

Setting Speed Limits

Impacts of AB 43 / AB 1938

Transportation Division



California Manual for Setting Speed Limits

2020

California Manual for Setting
Speed Limits
(Revised February 2020)



Division of Traffic Operations
California Department of Transportation
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- Speed limits establish a reasonable and safe operating speed for a specific section of roadway
- Established by an Engineering and Traffic Survey (E&TS), by considering the following:
 - Prevailing speeds (85th percentile speed)
 - Collision History
 - Highway, traffic, and roadside conditions not readily apparent to the driver.
- 85th percentile Speed – the speed at or below which 85% of the traffic is moving

Engineering and Traffic Surveys (E&TS)

"In order for the court systems and the public to accept and respect the responsible public agencies' posting and enforcement of posted speed limits, an E&TS must incorporate sound, repeatable methods conforming to the CVC and engineering principles."

- An E&TS is valid for 5 years – CVC Section 40802
 - Under special conditions, an E&TS may be valid for seven or ten years.
- Existing E&TS may need to be reassessed before the renewal period is expired
 - Physical changes to the roadway, such as increasing or decreasing the number of travel lanes, may impact the 85th percentile speed
- Law enforcement agencies and courts are accustomed to seeing surveys and it may be difficult to defend a speed violation citation without one

AB 43 & AB 1938

“The purpose of AB 43 and AB 1938 is to provide greater flexibility in setting and reducing speed limits in California”

- Assembly Bill 43 – Traffic Safety
 - Includes 16 specific provisions that revised the CVC to grant agencies greater flexibility in setting speed limits, with additional flexibility for local agencies
 - 14 of 16 provisions applies to local authorities
- Assembly Bill 1938 – Traffic Safety - Speed Limit
 - Additional clarifications to AB43 Provisions and its intentions

Provisions in AB 43 and AB 1938

| # | Section # | Subsection | Description |
|----|-----------|------------|---|
| 1 | 627 | c2 | Extend the considerations for ped and bike safety to increase consideration for children, seniors, persons with disability, and the unhoused. |
| 2 | 22352 | b1 | Extend prima-facie speed limit to be applicable to state highways also |
| 3 | 22354 | a | Allow the lower limit of prima-facie speed limit on the state highway to 20 or 15 (25 was the prior lower limit). |
| 4 | 22358 | a | Allow the lower limit of prima-facie speed limit on the non-state highway to 25, 20 or 15 (30 was the prior lower limit) |
| 5 | 40802 | a2 | Add the new senior zone and business activity districts to the list of prima facie listing within the citation |
| 6 | 40802 | b3 | Add definition of senior zone as explicitly defined in the citation |
| 7 | 40802 | b4 | Add definition of business activity district as explicitly defined in the citation |
| 8 | 40802 | c2Bi(II) | Extends the maximum length of time an engineering and traffic survey may be used from 10 to 14 years |
| 9 | 40802 | c2Bii | Add senior zone and business activity district to the list of prima facie listing within the citation |
| 10 | 22358.6 | NA | Rounding and ETS reductions from the 85th percentile for any speed survey |
| 12 | 22358.7 | NA | Reduction provisions for Safety Corridor & High Concentrations of Ped/Bikes |
| 13 | 22358.8 | NA | Reduction provisions for retaining current/prior speed limits |
| 14 | 22358.9 | NA | Reduction provisions for Business Activity Districts |
| 15 | 22352 | a1 | Terminology change from flagman to flagperson |
| 16 | 40802 | b1 | Deletion of "California Road System Maps" reference |

* Does not apply to local agencies

Summary of Provisions: AB 43 and AB 1938

- **CVC 22358.6(a)** – Required to round speed limits to the nearest five miles per hour of the 85th % speed
 - 47.4 mph becomes **45 mph**
- **CVC 22358.6(b)** – In cases in which speed limit needs to be **rounded down** to the nearest 5mph, the local authority **may lower** the speed limit an **additional 5mph**, if engineers determine the roadway contains traffic conditions not readily apparent to the driver
- **CVC 22358.6(c)** - In cases in which the speed limit needs to be **rounded up** to the nearest 5mph of the 85th-percentile speed, the local authority **may decide to instead round down** the speed limit to the **lower 5mph increment**. If the speed limit is rounded down pursuant to this subdivision, the speed limit shall not be reduced any further pursuant to subdivision (b).

