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[Equal Treatment of Traffic Incident Reporting and Prosecution]

URGING CITY DEPARTMENTS, THE SAN FRANCISCO POLICE DEPARTMENT AND THE SAN FRANCISCO DISTRICT ATTORNEY’S OFFICE TO TAKE ALL NECESSARY ACTION TO ENSURE EQUAL TREATMENT OF BICYCLISTS AND MOTORISTS INVOLVED IN TRAFFIC INCIDENTS.

WHEREAS, Bicycling is a growing form of transportation in San Francisco; and,

WHEREAS, Bicycle use is considered beneficial to the City, as the Transportation Element of the City and County of San Francisco’s Master Plan states: “Active encouragement of bicycle use as an alternative to automobile use, whenever possible, is essential in light of the continually increasing traffic congestion caused by motorized vehicles which aggravates air pollution, increases noise levels and consumes valuable urban space;” and,

WHEREAS, Bicyclists and others using non-motorized modes of transportation are entitled to equal protection under the law; and,

WHEREAS, Both bicyclists and motorists are required to obey traffic signals, respect rights of way, and operate their vehicles in a safe manner; and,

WHEREAS, According to the City’s Master Plan: “Traffic enforcement should extend to protection of bicyclists’ rights-of-way which are often violated by motorists;” now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors urges the San Francisco Police Department (SFPD) to examine its General Orders and programs in

1 order to ensure equal treatment of bicyclists and motorists in upholding the law, and
2 urges the San Francisco District Attorney's Office to examine its current policies in order
3 to ensure fairness to bicyclists and motorists in prosecuting criminal cases; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors urges the SFPD to
5 develop a bicycle component ~~of its training program~~ / and pedestrian for new cadets and continuing
6 education for officers to ensure their understanding of the laws pertaining to cyclists; ~~and,~~ /and pedestrians
7 be it

8 FURTHER RESOLVED, That the SFPD and District Attorney track the number
9 of injuries to bicyclists in traffic incidents as reported to the Department of Public Health
10 during the next six months, as well as the number of criminal charges filed as the result of
11 traffic incidents involving injured bicyclists (including doorings, hit-and-run incidents,
12 and vehicular assaults) during those same six months, and report back to the Board of
13 Supervisors on the advancement of the cases; and, be it

14 FURTHER RESOLVED, That deliberate physical harassment of bicyclists or
15 pedestrians by motor vehicles be recognized and treated legitimately as assault with a
16 deadly weapon.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 991464

Date Passed:


Resolution urging City departments, the San Francisco Police Department and the San Francisco District Attorney's Office to take all necessary action to ensure equal treatment of bicyclists and motorists involved in traffic incidents.

January 18, 2000 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 991464


I hereby certify that the foregoing Resolution was ADOPTED on January 18, 2000 by the Board of Supervisors of the City and County of San Francisco.



Jean Lum
Acting Clerk of the Board



Date Approved



Mayor Willie L. Brown Jr.