

TO: The Honorable Members of the Senate Committee on Transportation & Housing

FROM: Jay Beeber, Safer Streets L.A.

DATE: April 6, 2015

SUBJECT: Opposition to SB 632

Safer Streets L.A., an organization dedicated to the adoption of scientifically sound and sensible transportation and traffic laws, strongly opposes SB 632, which allows school zone speed limits of 15 - 25 mph to be placed in effect 24 hours per day/7 days per week and allows school zones to be expanded to virtually any size/distance.

SB 632 Does Not Specify a Safety Need

First, no safety justification exists for expanding the scope of school zones in this manner. The California Highway Patrol's Statewide Integrated Traffic Records System (SWITRS) database serves as a means to collect and process data gathered from collision scenes by multiple police agencies throughout the state. We requested collision data from the SWITRS database for collisions attributable to motorists violating the speed restrictions in school zones which is citable under CVC 22352, CVC 22358 or CVC 22358.4. We searched the database for the period 2002 - 2014 for collisions where the primary or contributory collision factor was a violation of any of these sections of the vehicle code. According to the CHP, no collisions occurred in the entire State of California for this twelve year period due to a violation of speed within a school zone. (See attached correspondence from SWITRS staff.) There is, therefore, absolutely no safety justification to expand the hours or distances in which a school zone can operate.

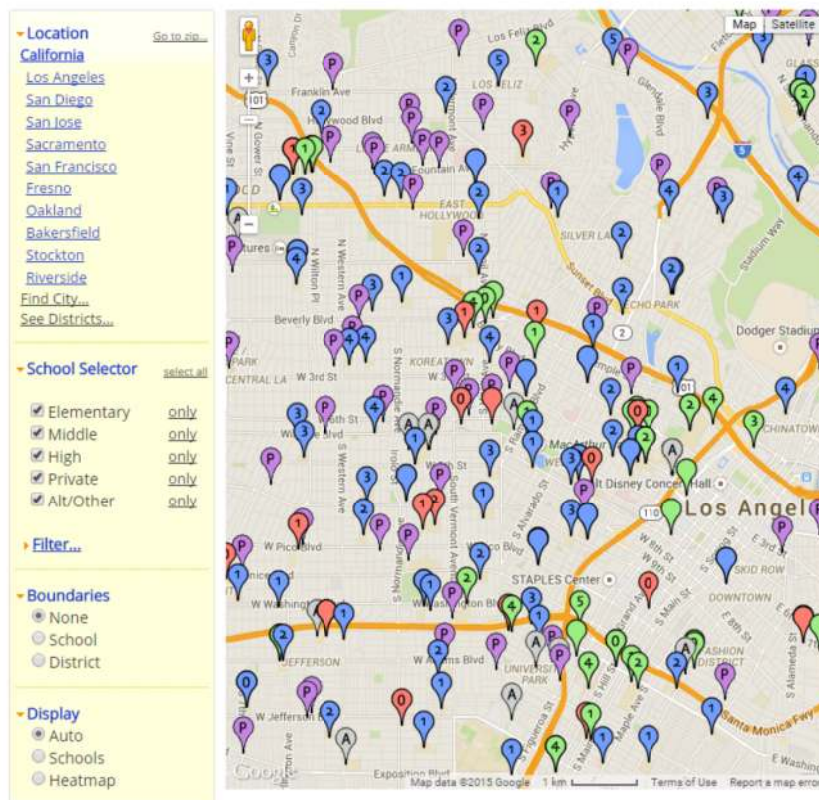
Excessively Long School Zones May Actually Reduce Safety for School Children

Research suggests that increasing the size of the reduced speed school zone to incorporate a larger area is likely to be ineffective and could reduce safety for school children. A recent Texas Transportation Institute project, *Comprehensive Guide to Traffic Control Near Schools*, (<http://tti.tamu.edu/documents/0-5470-1.pdf>) examined traffic control treatments used near schools, especially those associated with reduced speed school zones. Notable among the findings was that vehicle speeds increase as the relative distance in the school zone increases. Thus, longer school zones do not result in lower speeds for a longer distance. In fact, arbitrarily long school zones may have the unintended consequence of increased vehicle speeds as motorists approach the critical areas of the school zone, that is, the area closest to the school where children are most likely to be present. The *Guidelines* recommend lengths of school zones be limited to 500 ft on either side of the approach to the school entrance, exactly what the current law is in California.

Contrary to sound engineering practices, SB 632, would allow reduced speed school zones to expand to at least ¼ mile and perhaps to an unlimited distance simply by a jurisdiction performing a “Travel Survey”. This is especially problematic as SB 632 does not provide an exact definition of this Travel Survey or the criteria for how it would be used to justify going beyond the ¼ mi limit.

