

Date of Hearing: April 24, 2024

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

AB 2583 (Berman) – As Amended April 8, 2024

SUBJECT: School zones and walk zones

SUMMARY: Requires a planning agency to identify and establish school walk zones as part of the circulation element. The bill also established a speed limit of 20 miles per hour within school zones and allows a city to place flashing beacons at any distance within 500 feet from school grounds, beginning January 1, 2027. Specifically, **this bill:**

- 1) Requires a planning agency identify and establish school walk zones for all schools located within the scope of the general plan’s circulation element.
- 2) Defines, for the purposes of the circulation element, “school walk zone” to mean all roadways and sidewalks within one-half mile in all directions of the boundary line of a school grounds.
- 3) Establishes, until January 1, 2027, a prima facie limit of 25 miles per hour in a school zone
 - a) Seven a.m. through 10 a.m., inclusive, and 2 p.m. through 5 p.m., inclusive, Monday through Friday, on days the school is in operation. A local authority may propose alternative hours, so long as the hours are no less than one hour before or after the school is in operation and the alternative hours are posted on the “SCHOOL” warning sign.
 - b) During any period when the beacons attached to a standard “SCHOOL” warning sign are flashing if the sign is equipped with a notice that indicates that the school zone speed limit is in effect when the beacons are flashing. For the purpose of this subparagraph, a standard “SCHOOL” warning sign may be placed at any distance up to 500 feet away from school grounds.
 - c) Defines “school zone” to mean an area approaching or passing a school building or the grounds thereof that is contiguous to a highway and on which is posted a standard “SCHOOL” warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. “School zone” also includes the area approaching or passing any school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children if that highway is posted with a standard “SCHOOL” warning sign.
- 4) Establishes, beginning January 1, 2027, a prima facie limit of 20 miles per hour in a school zone during the time periods identified in 3).
- 5) Allows, beginning January 1, 2027, a local authority by ordinance or resolution to determine and declare a prima facie speed limit as follows:
 - a) A 15 miles per hour prima facie limit in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, when approaching, at a distance of less than 500 feet from, or passing, a school building or the grounds, thereof, contiguous to a

highway and posted with a school warning sign that indicates a speed limit of 15 miles per hour from 7 a.m. through 10 a.m., inclusive, and 2 p.m. through 5 p.m., inclusive, Monday through Friday, on days the school is in operation and the highway is posted with a school warning sign that indicates a speed limit of 15 miles per hour, or during a period when beacons attached to a standard "SCHOOL" warning sign are flashing and the sign is equipped with a notice that indicates that the school zone speed limit is in effect when a beacon is flashing. A local authority may propose alternative hours, so long as the hours are no less than one hour before or after the school is in operation and the alternative hours are posted on the "SCHOOL" warning sign.

- b) A 25 miles per hour prima facie limit, on a highway when approaching, at a distance of 500 to 1,000 feet from, a school building or the grounds thereof, contiguous to a highway and posted with a school warning sign that indicates a speed limit of 25 miles per hour from 7 a.m. through 10 a.m., inclusive, and 2 p.m. through 5 p.m., inclusive, Monday through Friday, on days the school is in operation and the highway is posted with a school warning sign that indicates a speed limit of 25 miles per hour, or during a period when beacons attached to a standard "SCHOOL" warning sign are flashing and the sign is equipped with a notice that indicates that the school zone speed limit is in effect when a beacon is flashing. A local authority may propose alternative hours, so long as the hours are no less than one hour before or after the school is in operation and the alternative hours are posted on the "SCHOOL" warning sign.
 - c) A 15 miles per hour prima facie limit only applies to highways that have a maximum of two traffic lanes and have a maximum posted 30 miles per hour prima facie speed limit immediately prior to and after the school zone.
- 6) Provides that, if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to current law governing state mandated local costs.

EXISTING LAW:

- 1) Sets 25 mph prima facie speed limit in school zones 500 feet from a school when children are present. (Vehicle Code Section (VEH) § 22352).
- 2) Authorizes local authorities to set a 25 or 15 mph prima facie speed limit in a residence district within 500 to 1,000 feet from a school when children are present and the following factors apply:
 - a) There is a maximum of two traffic lanes.
 - b) A maximum posted 30 mph prima facie speed limit immediately prior to and after the school zone. (VEH § 22358.4)
- 3) Permits a 15 mph speed limit within 500 feet of a school if the conditions (laid out in #2 above) are met.
- 4) Provides that a prima facie speed limit is a speed trap unless it was justified by an engineering and traffic survey, with the exception of speed limits that are school zones, a local street or road as defined, senior zones, or business activity district. (VEH § 40802).

