

FATAL CRASH STIRS ACTION

EAST SAN RAFAEL

Raising of road's speed limit will allow better enforcement

By Richard Halstead

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In what may seem like a counterintuitive move to improve safety, the county and the city are increasing the speed limit on parts of East San Rafael's Point San Pedro Road where a high school student was struck by a minivan and later died.

Aura Celeste Machado, a 17-year-old member of San Rafael High School's track team, was jogging along Point San Pedro Road at about 7 p.m. on June 2, 2015, when she left the sidewalk to get around a fallen tree and was struck by the minivan.

The accident occurred at the bottom of a curve near the intersection of Manderly Road near San Pedro Elementary School, a K-5 campus in the Loch Lomond neighborhood.

At the site of the four-lane road where the accident occurred the speed limit is 25 mph when children are present at the school and 35 mph otherwise. Even before the accident, there were calls from community members for additional safety measures — stop signs, a traffic light or speed bumps — to slow traffic in the area.

“Raising a speed limit is a touchy subject at best,” Supervisor Damon Connolly said Tuesday.

Connolly explained that the reason for the slight increase, from 35 mph to 40 mph in most sections, is to make enforcement of the speed limit using radar possible, which will allow police to crack down on speeders. Under state law, speed limits must be based on the prevailing speed, or the speed of 85 percent of drivers surveyed in the area. Most motorists on Point San Pedro Road travel at about 40 mph. State regulations also require that speed limits be based on a traffic survey that is not more than 10 years old.

“The key element here is we need enforcement out there and we don't have it right now,” said Kevin Hagerty, chairman of the Point San Pedro Coalition's roadway committee.



Vehicles drive by a LED radar speed display sign along Point San Pedro Road in San Rafael. The speed limit will be adjusted upward on Point San Pedro Road to aid enforcement.

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Hagerty said speed feedback signs have already been installed on the road in an effort to slow motorists and reflective strips added to crosswalks to make them more visible at night.

Point San Pedro Road extends from near downtown San Rafael past China Camp State Park. Some sections of the road are on county land while other sections are within San Rafael's city limits. The city of San Rafael will be increasing the speed limit to 40 mph on most of the sections within its jurisdiction as well.

"The city is working with both the county and the community so the speed limit adjustment would happen concurrently," said San Rafael City Manager Jim Schutz.

On the advice of San Rafael's attorney, San Rafael police Chief Diana Bishop declined to say how fast the minivan, driven by 69-yearold Robert John Gray, was traveling when it struck Machado, or whether the traffic survey allowing police to enforce the speed limit on the road using radar was current when the accident happened. Gray was not cited or charged.

San Rafael City Attorney Robert Epstein said the city will not comment on these questions because Machado's parents have filed a lawsuit against the city, asserting negligence for failure to remove the dead tree that forced her into the street.

But Epstein said, "There is no evidence, and there has been no suggestion in the Machado matter that speed had anything to do with that accident. All the information that I've seen establishes that Mr. Gray was traveling within the posted speed limit."

Kevin McGowan, assistant director of the San Rafael Public Works Department, said the new traffic survey on Point San Pedro Road was completed last month. McGowan said it had been more than 10 years since the road was surveyed, but he didn't know exactly when the last survey was done. Both McGowan and San Rafael police Capt. Glen McElderry said there are other roads in San Rafael where radar can't be used to enforce speed limits because traffic surveys are out of date. Neither McGowan nor McElderry knew how many.

On Tuesday, Marin County supervisors approved the ordinance increasing the speed limit on the county sections of Point San Pedro Road on a first reading. A public hearing and final vote by the board is scheduled for 10:30 a.m. July 26.

Schutz said San Rafael will raise the speed limit on the sections within its jurisdiction as soon as the county acts. He said the approval of the San Rafael City Council is not required.