Table 2B-104(CA). Examples showing applicability of rounding and additional speed reduction on Local Agency's Roadways & Private Property Subjected to CVC

| 85 th -Percentile Speed (mph) | Rounding to nearest 5 mph increment (CVC 22358.6(a)) | If rounding to nearest is up, may round down (CVC 22358.6(c)) | If rounding to nearest if down, may additionally lower by 5 mph (CVC 22358.6(b)) | If safety corridor or adjacent to high concentration of bicyclists & pedestrians, may additionally lower by 5 mph (CVC 22358.7)* |
|--|--|---|--|--|
| 47.5-50.0 | 50 | 45 | No | 40 |
| 45.1-47.4 | 45 | No | 40 | 35 |
| 42.5-45.0 | 45 | 40 | No | 35 |
| 40.1-42.4 | 40 | No | 35 | 30 |

* Note – CVC Sections 22358.7, 22358.8 & 22358.9 are applicable to local agency roadways and private properties subjected to CVC, they are not applicable to the State Highway System. Refer to Section 2B.13 for more details.

Summary of Provisions: AB 43 and AB 1938

Table 2B-105(CA). Safety Corridor Definition Requirements

| Category | Factors |
|---|--|
| Crash Weighting Factors to Develop One Serious/Fatal Injury Safety Corridor | <p>Crash weighting can be developed using fatal and serious injury crash data and other factors to prioritize safety corridors. Suggested weighting factors are as follows:</p> <ul style="list-style-type: none"> ▪ Crash severity: Fatal Crashes, Serious Injury Crashes ▪ Mode: Pedestrian-bicycle related crashes, vehicle/other ▪ Disadvantaged Community Status: MPO/RTPA or locally defined disadvantaged community status based on most current version of CalEnviroScreen ▪ Vulnerable Populations: Seniors (age 65 and older) and Youth (under age 15) based on the American Community Survey ▪ School proximity (within 0.25 miles) based on the California School Campus Database |
| Crash Density | <p>Each roadway segment block can be converted into ~ 0.25 mile overlapping "corridor" segments to create a consistent unit of measurement and assess the concentration of linear patterns of injuries within a define distance. The highest scoring (i.e. most fatal and serious injury crashes per mile) "corridor" segments within a street needs to be identified and an appropriate threshold set to determine safety corridor eligibility.</p> |
| Maintenance | <p>The jurisdiction can establish a review and re-evaluation frequency for safety corridors. However, such frequency need not exceed seven years.</p> |

CVC Section 22358.7(a)(1) – “Safety Corridor” Definition

- Shall be defined as A roadway segment within an overall roadway network where the highest number of serious injury or fatality crashes occur.
- One or more of the required crash weighting factors listed shall be used to prioritize the locations of fatal and serious injury crashes in developing the “Safety Corridor”
- Shall represent a prioritized subset of the overall roadway network within an authority’s responsibilities and shall not exceed one-fifth of the overall roadway network

Summary of Provisions: AB 43 and AB 1938

Table 2B-106(CA). Requirements to determine Land or Facility that Generates High Concentrations of Bicyclists or Pedestrians

| Category | Generator |
|---|--|
| Land Use | Employment centers |
| | Presence of retail |
| | Parks, multi-use trails, and recreational destinations |
| | Schools/universities |
| | Senior Centers |
| | Cultural areas, entertainment space areas, or areas of community significance |
| | Religious facilities |
| Transit Factors | Health/medical facilities |
| | Transit stops |
| Presence of Pedestrian/Bicyclist Infrastructure | Transit Oriented Developments/Transit Priority Areas |
| | Sidewalk presence |
| | Crosswalk presence |
| | Bikeway presence |
| | Nearby signalized intersections on four-way intersections |
| Demographic Factors | Presence of micromobility devices such as bicycles or scooters |
| | Presence of vulnerable groups including children, seniors, persons with disabilities, users of personal assistive mobility devices, and the unhoused |
| | MPO/RTPA or locally defined disadvantaged community status |
| Local Data | Presence of students (all levels) |
| | Need identified in a safety analysis such as a road safety audit or formalized planning document such as a local road safety plan |

CVC Section 22358.7(a)(2) – “Land or facility that generates high concentrations of bicyclists or pedestrians”

