

**From:** [Martha Silver](#)  
**To:** [Martha Silver](#)  
**Subject:** FW: question about item 10 on the June 8 MTC policy Advisory Council meeting agenda  
**Date:** Tuesday, June 7, 2022 5:12:05 PM

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**From:** Kara Oberg <koberg@bayareametro.gov>  
**Sent:** Tuesday, June 7, 2022 4:30 PM  
**To:** Frank Welte [REDACTED]  
**Cc:** Martha Silver <MSilver@bayareametro.gov>; Kì-Nam Miller <kmilller@bayareametro.gov>;  
Therese Trivedi <TTrivedi@bayareametro.gov>; Matt Nichols <mnichols@bayareametro.gov>  
**Subject:** Re: question about item 10 on the June 8 MTC policy Advisory Council meeting agenda

Frank,

Thank you very much for your comments and questions on the Active Transportation (AT) Plan. I've separated out your questions and comments and addressed them below. If you have additional thoughts or questions before tomorrow's meeting, please don't hesitate to reach out. Sharing your experience will help to make this a better plan.

**Q1:** What does the proposed Active Transportation plan say about protecting pedestrians with disabilities and wheelchair users from fast-moving cyclists and e-scooter riders on our sidewalks?

**A:** The AT Plan addresses pedestrians with disabilities and wheelchair user conflict with cyclist and e-scooter rides on our sidewalks in the following ways:

- Adopting All Ages and Abilities design principles in MTC's Complete Streets (CS) Policy (Resolution 4493)
- Including the Proposed Public-Rights-of-Way Accessibility Guidelines (PROWAG) by the U.S. Access Board in the design process for projects seeking regional discretionary funding
- Building off CA state laws on electric scooters

#### Adopting All Ages and Abilities design principles in MTC's Complete Streets Policy

The [MTC Complete Streets Policy](#) requires [All Ages and Abilities](#) design principles for projects seeking regional funding that are on the AT Network. **This design document has a focus on people biking that includes safe riding.** As stated in the All Ages and Abilities document, "Poor or inadequate infrastructure—which has disproportionately impacted low-income communities and communities of color—forces people bicycling to choose between feeling safe and following the rules of the road and induces wrong-way and sidewalk riding. Where street design provides safe places to ride and manages motor vehicle driver behavior, unsafe bicycling decisions disappear, making ordinary riding safe and legal and reaching more riders."

**Additionally, this design guidance explicitly includes people with disabilities in the "All Ages and Abilities" population the design is seeking to reach.** People with disabilities may use adaptive

bicycles including tricycles and recumbent handcycles, which often operate at lower speeds, are lower to the ground, or have a wider envelope than other bicycles. High-comfort bicycling conditions can provide mobility, health, and independence, often with a higher standard for bike infrastructure needed.

Including the Proposed Public-Rights-of-Way Accessibility Guidelines (PROWAG) by the U.S Access Board in the design process for projects seeking regional discretionary funding

**The CS Policy states, “[The Proposed Public Rights-of-Way Accessibility Guidelines \(PROWAG\)](#) by the U.S. Access Board should be referenced during design.” This document contains scoping and technical requirements to ensure that facilities for pedestrian circulation and use located in the public right-of-way are readily accessible to and usable by pedestrians with disabilities.**

Building off of CA state laws on electric scooters

Lastly, the AT Plan is working off CA state laws for bicycles and electric scooters. **Current CA law states that electric scooter riders ride at maximum speed of 15 mph, use bike lanes where available, ride alone, off the sidewalk, abide by crosswalk regulations and follow all rules that apply to motor vehicles.** Paired with state law, is what’s happening at the local level. Many local governments have taken steps to strengthen requirements of their scooter providers to reduce scooter use and inappropriate scooter parking on sidewalks. Nevertheless, we know that some scooter and bike users will continue to encroach on the sidewalks, illegally or not, if they feel undue physical risk. That is why comfortable, separated lanes (Class IV in bike facility jargon) are essential to ensuring that bicycles and e-scooters will use them, in real world conditions, and leave sidewalks to their appropriate users.

