



# DEPARTMENT OF PUBLIC WORKS

Quality, Excellence, Innovation

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July 12, 2016

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Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT:** Ordinance Establishing Speed Limit on Point San Pedro Road,  
San Rafael

Dear Board Members:

**RECOMMENDATION:** Read ordinance by title only and schedule a Merit Hearing for July 26, 2016, at 10:30 AM.

**SUMMARY:** The procedure to set radar-enforceable speed limits is specified in the California Vehicle Code (CVC). Local jurisdiction must set a speed limit based upon the prevailing speed (85% of drivers surveyed). State regulations require that the speed limit be based upon an Engineering and Traffic Survey (E&TS) that is not more than 10 years old.

The existing E&TS within the portions of the City of San Rafael has expired and requires a new E&TS in order for law enforcement to provide radar speed enforcement. The California Vehicle Code (Section 40802) describes the criteria to establish radar speed enforcement of speed limits to not create a speed trap. Radar evidence cannot be admitted in court as speeding ticket evidence when it has been obtained by use of a speed trap. As it now stands, without a valid E&TS, prosecution of speeding tickets using radar data on Point San Pedro Road within the City of San Rafael is not possible under State law as such prosecution will be viewed as speed entrapment.

The City of San Rafael Public Works Department updated its E&TS and is ready to change speed limits on portions of Point San Pedro Road. Since Point San Pedro Road transitions between the City of San Rafael's jurisdiction and Marin County's jurisdiction several times along its length, the City of San Rafael and Marin County Public Works staff have coordinated their E&TS so that consistent speed zones along this road can be established. Both the San Rafael Police Department and California Highway Patrol recommend the establishment of consistent speed zones to aide in the enforcement of the speed limit along the corridor. The County and City of San Rafael Public Works staff participated in several workshops and public meetings initiated by the Point San Pedro Road Coalition on establishing speed limits. We have conducted an E&TS pursuant to California Vehicle Code Section 627 and determined that it is necessary to adjust the speed limits on Point San Pedro Road as shown in the following table:

- Accounting
- Airport
- Building Maintenance
- Capital Projects
- Certified Unified Program Agency (CUPA)
- Communications Maintenance
- County Garage
- Disability Access
- Engineering & Survey
- Flood Control & Water Resources
- Land Development
- Purchasing
- Real Estate
- Reprographic Services
- Road Maintenance
- Stormwater Program
- Transportation & Traffic Operations
- Waste Management

Begin Segment Milepost	End Segment Milepost	Existing Speed Limit	Proposed Speed Limit
0.03 (Mooring Road)	0.37 (Aqua Vista Road)	35	35
0.50 (Porto Bello Drive)	1.09 (Bay Way)	35	40
1.83 (Bayview Drive)	2.29 (Marin Drive)	35	40

The Point San Pedro Road Coalition support the proposed speed limits and have suggested short term, intermediate term, and long term improvements to further encourage speed reduction and enhanced traffic safety along the corridor. Many of the short term improvements have already been installed by the City and County. These include vehicle speed feedback signs, enhanced visibility at crosswalks, and additional warning signage. Staff from both the City of San Rafael and Marin County continues to coordinate with the Point San Pedro Road Coalition to evaluate the intermediate term and long term improvements that were suggested. The San Pedro School Working Group, San Rafael Police Department, and California Highway Patrol support the proposed speed limits.

Based on the latest efforts made by all parties, we recommend the speed limit on Point San Pedro Road be adjusted per the table noted above.

**FISCAL IMPACT:** This action will result in the installation and ongoing maintenance of signs and markings. Existing funds are budgeted and available in Road Fund org code 21605531 and object code 523310. There is no impact to the General Fund.

**REVIEWED BY:**

<input type="checkbox"/>	Department of Finance	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	County Counsel	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,



Bob Goralka  
 Principal Civil Engineer, P.E., T.E.

- c: Undersheriff Mike Ridgway
- Steve De La O, Lieutenant, Marin County Sheriff's Office
- Robert Mota, Lieutenant, California Highway Patrol
- Officer Nate Campbell, Marin CHP Radar Coordinator, California Highway Patrol
- Kevin McGowan, Assistant Public Works Director/City Engineer, City of San Rafael

