Date of Hearing: April 24, 2017

ASSEMBLY COMMITTEE ON TRANSPORTATION
Jim Frazier, Chair
AB 756 (Ting) – As Amended March 22, 2017

SUBJECT: Prima facie speed limits: Golden Gate Park

SUMMARY: Establishes a prima facie speed limit of 15 miles per hour (mph) on the majority of roadways in San Francisco's Golden Gate Park. Specifically, **this bill**:

1) Makes findings and declarations regarding the need for a special statute with respect to traffic safety given the unique circumstances in San Francisco's Golden Gate Park.

2) Sets a prima facie speed limit of 15 mph on all roads in San Francisco's Golden Gate Park, excluding Crossover Drive, Park Presidio Bypass Boulevard, and Kezar Drive, in order to maintain pedestrian and bicyclist safety.

EXISTING LAW:

1) Establishes prima facie speed limits for specified circumstances and types of roadways, as follows:

   a) 15 mph when traversing a railway grade crossing, when crossing an intersection if the view is unclear or obstructed, or when driving in an alley; and,

   b) 25 mph on any highway, other than a state highway, that is in any business district or residence district, as defined, in a school zone, or in an area with facilities primarily used by senior citizens.

2) Authorizes a local jurisdiction in the South Coast Air Quality Management District to, by ordinance, to achieve or maintain state or federal ambient air quality standards for particulate matter, to declare a prima facie speed limit that is lower that is otherwise permitted for any unpaved road, when appropriate signs are erected showing the prima facie speed limit.

3) Permits the California Department of Transportation (Caltrans) and local agencies to change prima facie speed limits if done so in accordance with an engineering and traffic survey (ETS). An ETS measures prevailing vehicular speeds and safety-related factors including accident records and highway, traffic, and roadside conditions not readily apparent to the driver. Local authorities may also consider such factors as pedestrian and bicyclist safety and residential density when conducting an ETS.

4) Makes it unlawful for a driver of a vehicle to fail to obey a traffic sign or signal.

FISCAL EFFECT: Unknown

COMMENTS: In California, as in many other states in the country, posted speed limits are used to regulate speed on streets and highways. Speed limits enhance safety in two ways. First, by establishing an upper bound on allowable speeds, speed limits help to reduce both the

probability and severity of collisions. Second, speed limits serve a coordinating function such that the limit is set at a speed at which the majority of drivers tend to drive, thereby reducing dispersion in driving speed and the risk of conflict with another vehicle. Speed limits, when appropriately set, also provide a basis for speed enforcement.

A speed limit is generally set at or near the 85th percentile of the prevailing speed (i.e., the speed which is exceeded by 15% of motorists) as measured by an ETS. A jurisdiction may lower that speed limit by 5 mph (*i.e*., to 30 mph in the example) if safety-related factors suggest that a lower speed is warranted. The jurisdiction cannot, however, lower the speed limit by more than 5 mph, regardless of additional safety factors. The 85th percentile was found by empirical studies, to be the safe and prudent speed at which 85% of motorists drive.

Engineering and traffic studies have overwhelmingly shown that reducing speed limits alone, in the absence of the three "E's" -that is, engineering solutions, driver education, and enforcement- does nothing to influence driver behavior. However, the three "E's," when implemented together, have been shown to reduce speeding effectively.

Examples of engineering measures to reduce speed include physically altering the road layout or appearance of the roadway so that drivers are naturally inclined to slow down. These measures include, for example, speed humps, curb extensions, and other hardscape features that involve narrowing the roadway. Education, another component of the three "E's," includes installing signage that alerts drivers about the posted speed and, potentially, the rate of speed they are travelling to raise awareness. Lastly, enforcement by direct police action also serves to reinforce speed limits and ensure that drivers adhere to posted limits.

The author introduced this bill to improve pedestrian and bicyclist safety in Golden Gate Park. The author provides evidence in support of his assertion that lowering speeds will make it safer with data showing that there is a 25% risk of severe injury when a pedestrian is hit by a vehicle going 23 mph, while that risk falls to a 10% risk of severe injury when a pedestrian is hit by a car travelling at a speed of 16 mph.

Recently, the City and County of San Francisco adopted a "Vision Zero" program and, in so doing, committed to build better and safer streets, educate the public on traffic safety, enforce traffic laws, and adopt policy changes that save lives with the goal of creating a culture that prioritizes safety.

On a related note, San Francisco's mayor, Ed Lee, last summer issued an executive directive on bicycle and pedestrian safety, following an incident where in a bicyclist was killed by a hit-and-run driver who was speeding through the park in a stolen vehicle. In the executive directive, Mayor Lee reaffirmed the city's commitment to Vision Zero and ordered all city departments to improve city streets and bicycle networks with a focus on, among other things, delivering near-term safety improvements to reduce speeds and vehicular through-traffic. He also ordered an initiative to expand traffic calming and traffic restrictions in Golden Gate Park.

As a result of this directive, the San Francisco Municipal Transportation Agency (SFMTA) began a series of efforts, consistent with the three "E's" described above, to reduce traffic speeds in the park. For example, speed humps were installed on JFK Drive in the western portion of the park and other measures will be implemented including the installation of speed limit signs and stepped-up enforcement by the San Francisco Police Department.

Writing in support of this bill, the Office of the Mayor of San Francisco notes that Golden Gate Park is the third most visited park in the country, attracting 13 million visitors each year. He also notes that fast moving traffic on roadways throughout the park threaten the safety of pedestrians and cyclists and lowering speed limits in the park would reduce the likelihood of severe and fatal injury collisions.

Committee concerns:

1) The City's Vision Zero Program sets forth a two-year plan to create safe streets. The plan appropriately relies on the three "E's"-engineering, education, and enforcement-to accomplish this. Until and unless these methodologies are applied, prevailing speeds are unlikely to be reduced, even if the speed limit is lowered.

2) Lowering speeds on the majority of roadways in Golden Gate Park without the benefit of an ETS will essentially create speed traps and make lawbreakers out of otherwise law-abiding citizens. This is especially disconcerting in light of the City's related efforts to secure legislation to authorize implementation of automated speed enforcement technology with AB 342 (Chiu).

Related legislation: AB 342 (Chiu) authorizes the implementation of automated speed enforcement technology. AB 342 is set to be heard by this committee on April 24, 2017.

REGISTERED SUPPORT / OPPOSITION:

Support

City and County of San Francisco
Parks Alliance
San Francisco Bicycle Coalition
San Francisco Botanical Garden Society

Opposition

Safer Streets LA

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