

AMENDED IN ASSEMBLY MARCH 24, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 529**

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**Introduced by Assembly Member Gatto  
(Coauthor: Assembly Member Smyth)**

February 15, 2011

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An act to amend Section 21400 of, and to add Section 22358.6 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 529, as amended, Gatto. Vehicles: speed limits: ~~pilot project.~~  
*downward speed zoning.*

~~(1) Existing~~

*Existing* law requires the Department of Transportation, after consultation with local agencies and public hearings, to adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices *and setting of speed limits*. Existing law makes it a crime for a driver to fail to obey a sign or signal, defined as regulatory in the federal *California* Manual on Uniform Traffic Control Devices (*Manual*), or a Department of Transportation approved supplement to that manual.

This bill would require the Department of Transportation to revise the ~~California Manual on Uniform Traffic Control Devices~~, as it read on January 1, 2012, ~~with regard to the posting of the speed limit and would prohibit the department from revising certain provisions of the California Manual on Uniform Traffic Control Devices that allow a local agency to reduce speed limits by an additional 5 miles per hour, under the circumstances specified in that manual to allow a local authority to round speed limits down to within 10 kilometers per hour~~

or 5 miles per hour of the 85th-percentile speed of free-flowing traffic in cases in which the speed would otherwise be rounded up, except that in those cases the local authority would be prohibited from petitioning the department to reduce the speed limit by an additional 10 kilometers per hour or 5 miles per hour.

~~(2) Existing law allows a local authority, by ordinance, to determine and declare a prima facie speed limit, upon the basis of an engineering and traffic survey, on any portion of any street other than a state highway, under certain conditions:~~

~~This bill would allow, as a pilot project, the City of Glendale to enact an ordinance to set a speed limit on any major roadway, as defined, located in that city if the city council determines there is a demonstrable public safety concern due to escalating traffic collision and fatality rates. The bill would require the ordinance to require the pilot program to terminate 5 years after the effective date of the ordinance and would require the police department of the City of Glendale to submit a report to the Legislature on the effect of local speed limit control on lowering traffic collisions and fatalities.~~

~~The bill would make legislative findings and declarations as to the necessity of a special statute.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 21400 of the Vehicle Code is amended
- 2 to read:
- 3 21400. (a) (1) The Department of Transportation shall, after
- 4 consultation with local agencies and public hearings, adopt rules
- 5 and regulations prescribing uniform standards and specifications
- 6 for all official traffic control devices placed pursuant to this code,
- 7 including, but not limited to, stop signs, yield right-of-way signs,
- 8 speed restriction signs, railroad warning approach signs, street
- 9 name signs, lines and markings on the roadway, and stock crossing
- 10 signs placed pursuant to Section 21364.
- 11 (2) The Department of Transportation shall, after notice and
- 12 public hearing, determine and publicize the specifications for
- 13 uniform types of warning signs, lights, and devices to be placed
- 14 upon a highway by a person engaged in performing work that

1 interferes with or endangers the safe movement of traffic upon  
2 that highway.

3 (3) Only those signs, lights, and devices as are provided for in  
4 this section shall be placed upon a highway to warn traffic of work  
5 that is being performed on the highway.

6 (4) Control devices or markings installed upon traffic barriers  
7 on or after January 1, 1984, shall conform to the uniform standards  
8 and specifications required by this section.

9 (b) The Department of Transportation shall revise the California  
10 Manual on Uniform Traffic Control Devices, as it read on January  
11 1, 2012, to require that when a speed limit is to be posted, it should  
12 *be allow a local authority to round speed limits down to within*  
13 *10 kilometers per hour or 5 miles per hour of the 85th-percentile*  
14 *speed of free-flowing traffic in cases in which the speed would*  
15 *otherwise be rounded up, except that in those cases the local*  
16 *authority may not petition the department to reduce the speed limit*  
17 *by an additional 10 kilometers per hour or 5 miles per hour. If the*  
18 *manual requires the local authority to round down the speed limit,*  
19 *the local authority may petition the department for an additional*  
20 *10-kilometers per hour or 5 miles-per-hour decrease.*—The  
21 Department of Transportation shall not revise those provisions of  
22 the California Manual on Uniform Traffic Control Devices, as it  
23 read on January 1, 2012, that allow a local agency to reduce speed  
24 limits by an additional 5 miles per hour, under the circumstances  
25 specified in that manual.

26 SEC. 2.—Section 22358.6 is added to the Vehicle Code, to read:

27 22358.6. (a) For purposes of this section, “major roadway”  
28 includes a state highway, as defined in Section 24 of the Streets  
29 and Highways Code, a county highway, as defined in Section 25  
30 of the Streets and Highways Code, or a highway, as defined in  
31 Section 360, but does not include a freeway, as defined in Section  
32 23.5 of the Streets and Highways Code.

33 (b) Notwithstanding Section 22358, the City of Glendale, as a  
34 pilot project, may enact an ordinance to set a speed limit on any  
35 major roadway located in that city if the city council determines  
36 there is a demonstrable public safety concern due to escalating  
37 traffic collisions and fatality rates. The ordinance shall require this  
38 pilot program to terminate five years after the effective date of the  
39 ordinance.

1 ~~(e) Six months after the termination of the pilot program~~  
2 ~~specified in subdivision (b), the police department of the City of~~  
3 ~~Glendale shall submit a report to the Legislature on the effect of~~  
4 ~~the pilot program's local speed limit controls on lowering traffic~~  
5 ~~collisions and fatalities.~~

6 ~~SEC. 3.— Due to the unique circumstances in which the City of~~  
7 ~~Glendale has experienced increasing speeds on some of its main~~  
8 ~~arterials, including Glenoaks Blvd, which have caused safety~~  
9 ~~problems for the city, and the fact that 44 percent of the city's~~  
10 ~~speed limit signs will be increased due to changes made by the~~  
11 ~~California Manual on Uniform Traffic Control Devices, it is~~  
12 ~~necessary that, and the Legislature finds and declares that, a general~~  
13 ~~statute cannot be made applicable within the meaning of Section~~  
14 ~~16 of Article IV of the California Constitution.~~