

AMENDED IN ASSEMBLY MAY 3, 2011
AMENDED IN ASSEMBLY MARCH 24, 2011
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 529

**Introduced by Assembly Member Gatto
(Coauthors: Assembly Members Achadjian, Smyth, and Williams)**

February 15, 2011

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

LEGISLATIVE COUNSEL'S DIGEST

AB 529, as amended, Gatto. Vehicles: speed limits: downward speed zoning.

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 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 Manual, as it read on January 1, 2012, to ~~allow~~ *require the department or* 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. The bill would allow, in cases where the speed limit needs to be rounded up to the nearest 10 kilometers-per-hour or 5 miles-per-hour increment of the 85th-percentile speed, the department or a local authority to decide to instead round down the speed limit to the lower 10 kilometers-per-hour or 5 miles-per-hour increment, but then the department or a local authority would be prohibited from reducing the speed limit any further for any reason.~~

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
15 interferes with or endangers the safe movement of traffic upon
16 that highway.
17 (3) Only those signs, lights, and devices as are provided for in
18 this section shall be placed upon a highway to warn traffic of work
19 that is being performed on the highway.
20 (4) Control devices or markings installed upon traffic barriers
21 on or after January 1, 1984, shall conform to the uniform standards
22 and specifications required by this section.
23 (b) The Department of Transportation shall revise the California
24 Manual on Uniform Traffic Control Devices, as it read on January
25 1, 2012, ~~to allow a local authority to round speed limits down to~~
26 ~~within 10 kilometers per hour or 5 miles per hour of the~~
27 ~~85th-percentile speed of free-flowing traffic in cases in which the~~

1 ~~speed would otherwise be rounded up, except that in those cases~~
 2 ~~the local authority may not petition the department to reduce the~~
 3 ~~speed limit by an additional 10 kilometers per hour or 5 miles per~~
 4 ~~hour. If the manual requires the local authority to round down the~~
 5 ~~speed limit, the local authority may petition the department for an~~
 6 ~~additional 10 kilometers per hour or 5 miles per hour decrease.~~
 7 *require the Department of Transportation or a local authority to*
 8 *round speed limits to the nearest 10 kilometers per hour or 5 miles*
 9 *per hour of the 85th percentile of the free-flowing traffic. However,*
 10 *in cases where the speed limit needs to be rounded up to the nearest*
 11 *10 kilometers-per-hour or 5 miles-per-hour increment of the*
 12 *85th-percentile speed, the Department of Transportation or a local*
 13 *authority can decide to instead round down the speed limit to the*
 14 *lower 10 kilometers-per-hour or 5 miles-per-hour increment, but*
 15 *then the Department of Transportation or a local authority may*
 16 *not reduce the speed limit any further for any reason.*

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 19 **CORRECTIONS:**
 20 **Heading—Line 2.**
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