

AB – 43

Setting Speed Limits

City of Pinole
Council Meeting

August 15, 2023





ASSEMBLY BILL NO. 43

- ❖ Assemblymember Laura Friedman of District 43 brought forward this bill to amend sections 627, 21400, 22352, 22354, 22358, and 40802 of, and to add Sections 22358.6, 22358.7, 22358.8, and 22358.9 to, the Vehicle Code, relating to traffic safety.
- ❖ This bill was approved by Governor October 08, 2021

BACKGROUND



- California has based its speed limits using a process known as the 85th percentile. A speed survey would measure the speed drivers were driving at and set the speed limit to reflect what 85% of drivers were driving at. This was believed to be the safest speed.
- California law requires cities to conduct a speed survey every 10 years in order for a speed limit to be enforceable, even if no changes have been made to the roadway.
- CalSTA convened a Zero Traffic Fatalities Task Force to make recommendations to the Legislature on what reforms the state should make to change the way we set speed limits.



WHAT'S NEW?

- This bill would authorize local authorities to consider the safety of vulnerable pedestrian groups and designate safety corridors etc.



WHAT CHANGED?

	Existing Law	AB 43
	<p>Existing law establishes a speed limit of 65 miles per hour on state highways, as specified. Existing law authorizes Caltrans to declare a speed limit on any such highway, as prescribed, of 60, 55, 50, 45, 40, 35, 30, or 25 miles per hour, including erecting signs to give notice thereof. Existing law also authorizes a local authority, on a section of highway, other than a state highway, where the speed limit is 65 miles per hour to declare a lower speed limit, as specified.</p>	<p>This bill would additionally authorize Caltrans and a local authority to declare a speed limit of 20 or 15 miles per hour, as specified, on these highways.</p>



WHAT CHANGED?

	Existing Law	AB 43
	<p>Existing law authorizes a local authority, without an engineering and traffic survey, to declare a lowered speed limit on portions of highway, as specified, approaching a school building or school grounds. Existing law limits this authority to sections of highway meeting specified requirements relating to the number of lanes and the speed limit of the highway before the school zone.</p>	<p>This bill would similarly authorize a lowered speed limit on a section of highway contiguous to a business activity district, as defined, and would require that certain violations be subject to a warning citation, for the first 30 days of implementation.</p>
	<p>Existing law requires Caltrans, by regulation, to provide for the rounding up or down to the nearest 5 miles per hour increment of the 85th percentile speed of free-flowing traffic on a portion of highway as determined by a traffic and engineering survey.</p>	<p>This bill would authorize a local authority to further reduce the speed limit, as specified, and require that certain violations be subject to a warning citation, for the first 30 days of implementation. The bill would require Caltrans to accordingly revise the California Manual on Uniform Traffic Control Devices, as specified.</p>



VEHICLE CODE CHANGES



- SEC. 7. Section 22358.7 is added to the Vehicle Code, to read:
- 22358.7. (a) If a local authority, after completing an engineering and traffic survey, finds that the speed limit is still more than is reasonable or safe, the local authority may, by ordinance, determine and declare a prima facie speed limit that has been reduced an additional five miles per hour for either of the following reasons:
 - (1) The portion of highway has been designated as a safety corridor. A local authority shall not deem more than one-fifth of their streets as safety corridors.
 - (2) The portion of highway is adjacent to any land or facility that generates high concentrations of bicyclists or pedestrians, especially those from vulnerable groups such as children, seniors, persons with disabilities, and the unhoused.
- (b) (1) As used in this section, “safety corridor” shall be defined by the Department of Transportation in the next revision of the California Manual on Uniform Traffic Control Devices. In making this determination, the department shall consider highways that have the highest number of serious injuries and fatalities based on collision data that may be derived from, but not limited to, the Statewide Integrated Traffic Records System.
- (2) The Department of Transportation shall, in the next revision of the California Manual on Uniform Traffic Control Devices, determine what constitutes land or facilities that generate high concentrations of bicyclists and pedestrians, as used in paragraph (2) of subdivision (a). In making this determination, the department shall consider density, road use type, and bicycle and pedestrian infrastructure present on a section of highway.
- (c) A local authority may not lower a speed limit as authorized by this section until June 30, 2024, or until the Judicial Council has developed an online tool for adjudicating infraction violations statewide as specified in Article 7 (commencing with Section 68645) of Chapter 2 of Title 8 of the Government Code, whichever is sooner.



SAFETY CORRIDOR



CVC Section 22358.7(a)(1) – “Safety Corridor” Definition

A safety corridor shall be defined as a roadway segment within an overall roadway network where the highest number of serious injury and fatality crashes occur.

- One or more of the required crash weighting factors listed in the Table 2B-105(CA) shall be used to prioritize the locations of fatal and serious injury crashes in developing the “Safety Corridor”.

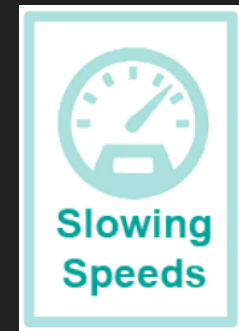
Option:

- Data used to determine a safety corridor may be from the most recent Engineering and Traffic Survey (E&TS) performed. The crash data source may include, but is not limited to, California Highway Patrol’s (CHP) Statewide Integrated Traffic Records System (SWITRS).

SUMMARY



- According to the National Transportation Safety Board, speeding accounts for nearly a third of all traffic fatalities.



- AB 43 implements policy recommendations from the California Transportation Agency as outlined in the Zero Traffic Fatalities Task Force by providing for more flexibility on setting speed limits based on safety.



Q&A

