

Date of Hearing: April 15, 2024

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 2583 (Berman) – As Amended April 8, 2024

SUBJECT: School zones and walk zones

SUMMARY: Reduces the school zone speed limit to 20 mile per hour (MPH) beginning January 1, 2027. Specifically, **this bill:**

- 1) Establishes the school zone speed limit to be in effect from 7 a.m. through 10 a.m. and 2 p.m. through 5 p.m. Monday through Friday on days school is in operation and a speed limit sign is posted. Authorizes a local authority to have alternative times so long as it is no less than one hour before or after the school is in operation and the hours of operation are posted on a “school warning sign. Authorizes the school zone speed limit to also be in effect during any period so long as there is flashing warning sign.
- 2) Repeals the 25 mph school zone speed limit within 500 feet of a school and on January 1, 2027 and replaces it with a 20 mph school zone speed limit.
- 3) Authorizes local authorities, by ordinance, to establish a 20 mph school zone speed limit until January 1, 2027.
- 4) Requires upon any substantive revision of a local authorities circulation element in its general plan to identify and establish school walk zones within a half mile of a school.

EXISTING LAW:

- 1) Sets 25 mph prima facie speed limit in school zones 500 feet from a school when children are present. (Vehicle Code Section (VEH) 22352).
- 2) Authorizes local authorities to set a 25 or 15 mph prima facie speed limit in a residence district within 500 to 1,000 feet from a school when children are present and the following factors apply:
 - a) There is a maximum of two traffic lanes.
 - b) A maximum posted 30 mph prima facie speed limit immediately prior to and after the school zone. (VEH 22358.4)
- 3) Permits a 15 mph speed limit within 500 feet of a school if the conditions (laid out in #2 above) are met.
- 4) Provides that a prima facie speed limit is a speed trap unless it was justified by an engineering and traffic survey, with the exception of speed limits that are school zones, a local street or road as defined, senior zones, or business activity district. (VEH 40802).
- 5) Defines a school zone speed limit, for the purposes of the exemption of a speed trap, to mean the area approaching or passing a school building or the grounds 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. (VEH 40802).

FISCAL EFFECT: Unknown

COMMENTS: According to the National Highway Traffic Safety Administration (NHTSA), of the 7,388 pedestrian traffic fatalities in 2011, 176 (2%) were children. Of the 966 cyclist traffic fatalities, 38 (4%) were children in 2021. Of the 1,101 children under 14 years old that were killed in 2021, 863 were passengers in a vehicle.

According to the author, “The safety of every child walking and biking to school should be a priority. Research shows that reducing speed limits in school zones brings significant safety benefits. Last year the American Academy of Pediatrics recommended reducing speed limits to 20 mph or less to improve child pedestrian safety. California’s outdated school zone policies make school zones less safe. Of the 39 states that set a maximum school zone speed by statute, California is one of just eight states with a school zone speed limit greater than 20mph. Only six other states mandate the use of “When Children are Present.” A time-based standard is easier for drivers to comply with because it provides a statewide, consistent, and easy-to-understand parameter to follow. AB 2583 would increase safety in school zones through lower speed limits, clearer timeframes when the lower speed limits are in effect, and improved planning practices.”

The speed at which a vehicle travels increases the likelihood of death in a crash. According to NHTSA, a person struck by a vehicle going 20 mph has a 5% chance of dying. That number goes up to 40% for vehicles going 30 mph, and 80% for vehicles going 40 mph. Similarly, according to the National Transportation Safety Board (NTSB), from 2005-14, crashes in which a law enforcement officer indicated a vehicle’s speed was a factor resulted in 112,580 fatalities, representing 31% of all traffic fatalities. NTSB notes that speeding increases the risk of a crash and the severity of injuries sustained by all road users.

Under the Biden Administration, the United States Department of Transportation (USDOT) introduced the National Roadway Safety Strategy (NRSS). Under the NRSS, USDOT has set a goal to strive for zero roadway fatalities. Zero is the only acceptable number of deaths on our highways, roads, and streets. The USDOT is committed to taking substantial, comprehensive actions to significantly reduce serious and fatal injuries on the Nation’s roadways. Reaching zero will require USDOT to work with the entire roadway transportation community and the American people to lead a significant cultural shift that treats roadway deaths as unacceptable and preventable.

