Date of Hearing: April 21, 2025

ASSEMBLY COMMITTEE ON TRANSPORTATION
Lori D. Wilson, Chair
AB 1014 (Rogers) – As Amended April 8, 2025

**SUBJECT**: Traffic safety: speed limits

**SUMMARY**: Expands the authority given to local authorities to lower speed limits by five miles per hour (mph) to the Department of Transportation (Caltrans). Specifically, **this bill**:

1) Authorizes Caltrans to lower speed limits by five mph:

    a) In an area designated as a safety corridor;
    b) In an area with a high concentration of pedestrians and cyclists, as determined by the Manual on Uniform Traffic Control Devices (MUTCD);
    c) In a business activity district on a highway that is not a freeway; and,
    d) To maintain or go back to a preexisting speed limit set on a highway that is not a freeway by a prior engineering and traffic survey (ETS) 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 that speed limit.

**EXISTING LAW**:

1) Prohibits driving at a speed greater than is reasonable or prudent having due regard for weather, visibility, traffic, and the surface and width of the highway, and in no event at a speed which endangers the safety of persons or property. This is known as California's Basic Speed Law. (Vehicle Code Section (VEH) 22350).

2) Establishes a maximum speed of 65 mph under most circumstances and allows for lower speed limits under numerous specified conditions. (VEH 22354 and VEH 22358)

3) Defines "engineering and traffic survey" (ETS) as a survey of highway and traffic conditions in accordance with methods determined by Caltrans for use by state and local authorities. An ETS must consider prevailing speeds, accident records, and conditions not readily apparent to the driver. An ETS may consider residential density and bicycle and pedestrian safety. (VEH 627)

4) Authorizes Caltrans and local authorities to establish a speed limit on most streets of between 15 mph to 60 mph in five mph increments on the basis of an ETS. (VEH 22354 and VEH 22358)

5) Prohibits the use of speed traps, as defined, in arresting or prosecuting any violation of the Vehicle Code including speeding. (VEH 40802)

6) Authorizes a local authority to lower speed limits by an additional five mph, so long as the total speed limit is not reduced by a maximum of 12.4 mph from the 85$^{th}$ percentile speed, under the following circumstances:

a) An area designated as a safety corridor ( VEH 22358.7);
b) An area with a high concentration of pedestrians and cyclists, as determined by the MUTCD (VEH 22358.7);
c) A business activity district (VEH 22358.9); and,
d) To maintain or go back to a preexisting speed limit set by a prior ETS 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 that speed limit. (VEH 22358.8)

7) Provides that a "safety corridor" is defined by Caltrans in the MUTCD. In making this determination, the Caltrans was required to 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. No more than 1/5$^{th}$ of a jurisdictions streets may be designated a safety corridor. (VEH 22358.7)

8) Provides that a "business activity district" is that portion of a highway 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:

a) No less than 50% 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;
b) Parking, including parallel, diagonal, or perpendicular spaces located alongside the highway;
c) Traffic control signals or stop signs regulating traffic flow on the highway, located at intervals of no more than 600 feet; and,
d) Marked crosswalks not controlled by a traffic control device. (VEH 22358.9)

**FISCAL EFFECT**: Unknown

**COMMENTS**: AB 43 (Friedman), Chapter 690, Statutes of 2021 made various changes to how speed limits are set to give local governments and the state more flexibility to lower speed limits, based on the recommendations made by the Zero Traffic Fatalities Task Force. Those changes included the ability to lower speed limits by five mph on high injury streets, referred to as "safety corridors," streets with a high concentration of bicyclists and pedestrians, and in areas deemed a business activity district. This bill expands the flexibility granted to local authorities to lower speed limits to Caltrans.

*According to the author*, "The current process for setting speed limits fails to adequately address safety concerns in high-traffic rural areas, where vulnerable road users such as pedestrians, cyclists, and individuals with disabilities are at significant risk. Existing speed limits, based on the 85th percentile speed, can lead to higher speed limits even in areas with heavy foot traffic or known safety issues. This bill provides Caltrans with the flexibility to adjust speed limits on state highways by up to ten miles per hour based on specific safety concerns. By allowing Caltrans to respond to evolving safety needs, this bill aims to protect vulnerable populations and create safer road conditions."

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.

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.

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 85$^{th}$ percentile as the basis for setting speed limits. AB 2363 (Friedman), Chapter 650, Statutes of 2018 established the Task Force in order to develop policies to reduce traffic fatalities to zero in California. CalSTA formed the 25-member Task Force on June 5$^{th}$, 2019 and its members included representatives from the Department of the California Highway Patrol, the University of California and other academic institutions, Caltrans, the State Department of Public Health, local governments, bicycle safety organizations, statewide motorist service membership organizations, transportation advocacy organizations, and labor organizations.