- Shall be defined as The portion of the highway where one or more of any generators listed are present within 1320 feet
- The top 20% of pedestrian / bicycle fatalities or serious injuries within a 3 to 5 year period shall be based on the geographic area within the jurisdiction of the Engineer performing the E&TS

Examples of AB 43 and AB 1938

Table 2B-104(CA). Examples showing applicability of rounding and additional speed reduction on Local Agency's Roadways & Private Property Subjected to CVC

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VTA BPAC Report

Reporting on selected items
from the VTA BPAC meeting Sept 13 2023

Erik Lindskog
Sept 20, 2023 – V1.0

FY 2023/24 (FYE24)
Transportation Fund for Clean Air (TFCA) County Program
Manager (CPM) funds

Undersubscribed! Why?

The Transportation Fund for Clean Air (TFCA) is generated by a \$4.00 surcharge on vehicle registrations in the nine county Bay Area.

TFCA County Program Manager funds

- Eligible project categories include alternative fuel infrastructure, bicycle, and trip-reduction projects that reduce vehicle emissions.
- The Call for Projects was sent to the Technical Advisory Committee's Capital Improvement Program Working Group and posted on the VTA website on March 10, 2023. Applications were due on April 28, 2023.
- The program was undersubscribed.
- Three additional completed applications were submitted after the deadline. Staff recommends funding the six projects shown below:

| Project ID | Project Sponsor | Project Name | Recommended Funding |
|------------|-----------------|---|---------------------|
| 24SC01 | VTA | ACE Shuttles Program | \$392,966 |
| * 24SC02 | San Jose | Jackson Avenue Quick-Build Safety Improvements | \$17,700 |
| 24SC03 | San Jose | Centralized Transit Signal Priority | \$756,000 |
| 24SC04 | San Jose | Grand Boulevard Centralized Transit Signal Priority | \$869,100 |
| * 24SC05 | San Jose | San Jose Bike Lockers | \$86,235 |
| 24SC06 | Palo Alto | Palo Alto Link | \$441,000 |
| | | | \$2,563,001 |

* Project eligible for the bicycle and pedestrian set-aside

- All projects submitted for consideration to the TFCA program must adhere to state law and BAAQMD policies.
- Why was the project undersubscribed?
 - Too short application time?
 - Too stringent rules?

TFCA REGIONAL FUND POLICIES AND EVALUATION CRITERIA FOR FYE 2024

- TFCA REGIONAL FUND POLICIES AND EVALUATION CRITERIA FOR FYE 2024:
 - Only projects that result in the reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.
 - Projects must not exceed the maximum cost-effectiveness (C-E) limit of ~\$500K per weighted ton.
 - Cost-effectiveness is the ratio of TFCA funds awarded to the sum of surplus emissions reduced, during a project's operational period, of reactive organic gases (ROG), nitrogen oxides (NO_x), and weighted PM₁₀ (particulate matter 10 microns in diameter and smaller).

Note: Greenhouse gases appear not to be considered!

TFCA REGIONAL FUND POLICIES AND EVALUATION CRITERIA FOR FYE 2024

- **Bicycle Parking:**

- The project will expand public access to new bicycle parking facilities.
- The project must be included in an adopted countywide bicycle plan, Congestion Management Plan (CMP), countywide transportation plan (CTP), city general plan or area-specific plan, the MTC's Regional Active Transportation Plan, or other similar plan, and serve a major activity center (e.g. transit station, office building, or school).
- The bicycle parking facility must be publicly accessible and available for use by all members of the public.
- TFCA Regional Funds may not be used to pay for costs related to maintenance, repairs, upgrades, rehabilitation, operations, or project administration.

