

# AB 43 (Friedman): Traffic Safety

(Chapter 690, 2021)

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Assembly Transportation Committee

Chair, Assemblymember Laura Friedman, Assembly District 43

# Overview

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85<sup>th</sup> Percentile Methodology

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High Concentration of Bicyclists and Pedestrians and  
Safety Corridor

Extended Speed Survey

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Speed Trap and Senior Zone

# **What does AB 43 do?**

## **Starting 1/1/2022 locals have the ability to:**

Extend traffic surveys from 7 to 14 years

Establish Business Activity Districts where speed must be 20 or 25 mph

Maintain an existing speed limit, or go back to a previous speed limit

Consider vulnerable pedestrians groups in traffic and engineering survey

## **Starting 1/1/2022 Caltrans and locals have the ability to:**

Reduce speed limits on state highways to 20 or 15 mph

## **Starting 1/1/2022 requires Caltrans to include, in the next revision of the MUTCD:**

Local ability to round speed limits to the nearest 5 mph

Define “safety corridor”

Define high concentrations of bicyclists and pedestrians

## **Starting 6/2024 locals have the ability to:**

Lower speed limit based on “safety corridor” as defined in MUTCD

Lower speed limits based on high concentration of cyclists/pedestrians

# How did we get here?

## Epidemic of traffic fatalities

## Vision Zero

Goal: reduce traffic fatalities to zero

Do not accept traffic fatalities as inevitable aspect of transportation infrastructure

## Zero Traffic Fatalities Task Force

Includes research and recommendations on addressing traffic fatalities

## AB 43

Based on Task Force report, provides agencies greater flexibility to set appropriate speed limits by adjusting current speed-limit-setting procedures.

# How did we get here?

## **Task Force Recommendations included in AB 43:**

Allow cities to lower speed limits greater than the current 5 mph

Establish a uniform definition of "high injury networks"(HIN)

Allow local authorities to retain an existing speed limit

Add "business activity districts" as an additional class of locations eligible for prima facie speed limit zone

# 85<sup>th</sup> Percentile Methodology

From 38 to 35 mph



AB 43

30 mph

1. Safety corridor
2. High concentration of bike/ped
3. BAD

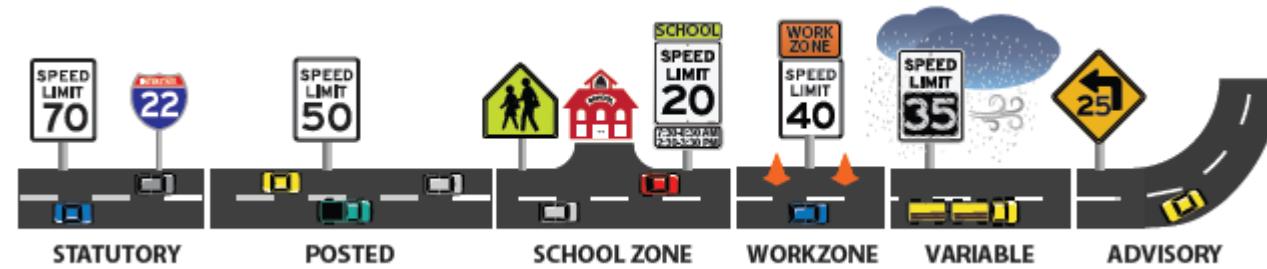
From 37 to 30 mph



25 mph

1. Safety corridor
2. High concentration of bike/ped
3. BAD

# 85<sup>th</sup> Percentile Methodology



## Key Concepts

- The majority of drivers will naturally drive at safe, reasonable speeds.
- Speed limits are safest when they conform to the speed driven by most drivers.
- The norms of a reasonable person should be considered legal.
- Uniform vehicle speeds increase safety and reduce the risks for crashes.

