

AMENDED IN SENATE JULY 11, 2011

AMENDED IN SENATE JUNE 16, 2011

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 require the department or a local authority to round speed limits down to within 5 miles per hour of the 85th-percentile speed of free-flowing traffic. The bill would

allow, in cases where the speed limit needs to be rounded up to the nearest 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 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. *It is the intent of the Legislature that the changes*
2 *made to subdivision (b) of Section 21400 of the Vehicle Code by*
3 *this act shall not alter any other provision of the California Manual*
4 *on Uniform Traffic Control Devices as it read on January 1, 2012.*

5 ~~SECTION 1.~~

6 SEC. 2. Section 21400 of the Vehicle Code is amended to read:
7 21400. (a) (1) The Department of Transportation shall, after
8 consultation with local agencies and public hearings, adopt rules
9 and regulations prescribing uniform standards and specifications
10 for all official traffic control devices placed pursuant to this code,
11 including, but not limited to, stop signs, yield right-of-way signs,
12 speed restriction signs, railroad warning approach signs, street
13 name signs, lines and markings on the roadway, and stock crossing
14 signs placed pursuant to Section 21364.

15 (2) The Department of Transportation shall, after notice and
16 public hearing, determine and publicize the specifications for
17 uniform types of warning signs, lights, and devices to be placed
18 upon a highway by a person engaged in performing work that
19 interferes with or endangers the safe movement of traffic upon
20 that highway.

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

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

27 (b) The Department of Transportation shall revise the California
28 Manual on Uniform Traffic Control Devices, as it read on January
29 1, 2012, to require the Department of Transportation or a local

1 authority to round speed limits to the nearest 5 miles per hour of
2 the 85th percentile of the free-flowing traffic. However, in cases
3 where the speed limit needs to be rounded up to the nearest 5
4 miles-per-hour increment of the 85th-percentile speed, the
5 Department of Transportation or a local authority ~~can~~ *may* decide
6 to instead round down the speed limit to the lower 5 miles-per-hour
7 increment, but then the Department of Transportation or a local
8 authority ~~may not~~ *shall not* reduce the speed limit any further for
9 any reason.

O