going to
12 be doing this, there must be also a clear message that makes
13 it hopefully through VCV or through a driver's handbook so
14 that the driver knows how he's supposed to react when he
15 sees something like this on the street.

16 So those are the things that need to be addressed
17 when we approve a very new idea.

18 COMMITTEE CHAIRMAN FISHER: Okay. Any other
19 public comments or questions for Steve?

20 COMMITTEE MEMBER HENLEY: I just wanted to say one
21 thing. You said there's no documented problem there.

22 Well, for one thing -- well, I don't think that
23 the City of San Luis Obispo said, you know, they got those
24 up in Portland, we want them, too. There must be a reason.
25 Maybe it wasn't very well documented in their proposal, you

1 know, they've got either a potential or a real hooking
2 problem there and that's what they're trying to solve.

3 I think Jim said it didn't make it into the
4 accident statistics. Again, you know, if you don't have a
5 collision, you know, we don't have a problem. But, you
6 know, it's scared enough people away from the intersection,
7 they won't go there and we don't have a problem. If you
8 have pretty good bicycles (indiscernible) follow that road
9 there either. I don't think that's necessarily, you know, a
10 traditional traffic accident surveillance program statistics
11 are necessarily going to find those kind of problems.

12 MR. BAROSS: I have a question. That's me, over
13 here. Okay.

14 To follow up the green and then I'll get to the
15 question for FHWA. We do have right hook issues. We do
16 have anecdotally problems with intersections where
17 bicyclists get right hooked, and two cars to the right they
18 get cut off by bicycles, motorists. What we don't have here
19 is some criteria to evaluate the efficacy of the bike box
20 after its implementation. It would be great to have some
21 numbers beforehand, but these bicyclists -- this many
22 bicyclists had conflict, afterwards we have none, great, it
23 worked. So that's one thing.

24 FHWA, and we're not going to clear it up but I'm
25 just raising it. What's the proper process for introducing

1 an experiment that's going to potentially result in a change
2 to the federal or California MUTCD? Should it come here,
3 should it come there to be referred, should it be in
4 concurrence? I'd like to know because I've got plenty of
5 bicyclists who want to bring forward experiments, changes
6 and, unfortunately, San Luis Obispo -- excuse me -- looks
7 like it's not going to get approved. It may, but I'd like
8 to make it easier for review and opportunities to get these
9 innovative things in place. So what's the best process?

10 COMMITTEE MEMBER BAHADORI: Jim, Mr. Chairman, can
11 I ask a question from Mr. Baross? I completely agree with
12 you that you don't need documentation. It's the known fact
13 to all traffic engineers and bicyclists that you have a
14 right to a problem. This location does not, is not --
15 because we have a right turn, so regardless of what level of
16 success and how you measure it and even if you can measure
17 it, a year and a half, this experiment is not going to tell
18 us anything about the effectiveness of the bike boxes in
19 solving or mitigating the rightful problem. This is a
20 unique location. That's all I'm trying to say. You have
21 information and -- your Committee is not going to have
22 information, your organization is not going to have
23 information to say if bike boxes are useful in mitigating
24 the right hook, which is a very legitimate problem, because
25 this location right turn is not even allowed at this lane.

1 COMMITTEE MEMBER HENLEY: Well, see it's an
2 effective right hook because you're trying to go left and
3 the car is going straight, so you won't know the difference.

4 MR. BAROSS: I should have said merging conflicts
5 or something like that.

6 MR. PYBURN: I'm sorry, if I may have one comment
7 about the location of this particular bike box. The through
8 volume would seem to be very low, and so the conflict of the
9 left turning bike and the through moving car it may not be,
10 there may not be enough conflict there so that the results
11 of this experiment are applicable to other locations that,
12 for example, the through movement is a lot higher because
13 the street continues forward.

14 I also have issue with the applicability of this
15 experiment in other locations and I would not want the city
16 or any other city to say hey, it worked in San Luis Obispo,
17 therefore it's going to work in our city.

18 COMMITTEE CHAIRMAN FISHER: Okay. We've had a
19 number of comments and questions, and some of them have
20 asked things that haven't had an answer. I'd just like to
21 comment to Jim that Section 1A of the California MUTCD
22 discusses experimentation requirements. And generally if
23 the experiment would change a national standard that's also
24 applicable in California MUTCD, then generally you need to
25 get approval from the Federal Highway Administration for the

1 experiment and, in addition, because you want to use that
2 experimental device in the State of California, you come
3 also to the CTCDC. It's been our practice that once the
4 FHWA approves it for experimentation, then we generally
5 rubber-stamp the request.

6 With regard to is there a problem, can someone
7 representing the experiment articulate in 25 words or less
8 what the problem is? Is it delaying, is it accidents, is it
9 confusion, what? Can anyone identify it, because that's
10 been asked numerous times here, and either anyone at the
11 table or --

12 COMMITTEE MEMBER HENLEY: The problem is bicycles
13 are flowing along with the normal flow of traffic and make a
14 left turn there. Either they feel uncomfortable or they
15 experience cars going straight, surprising them, and going
16 into the parking lot instead of going, making a left
17 movement where most of the traffic is going.

18 COMMITTEE CHAIRMAN FISHER: But why is that a
19 problem? I mean, if they're in the lane and they elect to
20 go left but the car in front of them goes through, why is
21 that a problem?

22 COMMITTEE MEMBER HENLEY: You see, there's a bike
23 lane there so my guess is they're a little bit to the right
24 of the lane anyway.

25 COMMITTEE CHAIRMAN FISHER: Right, but the Vehicle

1 Code requires when you make a left turn you get into the
2 left-turn lane.

3 MR. BAROSS: The bike lane is not currently, as
4 you can see from the photo, the bike lane is solid all the
5 way into the intersection. Usually bike lane, as a matter
6 of fact the highway design standards call for a bike lane to
7 be dropped or dashed as it approaches the intersection,
8 which provides some cue to bicyclists and motorists that
9 there's going to be merging going on. It may be that the
10 current situation where the bike lane is striped all the way
11 is encouraging many bicyclists to stay to the right and,
12 therefore -- so currently this picture is the proposed, the
13 result, and currently the bike lane, if it is a bike lane, I
14 think it is, is striped all the way to the intersection and
15 it may be more a question is what is the problem to be
16 solved.

17 I don't know that we have data and totally the
18 cyclists apparently are staying to the right and, therefore,
19 in potential conflict with a motorist who turns to go
20 straight.

21 COMMITTEE CHAIRMAN FISHER: But I think what
22 you're saying is the bike lane isn't striped in the standard
23 manner where it's supposed to be dashed a number of feet
24 before the turn so that motorists can enter the turn lane
25 and be advised of the bicyclist, and the bicyclist can also

1 exit the lane to get into the left turn lane.

2 MR. BAROSS: In defense of the traffic engineer
3 who I've spoke to in San Luis Obispo, it was his
4 understanding that because there is no right turn allowed
5 that it wasn't necessary to dash the bike lane and,
6 therefore, they carried it all the way to the intersection.

7 COMMITTEE CHAIRMAN FISHER: Okay. Roberta, did
8 you want to comment on the perceived problem?

9 MS. MCLAUGHLIN: The parking lot is a fully
10 signalized intersection, fully signalized intersection so
11 the fourth light goes into a private parking lot. I can't
12 comment on the (indiscernible) but that is the major
13 entrance to that parking lot is a through movement.
14 There's, you know, I don't believe you can even make a left
15 from that other direction into the parking lot.

16 So if you look on page 32 there's an aerial
17 photograph. It's a very large commercial development so the
18 number of cars going in there is probably quite
19 considerable. I don't have an actual volume.

20 COMMITTEE CHAIRMAN FISHER: Thank you.

21 MR. BAROSS: There's a letter from the City of San
22 Luis Obispo, states the problem as being -- this letter, in
23 the first sentence of the second paragraph says --

24 COMMITTEE CHAIRMAN FISHER: On what page?

25 MR. BAROSS: I'm sorry.

1 COMMITTEE CHAIRMAN FISHER: Is it from the San
2 Luis Obispo Bicycle Coalition?

3 MR. BAROSS: No, the City of San Luis Obispo. It
4 looks like this.

5 MS. MCLAUGHLIN: A separate packet.

6 COMMITTEE CHAIRMAN FISHER: Okay, right.

7 COMMITTEE SECRETARY SINGH: Page 37.

8 MR. BAROSS: Thirty-seven.

9 COMMITTEE CHAIRMAN FISHER: Go ahead and read it.

10 MR. BAROSS: Okay. As they're saying, and I
11 agree, "The challenge faced at this intersection is to avoid
12 conflicts between bicyclists turning left," or arguably
13 continuing straight, "the direction of the majority of
14 traffic flow, and the occasional motorist traveling straight
15 into the opposite shopping center driveway. The potential
16 conflict arises when bicyclists queue to the right of motor
17 vehicles during the red light phase, and then wish to turn
18 left assuming motorists are doing the same. The additional
19 challenge for bicyclists is that they cannot determine what
20 maneuver the motor vehicle will make prior to committing
21 themselves to a stopping location." That was their
22 statement of the problem.

23 COMMITTEE CHAIRMAN FISHER: Thank you.

24 MS. MCLAUGHLIN: So it's very similar to right
25 hook. The bicyclist is going to continue to make that wide

1 sweeping left into the bike lane on your north leg and would
2 not know if somebody is going to be going a through
3 movement, which is actually a small right turn into the
4 parking lot entrance.

5 Essentially it's a right hook situation.

6 COMMITTEE CHAIRMAN FISHER: Right. But doesn't
7 the Vehicle Code require that they enter the left turn lane
8 to make a left turn?

9 MS. MCLAUGHLIN: But in this case you would have
10 to go back over several lanes to get into your --

11 COMMITTEE CHAIRMAN FISHER: No, no, you only have
12 to go into the adjacent lane that allows you to turn left.

13 MS. MCLAUGHLIN: We have a dual left turn lane and
14 then a bike lane on the north leg, further on north.

15 MR. BAROSS: There is no bike lane.

16 MS. MCLAUGHLIN: Yeah. Well, the bicycle, if they
17 were heading towards the shoulder, you're saying they should
18 possibly --

19 COMMITTEE CHAIRMAN FISHER: I guess what I'm
20 saying is my understanding of the Vehicle Code is that to
21 make a left turn you have to vacate the right most bicycle
22 lane and enter the lane that allows you to turn left, which
23 would be the left turn lane adjacent to the bike lane. I
24 thought that's what the Vehicle Code normally requires. But
25 because of the unique geometrics here bicyclists aren't

1 following that. Is that correct?

2 MR. BAROSS: Many bicyclists are staying in the
3 bike lane, end up at the intersection to the right of motor
4 vehicles. The motor vehicles may be going left or may be
5 going arguably straight into the intersection. So that's
6 where the conflict occurs.

7 COMMITTEE CHAIRMAN FISHER: Any other comments
8 from the public?

9 MR. OLEA: Hello, my name is Ricardo Olea,
10 O-L-E-A. I'm representing the City and County of San
11 Francisco.

12 In your package you have support letters from our
13 director and also from our Bicycle Coalition in San
14 Francisco. Our Bicycle Coalition has strongly supported
15 this experimentation.

16 We were concerned the last time that this item
17 came up that there were, the discussion was mainly that
18 there could not be two limit lines, one for bicycles and one
19 for vehicles, and I think there were some statements that
20 this experimentation was not legal in California. And from
21 what I'm hearing today, it does appear that that is no
22 longer a concern. And if that's the case, it's good to
23 hear.

24 We were going to propose to the Committee that if
25 there is any concerns, that a legal office from Caltrans

1 make a written announcement about that, whether you can have
2 two limit lines. And if that was not illegal -- a legal
3 measure under the California Vehicle Code that we were
4 willing to work with the state legislature to make any
5 Vehicle Code changes that would be required to have the
6 experimentation and then go forward and work with the
7 Committee or other interested parties in that.

8 If that's no longer the case, I think there is
9 some confusion about calling this just a bike box. I think
10 the real issue here is are there any circumstances where
11 there is a benefit to having a different limit line for
12 vehicles and for bicycles, and the bike box is what results
13 from doing that. But really that's what's being
14 experimented here in one specific case for a left turn.

15 The right turn issue is, I think, completely
16 different kind of maneuver and I would not think that this
17 experiment is addressing the right turn box usage. So I
18 would think that if such a different limit line for bicycles
19 or vehicles are going to be used for right turn, I think
20 that that has to be a completely separate experiment
21 because, as Mr. Fisher stated, under the California Vehicle
22 Code if you're making a right turn you have to occupy the
23 bicycle lane area, and a bicycle box design, I think, would
24 pose certain serious design questions for right turns.

25 Finally, there have been some discussions that San

1 Francisco does have its own bike box. We have one location
2 that we've done recently where we have a separate limit line
3 for bicycles and for motorists and it's leading to a west
4 side bicycle lane on a major, popular bicycle lane. And
5 we're monitoring that experiment that we've done without the
6 Committee's review, and we're monitoring closely and
7 gathering data. We have a positive experience from it.
8 It's really a one of a kind application. Very few cities
9 probably have a bicycle lane on the left side of a roadway.
10 If we brought it forward for experimentation, it would be
11 one of those kind of situations that you were discussing,
12 where it would be kind of a one of a kind application that
13 would probably not be very useful.

14 But the general issue, I think, about whether
15 there should be separate stop bars for bicycles or
16 motorists, which this experimentation is addressing, I think
17 is valuable. I think the fact that we had a discussion
18 prior to this meeting about whether it was even legal, and I
19 think we're beyond that at this point, but it was also
20 valuable to keep this moving forward and we look forward to
21 seeing the results of the experimentation and seeing what
22 things can be done in terms of providing clear messages to
23 both motorists and bicyclists about what their proper
24 stopping point is. Thank you.

25 COMMITTEE CHAIRMAN FISHER: Thank you. And seeing

1 no other comments from the public, I'll bring it back to the
2 Committee. But before I do, I did want to mention that the
3 Committee did receive 11 letters of support for this
4 experiment from the San Luis Obispo County Bicycle
5 Coalition, the Los Angeles County Bicycle Coalition, the San
6 Francisco Bicycle Coalition, the San Luis Obispo County
7 Bicycle Club, the Bay Area Bicycle Coalition, the Los
8 Angeles County Bicycle Coalition, the City of Long Beach,
9 the League of American Bicyclists, the California Bicycle
10 Coalition, the City of Santa Rosa, and the San Francisco
11 Metropolitan Transportation Authority, just for the record.

12 MR. BAROSS: Also for the record, I don't think
13 your packet included the letter from the City of San Luis
14 Obispo, which is also in favor. You do have it, okay. So
15 that's the one I'd like --

16 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman?

17 COMMITTEE CHAIRMAN FISHER: Bring it back to the
18 Committee and Farhad.

19 COMMITTEE MEMBER MANSOURIAN: Based on the
20 comments that I have heard on the Committee, and I just want
21 to make an observation, it appears that there is not support
22 for this particular request. Again, this is just my
23 observation. If that is the case, I want to make sure the
24 message we send is not that, no. I think the message we
25 want to send is the following.

1 Caltrans has come to us and says we have a merging
2 conflict problem and we like to do X to fix that. So I
3 don't, you know, I kind of agree with Roberta. I don't want
4 to start second guessing public agencies who come to us and
5 say we have a problem, for us to say, well, you don't.
6 Maybe they have failed to adequately demonstrate that they
7 do, you know. I want us to be careful on that because I
8 want to encourage them to come to us. I don't want to
9 discourage them.

10 The part that I think is universal agreement is
11 maybe the evaluation criteria is weak. Maybe we're not sure
12 how we're going to benefit from it. So if we're going to
13 deny this, then I want to make sure that we clarify on the
14 evaluation criteria, or if we want to continue this saying
15 we're not sure how this is going to benefit, please come
16 back with much stronger evaluation criteria, the problem
17 before, the problem after, and how you're going to measure
18 success, I think is a good word we use. Because I really
19 don't want, as a Committee Member, to send a message that
20 no, you don't have a problem, go away, and you haven't done
21 that. That to me is not something we want to do.

22 That's all I really have to say at this time.

23 COMMITTEE CHAIRMAN FISHER: Thank you, Farhad.

24 And I would also like to state, then, I would like for the
25 Committee to find a way to support an experiment with a

1 bicycle box. Now, we've heard many comments and I think the
2 sponsoring agency has heard maybe how it might be able to
3 strengthen its experimentation proposal and things that it
4 might look at, and more clearly state the problem, more
5 clearly articulate what action is expected of the motorists
6 and the bicyclists on a red, green, et cetera.