- 5) Defines a school zone speed limit, for the purposes of the exemption of a speed trap, to mean the area approaching or passing a school building or the grounds that is contiguous to a highway and on which is posted a standard “SCHOOL” warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. “School zone” also includes the area approaching or passing any school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children if that highway is posted with a standard “SCHOOL” warning sign. (VEH § 40802).

FISCAL EFFECT: This bill is keyed fiscal and contains a state-mandated local program.

COMMENTS:

- 1) **Bill Summary.** Beginning January 1, 2027, AB 2583 establishes a speed limit of 20 miles per hour in school zones during specified times. The bill requires local authorities to establish speed limits of 20 miles per hour within 500 feet of school during specified times or when beacons attached to standard “SCHOOL” warning signs are flashing, beginning January 1, 2027. This bill is sponsored by Streets for All.
- 2) **Author’s Statement.** According to the author, “The safety of every child walking and biking to school should be a priority. Research shows that reducing speed limits in school zones brings significant safety benefits. Last year the American Academy of Pediatrics recommended reducing speed limits to 20 mph or less to improve child pedestrian safety. California’s outdated school zone policies make school zones less safe. Of the 39 states that set a maximum school zone speed by statute, California is one of just nine states with a school zone speed limit greater than 20mph. Only six other states mandate the use of ‘When Children are Present.’ A time-based standard is easier for drivers to comply with because it provides a statewide, consistent, and easy-to-understand parameter to follow. This bill would also strengthen cities ability to create a two-step reduction in speed, if they so choose, to better protect kids walking or biking to schools.”
- 3) **General Plans.** State law provides powers and duties for cities and counties regarding land use. Each city and county must prepare and periodically update a comprehensive, long-range general plan to guide future planning decisions. The general plan has seven mandatory elements: land use, circulation, housing, conservation, open-space, noise, and safety. General plans must also either include an eighth element on environmental justice, or incorporate environmental justice concerns throughout the other elements. Cities and counties may adopt optional elements that address issues of their choosing, and once adopted, those elements have the same legal force as the mandatory elements. The general plan must be “internally consistent,” which means the various elements cannot have conflicting information or assumptions.

Although state law spells out the plans’ minimum contents, it also says local officials can address these topics to the extent to which they exist in their cities and counties, and with a specificity and level of detail reflecting local circumstances. Similarly, state law doesn’t require cities and counties to regularly revise their general plans (except for the housing element, which must generally be revised every eight years).

- 4) **Circulation Element.** The circulation element identifies the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities. It serves as an infrastructure plan and must correlate with the land use element.

Generally, this element contains detailed maps, standards for operation, policies, and financing plans. Specific circulation component addressed by this element may include public transit, bicycle facilities, parking, truck routes, sewage transport, and treatment, electric gas and transmission lines, drainage facilities and waterways. Since 2011, cities revising their circulation elements must plan for a transportation network that meets the needs of all types of users, including bicyclists, children, persons with disabilities, pedestrians, public transit users, and seniors.

The Pedestrian and Bicycle Information Center (PBIC) with support from the National Highway Traffic Safety Administration (NHTSA), Federal Highway Administration (FHWA), Centers for Disease Control and Prevention (CDC) and Institute of Transportation Engineers (ITE) created a guide to engineer safe routes to school, entitled *Safe Routes to School Guide: Engineering*. The guide provides advice on community planning that pairs the needs of pedestrians and cycles with best practices for traffic control to promote the safety of children and families on their way to school. These recommendations are founded in the following guiding principles:

- a) Create school walking and bicycling route maps using a variety of assessment tools and exercises.
 - b) Identify and regulate the school zone.
 - c) Provide and maintain bicycle and pedestrian facilities along the school route including sidewalks, on-street bicycle facilities, paths, bridges and tunnels.
 - d) Provide safe street crossings for bicyclists and pedestrians.
 - e) Slow down traffic.
- 5) **Speed Limits vs Driving Behaviors.** In 2020, the University of California Institute of Traffic Studies (UC ITS) compiled research on the dangers of speeding and the effect speed limits have on speeding and found that while changing speed limits has a minor overall effect on the mean speed, it has a major effect on reducing speed-related injuries and fatalities. UC ITS notes that “reducing speed limits almost universally reduces speeds both on limited and mixed access roads. However, the absolute magnitude of speed changes from speed limits alone is quite small...a five mph reduction in speed limit is likely to decrease mean speed by one to two mph. With stronger enforcement, the effect of a five mph speed limit reduction may be closer to three mph.” UC ITS reports that a five mph reduction in speed can reduce injuries by 8-15%. Other studies have reported reductions as great as 28% and 39%. The benefits may be even greater for pedestrians. UC ITS notes that research has shown that environments with five mph lower posted speed limits equate to 56-88% fewer serious pedestrian injuries and 80-96% fewer pedestrian fatalities.
- 6) **Efficacy of School Zones.** A study by NRC Research Press entitled *Are School Zones Effective in Reducing Speeds and Improving Safety?* found a strong safety benefit to reducing school zone speed limits. Specifically, in Edmington, school zone speed limits were lowered at over 200 schools from 30 mph to 18 mph. The study found that the 85th percentile speed in these school zones dropped by 7 mph, resulting in a 43.5% reduction in fatal and injury

