

**ASSEMBLY BILL**

**No. 539**

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**Introduced by Assembly Member Williams**

February 16, 2011

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An act to add Section 42000.2 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 539, as introduced, Williams. Vehicles: speeding: school zones: penalties.

Existing law establishes the prima facie speed limit on various roadways, including a 25 miles per hour speed limit when approaching or passing a school building or grounds, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school. Existing law authorizes a local authority to lower the speed limit in a school zone in certain circumstances including when a local authority determines upon the basis of an engineering and traffic survey the prima facie speed limit of 25 miles per hour is more than is reasonable or safe. A violation of the Vehicle Code is an infraction unless stated otherwise. Existing law establishes a penalty structure for a person convicted of an infraction that requires a fine of not more than \$100 or \$250 depending on the number of violations within a specified time period.

This bill would instead require a person who violates a speed limit law in a school zone to be punished with a base fine of \$150 for a person who exceeds the speed limit by one to 15 miles per hour, a base fine of \$200 for a person who exceeds the speed limit by 16 to 25 miles per hour, and a base fine of \$250 for a person who exceeds the speed limit by 26 miles per hour or more. The bill would require a person convicted

of a 2nd speeding violation in a school zone, within 3 years of the first violation, to be punished with a \$100 penalty in addition to penalties described above. The bill would require the Department of Motor Vehicles to suspend the driver’s license of anyone who is convicted of 3 or more speeding violations in a school zone within 3 years of 2 or more violations.

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 42000.2 is added to the Vehicle Code,  
2 to read:  
3 42000.2. (a) Notwithstanding Section 42001, a person who  
4 violates the speed limit law, pursuant to subparagraph (B) of  
5 paragraph (2) of subdivision (a) of Section 22352, or violates a  
6 lower speed limit established by a local authority, pursuant to  
7 Section 22358.4, in a school zone, as defined in Section 40802,  
8 shall be punished as follows:  
9 (1) For a person speeding one to 15 miles over the speed limit,  
10 a base fine of one hundred fifty dollars (\$150).  
11 (2) For a person speeding 16 to 25 miles over the speed limit,  
12 a base fine of two hundred dollars (\$200).  
13 (3) For a person speeding 26 miles or more over the speed limit,  
14 a base fine of two hundred fifty dollars (\$250).  
15 (b) (1) If a person is convicted of a second violation of speeding  
16 in a school zone within three years of the first violation, the person  
17 shall be punished by a one-hundred-dollar (\$100) penalty in  
18 addition to the penalties described in subdivision (a).  
19 (2) If a person is convicted of a third or subsequent violation of  
20 speeding in a school zone within three years of two or more  
21 separate violations, the department shall suspend the person’s  
22 driver’s license for a period of six months.  
23 (c) A person punished pursuant to this section shall receive one  
24 violation point on his or her driving record pursuant to subdivision  
25 (f) of Section 12810.  
26 (d) A court shall not reduce the penalties described in this  
27 section.

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