7 But also I think this would be subject to FHWA
8 approval first and then CTCDC approval second, and I would
9 like us to encourage the sponsoring agency to submit a
10 request to the FHWA and then to the CTCDC that's been
11 strengthened and answers some of these questions, because I
12 think there are going to be a number of, many more
13 experimentations out there on bike boxes. That will be an
14 issue that we'll have to address and I think we need to get
15 some good information about how they're working or not
16 working, as the case may be.

17 So I would like for the Committee to try to find a
18 way to support a good experiment on this proposal.

19 Other comments, Hamid?

20 COMMITTEE MEMBER BAHADORI: According to what
21 Mr. Mansourian said, the point that I was trying to make
22 when we started this discussion is that I think the best way
23 to kill something really good is to defend (indiscernible).

24 My thoughts this might be the best thing since the
25 sliced bread to improve bicycle safety. But this experiment

1 is not going to give us the tools to make bike boxes
2 available for use throughout California to solve the primary
3 problem that you're trying to solve, which are
4 (indiscernible).

5 So if you want to experiment with a bike boxes,
6 let's do an experiment with a bike box that gives us -- San
7 Francisco, I would encourage the gentleman -- I forgot your
8 name, I apologize -- I would encourage them that even though
9 you did that without the Committee review to at least share
10 with Caltrans and the Committee the results of your finding.
11 Excuse me. City of Long Beach, they're doing it. We
12 encourage them to share the data information so that we can
13 come to a conclusion on the bike boxes and what were the
14 standards, where you use them, how you use them, what is the
15 thickness of the line, is it 12 inch, 18 inch, what is the
16 size of the bike symbol you put there, what is the minimum
17 dimension that put depending on the size of the
18 intersection, so on and so forth.

19 I don't know, and I don't think anybody in this
20 Committee knows for certain, if bike boxes are going to
21 improve the right hook problem. My intuition as a traffic
22 engineer tells me yes, they will. But we need to have
23 standards to come up with the appropriate installation.
24 This experiment doesn't tell us anything in developing that
25 standard for the statewide use. That's what I was trying to

1 say.

2 So I encourage, for the sake of moving this
3 project forward, I encourage that we are articulating,
4 consider this location, make sure include these other
5 locations, that they will have information to make a
6 decision. If it's a unique problem, what to do with so many
7 other tools. You don't mention that they can better take
8 the full lane and we just approve the signs and whatever.
9 So there are other ways.

10 And then, for the sake of the application for
11 future, and this is spelled out in our experimentation
12 drivers on the website if just people both to go and read,
13 on something like this when I say documented proper, at a
14 minimum I expect to have traffic law used in their
15 application, the split between left and through, the number
16 of bicyclists using this area, how many bicycles go through
17 this intersection, is this part of a regional system, is it
18 a commuter, is it operational facility. The application is
19 missing pretty much all the information that you need in a
20 Request for Experimentation application.

21 So that's the problem I have with; otherwise, as a
22 traffic engineer I think bike boxes are pretty good idea and
23 if used properly. But this experiment is not the way to get
24 there. That's what I was trying to say.

25 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman?

1 COMMITTEE CHAIRMAN FISHER: Yes, Farhad?

2 COMMITTEE MEMBER MANSOURIAN: So here are our
3 choices. One is to deny the experiment. The other one is
4 to continue the experiment and ask them to come back and
5 strengthen the problem statement, the evaluation criteria.
6 Or a third one possible, and I want to just put it on the
7 floor as a discussion, see how, what do you think.

8 Steve from FHWA made some very good points on some
9 of the issues. So if we would make these experiments, if we
10 would move to support this experiment subject to approval of
11 FHWA, then we've moved it to the next level where Steve and
12 FHWA would then say here are all the other things we need
13 you to do: one, two, three, four, five, six. Once they, if
14 they comply with that, great. We've moved it, FHWA approve
15 it, and we can later on see whether this does what we think
16 or not. And if FHWA doesn't approve it or if they don't
17 comply with what they want, then there is no issue.

18 My concern is Caltrans has come to us with a
19 problem statement and I don't want to second guess them. I
20 want to strengthen their evaluation criteria, which is what
21 we all share. So that's kind of where my thinking is.

22 COMMITTEE MEMBER HENLEY: A quick question. I
23 think Steve said that, Steve Pyburn said that this is there
24 and now we have to have a federal approval for a federal
25 experiment. Is that right? Did anybody hear that?

1 COMMITTEE CHAIRMAN FISHER: I think that's what we
2 heard.

3 COMMITTEE MEMBER MANSOURIAN: That's what I heard,
4 because this is a conventional four lane highway.

5 COMMITTEE MEMBER HENLEY: Okay. Well, then, let's
6 hear suggestions. It's probably a good idea.

7 COMMITTEE CHAIRMAN FISHER: Do you want to make
8 that in terms of a motion?

9 COMMITTEE MEMBER MANSOURIAN: I was trying to see
10 if the nods or the head motions are sideways or up and down.

11 COMMITTEE CHAIRMAN FISHER: Yeah, whether it be
12 subject to or to support their Request for Experiment to the
13 FHWA.

14 COMMITTEE MEMBER BAHADORI: Mr. Chairman? With
15 all due respect, a two-page memo is not a Request for
16 Experimentation. You need to provide information if you see
17 is what the problem and you want to solve it and you want to
18 develop guidelines for MUTCD. Just any traffic engineer
19 will look at this and say what is the traffic volume, what
20 is the posted speed limit on this street, what is the
21 intersection width. No information is provided about any of
22 the existing conditions, forget the documented problem.

23 COMMITTEE CHAIRMAN FISHER: Right. But I think
24 that's what would be suggested to the applicant to go to the
25 FHWA, not the document they gave us but a strengthened and

1 beefed up document that would go to the FHWA in the format
2 required by the FHWA.

3 COMMITTEE MEMBER BAHADORI: I don't want to speak
4 for FHWA, but I think FHWA will not even respond to
5 something like this. It's going to say your application is
6 so incomplete. You have an incomplete application here.

7 COMMITTEE CHAIRMAN FISHER: Yes, Jeff?

8 COMMITTEE MEMBER KNOWLES: I mean, again, if the
9 application were only for this experiment I would not
10 support it, just like I couldn't imagine how -- that there's
11 no bicycle collisions and that during the experiment there's
12 a collision, how would you explain to a jury why you did
13 this?

14 I could understand if we did some experimentation,
15 authorized experimentation with bike boxes at standardized
16 intersections with reasonable traffic volumes, we had a
17 demonstrated track record that this thing works. But I
18 can't imagine starting with our very first experiment at an
19 intersection like this one with no collisions. I would
20 support this if it was part of a larger experiment, and I
21 don't even mean another city. I mean, we have -- this is a
22 perfect roadway for bike box experiment at some standard
23 right turn locations. I just can't imagine doing a single
24 bike box and saying that -- would we ever do a sample so
25 small as part of an engineering study where it's just one

1 bike box at one odd intersection like this.

2 So I wouldn't want to give the -- I do support an
3 experiment with bike boxes, a series of bike boxes, but I
4 would not support this as a stand-alone test.

5 COMMITTEE CHAIRMAN FISHER: I guess an agency that
6 wants to experiment with a device that would revise the
7 national standard could independently go in the FHWA and
8 seek approval for that experiment and then come back to us
9 for that. So an agency can do that.

10 Since Caltrans is the lead for this proposal,
11 having heard these comments, does Caltrans want to go to the
12 FHWA with the experiment at this individual intersection, or
13 do you think Caltrans wants to apply this at a number of
14 locations up and down the highway, or what is the sense of
15 where you are to doing this?

16 COMMITTEE MEMBER HENLEY: Obviously I have to talk
17 to District Five, you know. I don't think they were
18 thinking of a very large scale, definitive study. We'll
19 have to talk to them after the result, after this meeting.

20 You know what, I heard a lot of very good
21 suggestions and they should have been in the original
22 application or proposal. It could work. And, you know,
23 where we go from here we'll have to see.

24 COMMITTEE CHAIRMAN FISHER: So with what Farhad
25 suggested, he suggested that the Committee might be able to

1 support in concept any strengthened experimentation
2 application to the FHWA. And I think the FHWA would require
3 that certain information be presented and certain questions
4 be addressed as part of that application.

5 So before it's put into a motion, is there a sense
6 that that's what the Committee wants to support or where do
7 we want to go with this?

8 CHIEF MAYNARD: Have we established what the
9 actual procedure is? Is it FHWA first and us second, or is
10 it us first and then second?

11 COMMITTEE CHAIRMAN FISHER: It's them first and us
12 second, because it would revise a national standard for
13 which California abides by.

14 CHIEF MAYNARD: So then would this Committee be
15 supporting sending it to FHWA for review when they have to
16 review before we get it anyway, or would we just say that in
17 concept, you know, bike boxes are an interesting solution?
18 I think they do hold some promise. I think there is a lot
19 of things to be looked at and learned from trying them out.
20 But is it just the concept is interesting, you know, go to
21 FHWA and get approval and then bring it back, you know, as
22 an official request once you have an approval? If that's
23 the proper form, if they have to go there first anyway then
24 why do we have to recommend that they take it to FHWA in
25 some kind of a formal --

1 COMMITTEE CHAIRMAN FISHER: I guess the only
2 reason would be to show support for the concept and the
3 experimentation, and to show some support for what the other
4 advisory committee, that Caltrans has recommended.

5 First Farhad and then Jim and then Hamid.

6 COMMITTEE MEMBER MANSOURIAN: Robert raises a very
7 good point. For years and years we've tried to wrestle with
8 that, who should, you know, go first. We've never settled
9 it. The reason is in the past we've said if you go to the
10 feds first and they approve, you come here. It doesn't mean
11 we get to approve it automatically because they said it, or
12 vice versa.

13 But what we've done is we have encouraged that
14 they go to FHWA and us for the reasons that, you know,
15 getting it approved by FHWA doesn't relieve them from
16 reliability if they want to experiment in California.

17 Maybe I want to try one other thing, which is a
18 combination of all of your comments. Maybe the motion that
19 we would put in is the Committee strongly supports or
20 appears or we strong support the bike box concept and, at
21 this point, we do not have a strong criteria for evaluation
22 of this particular experiment. Therefore, we recommend or
23 we support such an application for them to go up with FHWA
24 and bring it back to us when that part of the experiment is
25 completed.

1 I guess what I'm trying to say is that support the
2 bike box in concept, let them develop a lot more stronger
3 criteria, let them work the details with the feds, and when
4 they come back to us we'll consider it at that time.

5 COMMITTEE CHAIRMAN FISHER: I'd like to call on, I
6 guess, Devinder to just go through the approval process
7 that's on the screen here.

8 (Thereupon, Committee Secretary Singh,
9 away from the microphones,
10 explains the approval process.

11 COMMITTEE CHAIRMAN FISHER: Okay. I'd like to
12 call on Don now. Okay, technical support.

13 Who else wanted to speak? Jim?

14 MR. BAROSS: I think there was some initial
15 confusion about what level of approval, whether there was
16 going to be at least on the presentations that I heard from
17 San Luis Obispo and District Five. There was some
18 unsureness and thought that there wasn't going to be
19 required a change to the MUTCD. There was a question even
20 in CBAC last week where FHWA approval was required and what
21 the process was.

22 So in defense, I think what District Five and SLO
23 have done is brought here for additional discussion as
24 required by the chart. I think it's appropriate that we
25 provide value of the discussion that's occurred here, the

1 issues that were raised to District Five and SLO, and then
2 they use that and are encouraged to take the Request for
3 Experimentation to FHWA.

4 COMMITTEE CHAIRMAN FISHER: Okay. Any other
5 comments?

6 COMMITTEE MEMBER BAHADORI: Mr. Chairman, I think
7 Roberta's comment --

8 MS. MCLAUGHLIN: Roberta from Caltrans. I guess
9 the big question in my mind is what is the standard we're
10 reducing. That's where FHWA's involvement is if we're
11 reducing a national standard.

12 If we're doing something that's to be used in
13 California, and maybe I'm misunderstanding this, it's an
14 experiment to do this in California, it would be approval
15 from you. And then once we adopt it, would it be placed in
16 blue font in the California MUTCD? We would not be changing
17 the national MUTCD. So I need some clarification what is
18 the standard we're reducing with the addition of bike boxes
19 at intersections.

20 COMMITTEE CHAIRMAN FISHER: Who would like to
21 address that from Caltrans, either Johnny or Devinder or I
22 can take a stab at it.

23 But I think we're asking that the actions of the
24 bicyclists and the motorists be different depending on
25 whether the light's green or red. And that certainly has

1 ramifications.

2 MS. MCLAUGHLIN: That was standard addressed in
3 the national MUTCD.

4 COMMITTEE CHAIRMAN FISHER: The bike box is not
5 addressed in the MUTCD. Johnny?

6 MR. BHULLAR: Johnny Bhullar with Caltrans, last
7 name B-H-U-L-L-A-R.

8 And in response I'm going to give just a generic
9 response because I haven't gotten actually involved in this
10 particular item, nor have I really reviewed it thoroughly as
11 part of (indiscernible). So the generic answer is that in
12 case there is a violation of the extent which is in black
13 color in both of the MUTCD, that would be the national
14 MUTCD. In that particular case yes, that's when we would
15 be, of course, having a federal experiment request before we
16 go about and try to do any changes.

17 The other way to look at it also is, like we were
18 discussing earlier in the morning, that if we are going to
19 have a new device or a change in policy to an existing
20 device, and even if it's not a change to a standard but that
21 change is going to conflict with another existing standard.
22 So in those type of cases is where we are going to require
23 that you go to the FHWA for experiment.

24 I'm not sure if I answered the question, but that
25 is the generic answer I have.

1 COMMITTEE CHAIRMAN FISHER: Thank you, Johnny.

2 Any other comments from the Committee?

3 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

4 COMMITTEE CHAIRMAN FISHER: Yes, Hamid?

5 COMMITTEE MEMBER BAHADORI: If you please, look at
6 page 32 and 33. That's the extent of application. They
7 been giving you two aeriels where there are no cars and I
8 can see no bicycle in those lanes. So when I hear that
9 Caltrans has a problem with them and they need this elevated
10 alternative solution, and then I look at page 34 and there
11 is a sketch with all the motions. There is not a single
12 piece of engineering, technical information in this
13 application for experimentation.

14 COMMITTEE MEMBER MANSOURIAN: Check page 28 and
15 29.

16 COMMITTEE MEMBER BAHADORI: Page 29 I'm looking at
17 the application.

18 COMMITTEE MEMBER MANSOURIAN: It gives you the box
19 dimensions, it gives you the problems there and the proposed
20 solution.

21 COMMITTEE MEMBER BAHADORI: It doesn't have
22 traffic volumes, it doesn't tell you the (indiscernible)
23 between the lanes, there is not a single mention how many
24 bicycles are using this location. And then the evaluation
25 methodology, they are not saying that they are going to

1 monitor the conflicts before the implementation so at least
2 you have a benchmark to monitor the conflicts after and see
3 how the conflicts have been reduced.

4 This is, regardless of what you think about the
5 crosses of FHWA and CTCDC, regardless of what you think
6 about the box, bike boxes as a concept, this is not a good
7 application. And all I'm trying to say is that we should
8 not encourage applications for experimentation to be
9 somebody's thought, a sketch on a piece of paper with a
10 couple page memo and then we say yeah, okay, this is an
11 experiment, let's go experiment with it.

12 You remember that the people who came to us from
13 the watershed to put a watershed warning sign on the side of
14 the freeway, we put them through God knows what and they
15 came back for two and a half years. I really felt bad for
16 them. Now we are potentially thinking about a decision
17 about a traffic safety tool that can potentially be very,
18 very useful in the State of California to solve the right
19 hook problem among other problems. This application is not
20 going to take us there.

21 If they want, if Caltrans, the cities, they want
22 to experiment with this, and I encourage the Bicycle
23 Coalition and CBAC and all that to go and bring those people
24 to us, the San Francisco people, the Long Beach people, I'm
25 sure there are other peoples that have active bicycling

1 communities, to have a good experimentation so that we can
2 come up with some standards for this is California.

3 This application doesn't tell you anything about
4 the problem. That's what I'm saying. It's not the question
5 of accidents. God forbid we don't want to have accidents to
6 solve the accident problem. The idea is to prevent any,
7 where they happen. But here where are the conflicts, how
8 many conflict points have been monitored, how many bicycles
9 are having a conflict at what time of the day?