## Major Limitations

- Not supported by scientific research
- Privileges driver behavior
- Based on a set of historical assumptions
- Does not require consideration of other road users such as pedestrians and bicyclists
- Same methodology applied to different roadway types
- Assumes drivers will choose reasonable and prudent speeds
- Can lead to speed creep

# Slower Speeds Saves Lives



If hit by a person driving at:

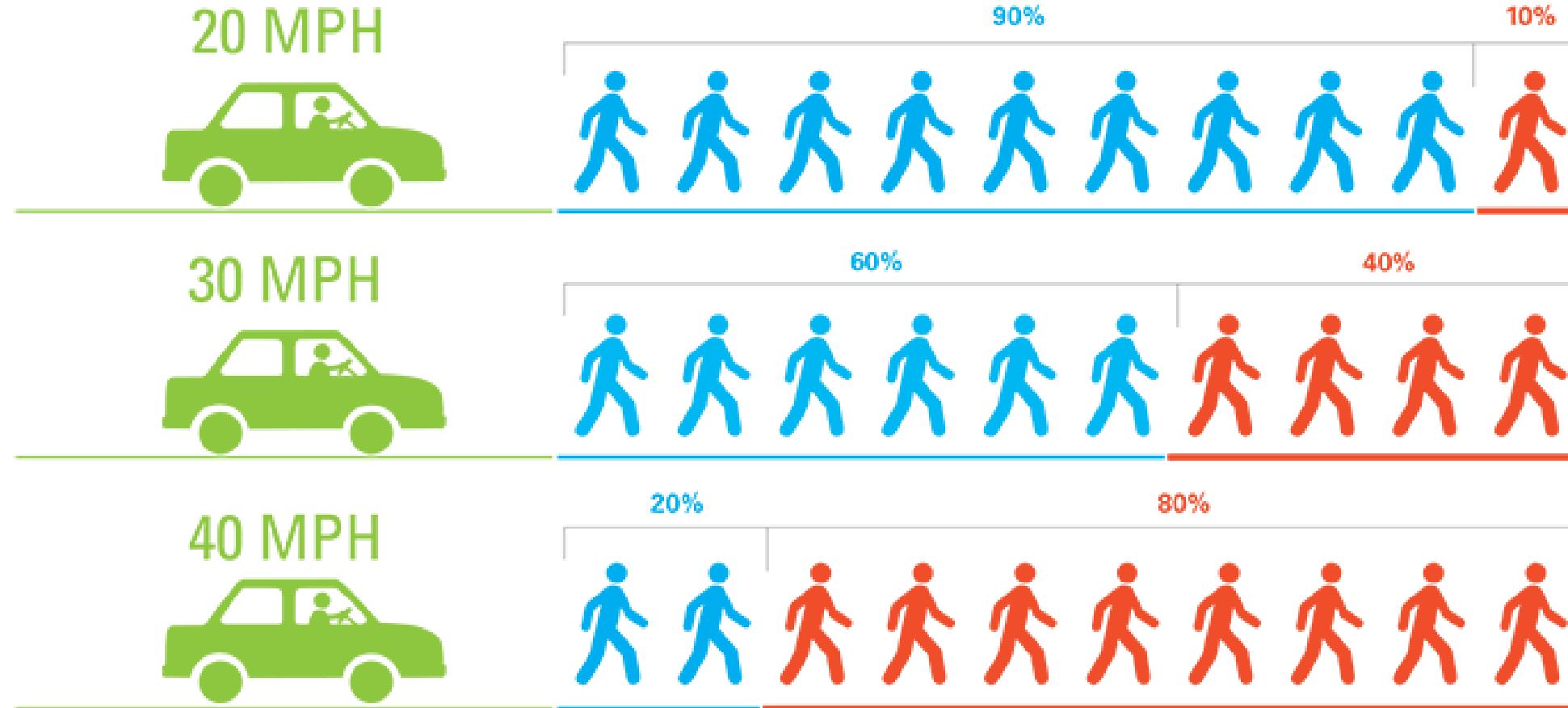
20 MPH



Person Survives the Collision



Results in a Fatality



# Slower Speeds Saves Lives



**January 2018:** The Portland City Council approved an ordinance reducing the speed limit on all residential streets to 20 mi/hr

**February-July 2019:** Study conducted to determine if there was a change in observed speeds of vehicles following the residential speed limit reduction from 25 to 20 mi/hr

**October 2020:** Analysis suggests that the reduction of posted speed limits to 20 mi/hr has resulted narrowing the speed distribution so that fewer vehicles are traveling over 30 mi/hr

# **AB 43 in Detail: High Concentration of Bicyclists and Pedestrians and Safety Corridor**

**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.
- (d) A local authority shall issue only warning citations for violations of exceeding the speed limit by 10 miles per hour or less for the first 30 days that a lower speed limit is in effect as authorized by this section.

