

Date of Hearing: April 21, 2025

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 382 (Berman) – As Amended April 7, 2025

SUBJECT: Pedestrian safety: school zones: speed limits

SUMMARY: Reduces the school zone speed limit to 20 mile per hour (mph) beginning January 1, 2029. Specifically, **this bill:**

- 1) Beginning January 1, 2029, reduces the speed limit in a school zone from 25 miles per hour (mph) to 20 mph and requires local authorities to change local speed limit signs accordingly.
- 2) Authorizes a local authority to, by ordinance or resolution, determine and declare a speed limit of 20 mph in a school zone, until January 1, 2029.
- 3) Defines “school zone” to mean an area of a highway within 500 feet of school grounds in any direction, unless otherwise posted, marked with appropriate signs giving notice of the area.
- 4) Defines “children are present” to mean whenever one or more children are on a roadway, sidewalk, pathway, or road shoulder within the marked school zone, regardless of school days or hours. This definition also includes children present in front of school buildings, on adjacent school grounds, on the same side of the street as the school building, and across the street from the school building, in any direction within the marked school zone.
- 5) Specifies “children are present” does not include children who are separated from the highway by a fence, gate, or other physical barrier.
- 6) Would make conforming changes to the definition of speed traps to account for the revised definition of school zones.

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; and,
 - 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 author,* "California must implement policies that create safe, healthy, and equitable school zones so that all kids feel safe walking or biking to school, and are protected from speeding cars on roads designed for drivers, rather than people. Research shows that reducing speed limits in school zones brings significant safety benefits, and the American Academy of Pediatrics recommends reducing speed limits to 20 mph or less to improve child pedestrian safety. AB 382 would improve safety by lowering speed limits in school zones and providing local authorities with new tools to lower vehicle speeds around schools. The bill clarifies speed limits for drivers, and will help protect children and all Californians."

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 California and elsewhere, speed limits are generally set in accordance with engineering and traffic surveys, which measure prevailing vehicular speeds and establish the limit at or near the 85th percentile (*i.e.*, the speed that 15% of motorists exceed). California uses the 85th percentile to set speed limits except in cases where the limit is set in state law, such as the 25 mph limit in residential districts and school zones, or where an engineering and traffic survey shows that other safety-related factors suggest that a lower speed limit is warranted. These safety-related factors, as prescribed by law, include accident data; highway, traffic, and roadway conditions not readily apparent to the driver; residential density; and pedestrian and bicyclist safety.

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 are for Everyone, writing in support of this bill, argues “According to the Transportation Research Board, nearly 25,000 children are injured in school zones each year, while a study by Safe Kids Worldwide reports that five teenage pedestrians are fatally struck every week. In a study conducted by Streets are For Everyone in 2023, we found over a third of all California drivers speed through school zones greater than 5 mph over the posted speed limit when children are expected to be within school zones. We also found that in many of these areas with higher rates of speeding, there was a more pronounced rate of both fatal and non-fatal injuries to nearby pedestrians and cyclists.

By lowering the speed limit *prima facie* to 20 mph, and lowering the costs to implementing speed traps in school zones, we have the potential to save vulnerable populations, children, elderly, etc. Slowing traffic down in these areas will deter drivers from driving recklessly. Establishing a more streamlined way to enforce the new speed limit through increased frequency of speed traps will allow law enforcement to find offenders more efficiently. This bill also makes necessary clarifications to the definition of a school zone, and the qualifications required to notify drivers when there are children present.”

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 Edmonton, 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 seven 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%.

Committee comments: AB 2583 (Berman) of 2024 was nearly identical to this bill. That bill was held in Senate Appropriations Committee. When that bill passed out of this committee last year it established specific hours for when the school zone speed limit would be in effect. In the Senate, the bill was amended to instead return to the standard of having the school zone be in effect when children are present, and redefined when children are present to mean whenever one or more children were present within a marked school zone, regardless of school days or hours.

This definition greatly expands when the school zone speed limit is in effect, which today includes when a child is going to or leaving school, during the noon lunch hour or at all times school is in session if the school does not have a fence around it.

This expanded definition may add additional confusion to drivers, as drivers would have to gauge the age of every person walking around a school at all hours of the day or night. The author has committed to the Committee to continue working on narrowing the definition of when a school zone speed limit so it is clear to drivers when they have to comply with it.

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

Active San Gabriel Valley
American Academy of Pediatrics, California
Bike Culver City
Bike East Bay
Bike Long Beach
CalBike
California School Employees Association
Car-Lite Long Beach
Circulate San Diego
Costa Mesa Alliance for Better Streets
East Bay for Everyone
Everybody's Long Beach
Glendale YIMBY
Long Beach Bike Co-Op
Los Angeles County Office of Education
Los Angeles Unified School District
Move LA
Napa County Bicycle Coalition
Norwalk Unides
Remake Irvine Streets for Everyone
San Diego County Bicycle Coalition
San Francisco Bicycle Coalition
Santa Clara County Office of Education

Spur
Streets are for Everyone
Streets for All
Strong Towns Artesia
Strong Towns Santa Barbara
Walk San Francisco

Opposition

National Motorists Association (unless amended)

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