We are further concerned that SB 632 provides for school zones of such great length that adjacent school zones would overlap, creating large areas of reduced speed limits and further reducing compliance. For example, the map below shows the concentration of schools in a typical section of Los Angeles. If SB 632 were to be enacted, the entire area would likely be subject to unrealistically reduced speed limits at all times.

808 schools found. Click on the markers below to view information about a school, or scroll down to see a school list.



There is No Rational Justification for Operating School Zones 24/7

SB 632 would allow jurisdictions to reduce speeds to 15 - 25 mph in school zones at all hours of the day and at all times of the year, even when schools are not in session and no children are present. The entire justification for reducing speeds in school zones is to increase safety for children traveling in and around school grounds. What justification can there then be for reducing speeds at all times, even when children are not present? There is none. By its very nature, SB 632 makes a mockery of our school zoning protocols.

As for the appropriate times when school zones should be active, the *Comprehensive Guide's* recommendation is:

- from 30 minutes before start of school to 5 minutes after start of school,
- from the beginning to the end of the lunch period, and
- from 5 minutes before end of school to 30 minutes after end of school.

Note that there has never been any study suggesting that safety would be improved if school zones operated 24 hrs per day/7 days per week.

SB 632 Effectively Eliminates Current Procedures for Setting Speed Limits and Removes Protections Against Unfair Enforcement

As the Senate Transportation and Housing and Assembly Transportation Committees noted in their background sheet for their 2009 joint informational hearing on the subject of setting speed limits, *“speed limits serve a coordinating function such that the limit is set at a speed at which the majority of drivers tend to drive, thereby reducing dispersion in driving speed and the risk of conflict with another vehicle. Speed limits, when appropriately set, also provide a basis for speed enforcement.”* *“...Establishing speed limits at the 85th percentile is based on the assumption that the majority of motorists drive at a speed that is reasonable and prudent for roadway and vehicular conditions. The 85th percentile... establishes an upper limit on what is considered reasonable and prudent.”*

If enacted, SB 632 would allow jurisdictions to circumvent this process and set a reduced speed limit of 15 - 25 mph virtually anywhere which would be enforceable 24 hours per day/7 days per week. This would not improve safety as widespread non-compliance is assured when speed limits are set arbitrarily low over long distances and time. Again, as the joint committee noted, *“...speed limits depend on voluntary compliance by the majority of drivers. Speed limits that are set arbitrarily low would make violators out of the majority of drivers and may cause drivers to disregard the limit altogether.”*

It is widely recognized that the only way to effectively reduce vehicle speeds over long distances and time is to change the physical nature of the roadway with engineering treatments such as road narrowings, roundabouts, road markings, bulb outs and other physical structures that signal to drivers that conditions are changed such that they should slow down. Simply placing a reduced speed limit number on a sign has never, and will never, be an effective solution.

There is a real possibility that if SB 632 were enacted, safety would decrease as greater numbers of drivers would begin to disregard the speed limit, not only in school zones, but on all roadways. This would decrease safety on our roads and especially in school zones. Further, the vast majority of the driving population would be made into violators subjecting them to harsh penalties for violating arbitrary and capricious restrictions that have no rational basis and no safety necessity.

As the California Appellate Court noted in *People vs. Goulet*, *“Traffic rules account for most of the contact by average citizens with law enforcement and the courts. Enforcement of laws which are widely perceived as unreasonable and unfair generates disrespect and even contempt toward those who make and enforce those laws.”*

Alternative Solutions

We have previously expressed concerns that under current California law, motorists are often not given proper warning of when school zoning is operational. However, expanding the length and times of school zone operation is not the answer. What is necessary is more specificity regarding when reduced speeds in school zones are operating so motorists know when compliance is expected. To illustrate this point, we note that due to the confusion surrounding this issue, Caltrans staff recently requested that the California Traffic Control Devices Committee (CTCDC) clarify the meaning of the “When Children Are Present” sign. This request arose because, as stated in the Caltrans request, *“Some local judges are supporting citations issued during the entire school day – even when the children are in the classroom and nowhere near the roadway”*. Caltrans staff suggested that the meaning of the signage refer to the condition when, *“Motorists can see children on foot or bicycling within 30 feet of the highway traveled way, and there is no fence, gate, or other physical barrier separating the children from the highway”*. (see Caltrans recommendations attached)

Alternatively, changeable message signs or school zone speed limit signs with flashing lights activated when the lower speed limit is in effect would inform the motoring public that school zoning is operational and, coupled with speed feedback signs, would result in significantly increased compliance.



SB 632, however well intentioned, will not enhance safety for children in school zones and may actually decrease safety for children traveling to and from school. We ask for your NO vote on this bill.

Sincerely,

Jay Beeber
Executive Director
Safer Streets L.A.