To achieve this goal, USDOT is adopting a safe systems approach, with the principles that death and serious injuries are unacceptable, humans make mistakes, humans are vulnerable, responsibility is shared, safety is proactive, and redundancy is crucial. NRSS lay out five complementary objectives corresponding with a safe systems approach: safer people, safer roads, safer vehicles, safer speeds, and post-crash care. Under the Safer Speeds objective, USDOT recommends states lower speed limits, and implement the use of automated speed enforcement. Under the Safer Roads objective, USDOT recommends states implement traffic calming measures to slow cars.

There has been a concerted effort across the country to change the way speed limits are set. NTSB, the National Association for City Transportation Officials, and more recently, the California State Transportation Agency (CalSTA), have all called for moving away from the 85th percentile as the basis for setting speed limits.

In January 2020, CalSTA in conjunction with a legislatively established Task Force, released the *CalSTA Report of Findings: AB 2363 Zero Traffic Fatalities Task Force*. The report includes finding and recommendation in four categories: establishing speed limits, engineering, enforcement, and education. AB 43 (Friedman), Chapter 690, Statutes of 2021, and AB 645 (Friedman) Chapter 808, Statutes of 2023 implemented major provisions of the report, including lowering speed limits on most streets and implementing the use of speed cameras as a pilot. This bill includes a recommendation from the task force that have not been dealt with: clarifying “when children are present” for school zone speed limits.

Streets for All, the sponsors of this bill, argue “Pedestrian deaths are rapidly increasing in California, with a 50% increase in pedestrian deaths and serious injuries since 2013. According to the Centers for Disease Control (CDC), vehicle collisions are the #1 killer of Californians at every age from five to 44, and many of those collisions happen near our schools. In 2022 alone, there were 71,406 crashes within 1/2 mile of schools in California between the hours of 7 AM to 6 PM, resulting in 377 fatalities and 48,770 injuries.

AB 2583 will address this urgent issue by lowering the school zone speed limit. The current speed limit in school zones is insufficient to prevent death and injury. The risk of death is almost three times higher at the current speed limit of 25 mph than at the 20 mph speed limit proposed by AB 2583. Research by the American Academy of Pediatrics (AAP) underscores that even small reductions in vehicle speed can substantially decrease the likelihood of severe injury or death in the event of a collision, which is why the AAP advocates for area-wide speed limit reductions to 20 MPH or less to reduce child pedestrian fatalities. The National Highway Traffic Safety Administration also advocates for reducing speed limits, stating that it is an effective way to reduce average driver speed and therefore reduce the number of injury and fatality collisions.”

Effect of speed limits on the speed of drivers. In 2020, the University of California Institute of Traffic Studies (UC ITS) compiled research on the dangers of speeding and the effect speed limits have on speeding and found that while changing speed limits has a minor overall effect on the mean speed, it has a major effect on reducing speed-related injuries and fatalities. UC ITS notes that “reducing speed limits almost universally reduces speeds both on limited and mixed access roads. However, the absolute magnitude of speed changes from speed limits alone is quite small...a five mph reduction in speed limit is likely to decrease mean speed by one to two mph. With stronger enforcement, the effect of a five mph speed limit reduction may be closer to three mph.” UC ITS reports that a five mph reduction in speed can reduce injuries by 8-15%. Other studies have reported reductions as great as 28% and 39%. The benefits may be even greater for pedestrians. UC ITS notes that research has shown that environments with five mph lower posted speed limits equate to 56-88% fewer serious pedestrian injuries and 80-96% fewer pedestrian fatalities.

Efficacy of School Zones. A study by NRC Research Press (Canada) *Are School Zones Effective in Reducing Speeds and Improving Safety?* found a strong safety benefit to reducing school zone speed limits. Specifically, in Edmington, school zone speed limits were lowered at over 200 schools from 30 mph to 18 mph. The study found that the 85th percentile speed in these school zones dropped by 7 mph, resulting in a 43.5% reduction in fatal and injury collisions.