10 So this is not a good experiment application.
11 That's what I'm saying. Then that's why I cannot support
12 it.

13 COMMITTEE CHAIRMAN FISHER: Okay. I'm going to go
14 to Jeff next. I will remind the Committee Members we've
15 been discussing this item for some time. It's almost one
16 o'clock. We haven't had a lunch break yet. You need to
17 come to some conclusion as to what recommendation we're
18 going to give to the staff. So, Jeff?

19 COMMITTEE MEMBER KNOWLES: Well, I mean, having
20 tracked the discussion, at first we weren't even sure
21 whether the bicycle community or we would even support the
22 experiment because of the double limit line issues. I think
23 you've got, we've provided maybe even too much about the
24 application, good feedback about where we're coming from. I
25 think we resolved some of the earlier issues that we had in

1 terms of support for the experiment.

2 And, I guess, I'm not going any formal motions,
3 but I definitely would encourage them to approach FHWA, you
4 know, taking into consideration our comments, work through
5 their Request for Experimentation with them. And I think
6 what would eventually come back to us would be a refined
7 package I think I'd be likely comfortable with.

8 So I think this has been constructive, although a
9 bit brutal at times.

10 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman?

11 COMMITTEE CHAIRMAN FISHER: Okay. Farhad?

12 COMMITTEE MEMBER MANSOURIAN: Here is what I want
13 to put on the table to make us move and, you know, we see if
14 I've captured this right.

15 The Committee supports experimentation with a bike
16 box concept. The District Five proposal needs to strengthen
17 its evaluation and problem statement criteria. The
18 Committee refers this request to FHWA and urges applicant to
19 come back to us upon FHWA's approval for our consideration.

20 That's my motion.

21 COMMITTEE MEMBER WONG: Second.

22 COMMITTEE CHAIRMAN FISHER: Okay. It's been moved
23 and seconded.

24 Just for clarification when you say "this
25 Committee refers the matter to the FHWA," do you mean that

1 we would ask Caltrans to resubmit an altered proposal to
2 FHWA?

3 COMMITTEE MEMBER MANSOURIAN: That's what I meant.

4 COMMITTEE CHAIRMAN FISHER: Okay.

5 COMMITTEE MEMBER MANSOURIAN: Because our point is
6 get their statement, get a better evaluation criteria, go to
7 them, when you have their approval that means they've
8 addressed those points, come back to us for our
9 consideration.

10 COMMITTEE CHAIRMAN FISHER: Okay. We have a
11 motion that's been seconded. Discussion on the motion?

12 COMMITTEE MEMBER BAHADORI: Mr. Chairman.

13 COMMITTEE CHAIRMAN FISHER: Yes, Hamid?

14 COMMITTEE MEMBER BAHADORI: What are we approving?

15 COMMITTEE CHAIRMAN FISHER: I think, what I
16 understood is for us the motion was to support an
17 application to the FHWA. Is that right?

18 COMMITTEE MEMBER BAHADORI: Why do we need to
19 support the application to FHWA? They can go submit an
20 application to FHWA on their own.

21 COMMITTEE CHAIRMAN FISHER: Well, I guess it was
22 just intended to draw some conclusion on what, how we're
23 disposing of this matter.

24 COMMITTEE MEMBER MANSOURIAN: Unless you're ready
25 to deny this application --

1 COMMITTEE MEMBER BAHADORI: Oh, yeah, I'm
2 saying we need to deny it because it's a very poorly
3 prepared application.

4 COMMITTEE MEMBER MANSOURIAN: Fine. Then that
5 should be the motion. I mean, if that's what you want
6 here --

7 COMMITTEE MEMBER BAHADORI: I'm just saying
8 that --

9 COMMITTEE MEMBER MANSOURIAN: No, I understand.

10 COMMITTEE MEMBER BAHADORI: -- we put other people
11 through the wringer and they have to come up with
12 engineering plans, they have to come up with drawings, they
13 have to come up with traffic volumes, they have to come up
14 studies, they have to do all these things.

15 And then here we just say a two-page memo with a
16 couple of aerials that show absolutely no cars and no
17 bicycles anywhere is really not. Unless I experiment with a
18 (indiscernible) I haven't found a problem with the way the
19 application is prepared. Maybe that's the way I see it, I
20 don't know.

21 COMMITTEE MEMBER BAHADORI: I'm not sure what the
22 motion is, whether we need to do anything.

23 COMMITTEE CHAIRMAN FISHER: Well, I guess the
24 motion is not approval. It's just a way of supporting
25 Caltrans, submit it to another entity and there's plenty of

1 time. If the motion fails, then I think we need to look at
2 what's the fallback. But we have a motion on the table. Is
3 there any further discussion on the motion? If we don't
4 approve this motion, then we have to dispose of it in some
5 other way. Deborah?

6 COMMITTEE MEMBER WONG: I just have a comment that
7 we are all the time without the specifics being in place.
8 So is this another one of those situations where I feel like
9 they -- that a lot of the details need to be fleshed out and
10 we can't do that right here, right now, so we're supporting
11 something, moving the process along.

12 COMMITTEE CHAIRMAN FISHER: Jim?

13 MR. BAROSS: That's exactly the position that CBAC
14 took. Because of the interest, the concern of anecdotal
15 noted conflict potential, it was probably worth
16 experimentation, but the experiment needed to be modified
17 and beefed up. So I think that's -- I'm not going to vote,
18 of course, but that's what the approach with CBAC was.

19 COMMITTEE CHAIRMAN FISHER: And my personal
20 opinion is that I think the proposal that came to us has a
21 lot of voids in it that need to be filled and need to be
22 strengthened. But I also think that in time the bike box
23 will be, will find its way to be a tool to solve various
24 specific problems and I think we need to find out as much
25 about it as we can with an appropriate experiment.

1 So I personally will be supportive of the motion
2 that's on the table. But if it does not pass, then we need
3 to dispose of the matter in some other way.

4 So are there, is there any further discussion on
5 the motion on the table?

6 (No audible response)

7 COMMITTEE CHAIRMAN FISHER: Okay. I would ask you
8 to raise your hands on this. All in favor of the motion on
9 the table, raise your hands.

10 Okay. I see six votes. Those who are against it?

11 COMMITTEE MEMBER BAHADORI: I have to vote no on
12 this.

13 COMMITTEE CHAIRMAN FISHER: Okay, all right. So
14 we are supporting its referral to the FHWA. Thank you.

15 COMMITTEE MEMBER BAHADORI: Is my no vote for the
16 reasons I said.

17 COMMITTEE CHAIRMAN FISHER: Okay. It's now five
18 after one. I'd like to call a short lunch break and be back
19 by --

20 COMMITTEE MEMBER MANSOURIAN: Can I ask you a
21 question, Mr. Chairman?

22 COMMITTEE CHAIRMAN FISHER: -- 1:45.

23 COMMITTEE MEMBER MANSOURIAN: Can I ask you a
24 question?

25 COMMITTEE CHAIRMAN FISHER: Yes.

1 COMMITTEE MEMBER MANSOURIAN: Maybe, if you don't
2 mind, just take a few seconds, talk to NTC, my reading off
3 the next public hearing item is -- now, that's my reading,
4 underline that in bold, noncontroversial, straight forward.
5 It's a report back and everybody in the world is happy. I
6 want to finish this in ten minutes and then we have
7 information items. But your call.

8 COMMITTEE CHAIRMAN FISHER: I don't believe we can
9 finish this in ten minutes.

10 So we'll be back by 1:45 at the very latest.

11 (Thereupon, a recess was held off the record.)

12 COMMITTEE CHAIRMAN FISHER: Okay. I'd like to
13 call back to order the meeting of the California Traffic
14 Control Devices Committee. It's now two o'clock and we're
15 on item number 6-5, a Request for Experimentation for the
16 Clear the Way signage. And we'd ask Robert Maynard to
17 present the items. It's number 42 in your agenda package,
18 or page 42.

19 CHIEF MAYNARD: Thank you, John.

20 As you know, MTC came to agreeing some time ago
21 the Request for Experimentation on some signage related to
22 clearing the roadway after a non-injury collision. The
23 experiment was conducted and now this is on the agenda
24 because MTC is going to give the Committee its final report
25 on the findings of the experiment. So at this point I'd

1 like to turn it over to the representatives from MTC to give
2 a presentation.

3 COMMITTEE CHAIRMAN FISHER: Okay. Please state
4 your name.

5 MS. VICTOR: Thank you. My name is Radiah Victor
6 and I am here from the Metropolitan Transportation
7 Commission, myself and Stella So. We are here today to
8 present the final report on behalf of the Bay Area Incident
9 Management Task Force Committee, which is a partnership
10 committee comprised of CHP, Golden Gate Division staff,
11 Caltrans District Four staff, we well at MTC staff. The
12 purpose of the committee is to identify near term and low
13 cost incident management strategies to improve incident
14 management in the region.

15 The Clear the Way signage happened to be one of
16 those low cost, near term strategies that the committee
17 identified. So I want to just begin. Each of you should
18 have a copy in front of you of the actual Power Point, so
19 please feel free to follow along with me.

20 To begin, the problem statement for the Request
21 for Experimentation for the Clear the Way signage began upon
22 the passage of Senate Bill 681, which amended the California
23 Vehicle Code 20002 and 23133 requiring motorists involved in
24 minor property damage only incidents, with no injuries,
25 requiring them to move the vehicle out of the main line and

1 over to the shoulder. As all of you are aware, minor
2 traffic incidents are the cause of a lot of congestion,
3 specifically on the I-80 corridor, which is the location of
4 our experimentation pilot. Over 19 percent of congestion is
5 due to collisions as well as minor incidents detected in the
6 main line.

7 What this problem statement, what this addresses
8 the need is, I'm sure several of you have witnessed a minor
9 incident in the highway only to pass it and see motorists
10 standing out in the lane exchanging information, something
11 that we all know is very unsafe to do. So the intent of the
12 sign is to educate the public on the Clear the Way law
13 itself.

14 This is the project timeline. We have undertaken
15 this experimentation pilot project for two years. We came
16 to this Committee back in February 15th, 2007, in request of
17 experimentation of the sign on the I-80 corridor. Following
18 that, on June 30th, 2008, we held a joint press event
19 between MTC, Caltrans, District Four, as well as CHP Golden
20 Gate Division where those signs were unveiled.

21 Following that, the signage was supplemented with
22 a very robust public education and outreach campaign that
23 consisted of the distribution of brochures by the Freeway
24 Service Patrol drivers. We created landing pages that
25 provided information to the public on websites that were

1 posted on the Freeway Service Patrol website, 511 website,
2 Caltrans website, as well as CHP's website. We conducted a
3 radio campaign that consisted of radio spots in which
4 messages were also provided on the changeable message signs
5 in the Bay Area to reinforce the message and intent of the
6 law, which is to clear the way if you're involved in a minor
7 traffic incident in which there were no injuries.

8 The location of our demonstration project was the
9 I-80 corridor, which is a major corridor. For those of you
10 who may not be familiar, it is an eight-lane facility that
11 connects Oakland and Fremont and San Jose to San Francisco.
12 We installed 14 signs, Caltrans installed 15 signs, signs
13 along a 13-mile segment. The signs were installed in areas
14 where the shoulder was available because, again, the intent
15 is to encourage motorists to move out of the main lane over
16 to the shoulder or off the freeway. The signs were also
17 installed in locations that were unobstructed, so they were
18 easily viewed by motorists driving by.

19 The goals of the demonstration project were very
20 clear. The first and primary goal was to educate the
21 motorists on the law. And some other measures that we
22 intended to assess the effectiveness of the signs was what
23 was the impact on the signs in reducing secondary
24 collisions, reducing delay, as well as improving overall
25 operational efficiency of the corridor. And we just wanted

1 to evaluate the overall effectiveness of the signs as it
2 related to the public's comprehension of the intended
3 message.

4 So in terms of the education component, in
5 partnership with CHP we developed brochures that were
6 available in both English and Spanish, and they were
7 distributed by the Freeway Service Patrol to motorists that
8 were assisted, as well as surveys that were used to collect
9 additional information.

10 What you see here is also a landing page that was
11 posted on the websites of the partner agencies as well as
12 FSP and 511, as I have previously mentioned. The message
13 was posted on CMS signs, the radio spots were conducted in
14 English, Spanish, and Chinese -- Cantonese or Mandarin,
15 excuse me, and this information was also supplemented by
16 directing the public to either visit 511.org or call 511 to
17 get additional information on what exactly the Clear the Way
18 campaign was about.

19 During the period of the radio spots, 511 volume,
20 call volume and website volume surged during that period,
21 indicating that the media campaign was effective.
22 Additionally, the way we were able to assess the motorists'
23 increasing awareness of the Clear the Way law, we collected
24 the data from the surveys that were distributed to the
25 public as well as what was administered online via the FSP

1 and 511. And what we learned is from the baseline data that
2 was collected over a 12-month period, 22 percent of
3 motorists had reported that they had heard about the Clear
4 the Way law. However, after the signs were installed, 30
5 percent of the motorists had reported that they had heard
6 about the Clear the Way law or were familiar with the law
7 itself.

8 Then when we asked them, after the signs were
9 installed, how had they learned of the Clear the Way law, 60
10 percent of those motorists indicated that they learned of
11 the law from the signage itself.

12 So another measure of effectiveness, we not only
13 wanted to focus on the positive impacts of the signs, but we
14 also wanted ensure that the signs did not cause any negative
15 impacts or distractions to the motorists. We are very aware
16 of the Committee's concerns here of not wanting to clutter
17 the highway with signs that have no impact on the public.
18 So in working with Caltrans we received no motorists'
19 complaints to CHP or Caltrans on the signs. So we saw that
20 as a successful measure of the signs not having any evidence
21 on the distraction of drivers.

22 Additionally, we also assessed the number of
23 incidents. This was an area that was very difficult to do,
24 particularly because the I-80 corridor there's several
25 construction projects that are also occurring. So it's very

1 difficult to isolate the impact of the signage itself on the
2 ability to actually reduce the number of incidents. But we
3 were able to report that the incident numbers did remain the
4 same. You know, there wasn't an increase in incidents
5 because maybe the signs were distracting or so on and so
6 forth.

7 So motorist comprehension, in evaluating the
8 effectiveness of the signs, motorists' comprehension was
9 very important. In the State of California we have over 39
10 percent of the population speaks a language other than
11 English at home. So from that perspective, having a sign
12 that has a graphic becomes very important to be able to
13 communicate the message and the intent of the law.

14 Specifically now when you look at the Bay Area,
15 the San Francisco Bay Area, the percentage of people that
16 speak another language other than English at home is 36
17 percent, which is very close to the state percentage, which
18 reinforces the need to have a sign that's universally
19 understood by all individuals who don't speak English, who
20 maybe have difficulty reading, so on and so forth. We also
21 wanted to highlight that the Bay Area also has a percentage
22 of foreign-born residents that's higher than the national
23 average, 27 percent. So again this just really emphasizes
24 the importance of a graphic in enhancing a motorist's
25 ability to comprehend the intended message of the sign.

1 In further assessing the comprehension of the
2 sign, we conducted a comprehension survey where we asked a
3 series of seven questions. Some of the questions were "Is
4 English your native language," "Do you drive frequently,"
5 "What's your age, your gender." And specifically we really
6 honed down to what signs do you think most effectively
7 conveys the message of the Clear the Way law.

8 So there's several signs that are out there
9 throughout the nation and we wanted to test the
10 effectiveness of these signs. So, as you can see here,
11 these nine signs were included in our survey. Of the nine
12 signs, only three are displayed illustrating a graphic.

13 So the survey results revealed that the
14 experimentation sign, which we're referring here as the
15 Incident Management Task Force Sign, 79 percent of the
16 survey respondents actually preferred the current Clear the
17 Way sign to the sign that is being proposed, the new sign
18 that's being proposed, in the current version of the MUTCD
19 manual, which as you can see there says "Fender Bender,"
20 which we can all admit is nothing more than jargon, you
21 know. It's something that can be easily misunderstood or
22 just not understood at all by several people, particularly
23 when you're talking about demographics, diverse demographics
24 like the Bay Area. There's a high probability that this
25 term may not be understood by everyone. And just overall,

1 57 percent of those surveyed actually preferred the signs
2 with the graphic over those with the text only.

3 Here the purpose of this, the intent of this sign
4 is just to share with you some of the comments that were
5 reported on the motorist's comprehension survey, so I just
6 wanted to share a few with you. One says, "I think any sign
7 with a picture is more attention catching and more
8 memorable. I think a visual is helpful and it's important
9 to say where to move the vehicle to the shoulder." So, as
10 you can see here, these motorists' comments clearly support
11 having a sign with a graphic over text only.