TFCA REGIONAL FUND POLICIES AND EVALUATION CRITERIA FOR FYE 2024

- **Bikeways:**

- The project will construct and/or install bikeways that are included in an adopted countywide bicycle plan, CMP, CTP, city general plan or area-specific plan, the MTC's Regional Active Transportation Plan, or other similar plan.
- To be eligible for funding, the purpose of bikeways must be to reduce motor vehicle emissions or traffic congestion.
- All bikeway projects must, where applicable, be consistent with design standards published in the California Highway Design Manual or conform to the provisions of the Protected Bikeway Act of 2014.
- Projects must reduce vehicle trips made for utilitarian purposes (e.g., work or school commuting)
- Projects must also meet at least one of the following conditions:
 - Be located within one-half mile biking distance from the closer of a public transit station/stop (e.g., local, county- wide or regional transit stops/stations/terminals) or a bike share station.
 - Be located within one-half mile biking distance from a major activity center that serves at least 2,500 people per day (e.g., employment centers, schools, business districts), or
 - Be located within one-half mile biking distance from three activity centers (e.g., employment centers, schools, business districts).
- Projects are limited to the following types of bikeways:
 - Class I Bikeway (Bike Path), new or upgrade improvement from Class II or Class III Bikeway
 - New Class II Bikeway (Bike Lane)
 - New Class III Bikeway (Bike Route), or
 - Class IV Bikeway (Separated Bikeway), new or upgrade improvement from Class II Class III bikeway.

These criteria do not seem that hard to fulfill.

FY 2023/24 TDA3 Project Priorities

Transportation Development Act (TDA) funds are derived from a ¼-cent of the State's general sales tax. Article 3 of the TDA makes a portion of these funds available for use on bicycle and pedestrian projects. (How big portion?)

FY 2023/24 TDA3 Project Priorities

Prioritized List of Projects

| | Agency | Short Title Description of Project | TDA Article 3 Amount | Total Project Cost |
|--------------|-----------------|--|----------------------|---------------------|
| 1. | Campbell | Campbell Bicycle and Pedestrian Project FY 23/24 | \$34,541 | \$34,541 |
| 2. | Cupertino | De Anza Boulevard Buffered Bike Lanes | \$166,259 | \$525,000 |
| 3. | Gilroy | FY24 Citywide Curb Ramp Project | \$220,000 | \$240,000 |
| 4. | Los Altos | Hetch Hetchy Trail Maintenance and Accessibility Project | \$129,725 | \$129,725 |
| 5. | Los Altos Hills | Summerhill Pathway Project, Phase 2 | \$45,136 | \$445,136 |
| 6. | Los Gatos | Los Gatos Creek Trail to Highway 9 Trailhead Connector Project | \$68,884 | \$9,551,614 |
| 7. | Mountain View | Miramonte Avenue Improvement Project | \$346,497 | \$4,500,000 |
| 8. | San Jose | Citywide Bikeway Implementation | \$637,462 | \$637,462 |
| 9. | San Jose | Citywide Bicycle Parking Program Implementation | \$50,000 | \$50,000 |
| 10. | San Jose | Citywide Bicycle and Pedestrian Safety and Education | \$100,000 | \$100,000 |
| 11. | Santa Clara | Install Citywide Priority Curb Ramps | \$104,938 | \$382,708 |
| 12. | Saratoga | Saratoga Ave Pathway/Sidewalk Project | \$24,730 | \$24,730 |
| 13. | Sunnyvale | Install Sidewalk on Poplar Avenue | \$160,000 | \$160,000 |
| Total | | | \$2,088,172 | \$16,780,916 |

Cupertino De Anza Boulevard Buffered Bike Lanes

The City will enhance the safety of existing Class II bikeway facilities on De Anza Boulevard between Bollinger Road and Homestead Road by narrowing existing travel lanes and installing a painted buffer zone to separate the Class II bike lanes from the vehicle lanes.

2024 State Transportation Improvement Program (STIP)

The California State Transportation Improvement Program is a rolling five year program of transportation projects funded by revenues distributed by the State of California. The State adopts fund projections every two years. Of these funds, 25% is directed to Caltrans' Interregional Transportation Improvement Program (ITIP) and 75% is directed to the Regional Transportation Planning Agencies (RTPAs), Regional Transportation Improvement Programs (RTIP) based on county population and road mileage, and subject to north/south split. Projects in the ITIP are selected by Caltrans. RTIP are selected RTPAs. Both programs are subject to approval by the California Transportation Commission (CTC).