**Comment 1:** When I read about active transportation plans, there seems to be a lot of talk about separating cyclists from motor vehicle traffic, a policy that I fully support. However, it seems to me that many of the strategies for achieving this goal involve either deliberately or accidentally pushing cyclists onto sidewalks, which is a safety hazard to pedestrians, particularly those of us with disabilities or older adults who may be frail. The increasing use of e-scooters and other forms of small human-powered or electrical vehicles on sidewalks is compounding this problem.

**Response 1:** “All Ages and Abilities” design guidance operates under the principles that by designing high-comfort facilities that either separate users from fast moving automobiles or slow automobile speed, jurisdictions can attract people of all ages and abilities to use the facility. Design options for separating people biking from people driving do not direct people biking onto the exiting sidewalk. Instead, the design of these separated facilities can bring people biking up to sidewalk height, with tactical or vertical spacing between those using the existing sidewalk and those using the separated bike facility. Therefore, in these design cases, people biking, walking or rolling and driving have their own delineated space.

**Comment 2:** I get scared when I read terms like “shared streets” or “mixed used trails”. When I walk down a sidewalk with my white cane or with my guide dog, I absolutely do NOT want to share my walking space with bicycles, scooters, cars (slow-moving or parked) tec. Wheelchairs and baby

strollers are fine.

Too often, I see catch-all language like “bike, walk or roll” as if these forms of transportation are essentially interchangeable and compatible. Nothing could be further from the truth, and any “safe streets” or “active transportation” plans need to treat each of these forms of transportation as separate, each requiring its own separate spaces. To the extent that such spaces must intersect, overlap or be shared, the consequences of the resulting interactions must be carefully planned for to minimize harmful encounters.

**Response 2:** Thank you for sharing your concerns. These comments are helpful as we prepare the final Plan document. We welcome additional potential opportunities for addressing these concerns at the regional level.

Additionally, "multi-use paths" are a legally defined type of facility in California law. Also called Class I facilities, the detailed design guidance requires adequate width for bicycles, pedestrians, mobility devices such as wheelchairs, to share comfortably. Multi-use paths, such as major segments of the Bay Trail, are an important part of our region’s Active Transportation Network and are currently enjoyed by people of all abilities. That said, we should also insist on evolving our best practices to achieve universal access.

Kara Oberg  
O: (415) 778-6719

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**From:** Frank Welte [REDACTED]  
**Date:** Monday, June 6, 2022 at 9:24 PM  
**To:** Kara Oberg <[koberg@bayareametro.gov](mailto:koberg@bayareametro.gov)>  
**Cc:** Martha Silver <[MSilver@bayareametro.gov](mailto:MSilver@bayareametro.gov)>, Kì-Nam Miller <[kmiller@bayareametro.gov](mailto:kmiller@bayareametro.gov)>  
**Subject:** question about item 10 on the June 8 MTC policy Advisory Council meeting agenda

**\*External Email\***

Hello:

What does the proposed Active Transportation plan say about protecting pedestrians with disabilities and wheelchair users from fast-moving cyclists and e-scooter riders on our sidewalks?

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I get scared when I read terms like “shared streets” or “mixed used trails”. When I walk down a sidewalk with my white cane or with my guide dog, I absolutely do NOT want to share my walking space with bicycles, scooters, cars (slow-moving or parked) etc. Wheelchairs and baby strollers are fine.

Too often, I see catch-all language like “bike, walk or roll” as if these forms of transportation are essentially interchangeable and compatible. Nothing could be further from the truth, and any “safe streets” or “active transportation” plans need to treat each of these forms of transportation as separate, each requiring its own separate spaces. To the extent that such spaces must intersect, overlap or be shared, the consequences of the resulting interactions must be carefully planned for to minimize harmful encounters.

The Active Transportation plan as presented fails on this issue.

Frank Welte