12 So with that said, the Bay Area Incident
13 Management Task Force Committee would like to recommend that
14 this Committee consider statewide adoption of a modification
15 to the California MUTCD for inclusion of this sign and
16 consideration for continuing to educate the public on the
17 Clear the Way law. We're also recommending that in order
18 for this to be successful it has to be done in coordination
19 with media campaign similar to what we conducted, posting it
20 on the CMS signs, as well as partnering with other programs
21 such as 511, the Freeway Service Patrol. If this Committee
22 did make a recommendation to Caltrans for the adoption of
23 the sign, we would like to work closely with our partners
24 who would actually defer to Caltrans to develop a Bay Area
25 signage plan, and we would work with our partners to try to

1 identify funding sources for the deployment of these signs
2 throughout the region.

3 So in close we wanted to share with you briefly
4 some lessons that we learned throughout this two-year
5 experimentation project. The number one lesson learned is
6 that there's a definite need for public-private partnership.
7 It's important to work with the California Department of
8 Insurance as well as any private insurance companies in
9 order for them to disseminate the message of the law. I
10 mean, public education is really critical and key for being
11 able to change motorists' behavior and instill a culture of
12 clearing the way. There's several Clear the Way laws now
13 that are being underway even now with the First Responders
14 when they're passing you; you need to clear the way. So
15 this is definitely aligned with that. Also ensuring that in
16 the DMV California Handbook that the language may be even
17 strengthened. We've highlighted here for you what the
18 current language is. It says, "Move your vehicle out of the
19 traffic lane if no one is injured or killed." So there is
20 some language that currently speaks to the Clear the Way
21 law, but it fails to say it's the law.

22 Another lesson learned is that it's extremely
23 difficult to collect secondary collision data. It just
24 simply is not, it's just not available. We know anecdotally
25 that, you know, removing an incident out of the main line

1 can reduce the incidence of secondary collisions, but
2 unfortunately we were not able to collect any data in that
3 area. Additionally, it was also challenging to be able to
4 correlate a reduction in delay as well as showing improved
5 operations efficiency on the corridor, as I mentioned.
6 There were several other things occurring on the corridor
7 that just made that very, very difficult to assess.

8 And lastly, our last lesson learned here is that
9 our sign has a question mark after "No Injuries." After
10 further discussion with our committee members and a review
11 of feedback from the public, it was recommended to remove
12 the question mark because you take out any questionable
13 actions. You leave it up to the motorist. No injuries,
14 they make the decision to move the vehicle over to the
15 shoulder.

16 And then lastly, the experimentation sign made no
17 reference to anything informing the public that it was the
18 law. There was no mention of a penalty or any type of fines
19 associated with that. So that was another recommendation
20 that we thought was really good, because again it really
21 emphasizes that this isn't just another sign to be installed
22 on the highway, but it's the law.

23 So with that said I would like to thank you for
24 your attention and hope that you guys, this Committee
25 considers the adoption or recommendation of this sign being

1 adopted. So thank you.

2 COMMITTEE CHAIRMAN FISHER: Thank you very much
3 for a very fine presentation.

4 Do you have any questions for her?

5 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

6 COMMITTEE CHAIRMAN FISHER: Yes, Hamid?

7 COMMITTEE MEMBER BAHADORI: Ms. Victor, first let
8 me congratulate you. This is an excellent report. You've
9 done an excellent job. This is how our process is supposed
10 to be.

11 You might have said it, I might have missed. What
12 was the reduction in demand on the first responders on the
13 I-80 corridor when given the assignment as compared to
14 previous, in terms of calls for CHP or fire department?

15 MS. VICTOR: That wasn't one of the factors that
16 we --

17 CHIEF MAYNARD: That's one of the problems with
18 our current system, it doesn't allow to capture data such as
19 that, number of calls or anything else. We are in the
20 process of getting a new CAT system if we get the
21 legislative authority funded, which would allow us to
22 capture that kind of data. Right here we just can't capture
23 it.

24 COMMITTEE MEMBER BAHADORI: Regardless of the
25 (indiscernible) this is a very good report.

1 COMMITTEE CHAIRMAN FISHER: Jacob?

2 COMMITTEE VICE CHAIRMAN BABICO: As the sign has a
3 symbol, is it approved by official DEO?

4 COMMITTEE CHAIRMAN FISHER: I had a discussion
5 with them. They said they are a member last week, Scott
6 Wainwright, in a conference I attended with him. And
7 apparently this sign, very similar to what you have
8 proposed, was in the NPA for the 2009 manual, but
9 apparently they had received comments to the effect that
10 they didn't have any data to show that was more recognizable
11 or more effective. And that was the reason why they did not
12 include it in the final 2009 MUTCD.

13 And I told him, well, we've got some data here in
14 California. And he said, well, we'd be interested to see
15 it. But I think that was the reason why they did not
16 include that symbol at that time.

17 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman,
18 question.

19 COMMITTEE CHAIRMAN FISHER: Yes?

20 COMMITTEE MEMBER MANSOURIAN: So far in the
21 process point of view nothing prohibits us from concluding
22 the experiment or possibly suggesting this is a sign and
23 then sending the data, ask MTC to send the data to FHWA so
24 that they can get the benefit of these experimental results.

25 So the fact that this sign doesn't exist in the

1 federal manual doesn't prohibit us from approving it.

2 COMMITTEE CHAIRMAN FISHER: But it does exist in
3 the federal manual. I mean, there are other signs.

4 COMMITTEE MEMBER MANSOURIAN: No, I know, but this
5 sign --

6 COMMITTEE CHAIRMAN FISHER: Right, this sign has
7 not been documented.

8 COMMITTEE MEMBER MANSOURIAN: But it does, I'm
9 asking, it doesn't prohibit us from approving this.

10 COMMITTEE CHAIRMAN FISHER: Well, we may need a
11 legal opinion, but my understanding is that back in 2007
12 when we approved experimentation of this, there was no
13 comparable FHWA sign. Okay? Three years later the feds
14 have adopted a sign for this purpose. It all words.

15 COMMITTEE MEMBER MANSOURIAN: That's the fender
16 bender.

17 COMMITTEE CHAIRMAN FISHER: And so we're kind of
18 caught in a little dilemma if we adopt this sign for
19 California, it is not consistent with the national sign. On
20 the other hand, if this information were to be shared with
21 the FHWA to show that there is data to show that it is more
22 effective and recognizable, then I was led to believe that
23 the FHWA would be very anxious to review the data and
24 consider it.

25 COMMITTEE MEMBER MANSOURIAN: So process-wise we

1 can do both, right, to approve this for California and
2 recommend that this material be shared with FHWA for their
3 consideration at the federal level?

4 COMMITTEE CHAIRMAN FISHER: Well, again, Johnny or
5 anyone correct me, but it's my understanding once the feds
6 adopt a standard sign you need to go through their process
7 to change the standard sign.

8 COMMITTEE MEMBER MANSOURIAN: The federal manual.

9 COMMITTEE CHAIRMAN FISHER: Right.

10 COMMITTEE MEMBER MANSOURIAN: Okay.

11 COMMITTEE CHAIRMAN FISHER: Yes, Steve?

12 MR. PYBURN: If I may, Steve Pyburn with Federal
13 Highway Administration. The sign that was adopted is not a
14 picture symbol so this, you're acting on this sign. Says,
15 yeah, you would, Caltrans would be allowed to use the sign
16 but the symbol has to be approved by Federal Highway
17 Administration. So before that sign can be put into the
18 California MUTCD, the federal experimentation process or
19 approval process would have to run its course.

20 COMMITTEE MEMBER MANSOURIAN: May I, Mr. Chairman?
21 So with the right recommendation, if that's what the
22 Committee would be willing to do, is approve this subject to
23 approval of the symbol of FHWA?

24 MR. PYBURN: Yes.

25 COMMITTEE MEMBER MANSOURIAN: Thank you,

1 Mr. Chairman.

2 COMMITTEE CHAIRMAN FISHER: Okay, Robert?

3 CHIEF MAYNARD: Mr. Chairman, I'd just like to
4 make a point that if now we're talking about moving from the
5 experiment phase and making a formal recommendation or
6 request from FHWA to be able to use the signs statewide, to
7 adopt it in the California MUTCD, the purpose of the law and
8 the reason for the experiment was to see how well people
9 complied with the law and to clear the traffic lanes.
10 That's the purpose.

11 The experiment was conducted in locations where
12 there are specifically more shoulders to drive to, to get
13 the cars off the road or out of the roadway. But to have
14 its greatest impact on a statewide basis, these signs could
15 and should be used in those areas such as the heavily
16 congested areas of L.A. and the Bay Area where there are no
17 shoulders, or where existing shoulders are going to go away
18 because we're trying to squeeze HOV lanes into existing
19 infrastructure, and the law still applies. If it's a fender
20 bender -- I don't like that -- if there are no injuries in
21 the crash, the law says you need to move it out of the
22 traffic lanes. So my suggestion is before we send any
23 formal recommendation for verbiage on the sign, we give
24 consideration to taking out the word "shoulder," basically
25 using the top half of the experimental sign with the graphic

1 and the "no injuries," without the question mark, and in the
2 bottom half of the federal sign that says "move vehicles
3 from travel lanes," or something to that effect. Because
4 then we could use it in places where there are no shoulders
5 where the law still does apply.

6 COMMITTEE CHAIRMAN FISHER: Well, if you have to
7 move it from travel lanes but there is no shoulder, then
8 where do you move?

9 CHIEF MAYNARD: Off ramp, shopping center, it
10 doesn't matter.

11 COMMITTEE CHAIRMAN FISHER: So what I'm hearing is
12 kind of a hybrid sign, then, the top half of what was used
13 in the Bay Area, and the bottom half of what the feds have
14 adopted.

15 COMMITTEE CHAIRMAN FISHER: Yes.

16 COMMITTEE MEMBER MANSOURIAN: So, Mr. Chairman? I
17 want to make sure I'm clear on process. So it seems like
18 there is two option or actions for us. One is are we
19 satisfied with the experimentation and, if we are, then we
20 should declare that. Thank you very much, the data says
21 that.

22 The second part is work with Caltrans and design a
23 sign based on this information, and I like Chief's idea on
24 what he just said, and then actually adopting this sign,
25 which we also need to write, you know, the guidance and all

1 of that subject to, again, the symbol be approved by FHWA.

2 So it's a two parts -- am I reading this right?
3 One is conclusion of experimentation, second is go develop
4 detail for the signs and possible inclusion in California
5 MUTCD.

6 COMMITTEE CHAIRMAN FISHER: I guess I'm going to
7 ask a question. How can we include it in the California
8 MUTCD knowing that there is a federal standard out there?

9 COMMITTEE MEMBER MANSOURIAN: No, no, subject to,
10 is what I said.

11 COMMITTEE CHAIRMAN FISHER: Subject to.

12 COMMITTEE MEMBER MANSOURIAN: Correct.

13 COMMITTEE CHAIRMAN FISHER: Okay. So we have to
14 run that course before we adopt it.

15 COMMITTEE MEMBER MANSOURIAN: What I'm saying, the
16 action before us is one is the experiments and if we like
17 the experiment we have enough data and we'd like to move on
18 to the implementation, then subject to FHWA approving the
19 symbol then what is this sign going to look like. And
20 Robert's idea is this is what I think is the best way. So
21 it's two different action before us.

22 COMMITTEE CHAIRMAN FISHER: So this was a joint
23 project of the Highway Patrol and Caltrans and the NTC.
24 We've heard from the Highway Patrol that they would prefer
25 to see a hybrid sign, similar to what you did and certainly

1 what the feds did. Is Caltrans and the MTC in agreement
2 with that concept?

3 COMMITTEE MEMBER HENLEY: We discussed it the
4 other day and hopefully it's a good way to do it, yes. You
5 know, there are a lot of places that don't have shoulders
6 and it's not just state highways. It's, you know, the two
7 hundred thousand miles of roads.

8 COMMITTEE CHAIRMAN FISHER: Okay.

9 MS. VICTOR: Yes, we would have no issue with
10 that. I mean, being able to retain the graphic is a really
11 critical piece for us.

12 COMMITTEE CHAIRMAN FISHER: All right. So if no
13 initial, further discussion from the Committee I'd like to
14 call upon the public and Caltrans or the FHWA to comment on
15 this. Johnny?

16 MR. BHULLAR: Johnny Bhullar with Caltrans,
17 B-H-U-L-L-A-R is the last name.

18 I just want to make a suggestion here because I
19 think the way the Committee stated if we go to the FHWA
20 through formal experimentation request because of the symbol
21 issue, that can take a while and sometime that takes a
22 couple of years. But for what I need, at least, from the
23 Committee is, as you know, we already have in the 2009 MUTCD
24 the sign that is on the top left, "Fender Bender, Move
25 Vehicles from Travel Lanes." Will the Committee be at least

1 approachable or acceptable to, for the time being, probably
2 going ahead with the word message sign and in the interim we
3 continue with the symbol sign as expressed to the feds?
4 Because that might take one or two years, who knows. But
5 before the end of the year I have to make a decision on the
6 "Fender Bender," the word message sign that is up there for
7 the 2009 adoption. So what I need is at least guidance when
8 we do tackle that issue.

9 Since the issue is in front of the Committee right
10 now, can the Committee tell me are we okay with just the one
11 message sign for now while we continue to pursue the symbol
12 sign, or are we going to delay even the one message sign and
13 just wait until we get approval for the symbol sign?

14 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

15 COMMITTEE CHAIRMAN FISHER: Go ahead.

16 COMMITTEE MEMBER BAHADORI: Johnny, I understand
17 your concern, I think I do. The whole purpose of this
18 experiment is to see how effective these signs are.

19 I'm looking at these and the Bay Area they don't
20 even have the highest percentage of the non-native speakers,
21 it's in their language, 51 percent. So in that one is not
22 only a text, it is language. It's not like something that
23 people who study English as a second language in a classic
24 forum who are, it's not like, say, if instead of "fender
25 bender" it says "minor accident," have these people who

1 understand. But "fender bender" is a slang. So that sign
2 is not going to be effective so why do you want to use it?
3 I mean, they went through this experiment just to find out
4 what is most effective and it shows that the sign with the
5 symbol is most effective, people recognize it more, and so
6 why wouldn't you want to put something in that one?

7 I know it's you're talking about the deadline of
8 incorporating into the manual and all that. And the FHWA
9 process, I don't want to speak for Steve but if we do that,
10 if we need to find kind of the whole purpose of these kind
11 of experimentation.

12 I understand Chief's concern. I agree with him,
13 you know, that if you only use it in congested areas of L.A.
14 pretty much shoulder is something that belongs in the
15 history books. There is no more shoulder in Southern
16 California. All of the shoulders are all converted to some
17 kind of lane, so we don't have shoulders any more. But I
18 understand that the wording needs to be changed. But on
19 that "fender bender" I'm a little concerns because it's not
20 even classic English slang.

21 MR. BHULLAR: I totally agree with you. I mean,
22 what I'm missing is the reality of the situation where the
23 symbol sign might continue working through the federal
24 experimental process -- excuse me. I might not get the okay
25 until the end of the year, so I'm just seeking direction if

1 we do not get the blessing from FHWA on the symbol, in the
2 meantime, right now, we can just sit on the sidelines but by
3 the end of the year I have to make a decision on the word
4 message sign. So what do I do in that case? Do I go with
5 the word message sign in that case? Because until then
6 we'll continue to --

7 COMMITTEE MEMBER BAHADORI: I understand what
8 you're saying, but if you go with that and we say, okay,
9 this is the sign just to beat the clock at the deadline and
10 put it in the manual, it's like using that one. And once we
11 install those signs nobody's going to go and replace those
12 signs later if we go to a symbol sign. That's my concern
13 over --

14 MR. BHULLAR: Okay. So if I'm hearing is
15 correctly, then I'm going to make a note for myself, I'm
16 going to probably not adopt the "fender bender" sign until
17 we get a resolution on our symbol sign and the federal
18 experimental process.

19 COMMITTEE CHAIRMAN FISHER: If that is to be the
20 action, that would mean in the interim we would have no sign
21 in place.

22 COMMITTEE MEMBER BAHADORI: That was only my
23 comment. What I'm saying is that I'm a little concerned
24 that once we approve something, we put it in the manual.
25 First of all, usually leave it there, we don't go back and

1 change. And second, if we approve on putting it there, then
2 only different districts are going to start going oh, okay,
3 that's the sign and they're going to start installing it and
4 that becomes the fact of the approved sign.

5 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman?

6 COMMITTEE CHAIRMAN FISHER: Farhad?

7 COMMITTEE MEMBER MANSOURIAN: John, you're master
8 of knowing the federal ins and outs, and I'm looking at
9 Steve as well for help in this.