However, lowering the speed limit may not ultimately result in compliance with that speed limit. According to *Enhancing Traffic Safety at School Zones by Operation and Engineering and Countermeasures*, “Roper et al. found that approximately half of all vehicles exceeded the speed limit in school zones and Kattan et al. showed that around 10% of the vehicles exceeded the speed limit by 10 km/h (6.21 mph) or higher. A similar result was found by McCoy and Heimann that the drivers’ compliance with the posted speed limit in school zones is less than 20%. Moreover, Saibel et al. found that around 45% of drivers exceeded the speed limit by at least 5 mph, and Tay showed that 54% of vehicles exceeded the speed limit in school zones. According to Ellison et al., a posted speed limit in school zones depends on the roadway characteristics on which the school is located, and the preceding segments of the roadway before the school zones start. This study showed that if the speed of the previous segment is higher than 70 km/h (43.5 mph), it is difficult to reduce the speed within the speed limit (40 km/h or 24.85 mph).”

This bill authorizes the school zone speed limit to be in effect at any time flashing beacons are used. Flashing beacons are significantly more likely to result in compliance with a school zone speed limit than a simple posted speed limit sign. Research has found flashing beacons can reduce vehicles exceeding 35 mph by 25-30%.

Safer Streets LA, writing in opposition of this bill, argues “Most agree that the “When Children are Present” message is vague and problematic in when it applies. At schools with large campuses, current California law permits school zones substantially greater than 1000 feet. It is currently impossible for a driver at the beginning of the school zone to see children at the far end of the school zone. Extending the school zone distance exacerbates this problem.

AB-2583 contemplates a solution to this dilemma by changing “When Children are Present” to set hours for the school zone speed limit from 7AM-10AM and 2PM-5PM. As discussed above, this would represent a massive and unnecessary expansion of the times school zones would be in effect. However, even if the times were scaled back to a more reasonable standard, this still does not solve the driver’s dilemma. First, drivers would be required to read relatively small writing on or below a speed limit sign. The vast majority of drivers would likely miss this visual cue entirely and compliance with the school zone speed limit would decrease. In addition, school is in session every day for only part of the year and drivers would find it difficult to know exactly which days or times of the year school is in session. Also, many schools have varying hours for special sessions, half days, etc. A sign with static hours could not possibly account for the variety of days and times any particular school is in session.

One solution would be to require the use of the school zone flashing beacon array. This is currently mandated for any location where a speed camera is in use in a school zone. It would make sense to expand this requirement throughout the state in all school zones.”

Double Referral: This bill is double referred to the Assembly Committee on Local Government, which will evaluate the provisions of the bill related to the circulation element and establishing school walk zones.

Previous Legislation: AB 645 (Friedman) Chapter 808, Statutes of 2023 authorized a six city pilot for the use of speed cameras to enforce speed limits, including school zone speed limits when flashing beacons are utilized to indicate the school zone speed limit is in effect.

AB 43 (Friedman), Chapter 690, Statutes of 2021 Granted Caltrans and local authorities greater flexibility in setting speed limits based on recommendations the Zero Traffic Fatality Task Force (Task Force) made in January 2020.

AB 2363 (Friedman), Chapter 650, Statutes of 2018, created the Zero Traffic Fatalities Task Force.

SB 632 (Cannella) of 2015 would have established a 15 mph prima facie speed limit in school zones. That bill died in Senate Transportation Committee.

AB 529 (Gatto), Chapter 528, statutes of 2011, allowed, in instances where Caltrans or the local authority should round up to reach the nearest 5 mph, that Caltrans or the local authority may instead round down but then may not reduce the posted speed limit by a 5 mph increment for a safety-related factor.

AB 2767 (Jackson), Chapter 45, Statutes of 2000, allowed local authorities to consider residential density and bicycle and pedestrian safety as additional factors in engineering and traffic surveys conducted for purposes of setting speed limits.

REGISTERED SUPPORT / OPPOSITION:

Support

Streets for All (sponsor)
Active San Gabriel Valley
American Academy of Pediatrics, California
Bike East Bay
Bike LA
CalBike
California Federation of Teachers, AFL-CIO
California School Employees Association
Car-Lite Long Beach
Center for Community Action and Environmental Justice
Cleaneearth4kids.org
Conor Lynch Foundation
East Bay for Everyone
Everybody's Long Beach
Long Beach Bike Co-op
Los Angeles Walks
Marin County Bicycle Coalition
Pedal Movement
Physicians for Social Responsibility - San Francisco Bay Area Chapter

Safe Routes Partnership
SoCal Families for Safe Streets
Transbay Coalition
Youth Climate Strike Los Angeles

Opposition

Safer Streets LA (unless amended)

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