In January 2020, CalSTA in conjunction with the Task Force, released the *CalSTA Report of Findings: AB 2363 Zero Traffic Fatalities Task Force*. The report includes 27 policy recommendations, and 16 findings recommendations that are broken into four categories: establishing speed limits, engineering, enforcement and education. This bill includes seven policy recommendations on establishing speed limits outlined in the report.

AB 43 gave additional direction for bicycle and pedestrian safety, asking traffic engineers to give increased consideration for vulnerable pedestrian groups including children, seniors, persons with disabilities, users of personal assistive mobility devices, and the unhoused. In recognition that lowering speed limits by five mph can have added safety benefits, AB 43 permitted cities to lower speed limits by an additional five mph if the street had a high concentration of bicyclist or pedestrians, or the street was determined to be one of the top 20% most dangerous streets within the cities jurisdiction (safety corridors). Cities could also lower speed limits by five mph in business activity districts on roads that already had speed limits 30 mph or lower. Finally local authorities could maintain or roll back a speed limit by five mph if a new ETS required them to increase the speed limit and no general purpose lanes were added to the roadway.

To demonstrate how AB 43 was implemented, below are two examples. For example one, if the 85th percentile speed was 42.4 mph, the speed limit would be rounded down to 40 mph. If justified by a traffic survey for the reasons stated above, it could then be lowered to 35 mph.

For example two, if the 85th percentile speed was 44 mph, the speed limit would be rounded up to 45 mph, and could be reduced to 40 mph either for no reason at all, as permitted by AB 529 (Gatto) Chapter 528, Statutes of 2011, or for the reasons listed above under VEH 627.

As a result of AB 43, a speed limit can be reduced by an additional 5 mph in a safety corridor or in an area with a high concentration of pedestrians and cyclists. This would allow a speed limit previously set at 35 mph, as explained in example one, to be lowered to 30 mph, and a speed limit previously set by example two at 40 mph to be lowered to 35 mph.

For example:

| 85th Percentile (mph) | Initial rounding to nearest 5mph increment | AB 529<br><br>May round down to nearest if nearest initial rounding required rounding up | Additional 5 mph reduction permitted under VC 627 | **AB 43**<br><br>**Non-Safety Corridor or high concentration of bicyclists and pedestrians speed limit** | **AB 43**<br><br>**Safety Corridor or high concentration of bicyclists and pedestrians speed limit** |
|---|---|---|---|---|---|
| 47.5 - 50.0 | 50 | 45 | NO | **45** | **40** |
| 45.1 - 47.4 | 45 | n/a | 40 | **40** | **35** |
| 42.5 - 45.0 | 45 | 40 | NO | **40** | **35** |
| 40.1 - 42.4 | 40 | n/a | 35 | **35** | **30** |

*What effect do speed limits have on the speed of drivers?* As part of the Task Force, 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. UC ITS notes that "reducing speed limits almost universally reduces speeds both on limited and mixed access roads. However, the absolutely magnitude of speed changes from speed limits alone are 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." 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 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.

A recent study shows that while speed limit reductions may not affect most drivers, it may get the most dangerous drivers to slow down. Oregon recently authorized residential speed limits to be reduced from 25 mph to 20 mph. A study of the impact of this change, found that the 85th and 50$^{th}$ percentile speed remained the same both before and after the speed limit change (27 mph and 22 mph respectively). However, and notably, the number of drivers going over 30 mph decreased from 6.5% of drivers to 4.8% of drivers.

Streets for All, *writing in support of this bill*, argues "California should do everything possible to protect the safety and well-being of vulnerable pedestrian groups, and by providing greater flexibility to CalTrans to incorporate local input in setting speed limits along state highways that intersect State and National Recreation Areas, AB 1014 will enhance public safety and ensure that local jurisdictions can respond effectively to evolving safety concerns in their communities."

*Related legislation*: AB 382 (Berman) sets the school zone speed limit from 25 mph to 20 mph. That bill is set to be heard in this committee.

AB 1938 (Friedman) Chapter 406, Statutes of 2022 made clarifying changes for the speed limit changes made by AB 43.

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**

California Bicycle Coalition
Del Norte County Board of Supervisors
Hopland Municipal Advisory Council
Nevada County Transportation Commission
Office of Monterey County Supervisor, Chris Lopez
PeopleForbikes
Rural County Representatives of California
Sonoma County Transportation Authority

Streets Are For Everyone
Streets for All

**Opposition**

None on file

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