10 Is there a faster way, which is California
11 requesting that we modify the federal sign, not a new sign?
12 Chief Maynard's suggestion is basically take the "fender
13 bender" out and put that symbol in. So if we would have
14 that as a recommendation from California, would that be a
15 faster process in your opinion and Steve's opinion?

16 MR. BHULLAR: In my opinion, and I'll let Steve
17 speak for himself, but I think -- let me go back and see if
18 I have the signage.

19 Okay. If you look at the one in the middle at the
20 bottom, see the little bit change in graphics from the
21 bottom one to what we are proposing for the two vehicles.

22 MR. PYBURN: The Washington State.

23 MR. BHULLAR: I don't have the pointer with me.
24 Someone have the pointer?

25 Okay. This is the symbol we are proposing and

1 this is the symbol that was proposed in the NPA (phonetic).
2 And this symbol has been, at least the feds have granted
3 experiment request to a number of jurisdictions when in the
4 NPA they were approving this and, of course, they're holded
5 back for now. But if we were to go see if we, then I would
6 suggest rather this symbol. If we go with this symbol and
7 the feds have granted approval, experimental approvals
8 before, we might stand a better chance for this symbol just
9 for the (indiscernible) than our symbol.

10 But I'm going to let Steve decide or speak on what
11 we have. But that's just my opinion.

12 MR. PYBURN: You know what -- Steve Pyburn,
13 Federal Highway Administration. With a substantial amount
14 of research done on this particular sign, the process may go
15 quicker. I don't run that process myself, it's run out of
16 Washington D.C. So there's a likelihood or a possibility
17 that it would go quicker.

18 An opinion is if you approve that sign with the
19 symbol on it and include it in the manual, we could not
20 issue a letter saying you're in substantial conformance with
21 the federal manual until Federal Highway approves the sign.
22 You could go ahead with the sign and the symbol in the book,
23 but we would not be able to make that determination this
24 year at the publication of the manual.

25 So what I can offer is that I work directly with

1 headquarters to present the information that's already,
2 actually already sent the results of this study to them, and
3 determine if we can fast track, so to speak, the approval of
4 that symbol.

5 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman?

6 Steve, before you leave, please, do you have a
7 specific suggestion for us on whether we use that IMTF sign,
8 the Washington State, or the MTC's proposed. Does that
9 matter at this point?

10 MR. PYBURN: I'm just looking up them over --

11 COMMITTEE MEMBER MANSOURIAN: Washington is the
12 one at the bottom, the one above it is IMTF, and then the
13 best data we have is the MTC, which uses the word "injuries"
14 without the question mark.

15 MR. PYBURN: Just for me, on the surface I like
16 the IMTF sign. Now, I do like the suggestions, by the way,
17 of the CHP to move vehicles out of the travel way. And I
18 also agree with the comment that if you put in a word sign
19 only now, people are going to start to use it and they may
20 not change back later. That may or may not be a bad thing.
21 Both signs can coexist in the manual.

22 COMMITTEE MEMBER MANSOURIAN: If you're feeling of
23 using the symbol that says "no injuries" instead of the
24 "fender bender" and then using "move vehicles from travel
25 lanes," do you think that can still be a fast track process?

1 MR. PYBURN: In my opinion the symbol in the
2 middle -- I've heard comments about the use of the statement
3 with the question mark. I think "if no injuries drive
4 safety to shoulder" might be a little bit clearer.

5 And I can't speak for fast tracking it at all.
6 What I can suggest is that, to our headquarters, given this
7 amount of research and the two or three year experiment, the
8 data collection that has been done, is there something more
9 that needs to be done to approve the symbol. And, if there
10 is nothing more that needs to be done to approve the symbol,
11 they may approve it more quickly.

12 COMMITTEE MEMBER MANSOURIAN: I'm sorry, may I
13 final question?

14 So in your opinion is it better then for us to
15 have a recommendation to FHWA or should we ask that question
16 first and then, based on that comment, come up with the best
17 decision?

18 MR. PYBURN: In this case, with the research, the
19 comprehensive research and the quality of the research done,
20 I think that your recommendation may not have any sway at
21 all. But if I was looking at the experiment, I would think
22 you have enough information to make a recommendation.

23 COMMITTEE MEMBER MANSOURIAN: Thank you. I
24 thought our recommendation was always like (indiscernible).
25 Would you strike what he said from the minutes, please?

1 Thank you.

2 COMMITTEE CHAIRMAN FISHER: Any further comments?
3 Anybody else in the public now would like to speak on this
4 matter?

5 (No audible response)

6 COMMITTEE CHAIRMAN FISHER: Okay, what action do
7 we wish to take on this?

8 COMMITTEE MEMBER MANSOURIAN: I'm ready to make
9 two motions, Mr. Chairman and Committee Members. One is to
10 thank CHP, Caltrans, and MTC for their excellent experiment
11 and consider the experiment concluded, except there is also
12 the experiment. Then I'll come back and we'll talk about
13 signs.

14 CHIEF MAYNARD: I second that motion.

15 COMMITTEE CHAIRMAN FISHER: Any discussion of that
16 motion?

17 (No audible response)

18 COMMITTEE CHAIRMAN FISHER: Okay. All in favor
19 say "aye."

20 MULTIPLE SPEAKERS: Aye.

21 COMMITTEE CHAIRMAN FISHER: Opposed?

22 (No audible response)

23 COMMITTEE CHAIRMAN FISHER: Abstain?

24 (No audible response)

25 COMMITTEE CHAIRMAN FISHER: Unanimous.

1 COMMITTEE MEMBER MANSOURIAN: The second part is I
2 really like what Chief Maynard said. I'd like to recommend
3 that we request for approval from FHWA for a sign that the
4 top part of it is the MTC, two vehicles, no injuries without
5 a question mark, and the bottom part is the FHWA that says
6 "move vehicles from travel lane," if that's what I heard
7 Chief Maynard say. And this is for Southern California
8 people who no longer have shoulders. So that's my
9 recommendation to seek approval from FHWA and upon that then
10 place it in the California MUTCD.

11 COMMITTEE CHAIRMAN FISHER: I question when you
12 say that we seek approval that we request that Caltrans,
13 Highway Patrol, MTC seek approval?

14 COMMITTEE MEMBER MANSOURIAN: I don't think it's
15 MTC and CHP any more, I think it's our recommendation is
16 Caltrans can do that, because they're making (indiscernible)
17 for Caltrans.

18 COMMITTEE MEMBER HENLEY: Exactly. Well, it will
19 come from Caltrans.

20 COMMITTEE CHAIRMAN FISHER: So that's the motion.
21 Do we have a second?

22 CHIEF MAYNARD: I second.

23 COMMITTEE CHAIRMAN FISHER: Okay, seconded by
24 Maynard. Any further discussion on it?

25 (No audible response)

1 COMMITTEE CHAIRMAN FISHER: Okay. All in favor
2 say "aye."

3 MULTIPLE SPEAKERS: Aye.

4 COMMITTEE CHAIRMAN FISHER: Opposed?

5 (No audible response)

6 COMMITTEE CHAIRMAN FISHER: Abstain?

7 (No audible response)

8 COMMITTEE CHAIRMAN FISHER: Unanimous.

9 COMMITTEE SECRETARY SINGH: The first one, second
10 one. There's two motion we voted together. There's two
11 motions.

12 COMMITTEE MEMBER MANSOURIAN: No, I divided them,
13 and we approved the second one.

14 COMMITTEE CHAIRMAN FISHER: Right, because we
15 get --

16 COMMITTEE SECRETARY SINGH: May I make a
17 suggestion? See, this way the cities cannot use the sign.
18 Would you consider another motion to adopt the federal sign
19 in California?

20 COMMITTEE MEMBER MANSOURIAN: No, I'm hearing a
21 lot of members doing that because they don't want to adopt
22 something that we have to change. We're hoping FHWA, Steve
23 is going to go convince them in the next 20 days and get it
24 approved.

25 COMMITTEE CHAIRMAN FISHER: I mean, with our

1 process we set a goal on adopting the California MUTCD by
2 the end of this calendar year, so we wouldn't take any
3 official adoption actions until late in this calendar year.
4 It's entirely possible that the feds can review this matter
5 in that time frame.

6 COMMITTEE SECRETARY SINGH: Would you consider to
7 continue (indiscernible).

8 COMMITTEE CHAIRMAN FISHER: To allow expanded use
9 or to continue to allow?

10 COMMITTEE SECRETARY SINGH: Both, (indiscernible)
11 standards.

12 COMMITTEE CHAIRMAN FISHER: I don't know.

13 COMMITTEE MEMBER MANSOURIAN: Does Caltrans want a
14 third motion?

15 COMMITTEE MEMBER BAHADORI: I think what he's
16 suggesting is using more of these signs all over. That's
17 good and there's nothing wrong with that, but --

18 COMMITTEE MEMBER MANSOURIAN: So a third motion --

19 COMMITTEE MEMBER BAHADORI: As a matter of
20 principle, the experiment is done. The results were
21 adequate. There's really no justification to keep the
22 experiment open, except if you find out that there's lacking
23 information, missing data that you want to bring back.
24 Otherwise, what's the point of keeping an experiment open
25 that is certainly done successfully?

1 COMMITTEE SECRETARY SINGH: So what do they do
2 with the existing sign since it's not (indiscernible). So,
3 are they going to remove those signs?

4 COMMITTEE MEMBER BAHADORI: I don't see why they
5 should. I think the sign stays, it's what's part of the
6 experiment and the result that they have until we settle the
7 adoption, final adoption. We are in the process of the
8 final adoption. The experiment is done but the sign is not
9 fully adopted yet either by the official there or in the
10 California MUTCD. So the signs that they have stay until
11 the chose the sign.

12 COMMITTEE CHAIRMAN FISHER: Johnny?

13 MR. BHULLAR: Johnny Bhullar with Caltrans.

14 In my opinion the answer should be that the
15 experiment, the signs were installed as per the experiment,
16 the experiment was successful, so those signs can remain in
17 place. However, for you to put in any new signs at another
18 location, you will need an official policy for a new
19 experiment, which neither of those two cases are going to
20 apply. So you cannot put in new signs until we put it as a
21 matter of official policy in California.

22 COMMITTEE MEMBER MANSOURIAN: So leaving the signs
23 where they are, we're fine.

24 MR. BHULLAR: Yeah.

25 COMMITTEE MEMBER MANSOURIAN: Thank you.

1 COMMITTEE CHAIRMAN FISHER: Is there any further
2 discussion on this matter?

3 (No audible response)

4 COMMITTEE CHAIRMAN FISHER: Great. Hearing none
5 we'll call the matter closed. It took more than ten
6 minutes, but it didn't take two hours.

7 We want to thank the Highway Patrol, Caltrans, and
8 the MTC for the fine report and fine presentation. Thank
9 you.

10 Okay. We now go to Information Items. Item 10-2
11 regarding temporary traffic control. Wayne is the lead on
12 that. Wayne? That's on pages 43 to 64.

13 COMMITTEE MEMBER HENLEY: Okay. This is part of
14 our safety, highway safety planning implementation plan and
15 what we've been asked to do is try to make it safer for
16 bicycles to get through, and pedestrians to get through
17 construction zones.

18 Johnny is going to be talking about, you know, the
19 specifics of what we've come up with.

20 MR. BHULLAR: Johnny Bhullar with Caltrans.

21 A couple of things. First, I think this should be
22 a five minute item, if I may. And second, if I can have Jim
23 probably step up there because, it being a bike item, I will
24 need his support on this and for the protocol.

25 Okay. On this item actually at the last meeting,

1 actually, conceptually this item was approved and we were,
2 of course, given the go ahead, but we have not adopted it as
3 official policy because, as promised by Caltrans, we did
4 want to make sure that the Committee was okay with our
5 finalization of the conceptual increment that was discussed
6 at the previous meeting. So what we have done is we have
7 made some amendments to this item. And let me see if I can
8 hold this up.

9 On this item, basically what the issues that we
10 had were -- so on page 43 in green what I've shown is at the
11 last time around what we had done was we had shown the signs
12 to be optional in the Typical Applications and that was, of
13 course, drawing some confusion between the text and the
14 policy, as well as the figure. The figure was showing these
15 signs to be optional. So as I've noted in the green there,
16 the changes are made to the proposal that we had submitted
17 previously to the Committee is that we have taken, first of
18 all, the "optional" words out from the figures where we are
19 showing these signs because the signs are not really
20 optional.

21 The signs, of course, you're not required to do
22 the signs but we are recommending them in certain situations
23 and scenarios, and that is being addressed in the notes of
24 those Typical Applications. So I have amended the notes as
25 well as the figures accordingly and that is what I've shared

1 in this proposal.

2 Then let me go to the page where I did make
3 certain suggestions and comments that I've addressed. On
4 page 45 the statement in red, this is the statement that has
5 been reworded. I don't want to go into the details unless
6 there's a question on this item. But just to address on the
7 bottom, this is some of the wording that was suggested that
8 I've added. "When existing bicycle facilities are disrupted
9 or closed," meaning only when you're taking away an existing
10 bicycle facility then you are being recommended or there is
11 some guidance being offered to do something. Otherwise, for
12 a city or a local agency or even a state highway, there were
13 no bicycle facilities available, we are not saying now just
14 because you're coming in with the work zone activity you
15 have to provide something for the bicyclists. So I have
16 clarified that in the text portion.

17 And then the figures, what we have done is -- on
18 the figures, what we have done is now change that and we
19 have made also a suggestion to the notes. For example, this
20 happens to be a little bit in error but I have made a
21 notation to myself. On page 48 this note should be not 12
22 but 11, and this note, number 11, should be note number ten.
23 I'm not sure how this happened but I will make a note of
24 that in the final. But we have made now references to note
25 numbers within those figures that accompanying the notes,

1 the notes that are accompanying the figures to make sure
2 that we are tying in those specific items to the notes.

3 And then one suggestion, we did get comments from
4 John Fisher at least after circulating this revised proposal
5 and trying to place it on the agenda. So one item that I do
6 want to note here is this bullet here on page 45,
7 "Bicyclists must not be led into direct conflicts." This
8 actually said, "Bicyclists should not be led into," and then
9 in my absence while I was on vacation I had been, at least,
10 or he wanted to say, "Bicyclists must not be led into direct
11 conflicts," but I do have a suggestion here, since I wasn't
12 present when this rewording was done. I have another
13 suggestion because I don't like the word "must not." To me
14 that means shall not, which is very strong. So I'm
15 suggesting, since this bullet and, if you look at it, this
16 is under support statement and these only considerations.
17 So I'm proposing that the last bullet be worded to say,
18 "Ensure bicyclists are not led into direct conflicts," and
19 just striking out the first portion of this and saying,
20 "Bicyclists, ensure bicyclists are not led." So that's an
21 amendment that I'm proposing here.

22 But apart from that, I'm open for questions on the
23 proposal.

24 COMMITTEE CHAIRMAN FISHER: Johnny, just what
25 you're talking about, I appreciate the fact that we've taken

1 out the word "surely," now we're considering taking out the
2 words "must not," because in my view it's not a appropriate
3 for a support statement.

4 But in order for it to read like the other bullets
5 do, they use the word "is desirable." So my suggestion
6 would be to add the words "It is desirable to ensure that
7 there are no direct conflicts between bicyclists" and blah,
8 blah, blah. And that would make it consistent with the way
9 the other bullets read.

10 MR. BHULLAR: I'm okay with that.

11 COMMITTEE CHAIRMAN FISHER: If we could consider
12 that editorial, you know.

13 Any comments from the Committee Members? Jim?

14 MR. BAROSS: I may have -- am I on here? I
15 appreciate the work. Your changes hadn't gone through CBAC
16 yet. We have previously approved the work and the changes
17 make it just that much better, I hope.

18 But the definition of bicycle facilities, could
19 you tell me what you're including and what you're not?

20 MR. BHULLAR: I'm not sure if I do have a bicycle
21 facilities definition. If someone can look up in the
22 California MUTCD in the meantime, Don maybe.

23 MR. BAROSS: The reason I ask, just to help, the
24 most usages of the phrase "bicycle facilities" refer to
25 Class One, Two, and Three, bike path, bike route, and bike

1 lanes. Your bicyclists also operate on roads that are not
2 bicycle facilities, and your diagrams show accommodations
3 for bicycling through construction zones that are not Class
4 One, Two, or Three. So I suspect that what you might have
5 meant, rather than the exclusivity of the term "bicycle
6 facilities," is roads where bicycles are not prohibited,
7 thereby leaving off freeways where there are no bicycles.