collisions. However, lowering the speed limit may not ultimately result in compliance with that speed limit. According to Enhancing Traffic Safety at School Zones by Operation and Engineering and Countermeasures, approximately half of all vehicles exceeded the speed limit in school zones and around 10% of the vehicles exceeded the speed limit by 10 km/h (6.21 mph) or higher.

This bill authorizes the school zone speed limit to be in effect at any time flashing beacons are used. Flashing beacons are significantly more likely to result in compliance with a school zone speed limit than a simple posted speed limit sign. Research has found flashing beacons can reduce vehicles exceeding 35 mph by 25-30%.

7) **Previous Legislation.**

- a) AB 645 (Friedman) Chapter 808, Statutes of 2023, authorized a six city pilot for the use of speed cameras to enforce speed limits, including school zone speed limits when flashing beacons are utilized to indicate the school zone speed limit is in effect.
- b) AB 43 (Friedman), Chapter 690, Statutes of 2021, granted Caltrans and local authorities greater flexibility in setting speed limits based on recommendations the Zero Traffic Fatality Task Force (Task Force) made in January 2020.
- c) AB 2363 (Friedman), Chapter 650, Statutes of 2018, created the Zero Traffic Fatalities Task Force.
- d) SB 632 (Cannella) of 2015 would have established a 15 mph prima facie speed limit in school zones. That bill died in Senate Transportation Committee.
- e) AB 529 (Gatto), Chapter 528, Statutes of 2011, allowed, in instances where Caltrans or the local authority should round up to reach the nearest 5 mph, that Caltrans or the local authority may instead round down but then may not reduce the posted speed limit by a 5 mph increment for a safety-related factor.
- f) AB 2767 (Jackson), Chapter 45, Statutes of 2000, allowed local authorities to consider residential density and bicycle and pedestrian safety as additional factors in engineering and traffic surveys conducted for purposes of setting speed limits.

8) **Arguments in Support.** Streets for All writes in support, “AB 2583 will increase safety in school zones by requiring jurisdictions to consider all areas within ½ mile of schools in their Circulation Elements, thus encouraging jurisdictions to implement safe infrastructure and road design in these areas. Infrastructure like curb extensions, raised crosswalks can help slow down vehicles, increase visibility of pedestrians, and reduce the likelihood and severity of collisions. By incorporating various design elements tailored to the specific needs of school zones, we can create school environments that promote safer travel for everyone.”

9) **Arguments in Opposition.** Safer Streets LA writes in opposition, “In 2015, legislation similar to AB-2583 was proposed. In response, the Senate Committee on Transportation held the bill and instead requested the California Traffic Control Devices Committee (CTCDC) to review the protocols for school zones and report back to the Transportation Committee. After an extensive analysis, the CTCDC determined that it was not warranted to increase the length

of school zones nor to change the times when the school zone is in effect... As this issue has been thoroughly studied by professionals in the recent past, it is unnecessary to reconsider the changes proposed by AB-2583. The only issue that may be warranted is to consider allowing or requiring usage of school zone flashing beacon arrays in California school zones. If that change is made, it might also make sense to set specific times when the flashing beacon would be permitted to be active. The active times recommended by the TTI study would be a rational protocol to adopt in this scenario.”

Recent amendments in the Assembly Transportation Committee have addressed the concerns outlined in the letter submitted by Safer Streets LA.

10) **Double-Referral.** This bill was double referred to the Committee on Transportation, where it passed on a 15-0 vote on April 15, 2024.

REGISTERED SUPPORT / OPPOSITION:

Support

Streets for All [Sponsor]
Active SGV
American Academy of Pediatrics, California
Bike East Bay
Bike LA
Calbike
California Federation of Teachers AFL-CIO
California Teachers Association
Car-lite Long Beach
CCA EJ
Cleaneart4kids.org
Conor Lynch Foundation
East Bay for Everyone
Everybody's Long Beach
Long Beach Bike Co-op
Los Angeles Unified School District
Los Angeles Walks
Marin County Bicycle Coalition
Pedal Movement
Physicians for Social Responsibility - San Francisco Bay Area Chapter
Safe Routes Partnership
SoCal Families for Safe Streets
Transbay Coalition
Youth Climate Strike Los Angeles

Opposition

Safer Streets LA

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