2024 State Transportation Improvement Program (STIP)

| Project | Program Amount |
|------------------------------------|-----------------|
| Planning, Programming & Monitoring | \$0.641M |
| Central Bikeway | \$8.5M |
| I-280/Wolfe interchange | \$6.0M |
| US 101 Express Lanes: Phase 4 | \$2.739M |
| Total: | \$17.88M |

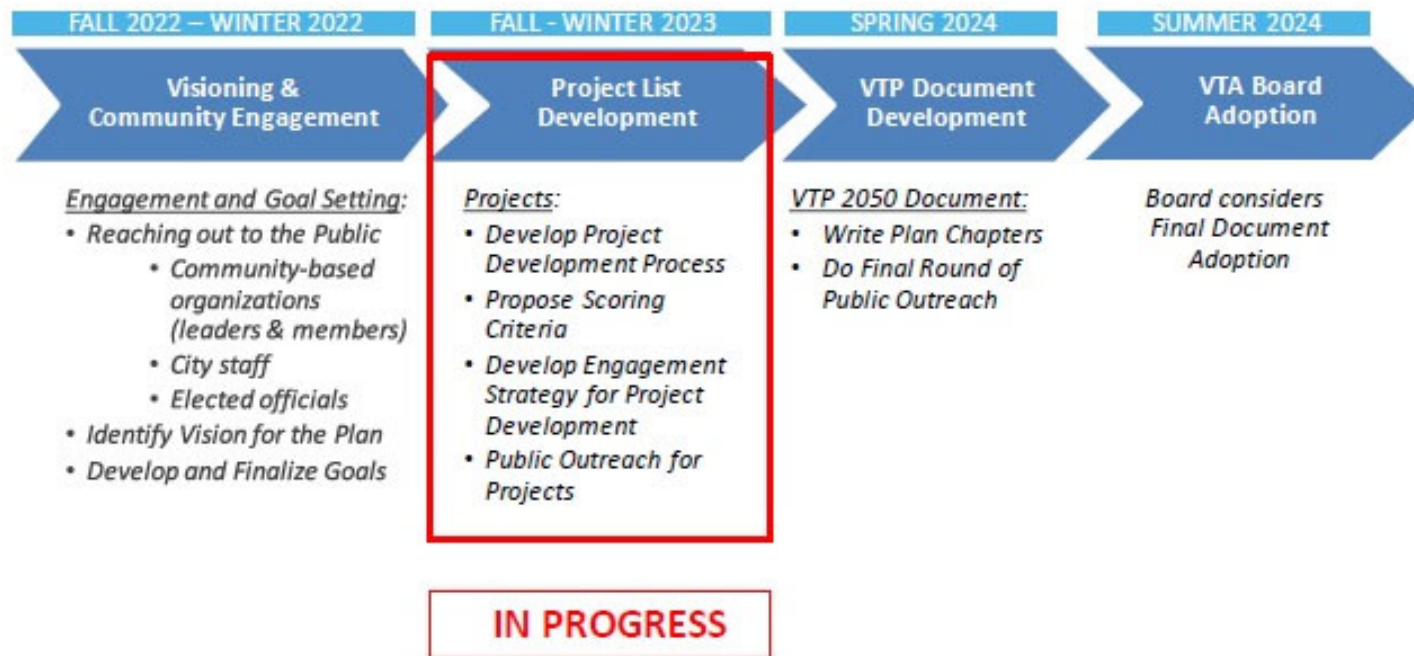
Valley Transportation Plan 2050 Project List Development

Asked VTA BPAC for possible projects

Valley Transportation Plan 2050 Project List Development

- Adopted goals:
 - Implement Faster, More Frequent, Safe, and Convenient Transit
 - Prioritize Active Transportation to Encourage Healthier Multimodal Options
 - Encourage Land Uses That Create Complete and Convenient Places
 - Address the Climate Emergency by Reducing Transportation Emissions
 - Support Equity in Transportation
 - Pursue Safe and Reliable Travel on Highways and Expressways

VTA TRP Plan 2050 – Time line



VTA TRP Plan 2050 – Project Examples

Projects in Previous Plans

- BART SV Phase II
- Eastridge Bart Regional Connector
- VTA Express Lanes Program
- 2016 Measure B Program

Possible New Projects

- Visionary Network
- City Complete Streets Projects
- Transit Speed Improvements
- Newer Major Freeway Interchange Projects

Programmatic Categories

- Countywide Bike/Ped Program
- Countywide Signal Timing Program
- Local Streets and Roads Program
- Climate Action Program

I proposed to add a visionary trail network plan using our water way's service roads to the list.

Projects Open House – September 27, 6:00pm – 7:30pm, Roosevelt Community Center in San Jose