8 MR. BHULLAR: I'm going to let probably the
9 Committee answer this because the reason why I made this
10 change was that the question had come up under, like, under
11 the CBD area or like the central business district area
12 where sometimes you are not providing anything right now for
13 bicyclists and they are just using the roadway just like any
14 other vehicle. In that case, if there's a work zone
15 activity, you are not required to do anything specially for
16 bicyclists, if I'm not mistaken. And that's what we had
17 meant and that's the reason why we try to put in the
18 statement saying if there were existing, like existing
19 bicyclists were using the roadway and we were up for
20 providing some special treatments for bicyclists, then
21 that's what we were taking away, then we have an obligation
22 to do something about it in the work zone.

23 COMMITTEE CHAIRMAN FISHER: But is there a
24 definition of "bicycle facilities?"

25 MR. BHULLAR: Okay. Bicycle facilities, there is

1 a definition that has been brought to my attention so I'm
2 going to read that. The bicycle facilities definition is,
3 "It's a general term denoting improvements and provisions
4 that accommodate or encourage bicycling, including parking
5 and storage facilities, and shared roadways not specifically
6 defined for bicycle use."

7 MR. BAROSS: So if I'm correct in my understanding
8 of that, which is a wider definition than I get in the HDO,
9 Chapter 1000, shared roadway is a roadway where the
10 bicyclist is allowed to ride but does have no special
11 accommodation. So as with Typical Application 15, page 48,
12 am I correct this is included because it's a shared roadway
13 that has no special accommodations for bicycling?

14 MR. BHULLAR: Yes. Basically on page 48, when
15 you're looking at that, and if you read the notes, basically
16 what we are trying to address here if there are existing,
17 like, bicycle users here and you need to have to accommodate
18 them, then this is how, under the various options, you would
19 go about and do that.

20 COMMITTEE CHAIRMAN FISHER: Jim raises a good
21 point. I think what we raised at the last meeting is if you
22 have a standard roadway that has no specific bicycle
23 designation on it, in other words it's not Class One, not a
24 Class Two, not a Class Three, it would be, cause an extreme
25 hardship every time for the agencies to provide an alternate

1 bike route if there were not a bike route designated on
2 there. But when I heard you read the definition of "bicycle
3 facilities," it includes beyond Class One, Two, and Three.
4 It includes most anything.

5 MR. BHULLAR: Yes, I think it's a good point we
6 need to clarify.

7 COMMITTEE CHAIRMAN FISHER: So I think the intent
8 was Class One, Two, and Three.

9 MR. BAROSS: I hope not. One of the fatalities
10 that happened in the last three years was in Laguna Beach,
11 Highway 101. It's not designated, as far as I know has no
12 special facilities. It might be labeled as a Class Three
13 bike road; correct me if I'm wrong. But the construction
14 area -- well, let me back up.

15 Typical Application 15, page 48, shows a roadway
16 where the normal travel lane is impacted and the shoulder
17 space, which is normally used by cyclists when it's
18 passable, shows that there's going to be some -- or, excuse
19 me, it's desirable to put in this kind of accommodation for
20 construction. I would prefer, where it says "bicycle
21 facilities" that it refers to roadways where, except where
22 bicycles are prohibited. In other words, bicycles are
23 always allowed on the roadway except where they're
24 prohibited, and always should be accommodated when there is
25 construction that will impact their travelings.

1 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman, I
2 think what Jim just said is what created confusion for us.
3 Many county roads, it's two lane road, no shoulders, and
4 bicyclists use the same roadway. Our concern was if we are
5 doing construction the first sketch we looked at it almost
6 implied that when we close a lane we now have to have the
7 bicycle lane and a travel lane. And we can't do that, we
8 just physically don't have the room.

9 So the idea was if there is no bicycle facility
10 before, there will not be a bicycle facility as a result of
11 the construction.

12 MR. BAROSS: And I agree and I think my look at
13 Typical Application 15 on page 48 does not show creating
14 special bicycle facility, it only shows accommodating the
15 bicyclist with signage. Am I correct?

16 COMMITTEE MEMBER MANSOURIAN: Yes.

17 MR. BAROSS: And from what I see, there is some
18 adjustment of the travel rate due to the construction in the
19 middle of the roadway and there was no bicycle facility
20 before, there is no bicycle facility -- excuse me, Class
21 One, Two, or Three before, there is no Class One, Two, or
22 Three after, but there is the signage that says or points
23 out to motorists that they are supposed to share the road
24 with the bicyclists.

25 Bicyclists often encounter construction zone

1 impacts where the available travel space has been adjusted,
2 changed, often reduced in width. Where previously side-by-
3 side sharing with motor vehicles and bicyclists could occur,
4 because of the construction impact side-by-side sharing
5 cannot occur. It has to be single file. It's difficult for
6 the bicyclist in some cases to get accommodation from
7 motorists, and the idea with the "share the road" sign and,
8 hopefully in the future, with a "bikes may use full lane"
9 sign, then it gets approved for use in California would help
10 with this accommodation.

11 So I'm not asking there be a creation where none
12 existed before, but that when the space, as shown in this
13 Typical Application, is reduced and in this specific case
14 there was a shoulder available for bicyclists to share side
15 by side with motorists, because of the construction there
16 will not be that space so it is appropriate, in this case,
17 to provide the desired accommodation even though it's not a
18 Class One, Two, or Three.

19 COMMITTEE VICE CHAIRMAN BABICO: Mr. Chairman?

20 COMMITTEE CHAIRMAN FISHER: Jacob?

21 COMMITTEE VICE CHAIRMAN BABICO: You know, on the
22 same subject, page 48, then what will happen after there is
23 no construction zone? You have to remove the W11-1 and
24 W16-1, then the bicyclist or the drivers, the motorists,
25 might be confused because you're in the construction zone

1 there was allocation or action of the bicyclist to share the
2 road. But after construction completed, the signs are not
3 there.

4 COMMITTEE CHAIRMAN FISHER: But they're allowed to
5 use the shoulder for restoration.

6 COMMITTEE VICE CHAIRMAN BABICO: But it's
7 confusing.

8 COMMITTEE MEMBER MANSOURIAN: I think from the
9 counties' point of view while we raise these, 90 percent of
10 the time we don't have shoulders. So 15 is not a typical
11 county road. Typical county road is two-lane roadway and,
12 if you're lucky, two inches off the striped place that we
13 call shoulder. And what we wanted to make sure, the first
14 sketch we saw was, it's what I repeated: don't expect us
15 during construction to give a bike lane that we don't have.
16 And before we didn't have a side-by-side use, we had a
17 single file, because we just don't have the room in Marin
18 County, for example.

19 And so all we're doing, the idea of share the road
20 sign was to reemphasize to the motorist that look out for
21 the bicyclist because at times they are the only one who are
22 in the lead and they're slowing everybody down. And so be
23 it, there is no other facility. It was more of putting them
24 on notice because they have all this construction going on.

25 COMMITTEE VICE CHAIRMAN BABICO: And in addition

1 to that, Mr. Chairman, what you are saying that the
2 bicyclist were using the shoulder, where's the transition
3 distance of the bicyclist that they are transitioning from
4 the shoulder to the travel lane during the construction.
5 The figure doesn't show that.

6 COMMITTEE MEMBER BAHADORI: Mr. Chairman? I think
7 it's an interesting academic discussion and exercise, but
8 let's remember how this actually applied and where they're
9 applied. These are the cases that they're applied. It's
10 not like only the county road, highways and all that. There
11 are a whole bunch of residential local streets also that
12 face the same challenge. And there are a lot of
13 construction on short-term basis that are going on, like
14 utility companies going out there, using the watch hand
15 (phonetic), closing lane, you know, doing some median work
16 or something.

17 So if you introduce some very detailed engineering
18 kind of work, just think about the practicalities of that
19 and a whole set of new construction work area plan need to
20 be prepared, because the current watch hand and the current
21 construction work area plans that we have, they do not
22 accommodate anything like that. So it's not only page 48.
23 You're talking like a lot of other stuff.

24 So again I want to go back to what Mr. Mansourian
25 said, that in the construction you only provide what is

1 there before.

2 MR. BHULLAR: Thanks, Hamid. Those are very good
3 comments and actually I do thank you for that. Because
4 basically what we are trying to do here is just give you
5 some typical scenarios. They by no means are these the end
6 all, be all for any design work. What we are trying to do
7 is just reminding everyone that trying to lace into the
8 manual some elements of bikes and how to handle bikes in
9 work zones, because that has been lacking in our document.
10 And that is what has been asked of us through the FSP
11 (phonetic) action items and the conception was already
12 agreed to. So informationally what we have tried to share
13 here is pretty much what we are 99 percent ready to go with.

14 And we welcome any other comments, questions, or
15 suggestions on these before we, next week probably, go with
16 the (indiscernible) and make it official policy in the
17 state.

18 COMMITTEE CHAIRMAN FISHER: Okay. I'll add to
19 that, just concentrating on the one percent, because I do
20 think we're very close.

21 We had talked about, on page 45 near the bottom,
22 in the standard we have the word "bicycle routes," and in
23 the guidance statement we have "bicycle facilities." I
24 think maybe the words we used weren't exactly what we
25 intended to use, and I would offer that when we said

1 "bicycle routes" we were referring to a Class One, Two, or
2 Three bike lane. In other words, if you take Class One,
3 Two, or Three we need to provide an alternate route for
4 them. And in the bottom where we say "bicycle facilities,"
5 I don't think we intended that to be an existing share the
6 road situation, but I think we intended that to be also a
7 Class One, Two, or Three bike lane.

8 So I would offer that if you consider it editorial
9 we could change the "bicycle routes" and "bicycle
10 facilities" to refer to Class One, Two, or Three bike lanes.
11 I think that was --

12 MR. BHULLAR: I'm good with that. I think after
13 all the explanation and the understanding, I think I'll be
14 okay with that. I don't know if Jim has any concerns with
15 that.

16 MR. BAROSS: As I previously stated, this hasn't
17 been brought back to CBAC. I can't say I'm speaking for the
18 California Bicycle Advisor Committee, but I have strong
19 reservations to -- although it's a step in the right
20 direction -- to providing accommodations for bicycling only
21 on Class One, Two, or Three facilities. Most bicycling
22 occurs on shared roadways. Most construction occurs on
23 shared roadways. Accommodations for bicyclists should occur
24 on shared roadways.

25 To respond to your question about a roadway which

1 doesn't, a rural roadway that doesn't have a shoulder, if
2 the bicyclists are riding on that road they're already
3 taking a lane and the deflective traffic doesn't, I don't
4 think, I'm going to have to look at more detail, doesn't
5 need the addition of another accommodation, that the
6 roadway's already constricted. But to restate, most
7 bicycling occurs on shared roadways. Most construction
8 occurs on shared roadways. It's most appropriate for
9 accommodation of bicycles in construction zones not to be
10 limited to Class One, Two, or Three.

11 COMMITTEE CHAIRMAN FISHER: Right. But what I'm
12 saying, Jim, is that if it is a shared roadway before
13 construction, it would be a shared roadway during
14 construction.

15 MR. BAROSS: A shared roadway could be a roadway
16 as item, page 48, with a shoulder.

17 COMMITTEE CHAIRMAN FISHER: No, but I mean let's
18 say there's no shoulder. I mean, it's possible that you can
19 have a shared roadway before, and during construction you'd
20 have a shared roadway during construction. It's just saying
21 that we would not be obligated to provide an alternate route
22 for a share the road situation.

23 MR. BAROSS: I think this points out part of the
24 problem with "share the road" sign. A shared roadway
25 doesn't necessarily mean in line sharing. A shared roadway

1 can be a roadway as per 15, page 48, where there is a
2 shoulder. It's not a Class One, it's not a Class Two, it's
3 not a Class Three. It's a shared roadway. It has a
4 shoulder. The bicyclist is on the shoulder but during
5 construction, because of the deflection of the traffic lane,
6 the shoulder is not available.

7 COMMITTEE VICE CHAIRMAN BABICO: Mr. Chairman?

8 COMMITTEE CHAIRMAN FISHER: Well, but I'd just
9 like to respond to that. I think the County of Marin was
10 pointing out they've got two lane roads. There's no
11 shoulder there. So the bicyclist is only sharing the road
12 with motor vehicle traffic.

13 MR. BAROSS: In the lane.

14 COMMITTEE CHAIRMAN FISHER: In the lane. We have
15 city streets. There aren't shoulders on city streets so
16 bicyclists are in the road but there isn't dedicated space
17 for them. So they are sharing the road today.

18 So all I was pointing out is if you have that
19 situation today, you should not be obligated to provide a
20 new alternate route for them during construction.

21 MR. BAROSS: I agree.

22 COMMITTEE SECRETARY SINGH: Jim is not saying --

23 MR. BAROSS: But I don't agree in the case of the
24 typical drawing, page 48, the drawing is accurate -- excuse
25 me, it doesn't have the -- this figure could be a shared

1 roadway in the sense that it's available for bicyclists and
2 motorists, it doesn't qualify as a Class One, Two, or Three.
3 The shoulder space is going away. Bicyclists and motorists
4 need some notification that now their situation has changed.

5 So if there was a way to distinguish situations
6 where the space does not change from situations where the
7 space does change -- does that make sense?

8 COMMITTEE CHAIRMAN FISHER: And I agree with you
9 and I wasn't debating the drawing. I was just talking about
10 the words on page 45.

11 MR. BAROSS: Well, the drawing applies to a
12 roadway that is not a Class One, Two, or Three.

13 COMMITTEE CHAIRMAN FISHER: Right. And no
14 alternate route is being provided by the drawing.

15 MR. BAROSS: Well, actually you're correct, but on
16 a roadway like this, which is precluded from the
17 accommodations, because the accommodations speak to bicycle
18 facilities which most people consider to be Class One, Two,
19 or Three.

20 COMMITTEE CHAIRMAN FISHER: Okay, Jacob?

21 COMMITTEE VICE CHAIRMAN BABICO: But if you are
22 saying for the particular location 15 is because the
23 bicyclists, they used to use the shoulder, then what would
24 be your concern on page 50 for the particular location 30
25 where you have two lanes, closing one lane, and still the

1 shoulder is open and yet you are adding the fair share and
2 the bicyclist. Why do we need that?

3 MR. BAROSS: Well, on page 50 the shoulder is now
4 going to be used by motorists, where previously it was
5 illegal to use it for travel. That's a change.

6 COMMITTEE VICE CHAIRMAN BABICO: No, you can only
7 use one lane for the travel lane.

8 MR. BAROSS: My understanding of this picture --
9 excuse me.

10 COMMITTEE VICE CHAIRMAN BABICO: Says a land drop,
11 simple.

12 MR. BAROSS: You're right.

13 COMMITTEE VICE CHAIRMAN BABICO: Why do you need
14 the shoulder, why do you need the sign?

15 MR. BAROSS: I don't know.

16 COMMITTEE VICE CHAIRMAN BABICO: Okay, take it
17 out.

18 MR. BHULLAR: Okay. If you look at the items
19 number eight and nine over that figure on the previous page,
20 page 49, you look items number eight and nine again, what we
21 are trying to do is drawing the same disclaimer that we are
22 using pretty much throughout these typicals, saying when
23 existing bicycle facilities are disrupted or closed --
24 again, these typicals are very this simple. We are not sure
25 of all this timing of the bike lane or the sign, but with

1 these notes here trying to address the situation that on
2 that particular (indiscernible). If there was an existing
3 bicycle facility, whether that be Class Two or Class Three,
4 and if that's what you are deemed to (indiscernible) then
5 you need to be doing this.

6 But otherwise, these signs appear in the roadway
7 do not apply because they are (indiscernible).

8 My point is that almost all the roadway facilities
9 all going bankrupt, whether you sign it or not. Except,
10 now, Jim was saying that if the bicyclist choose to use the
11 no shoulder or paved shoulder within reason, the shoulder,
12 then that is like its own path for the bicyclists. If that
13 is not effective for the, during the construction zone, why
14 do you need to declare it as a bike road share?

15 COMMITTEE SECRETARY SINGH: Mr. Chairman, can I
16 make comment? This item was -- we started asking
17 everything. This single view I seen a dozen times, then
18 what I read. We have no typically -- California MUTCD, so
19 we put in some information on the bicyclists
20 (indiscernible).

21 MR. BHULLAR: Thank you, Devinder. If I may, by
22 you admit me only to the forms that were provided to me at
23 the last meeting, I've accomplished almost all of those
24 comments and addressed them in my proposal. But if we are
25 like rethinking the whole process, those comments were not

1 made to me so those do not show up in the proposal. And
2 that's the reason why, at this time, it is not an action
3 item but it's an informational item. But I'm open to
4 suggestions any which way we want to go with this item. I
5 don't have the authority to decide that.