# AB 43 in Detail: Extend Speed Survey/Speed Trap

*SEC. 8. Section 22358.8 is added to the Vehicle Code, to read:*

## **22358.8.**

- (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, retain the current speed limit or restore the immediately prior speed limit if that speed limit was established with an engineering and traffic survey and if a registered engineer has evaluated the section of highway and determined that no additional general purpose lanes have been added to the roadway since completion of the traffic survey that established the prior speed limit.*
- (b) *This section does not authorize a speed limit to be reduced by any more than five miles per hour from the current speed limit nor below the immediately prior speed limit.*
- (c) *A local authority shall issue only warning citations for violations of exceeding the speed limit by 10 miles per hour or less for the first 30 days that a lower speed limit is in effect as authorized by this section.*

# AB 43 in Detail: Business Activity District

**SEC. 9.** Section 22358.9 is added to the Vehicle Code, to read:

## 22358.9.

(a) (1) Notwithstanding any other law, a local authority may, by ordinance, determine and declare a 25 or 20 miles per hour *prima facie* speed limit on a highway contiguous to a business activity district when posted with a sign that indicates a speed limit of 25 or 20 miles per hour.

(2) The *prima facie* limits established under paragraph (1) apply only to highways that meet all of the following conditions:

(A) A maximum of four traffic lanes.

(B) A maximum posted 30 miles per hour *prima facie* speed limit immediately prior to and after the business activity district, if establishing a 25 miles per hour speed limit.

(C) A maximum posted 25 miles per hour *prima facie* speed limit immediately prior to and after the business activity district, if establishing a 20 miles per hour speed limit.

(b) As used in this section, a “business activity district” is that portion of a highway and the property contiguous thereto that includes central or neighborhood downtowns, urban villages, or zoning designations that prioritize commercial land uses at the downtown or neighborhood scale and meets at least three of the following requirements in paragraphs (1) to (4), inclusive:

(1) No less than 50 percent of the contiguous property fronting the highway consists of retail or dining commercial uses, including outdoor dining, that open directly onto sidewalks adjacent to the highway.

(2) Parking, including parallel, diagonal, or perpendicular spaces located alongside the highway.

(3) Traffic control signals or stop signs regulating traffic flow on the highway, located at intervals of no more than 600 feet.

(4) Marked crosswalks not controlled by a traffic control device.

(c) A local authority shall not declare a *prima facie* speed limit under this section on a portion of a highway where the local authority has already lowered the speed limit as permitted under Sections 22358.7 and 22358.8.

(d) A local authority shall issue only warning citations for violations of exceeding the speed limit by 10 miles per hour or less for the first 30 days that a lower speed limit is in effect as authorized by this section.

# AB 43 in Detail: Speed Trap and Senior Zones

**SEC. 10.** Section 40802 of the Vehicle Code is amended to read:

**40802.**

(a) A “speed trap” is either of the following:

- (1) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.
  - (2) A particular section of a highway with a *prima facie* speed limit that is provided by this code or by local ordinance under paragraph (1) of subdivision (b) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that *prima facie* speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects. This paragraph does not apply to a local street, road, or **school zone, senior zone, or business activity district.**
- (b) (1) For purposes of this section, a local street or road is one that is functionally classified as “local” on the “California Road System Maps,” that are approved by the Federal Highway Administration and maintained by the Department of Transportation. **It may also** be defined as a “local street or road” if it primarily provides access to abutting residential property and meets the following three conditions:
- (A) Roadway width of not more than 40 feet.
  - (B) Not more than one-half of a mile of uninterrupted length. Interruptions shall include official traffic control signals as defined in Section 445.
  - (C) Not more than one traffic lane in each direction.
- (2) For purposes of this section, “school zone” means that area approaching or passing a school building or the grounds thereof that is contiguous to a highway and on which is posted a standard “SCHOOL” warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. “School zone” also includes the area approaching or passing any school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children if that highway is posted with a standard “SCHOOL” warning sign.
- (3) For purposes of this section, “senior zone” means that area approaching or passing a senior center building or other facility primarily used by senior citizens, or the grounds thereof that is contiguous to a highway and on which is posted a standard “SENIOR” warning sign, pursuant to Section 22352.
- (4) For purposes of this section, “business activity district” means a section of highway described in subdivision (b) of Section 22358.9 in which a standard 25 miles per hour or 20 miles per hour speed limit sign has been posted pursuant to paragraph (1) of subdivision (a) of that section.

# Questions and Thank you

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