6 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman? I
7 think we're all agreeing, I think we're concentrating too
8 much on the typical application 15 and 30. We're treating
9 it as a gospel and as a new regulation. We agreed on three
10 things last night. Johnny, let me know if I'm misstating
11 it.

12 If we have no bicycle lane, an example was a two
13 lane roadway with two inches off shoulder, during
14 construction we are not expected to provide any new
15 facility. That was alternative one.

16 Alternative two, if we do have a bicycle
17 lane/facility, whatever new word now we want to use, if we
18 already have that as part of construction we need to
19 continue to provide that.

20 Number three, we talked, if you have a bicycle
21 option, an option could be a sidewalk, an option could be a
22 shoulder, during construction we should continue to provide
23 that option.

24 Those were the principles of what we decided. I
25 think this answers that. There is no change and I think

1 we're all on the same page.

2 COMMITTEE CHAIRMAN FISHER: Jim?

3 MR. BAROSS: We are on the same chapter. To get
4 to the same page I want to be able to point to something --
5 well, my original concern was the term "bicycle facility"
6 and its typical definition as being a special bicycle
7 facility, Class One, Two, or Three. The way you described
8 it as space, for instance there's a shoulder available for
9 side-by-side sharing and that goes away, if there was a way
10 to say that -- for instance, on page 45 and other places
11 where it said "bicycle facility," if it said something more
12 descriptive like "bicycle spaces," but I don't have a good
13 term for that. I would --

14 COMMITTEE MEMBER BAHADORI: Mr. Chairman? I
15 think, I'm pretty sure I understand what you're saying. The
16 thing is that I don't think this Committee doesn't have
17 jurisdiction. Caltrans does not have the authority.
18 There's no legal authority to go and mandate existing of
19 something during the construction that was not there before
20 the construction.

21 MR. BAROSS: Right.

22 COMMITTEE MEMBER BAHADORI: So if the Class One,
23 Two, Three were not there before the construction, putting
24 the line here and saying that now you should put bikes on
25 the special space, first of all I don't think it's going to

1 work and, second, you know, just (indiscernible).

2 Again, I would like to go to the practicality if
3 these can't be done, and especially since these are all this
4 document, this piece is already as is. It says that you do
5 these things only when there's a long-term construction,
6 which is not really defined what is a long-term
7 construction. Is it a week or six months?

8 COMMITTEE MEMBER MANSOURIAN: Three days or more.

9 COMMITTEE MEMBER BAHADORI: Yeah, just reasonable.
10 So what I'm saying is that before you're contemplating it,
11 probably is not going to help much. So before you get into
12 a lot of details on trying to pick the points and wordsmith
13 and all of that, think about the legal application and the
14 practical application. And there are all these utilities
15 that are going out there on two lane little highways and
16 residential streets, and they were closed just for three
17 hours.

18 COMMITTEE CHAIRMAN FISHER: Johnny?

19 MR. BHULLAR: I do want to offer one thing, too,
20 that as we had discussed previously these bike typical
21 applications in this proposal is very new and we are the
22 first on the scene in the nation, as I had discussed before.
23 Because when I checked with the feds as well as with other
24 states, none of them have the bike tiers so we're the first
25 one in the nation. By no means am I even thinking that this

1 is going to stay the way it is. All we are seeking for now
2 is to put something in the book where there isn't anything
3 and, as we start learning from the practice and the
4 application of it and we see some of these problems that are
5 being pointed out, we are certainly open to making those
6 amendments in the future to amend.

7 COMMITTEE CHAIRMAN FISHER: And I would like to
8 offer that I think we're taking a real step forward in
9 recognizing the needs of other users of the highway. And
10 maybe this lane, which is not perfect, but I think it puts
11 us way ahead of where we were.

12 All that I would ask is that we have very clear
13 language that tells the construction entity, the utility
14 company, the traffic engineer, "If this, I do that." And
15 that's why when we have a term like "bicycle facilities" or
16 "bicycle routes," not real clear.

17 On the other hand you'd say a Class One, Two, or
18 Three, it's very clear. He knows exactly what he needs to
19 do. And I would just offer that on page 45 if we could
20 change that as an editorial comment, I think it becomes very
21 clear. I don't think it's perfect, I think as time goes on
22 we're going to develop more language and learn more about
23 how best to accommodate other users around work site, but at
24 least that would be a path forward.

25 MR. BHULLAR: In that case, then can I take it up

1 as instead of "bicycle facilities" if I say "when existing
2 Class One, Two, or Three bikeways are disrupted or closed"
3 to have something equal or better. Because that's what's
4 discussed in the ADA too. When you take something away, you
5 at least try to provide something that is equal.

6 So I could come up with that wording. I don't
7 have it on top of my head, but that's what I can promise to
8 put in --

9 COMMITTEE CHAIRMAN FISHER: I think that was the
10 intent conceptually, right?

11 MR. BAROSS: I'm flabbergasted at how poorly I'm
12 doing in explaining myself. I prefer "bicycle facilities"
13 because it's so general than to Class One, Two, or Three.
14 Because when you, as soon as you say Class One, Two, and
15 Three are the only ones that are going to get accommodation,
16 you've left out, for instance page 48. Page 48 shows
17 appropriate accommodation, it's not a Class One, Two, or
18 Three. Page 48 shows a roadway which should have
19 accommodation for bicycling, but it's not a Class One, Two,
20 or Three.

21 So I've raised the issue. I'm sorry I raised the
22 issue because the result is worse.

23 COMMITTEE CHAIRMAN FISHER: You and then him.

24 COMMITTEE MEMBER BAHADORI: I've experienced this
25 here in my -- in fact, I helped design this.

1 On the ADA issues, if you make it too difficult
2 they're just going to have straight access. If you make it
3 too difficult on locals to accommodate within reasonable,
4 after expense and all that, they're just going to give
5 straight access. You make it too complicated, all they're
6 going to do is that they're just going to put a sign up
7 there and say "no bicycle traveling" and they're developing
8 one mile around the block bicycle detour.

9 So it may actually in some cases be
10 counterproductive to what you want to do. I understand the
11 safety issue and all that, but if you make it too
12 restrictive, then you take the reason out of their hands,
13 they're going, they said wait, okay, this work I have to
14 close it to bikes. I don't know, I'm doing some drainage
15 improvements, some storm drain improvement, and I can't be
16 in compliance with all these requirements so I'm going to
17 completely block bicycle traffic for this whole block, this
18 intend approve you to do it and provide a bike detour. They
19 do it to the vehicles, they can do it with bicycles.

20 MR. BAROSS: If they do it for vehicles, they
21 can't do it for bicycles, they cannot.

22 COMMITTEE MEMBER BAHADORI: We used it bicycle
23 traffic all the time. We say no bike traffic and we provide
24 a detour.

25 COMMITTEE CHAIRMAN FISHER: Deborah?

1 COMMITTEE MEMBER WONG: Isn't that the point that
2 this is trying to say there's no added improvement or
3 upgrades for the bicyclist, but there's no downgrade either.
4 It's comparable. So I hesitate to use level of service, but
5 something, there should be a comparable level of service for
6 bicyclists where there was -- you know, I mean, it's the
7 only existing facility.

8 COMMITTEE CHAIRMAN FISHER: But we have to state
9 it in such a way that the practicing traffic engineer says
10 what do I do, what is a comparable facility.

11 MR. BHULLAR: I think there is existing wording
12 very similar to what we are describing in Part Six, in work
13 zones for ADA issues and it's under, I believe, Support.
14 But it's something -- or maybe it's even under Guidance, but
15 it's loosely on top of my head. It's something like you
16 should provide something equal or better to the facility you
17 take away. And if the Committee trusts me, I can come up
18 with something like that. And that's what I can put in
19 here, if that's what is being suggested.

20 COMMITTEE VICE CHAIRMAN BABICO: Mr. Chairman?

21 COMMITTEE CHAIRMAN FISHER: Jacob?

22 COMMITTEE VICE CHAIRMAN BABICO: On Figure 48
23 where you are transitioning the bicyclists to the travel
24 lane to be shared, if you go forward on page 53 you have
25 note number three where you are closing, physically closing

1 the shoulder where the bicyclists were used to use it, but
2 you have said, "See Figure 9C-8 for shoulder taper lengths."
3 Why didn't we have the same notes on page 48, because here
4 there's a shoulder taper that is being normally used. This
5 is not for bicyclists, this shoulder tape is to protect the
6 DMS sign here. And what we are saying on page 48 that the
7 bicyclists used to use the shoulder and when you converting
8 the shoulder to a travel lane during the construction work
9 zone, the bicyclist has to divert to the travel lane, that
10 they follow the (indiscernible) for the construction detour.

11 Okay. Shouldn't we have that note number three on
12 page 53 on page 48?

13 MR. BHULLAR: When you say note number three --

14 COMMITTEE VICE CHAIRMAN BABICO: Page 53.

15 MR. BHULLAR: -- page 53.

16 COMMITTEE VICE CHAIRMAN BABICO: Typical
17 Application 32.

18 MR. BHULLAR: I don't see note --

19 COMMITTEE VICE CHAIRMAN BABICO: Down below it to
20 the left.

21 COMMITTEE CHAIRMAN FISHER: Well, but this is
22 complex stuff and this is new. And, you know, I think we're
23 just trying to make sure that we have something goes through
24 this forum in accommodating other modes but doesn't make it
25 another impossible situation to build projects.

1 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman? I
2 think when mentioned the three scenarios everybody agreed.
3 I think we are reading way too much on these sketches
4 because we think here it is and you've got to follow it.
5 All we're saying, and frankly we've said it not just for
6 bike, it's same thing for pedestrians, same thing for ADA,
7 it's equal protection. If you had something before
8 construction, you have to provide that during construction.
9 That's all we're saying.

10 MR. BHULLAR: Just one difference. With ADA it's
11 official, here we are just recommending. You can even --

12 COMMITTEE MEMBER MANSOURIAN: Correct.

13 MR. BHULLAR: -- have reason not to do it.

14 COMMITTEE MEMBER MANSOURIAN: Point well taken.
15 So leaving ADA out, pedestrian and bicycle, whatever you had
16 before construction, accommodate them during construction.

17 MR. BHULLAR: If you can.

18 COMMITTEE MEMBER MANSOURIAN: Right. That's the
19 concept, right. So if we start reading and reanalyzing the
20 sketches on page 48 and then on 53, we're reading too much.
21 These meant not to be a guide, take this and go implement.
22 These are examples of. Exactly, that's all these are.

23 MR. BAROSS: Could I modify what you said? I
24 think it's an appropriate approach, as you said kind of
25 level of service. If you had something before, you try to

1 replicate that during construction. But if you can't, you
2 give prior notice to everybody that the situation is
3 changing, and that's what happens on page 53. You can't
4 provide the shoulder, there's not enough space, but you give
5 notice to everyone because the situation is changing.

6 COMMITTEE MEMBER MANSOURIAN: I agree and I think
7 we should trust Johnny to come back and show us that
8 concept. Maybe he wants to add a sketch and he wants to
9 delete, but let's say that. That's the intention of what
10 we're discussing.

11 COMMITTEE MEMBER HENLEY: I don't think we're
12 going to be coming back on this. No, we've been
13 (indiscernible).

14 COMMITTEE MEMBER MANSOURIAN: We trust Johnny to
15 implement and make whatever editorial changes he needs to
16 make. Those concepts in mind, that's the whole foundation.

17 COMMITTEE CHAIRMAN FISHER: Yeah, I think we
18 generally agree on the concept and, I guess Johnny, you've
19 heard our comments and we'll trust you to put into words in
20 a way that is fairly clear as to how you'd use it.

21 MR. BHULLAR: And in closing what I'll say is like
22 I'm saying before, that just be aware since we are first in
23 the nation to be doing this, this is quite comprehensive.
24 By no means is this going to stay the way it is. Once we
25 have the application in the field and we get feedback from

1 the engineers, we might be modifying some of this language
2 and we can certainly do that through the CTCDC process.

3 COMMITTEE CHAIRMAN FISHER: Okay. And I have one
4 other comment unrelated to bicycle or pedestrian usage.

5 It's on page 64 and it illustrates a situation
6 where, of a trapped lane going northbound on the paper. And
7 my comment from the last meeting is if we are to illustrate
8 a trapped lane, we need to make sure that we use all of the
9 appropriate traffic control devices that are prescribed for
10 that. And I think they're showing a figure 3B-12, but
11 basically it requires the elephant tracks, it requires the
12 warning sign, "right lane turns right ahead," and I think
13 one of their advanced warning sign, and I've requested that
14 those controls be shown here for this construction
15 situation.

16 MR. BHULLAR: Well, let's discuss that because
17 initially I'm going to disagree with that, the reason being
18 that if you look at existing Figure 6H-22, the Typical
19 Application 22, that is in the California MUTCD upon which
20 this figure is based. Even for permanent -- I mean, for
21 regular work zone activities what they have done is they
22 have shown only the sign in that Typical Application, only
23 the sign, and they have, if you look at it, in that Typical
24 Application they have shown this as a main line, and this
25 main line is without this arrow marking. And just the main

1 line and all of a sudden you have this arrow telling you to
2 stop. So even for regular work zone applications in the
3 national MUTCD, since they do not show any special marking,
4 only the usage of the sign and the arrow Board, I think we
5 have already gone one step further by showing this arrow and
6 this marking. And if we try to put in the elephant tracks
7 and the warning signs in addition to that, that certainly
8 can be done but in the difficult trying to do it ideally and
9 trying to show it at the regular Typical Application 22 does
10 not do it, I think it's an overkill.

11 COMMITTEE CHAIRMAN FISHER: Are you saying these
12 devices are not required in trapped lane for construction
13 purposes?

14 MR. BHULLAR: Well, we are trapping the lane here.
15 But what I'm saying is trying to put in additional warning
16 signs in advance and also try to show the elephant tracks --
17 this is just an example. And the feds themselves, in their
18 Figure 22 upon which this figure is based, show this only as
19 a lane line. They don't even show it as an elephant track.

20 I can certainly do it, it's just that how much or
21 how many details should we continue to show in this typical?

22 COMMITTEE CHAIRMAN FISHER: Well, I guess my
23 purpose of bringing this up is that if you don't have room
24 to illustrate it, then maybe you can make reference to the
25 control shown in Figure 3B-12 CA. But I think an agency

1 would not be putting in the standard devices if it
2 (indiscernible) to these, by trying to get away without
3 elephant tracks.

4 MR. BHULLAR: Okay. Then what I can do is address
5 it in two ways. One is that I can, since I'm showing the
6 trap lane and the arrow marking anyhow, why not go to the
7 extra length of showing the elephant tracks as well. I can
8 show that in the figure. However, for the additional
9 warning signs that you had commented upon, I can put them in
10 the note that goes with this figure stating those can be
11 done. Even though it's understood, but I can put that note
12 in.

13 COMMITTEE CHAIRMAN FISHER: Okay.

14 COMMITTEE MEMBER MANSOURIAN: And I was going to
15 be a troublemaker and say, you know, we can always put a
16 bicycle box. Okay.

17 COMMITTEE SECRETARY SINGH: I have not seen an
18 elephant track (indiscernible).

19 COMMITTEE CHAIRMAN FISHER: You haven't?

20 MR. BHULLAR: Then we need to. Then we need to
21 take you out there.

22 COMMITTEE CHAIRMAN FISHER: But there's nothing
23 that says you don't put in elephant tracks because you've
24 got construction going on.

25 All right, I think we've concluded this matter.

1 Everyone had some good input on this. Thank you.

2 Okay. Our item 10-7 discusses our step forward in
3 adopting the 2009 MUTCD and the workshops that have been
4 tentatively scheduled. Right. So we had our first workshop
5 yesterday here in Northern California. We propose that
6 workshops two and three be in Southern California, and then
7 workshop four, in November, in Northern California.

8 COMMITTEE MEMBER BAHADORI: Mr. Chairman, aren't
9 these two day workshops?

10 MR. BHULLAR: Yeah. Let me share with the
11 Committee here. Basically have 610 amendments that are
12 total amendments of the feds have issues regarding the MUTCD
13 2009 changes.

14 Yesterday, in the matter of one day we were able
15 to go through about 90 amendments and it took us about until
16 6:15 or so by the time we were done. So looking at that,
17 that's how I had estimated it. So yesterday was a good
18 check on the process. We were able to do 90 in one day. I
19 need about seven days to complete all 610. So the next
20 three workshops, as per the subject matter are going to be
21 two-day workshops, all three of them.

22 COMMITTEE MEMBER BAHADORI: But yesterday, on the
23 first day, is learning curve. We are going to move faster.

24 COMMITTEE MEMBER HENLEY: But then also we had
25 super boards yesterday, too, which probably picks it up a

1 little bit.

2 MR. BHULLAR: Thank you. If in Southern
3 California we have workshop number two and three and John or
4 someone else provides me with a smart board, I can save up
5 at least an hour and a half in each of the days.

6 COMMITTEE MEMBER BAHADORI: Mr. Chairman, there is
7 one thing that I brought up in the workshop yesterday and
8 I'd like to repeat here for members that were not present
9 and also for the Minutes. There are some confined state
10 issues that they need to get the information out to the
11 local agencies and the representatives from (indiscernible),
12 I think are the conduits of this Canadian and Caltrans do to
13 the locals. There are some compliance states coming up very
14 soon in January 2011 on certain amendments. And as we are
15 going through the process, if you wait until the end of the
16 year and then we send the notifications out, I think it may
17 be better if you start at least getting the schedule for
18 compliance states out to the local agencies as soon as
19 possible.

20 MR. BHULLAR: Just a matter of my opinion that
21 these that are coming out have nothing to do with the 2009
22 changes. Those are actually the changes we had made back in
23 2004 and we had issue that letter back in 2005. So of
24 course I do not disagree, we need to spread the word, the
25 dates are coming. But let's make sure, let's not confuse it

1 with any 2009 changes.

2 COMMITTEE MEMBER MANSOURIAN: Mr. Chairman?
3 Devinder, if you could work with Johnny and give us the list
4 of upcoming, anything in 2011. Jacob and I, and I am very
5 routinely informed of the public works records for the
6 counties and they typically then share them with the League
7 of California Cities. So if you give me something that it's
8 coming up in '11, we'd be happy to correlate with the
9 counties and cities. I think it's very good point to let
10 them know now.

11 MR. BHULLAR: Actually those dates, they are in
12 the introduction of the current California MUTCD and they
13 are on page -- I'll bring this up -- and they have been
14 there in the California MUTCD even before. Let me just
15 bring that up so that everyone knows. Of course, I'm
16 suddenly in favor of doing another e-mail or a memo, but if
17 you look at it, we've made it so easy for you, it's just one
18 page. And this is the page, let me see if I can make it a
19 little bit bigger. And these are just the 20 specific signs
20 and all of those, as you can see, some dates have come and
21 gone, but the others are still coming. So these are the 20
22 signs with the dates.

23 COMMITTEE MEMBER MANSOURIAN: What page?

24 MR. BHULLAR: It's page (indiscernible) of the
25 introduction.

1 COMMITTEE MEMBER MANSOURIAN: You know, the way it
2 would work, I'm going to shake it out, if it's handy for you
3 to attach that in an e-mail to me.

4 MR. BHULLAR: Okay.

5 COMMITTEE MEMBER MANSOURIAN: When I send it I can
6 tell them, here it is so they don't have to go look
7 somewhere else.

8 MR. BHULLAR: Sure.

9 COMMITTEE VICE CHAIRMAN BABICO: But, Johnny, in
10 addition to that there are some updates for the school
11 signing where you have the single downhill, does that have a
12 date?

13 MR. BHULLAR: As of now, we have deleted all the
14 dates that the feds had imposed on us and all those dates
15 are not applicable in California. We had deleted them as a
16 grandfathering clause, so none of those dates apply. Only
17 new dates that we were discussing yesterday, as part of
18 2009, but they are a few years down the road, those are the
19 ones that are going to come into play for us. So we haven't
20 made a decision yet on those.

21 COMMITTEE VICE CHAIRMAN BABICO: No, I'm talking
22 about the September of 2006.

23 MR. BHULLAR: Okay.

24 COMMITTEE VICE CHAIRMAN BABICO: The Assembly ABC.

25 MR. BHULLAR: Okay. If you look at it, I think

1 these are the ones you're talking about.

2 COMMITTEE VICE CHAIRMAN BABICO: These are the
3 deletion. But there are some updates on the school signing.

4 MR. BHULLAR: Again, those we had deleted them out
5 of the National MUTCD so they're not applicable to us.
6 However, whenever you're using the assembly, new signs
7 you're putting in, you're required to go with the new
8 manual. So those do not have any dates, it's just that now
9 if you're purchasing new signs or you are putting up a new
10 sign or a new assembly, you're required to go with the new
11 book. There are not dates that go --

12 COMMITTEE MEMBER MANSOURIAN: Johnny, thanks for
13 settling that.

14 MR. BHULLAR: All right.

15 COMMITTEE CHAIRMAN FISHER: So we have some dates
16 for our workshops, workshops two, three, and four.
17 Workshops two and three would be in Southern California.
18 Have we identified a location for the workshops?

19 COMMITTEE SECRETARY SINGH: No, I will work on
20 the, District Seven, maybe, if convenient for everybody.

21 MR. BHULLAR: We could probably have one in
22 District Seven and one in 12 just to keep them in the loop
23 as well.

24 COMMITTEE SECRETARY SINGH: So yeah. We can have
25 a workshop in District Seven and the meeting maybe just to

1 (indiscernible) over there.

2 COMMITTEE MEMBER BAHADORI: Mr. Chairman? One
3 other comment that this also brought up yesterday is that as
4 we're going through the workshops, the recommendations
5 developed at the workshop, if we bring gradually as we go
6 along to the (indiscernible) Committee for ultimate review
7 and approval and recommendation to Caltrans, and not give
8 them all, to bring them all back at the end of the year,
9 that's going to be a daunting task to review the whole thing
10 at the end.

11 COMMITTEE CHAIRMAN FISHER: So that's a good
12 point. For the items that we reviewed yesterday, would you
13 be able to bring those to the Committee at the next meeting
14 for action?

15 MR. BHULLAR: Let's see how we want to approach
16 this. The way we have worked in the past is that initially
17 when we work with, on these technical workshops, we just
18 create a proposal and then that proposal gets posted and
19 becomes open to the public for review and comment. And only
20 once we have received the public's comments do we come to
21 the Committee and share those comments, and then make a
22 collective decision on which way to go with those.

23 So do we want to do it in that manner or are we
24 trying to change?

25 COMMITTEE MEMBER BAHADORI: Well, that's what I

1 meant. And after your wrote to me your public review when
2 you're back and the rest working through the next meeting
3 and so on and so forth, don't bring the whole manual back in
4 December or January, because that's going to be way, way too
5 much work at that time.

6 MR. BHULLAR: In that case, then, what I'm going
7 to offer is that I need at least 30 to 45 days of time after
8 each of the workshops to be able to combine the work as we
9 have discussed and post it on our website. And then once it
10 gets posted on the website, I need a minimum of 30 days open
11 to the public before I can get the comments, and only then
12 will the items be ready to bring it to the CTCDC.

13 COMMITTEE SECRETARY SINGH: Certainly we want to
14 put the workshop information as soon as possible on the
15 website. And so if we don't put it (indiscernible) together
16 then they say we don't have that much time (indiscernible).
17 But we can bring anything together. We don't to bring
18 piecemeal, but we don't want to make a recommendation
19 piecemeal.

20 COMMITTEE MEMBER BAHADORI: See, the reason I'm
21 bringing it up is that the whole purpose of the workshop is
22 that when do these things come to the Committee we don't get
23 into again what's the thing, and again changing a comment
24 here, changing the graph there. That's the work to be done
25 at a workshop level. The only thing that the Committee is

1 going to change or address is that if there are any public
2 comments that require a change. Otherwise, if you want to
3 rediscuss the whole thing all the way again here, why are we
4 going through the workshops, let's bring it directly here.

5 COMMITTEE CHAIRMAN FISHER: Okay, thank you.

6 COMMITTEE SECRETARY SINGH: The next meeting we're
7 going to have, the third workshop and the next meeting, so
8 let's pick up here from the next meeting.

9 COMMITTEE CHAIRMAN FISHER: You mean in early
10 September or late August.

11 COMMITTEE SECRETARY SINGH: September.

12 COMMITTEE CHAIRMAN FISHER: September 1 and 2, is
13 that a Wednesday-Thursday or a Tuesday-Wednesday?

14 COMMITTEE SECRETARY SINGH: Yes.

15 COMMITTEE MEMBER MANSOURIAN: It's Wednesday-
16 Thursday.

17 COMMITTEE CHAIRMAN FISHER: It is Wednesday-
18 Thursday. So we'll either, we can have the workshops on
19 Tuesday-Wednesday and the meeting on Thursday. So, that
20 would suggest that August 31st and September 1st be the
21 workshop dates, September --

22 COMMITTEE SECRETARY SINGH: I'm thinking should we
23 have (indiscernible).

24 COMMITTEE CHAIRMAN FISHER: Well, that's probably
25 the vacation season.

1 COMMITTEE SECRETARY SINGH: What about 31st
2 September and 2nd September, 31st August. Thirty-first and
3 1st we will have a workshop and 2nd September meeting.

4 COMMITTEE CHAIRMAN FISHER: That sounds good, in
5 Southern California.

6 Okay. Any other business or items for our
7 Committee?

8 Devinder, you had indicated there was going to be
9 an off agenda item.

10 COMMITTEE SECRETARY SINGH: Yes. We want to get
11 opinion from the Committee what should we do with this one.
12 We going to be next time agenda item.

13 COMMITTEE CHAIRMAN FISHER: Okay. Let me ask a
14 process question. We normally handle items from, the public
15 I should say, they want to experiment, whatever, they want
16 to change the manual, and that's what we have done.

17 What is the public agency in this case?

18 COMMITTEE MEMBER HENLEY: There isn't one. In
19 fact, I think this got to us a little prematurely.
20 Mr. Shanteau is one of the bicycle specialists in the state,
21 has recognized what he thinks is a problem with a few
22 bicycle lanes terminating and he wanted to bring it to the
23 CTCDC. I said, well, go through the CBAC. Well, his
24 presentation to CBAC, and CBAC really didn't settle on what
25 to do after his presentation so I think it's a little

1 premature to bring it to our attention at this point unless
2 CBAC says it's an important problem that we need to deal
3 with.

4 COMMITTEE MEMBER BAHADORI: Mr. Chairman?

5 COMMITTEE CHAIRMAN FISHER: Yes, Hamid?

6 COMMITTEE MEMBER BAHADORI: The Committee Member
7 receives a request for anything for consideration from
8 individuals, it has to come from a public agency, it has to
9 be sponsored by a member, by one member before the Committee
10 can even consider.

11 COMMITTEE SECRETARY SINGH: Yes, it's a discussion
12 I do. One thing first we need to determine, do they need
13 (indiscernible).

14 COMMITTEE MEMBER BAHADORI: That's for a local
15 agency to decide if they want to experiment with this. The
16 Committee is not going to say whether we need
17 experimentation or not. A certain city or a county or
18 Caltrans decides that they want to experiment with
19 something, then they have to go through a Request for
20 Experimentation like the one we had today, then bring it and
21 they can bring it to the Committee. A member has to sponsor
22 it, then it gets on the agenda.

23 I don't see any public agency presenting this to
24 us for consideration. It's an individual that's presenting.

25 COMMITTEE CHAIRMAN FISHER: Any comments from the

1 group?

2 COMMITTEE MEMBER MANSOURIAN: I think Caltrans is
3 asking us a question, what should we do with this.

4 COMMITTEE MEMBER BAHADORI: It's Caltrans' call.

5 COMMITTEE MEMBER MANSOURIAN: Wayne, correct?

6 COMMITTEE MEMBER HENLEY: I'm not asking a
7 question. CBAC is going to tell me that this is something
8 they want us to --

9 COMMITTEE MEMBER MANSOURIAN: I think the point is
10 until such time that CBAC or the other Committee approaches
11 us, or a city or county or Caltrans approaches us, there is
12 no issue here.

13 COMMITTEE MEMBER HENLEY: That's fine.

14 COMMITTEE MEMBER MANSOURIAN: Some we're done,
15 decided.

16 COMMITTEE MEMBER BAHADORI: I'm not talking about
17 the merit of the issue, I'm talking about a process of the
18 devices the Committee has. The devices Committee you just
19 don't go in there with a sketch or a diagram and say what do
20 you guys think. If a city or a public agency or Caltrans
21 decides that something is worthy of experimentation, they
22 approach a member, the member sponsors it, then it gets on
23 the agenda. And I don't see any of those things here.

24 COMMITTEE CHAIRMAN FISHER: Here are my thoughts.
25 Process-wise I agree with everything that's been said.

1 There's no action we can take on this.

2 I do think, though, that Mr. Shanteau's brought up
3 a very interesting point, a very good issue that there is no
4 design guidance as to how to properly terminate a bike lane.

5 COMMITTEE MEMBER BAHADORI: And I suggest the City
6 of Los Angeles request an experimentation.

7 COMMITTEE CHAIRMAN FISHER: But I think it's a
8 good point, but I think we are not a Committee that can
9 figure it all out. What do we do, how do we design it, what
10 controls are needed?

11 I would offer that maybe there be some contact
12 with the National Committee on Uniform Traffic Control
13 Devices that are bicycle technical committee, and have some
14 discussions with them. What do you think? What are other
15 agencies doing, can you recommend something for the Federal
16 MUTCD? They've got many more technical experts there that
17 are both -- and with bicycle users as well as their
18 transportation engineers, and together they use that
19 combined expertise to come up with revisions in the Federal
20 MUTCD.

21 I think that would be the best body to deal with
22 this issue. Just throwing it our lap and saying here,
23 figure out what to do, you know, we really can't deal with
24 it.

25 COMMITTEE SECRETARY SINGH: Okay. I have another

1 e-mail so let's discuss this one. It might be on top here.

2 COMMITTEE MEMBER MANSOURIAN: Some of these guys
3 have about five minutes to get going on to the airport.

4 COMMITTEE CHAIRMAN FISHER: Okay. I'll just
5 provide some input.

6 We've installed a number of memorial plaques.
7 They're not necessarily memorial, but sometimes dedicated to
8 someone of historic significance in the city. We own Bob
9 Hope Square right at Hollywood and Vine, okay. It was
10 dedicated to him on his 100th birthday, three months before
11 he passed away. It's not a traffic control device, so to
12 speak, it's just a sign that is not a traffic control
13 device. And I think the Federal MUTCD does acknowledge that
14 there are signs that are placed within the public right-of-
15 way that do not guide, regulate over traffic, and apparently
16 that's what is here, some sort of memorial sign.

17 So I think agencies are allowed to post signs that
18 are not traffic control devices. In fact, (indiscernible).

19 COMMITTEE MEMBER HENLEY: As long as they don't
20 confuse us, as long as they don't interfere with other
21 traffic control devices.

22 CHIEF MAYNARD: What I'm reading in this e-mail is
23 that's the specific question. They want to post that type
24 of sign on some official traffic control device, on a
25 signal. So is that a problem or does it seem standard --

1 COMMITTEE CHAIRMAN FISHER: You mean on the signal
2 pole?

3 COMMITTEE MEMBER BAHADORI: Yeah. Again, I hate
4 these guys that think because it's not under the license
5 committee or --

6 COMMITTEE SECRETARY SINGH: We're just asking --

7 COMMITTEE MEMBER BAHADORI: -- what the Committee
8 really thinks, but I agree with this, I think, where you're
9 wrong. The Federal MUTCD says that there are signs that are
10 not traffic control devices but there are also strong
11 recommendations, professional practice recommendations, not
12 to mix both signs with the official traffic control devices.
13 You don't want to put on the pole at a stop sign, you don't
14 want to put the sign on the stop sign saying (indiscernible)
15 three blocks to the right.

16 COMMITTEE CHAIRMAN FISHER: Jacob?

17 COMMITTEE VICE CHAIRMAN BABICO: From the
18 structure point of view, when you add an additional sign or
19 weight, all the next needs to be structurally adequate and I
20 believe Caltrans adamantly opposed any additional beyond
21 what there is in the standard details.

22 COMMITTEE CHAIRMAN FISHER: Okay. Anyone else?
23 All good points. Any further items?

24 COMMITTEE SECRETARY SINGH: That's all.

25 COMMITTEE CHAIRMAN FISHER: Okay, thank you. The

1 meeting is adjourned.

2 (Thereupon, the meeting of the
3 California Traffic Control Devices Committee
4 was adjourned at 4:00 p.m.)

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CERTIFICATE OF REPORTER

I, John Cota, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Department of Transportation, California Traffic Control Devices Committee special meeting; that it was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said special meeting, nor in any way interested in the outcome of said matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of May 2010.

JOHN COTA